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THE
LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT OF THE SIXTH SESSION OF THE THIRD
LEGISLATIVE ASSEMBLY.)

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LEGISLATIVE ASSEMBLY

Monday, 20th January, 1930.

The Assembly met in the Assembly Chamber of the Council House in New Delhi at Eleven of the Clock, being the first day of the Sixth Session of the Third Legislative Assembly, pursuant to S. 63-D (2) of the Government of India Act. The President (the Honourable Mr. Vithalbhai Javerbhai Patel) was in the Chair.

STATEMENT BY MR. PRESIDENT RE PROTECTION OF THE
ASSEMBLY CHAMBER AND ITS PRECINCTS.

Mr. President: Before I call upon new Members desiring to take their seats to take the oath or make the affirmation in the manner prescribed, I desire to bring to the notice of this House a very serious situation which has arisen as a result of certain differences of opinion between the Government of India and the Chief Commissioner, Delhi, on the one hand, and the President of the Assembly on the other, regarding the question of control over admission of visitors in the outer as well as the inner precincts of the Assembly sector. The Government of India and the Chief Commissioner maintain that they, being responsible for the safety of the President and other Members of this House, are entitled to take such measures and post as many policemen in any part of the sector, with such instructions to them as they consider necessary, and that they are the sole judges of the adequacy of the protective measures to be taken in that behalf. The President of the Assembly, on the other hand, is of opinion that his authority within the precincts of the Assembly sector is so supreme and his control so complete, that his word as to the adequacy of the protective measures to be taken is final, and that no measures which have not his previous approval could be put into force within the precincts of the sector.

Last night, after the clock had struck nine, I received an urgent communication from the Chief Commissioner, Delhi, with a copy of a series of orders which have been issued by him to the police. I wish I could read

[Mr. President.]

these orders to the House, but as the communication is marked "Confidential", I refrain from doing so. Simultaneously I received the following communication from the Honourable the Home Member:

"Immediate.

Dear Mr. President,

The Chief Commissioner of Delhi has referred to the Government of India certain questions relating to the police arrangements for the protection of the Assembly Chamber, its precincts and the Council House Building, which I understand he discussed with you yesterday. The most essential of these relate to the proposals for checking admission to the Council House Building and the presence of police, including uniformed police, in the public gallery. These questions, after discussion, have been referred to His Excellency the Governor General and, with his concurrence, the considered view of the Governor General in Council is that, while supporting to the furthest reasonable limits the Honourable the President's dignity in consultation with him with regard to arrangements for protecting the Assembly and the public resorting to its precincts, if the Honourable the President is not prepared to concur in the advice of the Local Government, which is in law responsible, in essential matters of the provision for protection, Government must take the final responsibility for the adequacy of protective measures, on which point the authority immediately responsible is clearly the best judge.

The Chief Commissioner of Delhi has accordingly been instructed to carry out his proposals in respect of the two essential points which I have mentioned above.

I consider it, however, important that we should discuss the position personally, and I shall be glad to meet you at any time tomorrow convenient to you before the Assembly meets.

Yours sincerely,
(Signed) J. CRERAR."

The communication speaks for itself and needs no comment.

As Honourable Members are aware, the President of the Assembly had appointed a Watch and Ward Committee under the Chairmanship of the Leader of the House to consider the whole question of the precautionary measures to be taken and to advise him thereon. The Committee had recently submitted their Report, and the President has passed certain orders on their recommendations. The proposals which the Chief Commissioner, Delhi, with the full concurrence of the Government of India, has put into operation from to-day, after full knowledge of the orders passed by the President on the recommendations of the Watch and Ward Committee, are in deliberate defiance of those orders and constitute a challenge to the authority of the Chair. To take only one instance. The President has directed that the galleries shall be guarded by the Assembly Staff and that there shall be allowed only one policeman in plain clothes in the public gallery, in accordance with the practice in the House of Commons, while the Chief Commissioner has posted four policemen in uniform in the public gallery. I have carefully studied the large number of orders issued to the police by the Chief Commissioner, and I have no hesitation in saying that, taken as a whole, they seek to substitute the authority of the Government for the authority of the Chair in the whole Assembly sector including the galleries.

In these circumstances, I have no other course open but to direct that all the galleries except the Press gallery, be forthwith cleared and closed, and that no further passes be issued to strangers until further orders. I hope the authorities concerned will in the meantime reconsider their position, and I will also consider what further steps I should take to vindicate the authority of the Chair.

I express my regret to those who might be inconvenienced by this order.

The Honourable Sir James Crerar (Home Member): Sir,

Mr. President: Orders must be carried out first.

The Honourable Sir James Crerar: I request you, Sir, to give me an opportunity to make some observations on the statement you have just made.

Mr. President: Orders must be carried out first.

(All the galleries, except the Press Gallery, were then cleared.)

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Sir, may I inquire whether your order applies also to the Members of the Council of State, who are entitled to come without passes?

Mr. President: Yes.

Members desiring to take their seats

The Honourable Sir James Crerar: Sir, may I with all respect ask to be allowed to make some observations?

Mr. President: Will the Honourable Member kindly resume his seat? With regard to what does he wish to make his observations?

The Honourable Sir James Crerar: With regard to the statement which you, Sir, have just made.

Mr. President: I have passed my order and it cannot be questioned. Gentlemen desiring to take their seats will come to the table and make the oath or affirmation in the manner prescribed.

MEMBERS SWORN.

Mr. Arthur Moore, M.L.A. (Bengal: European); Colonel J. D. Crawford, M.L.A. (Bengal: European); Mr. Gerard Mackworth Young, C.I.E., M.L.A. (Army Secretary); Mr. Evelyn Berkeley Howell, C.S.I., C.I.E., M.L.A. (Foreign Secretary); Mr. Alfred Alan Lethbridge Parsons, C.I.E., M.L.A. (Financial Commissioner, Railways); Mr. Hubert Arthur Sams, C.I.E., M.L.A. (Director-General of Posts and Telegraphs); Mr. Clement Wansbrough Gwynne, C.I.E., O.B.E., M.L.A. (Home Department: Nominated Official); Mr. John Coatman, C.I.E., M.L.A. (Director of Public Information); Mr. Kodikal Sanjiva Row, M.L.A. (Finance Department: Nominated Official); Mr. Hugh Stuart Crosthwaite, C.I.E., M.L.A. (United Provinces: Nominated Official); Mr. John Monteath, M.L.A. (Bombay: Nominated Official); Mr. Ernest Frederick Baum, M.L.A. (Purma: Nominated Official); Mr. Kismet Leland Brewer Hamilton, M.L.A. (Central Provinces: Nominated Official); Mr. Samuel Henry Sater, C.M.G., C.I.E., M.L.A. (Madras: Nominated Official); Mr. Rajnarayan Banarji, M.L.A. (Bengal: Nominated Official); Mr. Ram Prashad Narayan Sahi, M.L.A. (Bihar and Orissa: Nominated Official).

Mr. R. S. Sarma (Bengal: Nominated Non-Official): On a point of order. Is it your ruling, Mr. President, that the Members of this House

[Mr. R. S. Sarma.]

should be denied the opportunity of knowing the views of the Honourable the Leader of the House, not on the order that you yourself have been pleased to say that you had already passed but on the circumstances leading to that order, especially in view of the fact that his name had been frequently mentioned in your ruling and he presided over the Watch and Ward Committee?

Mr. President: No point of order arises.

QUESTIONS AND ANSWERS.

PROSCRIPTION OF THE BOOK "MOTHER INDIA."

1. ***Mr. Mukhtar Singh** (on behalf of Pandit Thakur Das Bhargava): (a) Are Government aware that the United States of America have proscribed "Uncle Sham" by Mr. Gauba, written by way of reply to "Mother India" by Miss Mayo?

(b) Do the Government of India propose to proscribe "Mother India"? If not, why not?

The Honourable Sir James Crerar: (a) No. My information is that the book is admitted by the United States Customs and is on sale in New York.

(b) Does not arise.

Mr. Lalchand Navalrai: Have the Government of India by this time read this book of Miss Mayo thoroughly?

The Honourable Sir James Crerar: I have no doubt that many individual Members of the Government of India have read the book.

***Mr. Lalchand Navalrai:** Does the Honourable Member find objection to portions of the book or no?

The Honourable Sir James Crerar: I think that the Honourable Member is asking for an expression of opinion.

Mr. Lalchand Navalrai: I ask not for an opinion but for information. Has the Honourable Member, by reading that book, come to know that it is a book fit to be proscribed?

The Honourable Sir James Crerar: I do not think that the Honourable Member has successfully discriminated between information and opinion.

Mr. Lalchand Navalrai: I would request the Honourable President to give me a ruling on this, whether I am asking for an opinion or for information. I do not want the opinion of the Government of India, but I want to know whether, on the reading of the book, it appears to the Government of India that the book is objectionable or not. I ask it from that point of view.

(No answer was given.)

THE LAW OF BRIBERY.

2. ***Mr. M. S. Aney:** (a) Has the attention of the Government of India been invited by the Government of Madras, as desired by the Chief Justice of the Madras High Court, to the observations made by him regarding the unsatisfactory nature of the present law of bribery, as laid

down in section 161 of the Indian Penal Code, in Venkatrama Naidu *versus* Emperor in Cr. Revision No. 921 of 1928 and Cr. Revision, petition No. 762 of 1928, decided on 9th April, 1929, and reported in All-India Reporter, 1929 Madras 756?

(b) If so, when and with what effect?

(c) Do Government propose to undertake any legislation to amend the Indian Penal Code for the purpose of penalising the conduct—

(i) of a person who offers a bribe to any public servant, even when that public servant did not accept the same or indignantly refused to have anything to do in relation to it;

(ii) of a public servant who accepts the bribe for an object in regard to which he is *functus officio*?

(d) Do Government propose to undertake any legislation, either by amending the Indian Penal Code or in such other manner as the Government deem proper, in order to give effect to the following observations of Coutts Trotter, C. J., in the same case:

"It is time that fresh legislation were introduced into the Code to make these most dangerous offences of giving or taking bribes punishable in much wider terms than are contained in the Code at present. Moreover, there is no provision for the bribing of anybody except a public official, and no provision at all corresponding to what is known in England as Fry's Act?"

The Honourable Sir James Crerar: (a) Yes.

(b), (c) and (d). The matter was brought to the notice of Government in April 1929, and they have noted the amendments for consideration when the Indian Penal Code next comes under general revision.

Mr. Lalchand Navalrai: Is the Honourable Member aware that under section 161 read with section 109 of the Indian Penal Code, the offerer of the bribe can be prosecuted?

The Honourable Sir James Crerar: The Honourable Member is, I think, raising a point of law. I have no doubt that with his knowledge of law, he is perfectly capable of putting his own construction.

Mr. Lalchand Navalrai: This was a preliminary question to my putting another question, and that is whether the Government have been using, against the persons who offer bribes, section 161 read with section 109?

The Honourable Sir James Crerar: I must have notice of that question. I cannot undertake, without examination, to make any definite statement as to the action that has been taken in the circumstances suggested by the Honourable Member.

RAILWAY CONFERENCE SPEECHES.

3. ***Sir Darcy Lindsay** (on behalf of Mr. E. F. Sykes): Will Government be good enough to place in the Library of the House, or otherwise make accessible to Members, copies of the speeches delivered at the Railway Conference at Simla in October, 1929, by the Honourable the Commerce Member and the Chief Commissioner for Railways?

Mr. A. A. L. Parsons: Copies of the speeches referred to have been placed in the Library of the House.

by the Inquiry Clerk at Howrah station, or by the Booking Clerk of the City Booking Offices in consultation by telephone with the Chief Operating Superintendent's Office.

(b) So far as I am aware, the answer is in the negative.

(c) Government understand that the arrangement referred to in item (a) above has worked quite satisfactorily, and in the circumstances they do not propose to take any action.

AMALGAMATION OF THE OUDH AND ROHILKHAND RAILWAY WITH THE EAST INDIAN RAILWAY.

9. ***Sir Darcy Lindsay** (on behalf of Mr. E. F. Sykes): Will Government please say with what objects the Oudh and Rohilkhand Railway was amalgamated with the East Indian Railway? To what extent have they been attained? Did the amalgamation result in any increase in earnings or reduction of working expenses?

Mr. A. A. L. Parsons: I am sending the Honourable Member a copy of the Report recommending the amalgamation, from which he will be able to ascertain the objects aimed at. The Railway Board consider that the objects have been, in a large measure, secured.

As regards earnings, numerous factors of varying degrees of importance contribute to the fluctuations in the earnings of a railway system, and it is not practicable to ascertain the extent to which the amalgamation of the two systems affected the gross earnings.

As regards working expenses, the reply is in the affirmative.

NAMES OF ROADS IN NEW DELHI.

10. ***Mr. A. H. Ghuznavi:** (a) Are Government aware that pedestrians in New Delhi, particularly visitors, are often lost in a maze for want of means of identifying the roads except at the crossings and at the two ends?

(b) In view of the fact that almost all the roads stretch far away and that the crossings are few and far between, have Government considered the question of the desirability of inscribing, both in English and in the vernacular, the names of the roads on the street lamps at suitable intervals?

The Honourable Sir Bhupendra Nath Mitra: (a) Government are not aware that any such difficulties have been experienced.

(b) The indications of the names of roads which have been provided, are considered adequate.

APPOINTMENT OF AN INDIAN TRADE COMMISSIONER AT MOSCOW.

11. ***Mr. B. Das:** Do Government intend to appoint an Indian Trade Commissioner or Consul at Moscow to look into the special interests of Indian trade and commerce?

The Honourable Sir George Rainy: No, Sir.

Mr. B. Das: Do I take it that in the opinion of the Honourable Member, the volume of trade between India and Russia is not sufficient to justify the establishment of a Trade Commissioner's office in Russia?

The Honourable Sir George Rainy: No, Sir, I do not think the Honourable Member would be justified in drawing that inference. We have at present no Trade Commissioners anywhere except in London, although we contemplate the appointment of Trade Commissioners in several places. The position at present is that we are only starting our programme of the appointment of Trade Commissionerships, and the question of appointing a Trade Commissioner at Moscow does not really arise.

Mr. B. Das: Has not England got a Consular Official at Moscow?

The Honourable Sir George Rainy: I presume there is a British Consul at Moscow. So far as I am aware, India has no Consular Office in Russia.

FARES CHARGED ON STATE RAILWAYS.

12. ***Sir Darcy Lindsay** (on behalf of Mr. E. F. Sykes): (a) Will Government be pleased to state whether the current rates and fares charged on State Railways represent the amount which the traffic can bear?

(b) If the answer to part (a) is in the negative, have Government estimated how much additional net revenue it would be possible to raise from these railways?

Mr. A. A. L. Parsons: (a) Government are not prepared to state that a higher net revenue could not be secured if the freight rates on certain commodities or the fares of certain classes of passengers were raised.

(b) It is quite impracticable to make any estimate.

PROHIBITION OF OPIUM-SMOKING.

13. ***The Revd. J. C. Chatterjee:** (a) With reference to my starred question No. 472, regarding the prohibition of opium smoking in the provinces, and the reply given to it by the Honourable the Finance Member on the 16th September, 1929, will Government be pleased to state if the report from the Bombay Government has now been received?

(b) If the answer to part (a) be in the negative, have Government reminded the Bombay Government of the necessity of expediting their report?

The Honourable Sir George Schuster: (a) and (b). The Government of India have ascertained from the Government of Bombay that the report may probably be expected in February.

CONFERENCE ON OPIUM.

14. ***The Revd. J. C. Chatterjee:** (a) With reference to the Honourable the Finance Member's statement at page 870 of the Legislative Assembly Debates of the 16th September, 1929, that it was high time that the Conference on Opium was called, have Government fixed the date and the composition of the proposed Conference?

(b) Have Government circularised Local Governments, asking them to prepare for such a Conference as early as possible?

The Honourable Sir George Schuster: (a) and (b). The Government of India have invited Local Governments to send representatives to a conference to be held in Simla in the first week of May next. Their replies are awaited.

REFUSAL OF A PASSPORT TO INDIA TO MR. SAKLATVALA.

15. ***Mr. Ram Narayan Singh:** (a) Is it a fact that Mr. Saklatvala has been refused a passport by the Secretary of State for India to come over to this country to attend the session of the Indian National Congress at Lahore?

(b) Did any correspondence on the above subject pass between the Government of India and the Secretary of State for India before the refusal referred to above; and if so, will the Government be pleased to lay on the table the said correspondence?

(c) Are Government prepared to inquire from the Secretary of State for India as to the reasons for the refusal of the passport?

(d) Are Government aware of the fact that, as a result of the said refusal, a storm of indignation and discontent has passed throughout the length and breadth of this country?

The Honourable Sir James Crerar: (a) The fact appears to be as stated.

(b), (c) and (d). The reply is in the negative.

CORRESPONDENCE REGARDING DELHI MANIFESTO OF INDIAN LEADERS.

16. ***Mr. Ram Narayan Singh:** (a) Has the attention of Government been drawn to (1) a joint manifesto called the Delhi Manifesto of the Indian leaders, issued as a result of the recent Viceregal announcement regarding the ultimate political goal of India, and also to (2) the debate in the British Parliament on the same announcement?

(b) Has any correspondence passed between the Government of India and the Secretary of State for India on the said Delhi Manifesto, and if so, will the Government be pleased to lay on the table the said correspondence?

The Honourable Sir James Crerar: (a) Yes.

(b) Government are not in a position to lay any papers on the table.

AMNESTY FOR POLITICAL PRISONERS.

17. ***Mr. Ram Narayan Singh:** (a) Will Government be pleased to state whether they are really considering the question of amnesty, and if so, has any correspondence passed between them and the Home Government on the same subject?

(b) If the answer to the second part of part (a) is in the affirmative, will Government be pleased to lay on the table the same correspondence?

The Honourable Sir James Crerar: (a) Under the conditions at present prevailing, it is not practicable for Government to consider such questions.

(b) Does not arise.

WITHDRAWAL OF PROTECTION FROM THE TINPLATE INDUSTRY.

18. ***Mr. Ram Narayan Singh:** Will Government be pleased to state whether they have come to any decision on the recommendations contained in the Resolution adopted by the Legislative Assembly on Tuesday, the 24th September, 1929, regarding the withdrawal of protection from the tinplate industry in this country, and if so what is that decision?

The Honourable Sir George Rainy: Government do not propose to take any action on the Resolution.

DUTCH AIR MAIL SERVICE TO INDIA.

19. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Will Government kindly state if it is a fact that a Dutch air mail service has been established to bring mails and passengers from Europe to India? If so, who owns the company, and under whose authority has such a foreign service been inaugurated?

(b) Since when has this service been started, and what are the stations to which mails are delivered by air through this agency?

(c) What facilities have been extended to this Dutch air mail service, and why?

The Honourable Sir Bhupendra Nath Mitra: (a) No Dutch air mail service has been established for the purpose described by the Honourable Member. With the consent of His Majesty's Government and the Government of India, a Dutch air transport company is carrying out a series of trial flights between Holland and the Dutch East Indies with the ultimate object of establishing a regular air mail service.

(b) There is, as explained already, no regular service. On a few occasions small quantities of air mail correspondence have been carried by air and delivered to the Indian Posts and Telegraphs Department at Karachi, Jodhpur, Allahabad, Calcutta, Akyab and Rangoon on the east and west bound flights of the aeroplanes. There are no regular receipts of mails at any of these places by each flight. The receipts are intermittent. These flights are not being utilised by the Indian Posts and Telegraphs Department either for the inland transport of air mails or for air mails for destinations abroad.

(c) No special facilities are being afforded to the Dutch aeroplanes. They are allowed the use of the civil aerodromes on the route across India but will be called upon to pay the landing and housing charges for the time being in force.

AIR MAIL SERVICE BETWEEN KARACHI AND DELHI.

20. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): How far has the project of an air mail service between Karachi and Delhi progressed?

(b) Is it intended to hand over this service to an Indian company, or to be run by the Government?

The Honourable Sir Bhupendra Nath Mitra: (a) The air mail service between Karachi and Delhi was inaugurated on the 30th December.

(b) This service is being operated as an Indian State Air Service with aircraft chartered from Imperial Airways, Limited.

CONSTITUTION OF AN INDIAN AIR FORCE.

21. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Will Government be pleased to state the total number of Indians and Europeans under training in the Air Force College at Cranwell, the number of those who appeared at the examinations, and the number passed separately?

(b) What is the method of selecting candidates, and is any Indian associated with the Selection Board, if any?

(c) Has any Indian air force been constituted, or is it intended to create one? If so, when; and at what cost?

(d) Is it proposed to withdraw from India the Royal Air Force, on the creation of an Indian air force? If not, is it the intention that India should be saddled with the cost of both? If so, why?

(e) Is there any statutory or other bar to the employment of Indians in the Royal Air Force as officers? If so, why?

Mr. G. M. Young: (a) 104 British cadets are now under training at Cranwell. No Indian has yet passed into Cranwell. Those now under training at Cranwell are those who passed at the half-yearly Entrance Examinations in 1928 and 1929. I am afraid it is impossible to give statistics of the numbers who applied for Cranwell but did not pass at all these examinations, as many of those who appeared may have also competed for Sandhurst, Woolwich or the Navy. For instance, at the last examination held in November 1929, 11 Indians altogether applied for Cranwell, but only two put Cranwell as their first choice.

(b) Indian candidates have to pass the Army and Air Force Entrance Examination held in India. The papers are set and examined by the Civil Service Commissioners in England. An Indian non-official gentleman is nominated by His Excellency the Viceroy as a member of the Interview Board in India which conducts the oral examination.

(c) The Honourable Member is referred to the reply given on the 2nd September last to part (b) of starred question No. 22. It is too early yet to calculate the cost of the proposed Indian Air Unit.

(d) It would be premature, as I am sure the Honourable Member will agree, to consider any reduction of the Royal Air Force until the new Indian Air unit has been raised, and has demonstrated its efficiency.

(e) The only bar to the appointment of Indians as Officers in the Royal Air Force is that the Royal Air Force is a British service. The object of founding an Indian Air unit is to build up an Indian service.

Dr. B. S. Moonje: Will the Honourable Member please say whether the boys who failed in the examinations failed in the interview or in the written examinations?

Mr. M. S. Aney: Did the boys who failed, fail in the written test or at the interview?

Mr. G. M. Young: Does my Honourable friend refer to the two candidates who made Cranwell their first choice?

Mr. M. S. Aney: Yes.

Mr. G. M. Young: I must ask for notice of that question.

CONSTRUCTION OF A RAILWAY BRIDGE OVER THE GANGES AT MOKAMEH GHAT.

22. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) How far has the project of making a railway bridge over the Ganges at Mokameh Ghat in Bihar progressed?

(b) Are Government aware that, for want of a bridge at Mokameh Ghat coal, grain, piece-goods, glass, and other commodities are subject to great delay and damage in transit?

(c) Do Government propose to explore the possibility of constructing a bridge at Mokameh Ghat?

Mr. A. A. L. Parsons: (a) No definite proposals for a bridge over the Ganges at Mokameh Ghat have been drawn up yet.

(b) Government are aware that railway traffic takes longer to cross the Ganges at Mokameh Ghat by the ferry service than it would, if a railway bridge existed. But the chief cause of delay and of any damage to goods which may occur, is the transshipment which is necessary on account of the change of gauge at this point, and this would not be avoided by the provision of a bridge.

(c) The Railway Board will not overlook the possibility that at some future date a bridge at Mokameh Ghat may be required; but the prospect of funds being available for such a project is not at present such as to justify the preparation of a definite scheme.

APPOINTMENT OF INDIAN STATION MASTERS ON THE GREAT INDIAN PENINSULA RAILWAY.

23. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): Will Government be pleased to state how many Indians have been appointed A Grade Station Masters, and A Grade Assistant Station Masters on the Great Indian Peninsula Railway? If none has so far been appointed, why?

Mr. A. A. L. Parsons: One Indian was appointed in 1924. He is now working as a Yard Controller.

The Agent explains that the reason why Indians have not hitherto been appointed is that those who took up the lower posts, such as guards, from which promotions are made, had not the educational qualifications required for A Grade Station Masters and Assistant Station Masters. Recently Indians with the necessary educational qualifications have been recruited as guards, and this will lead to suitable men being available to be made A Grade Station Masters and A Grade Assistant Station Masters.

Mr. Lalchand Navalrai: Is it a fact that classes A, B and C of guards and station masters have been abolished?

Mr. A. A. L. Parsons: No, Sir.

Pandit Hirday Nath Kunru: I understood the Honourable Member to say that guards of the A class were men who had been promoted thereto from the lower classes; I want to know whether there are instances on record where direct appointments have been made to the A class of guards.

Mr. A. A. L. Parsons: I am afraid I shall have to ask for notice, in order to discuss what the present position is with regard to guards. The question deals not with guards but with A grade station masters and assistant station masters who are taken from guards.

APPOINTMENT OF AN INDIAN AS CHIEF ASSISTANT PUBLICITY OFFICER, STATE RAILWAYS.

24. *Dr. B. S. Moonje (on behalf of Mr. Gaya Prasad Singh): (a) Is it a fact that the post of Chief Assistant Publicity Officer, State Railways, on Rs. 1,600 or so, is vacant? How long has this post been vacant? Do Government propose to advertise for it?

(b) How many gazetted officers are there in the office of the Publicity Officer, State Railways; and what are their names?

(c) Have Government considered the advisability of filling this post of Chief Assistant Publicity Officer, State Railways, by an Indian?

Mr. A. A. L. Parsons: (a) There is no such post, (c) therefore does not arise.

(b) Seven: Major F. H. Budden, Messrs. G. W. Dawson, G. Tait, F. M. Khan, F. W. Rose, Lieut. Commander H. A. Pelham and Mr. W. DeVerinne.

†25*—29*.

REFUSAL OF A PASSPORT TO INDIA TO MR. SAKLATVALA.

30. *Dr. B. S. Moonje (on behalf of Mr. Gaya Prasad Singh): Has a passport been refused to Mr. S. Saklatvala to visit India and attend the Indian National Congress? If so, why?

The Honourable Sir James Crerar: As regards the first part of the question, I understand that this is the fact.

As regards the second part, there has been no recent correspondence between the Secretary of State and the Government of India on the subject; but it is to be inferred that the passport authorities were satisfied that it would not be in the public interest to grant the passport.

CASES UNDER SECTION 124-A OF THE INDIAN PENAL CODE.

31. *Dr. B. S. Moonje (on behalf of Mr. Gaya Prasad Singh): Will Government kindly state how many cases under section 124-A. of the Indian Penal Code have been instituted, since the statement of His Excellency the Viceroy was made on the 1st November, up to date?

The Honourable Sir James Crerar: According to the reports received by the Government of India, the number of such cases is eight.

MAKING THE CHILD MARRIAGE RESTRAINT ACT KNOWN.

32. *Dr. B. S. Moonje (on behalf of Mr. Gaya Prasad Singh): Will Government kindly state what steps they have taken, in the form of propaganda, or otherwise, to bring to the notice of the people, especially in the villages, the provisions of the Child Marriage Restraint Act; and are they aware that misconceptions as to the true scope of the Act prevail in certain quarters?

The Honourable Sir James Crerar: The Government of India have asked the Local Governments to take suitable steps to make the provisions of the Act widely known.

†For these questions and their answers see Proceedings of the 21st January, 1930.

Mr. Lalchand Navalrai: Does the Honourable Member know what are those special efforts that are being made to make this public?

The Honourable Sir James Crerar: That has been left to the discretion of the Local Governments.

Mr. Lalchand Navalrai: May I understand that the Honourable Member does not know if any scheme has been framed or any rules framed in regard to this matter?

The Honourable Sir James Crerar: The Local Governments have received instructions in the matter and I have no doubt that they have acted upon them.

MILITARY EXPENDITURE OF INDIA.

33. *Dr. B. S. Moonje (on behalf of Mr. Gaya Prasad Singh): Will Government kindly state if and how far the question of international disarmament will lessen the military expenditure of India; and has this subject been under correspondence with the India Office, or His Majesty's Government?

Mr. G. M. Young: It is impossible to estimate the effect of the question of international disarmament on the military expenditure of India, or indeed of any country, until the question itself has been solved by international agreement, and the conditions and extent of the disarmament, if any, are known. It would therefore be premature at present to discuss the above effect with His Majesty's Government, and the answer to the second part of the question is consequently in the negative.

EFFECT OF INCREASED IMPORT DUTY ON YARN.

34. *Mr. C. Duraiswamy Aiyangar: (a) Will Government be pleased to state what additional income has been derived by the increase of the import duty on yarn in 1927?

(b) Will Government be pleased to state if Government allotted any portion of that amount for the benefit of handloom weavers?

(c) Have Government made any inquiries as to the effect of the enhanced duty on yarn on the handloom weavers?

(d) Will Government be pleased to state to what extent the spinning mills were benefited by the enhancement?

The Honourable Sir George Rainy: (a) The additional revenue obtained is estimated at about 15 lakhs.

(b) No.

(c) The Government of India have made two inquiries. A copy of the replies received from the Local Governments to the first inquiry has already been placed in the Library. Replies from only two Local Governments have so far been received to the second inquiry which was made in October last, and these are also being placed in the Library.

(d) The minimum specific duty on cotton yarn was intended to meet Japanese competition at the point where that competition was most injurious to the Indian cotton spinning industry, namely, in yarns of 31s.

to 40s. The extent to which the mills in India have benefited by this duty may be judged from the statement of imports into and production in India of yarn of these counts which I lay on the table.

Import of cotton yarn of counts 31s.—40s. into India.

(Thousand lbs.)				
Year.	Japan.	China.	United Kingdom.	Total (from all places).
1923-24	9,838	..	8,019	19,807
1924-25	19,192	..	6,428	27,688
1925-26	20,059	..	4,318	26,294
1926-27	16,123	915	6,011	24,405
1927-28	7,714	10,883	7,171	27,304
1928-29	2,219	10,536	6,120	19,938
April to November 1929 . .	1,728	} Not avail- able.	4,465	13,124
1929-30 (on the basis of 8 months figures)	2,592		6,697	19,685

Production of cotton yarn of counts 31s.—40s. in Indian mills.

(Thousand lbs.)			
Year.	Bombay Island Mills.	Mills outside the Bombay Island.	Total (Indian Mills).
1923-24	6,605	13,062	19,667
1924-25	7,961	11,407	19,368
1925-26	5,885	13,852	19,737
1926-27	9,201	18,456	27,657
1927-28	12,280	21,477	33,757
*1928-29	8,567	28,921	37,488
April to September 1929 . .	5,645	16,457	22,102
1929-30 (on the basis of 6 months figures)	11,290	32,914	44,204

* Affected by strikes in the Bombay mills.

PROPOSED METRE GAUGE RAILWAY FROM TIRUPATI EAST TO MADRAS.

35. ***Mr. C. Duraiswamy Aiyangar:** Will Government be pleased to state whether the proposal to make Tirupati East (Madras and Southern Mahratta Railway) a junction and connect it with Madras by a metre gauge is still under consideration or has it been dropped?

Mr. A. A. L. Parsons: The proposal for a connection between Madras and Renigunta or Tirupati East has not been finally dropped, but it is considered that the link could be more suitably constructed on the broad gauge.

RAILWAY TO CHIRTANOOR.

36. ***Mr. C. Duraiswamy Aiyangar:** Have Government any idea of diverting the line between Renigunta Junction and Tirupati East so as to touch the village of Chirtanoor—a place of pilgrimage? If so, when will that proposal be given effect to?

Mr. A. A. L. Parsons: A survey for the realignment of the line between Renigunta and Tirupati East so as to touch the village of Chirtanoor has been sanctioned and the report is awaited.

BOOKING OFFICE FOR METRE GAUGE RAILWAY BETWEEN VILLUPURAM AND GUDUR.

37. ***Mr. C. Duraiswamy Aiyangar:** (a) Are Government aware that the present location of the booking office on a platform where the trains do not arrive is causing a good deal of hardship to those passengers who arrive by the trains on the metre gauge section between Villupuram and Gudur?

(b) Will Government be pleased to state the reasons for the shifting of the booking office from the original place?

Mr. A. A. L. Parsons: If the Honourable Member will let me know to what station he is referring, I will obtain for him the information he wants. The South Indian Railway authorities, who were addressed, are unable to verify the station from the question.

RECOMMENDATIONS OF THE CIVIL JUSTICE COMMITTEE.

38. ***Mr. C. Duraiswamy Aiyangar:** Will Government be pleased to state how many recommendations of the Civil Justice Committee have been given effect to and how many have been dropped?

The Honourable Sir James Crerar: In the case of the recommendations of the Committee in which action was directly within the competence of the Government of India, 37 recommendations have been given effect to or are under consideration and 72 have not been proceeded with. These figures do not include many recommendations in which action was within the competence of the Local Governments or High Courts or the presiding officers of courts.

†39*.

PROTESTS AGAINST THE CHILD MARRIAGE RESTRAINT ACT.

40. ***Mr. C. Duraiswamy Aiyangar:** (a) Have Government been in touch with the number of protests against the Child Marriage Act which have been made by the Hindus as well as the Muhammadans from various centres?

(b) Do Government propose to introduce any measure in order to modify the rigour of the Act by suitable exceptions being provided for?

The Honourable Sir James Crerar: (a) Yes.

(b) Government have not in contemplation any such measure.

†For this question and its answer, see Proceedings of the 21st January, 1930.

CONSTRUCTION OF A RAILWAY TO BADRI NARAYAN.

41. ***Mr. C. Duraiswamy Aiyangar:** (a) Are Government aware that the shrine of Badri Narayan in the Himalayas is a place of pilgrimage for the Hindus all over India?

(b) Have Government any idea of connecting that shrine from Hrishikesh or otherwise by railway communication?

Mr. A. A. L. Parsons: (a) Yes, (Badri Nath).

(b) There has been an investigation of a line from Rikbhikesh to Karanprayag which is on the pilgrim route to Badrinath, but it showed that the line would be unremunerative.

UTILIZATION OF KHADDAR FOR THE CLOTHING OF RAILWAY SUBORDINATES.

42. ***Mr. C. Duraiswamy Aiyangar:** (a) Will Government be pleased to state the total value of clothing supplied *per year* by the Railway Companies to their subordinates?

(b) What is the extent to which Indian mill cloths or other Indian-made cloth is supplied by the contractors?

(c) Is it a fact that the contractors are asked not to supply *khaddar* cloth?

(d) Are Government prepared to order that as far as it may be available, *khaddar* alone must be supplied?

Mr. A. A. L. Parsons: (a) The approximate value of clothing supplied *per year* by the Class I Railway Companies excluding the Bengal Nagpur Railway to their subordinates amounts to Rs. 5,88,000.

(b) With the exception of the Assam Bengal Railway, the railways referred to in part (a) report that Indian mill cloth or other Indian made cloth form more than 86 per cent. of total supply.

The Bombay, Baroda and Central India Railway report that all cloth is from Indian mills, except blue serge and waterproofs.

(c) No.

(d) Government do not propose to interfere in the arrangements made by Railway Companies for providing uniforms for their employees unless it can be shown that unnecessary expenditure is being incurred.

†43*.

TRAIN FROM PAKALA TO DHARAMAVARAM STATIONS.

44. ***Mr. C. Duraiswamy Aiyangar:** (a) Will Government be pleased to state the distance between Pakala and Dharmavaram stations (Madras and Southern Mahratta Railway), and the time taken by the trains to go from one to the other?

(b) Is it not possible to run at least one train to and fro *per day* so as to cover the distance in at least five hours?

Mr. A. A. L. Parsons: (a) The distance between Pakala and Dharmavaram stations is 141½ miles.

†For this question and its answer, see Proceedings of the 21st January, 1930.

The time taken to travel over this length by passenger trains is from 9 hours 5 minutes to 9 hours 50 minutes; and by mixed trains from 11 hours 20 minutes to 13 hours 25 minutes.

(b) It is not possible to run one train in each direction to cover the distance in 5 hours, as there are heavy gradients on this metre gauge section. The maximum permissible speed on this section is only 30 miles per hour.

REMISSION OF RENT DUE FROM RYOTS IN YEARS OF FAMINE.

45. ***Mr. V. V. Jogiah:** (a) Are Government aware that the Famine Commission and the Decentralization Commission recommended the remission and suspension of rent to be paid by ryots to landholders in years of famine and failure of crop, and the former Commission laid down at pages 91 and 92 of its Report of 1901, definite recommendations on the subject?

(b) Are Government also aware that the Government of Madras drafted clause 124 of the Madras Estates Land Bill of 1905 on the lines of the said recommendations?

(c) Are Government aware that a non-official Member of the Madras Legislative Council, Mr. Biswanath Dass, introduced a Bill further to amend the Estates Land Act of 1908 on the lines of clause 124, above-mentioned, and that the Government of Madras intend to oppose the said Bill?

(d) Are Government aware that His Excellency the Governor General accorded sanction to the said Bill in his letter dated the 24th of November 1928, omitting sub-clause (5) of clause 2 of the Bill?

(e) Are Government prepared to place on the table the correspondence that passed between the Government of India and the Government of Madras on the subject of this Bill?

The Honourable Sir Brojendra Mitter: (a) The Indian Famine Commission of 1901, in paragraph 268 of their Report, laid emphasis on the importance of suspensions and remissions of land revenue and rent. The Royal Commission on Decentralisation made proposals only in respect of suspensions and remissions of land revenue with the object of giving freer discretion to Commissioners and Collectors.

(b) The Government of India are not aware whether the clause to which the Honourable Member refers, namely clause 124 of the Bill as amended by the Select Committee, was inspired by the recommendation of the Indian Famine Commission referred to in the reply to part (a).

(c) The answer to the first part is in the affirmative. The Government of India have no information as regards the second part.

(d) Sub-section (v) of the section which clause 2 proposed to insert in the principal Act as section 29A required the previous sanction of the Governor under section 80C of the Government of India Act and the necessary sanction had been refused by His Excellency the Governor before the Bill was submitted for the previous sanction of the Governor General under section 80A(3). The Governor General's sanction was conveyed in a letter from the Legislative Department dated the 7th November, 1928.

(e) Government are not prepared to place the correspondence on the table.

PROMOTION OF MR. H. L. KEELAN ON THE EASTERN BENGAL RAILWAY.

46. ***Mr. V. V. Jogiah:** 1. Will Government be pleased to state (a) if it is a fact that one Mr. H. L. Keelan, while employed in the North Western Railway as carriage examiner at Ghaziabad, was dismissed from service for making several unauthorised payments to the staff under him, and (b) whether, in spite of his dismissal from the North Western Railway, he was appointed as train examiner on the Eastern Bengal Railway on Rs. 150 *per mensem* and has been promoted to the post of head train examiner at Naihati on Rs. 375 *per mensem* within a very short time, superseding the claims of many senior Indian train examiners?

2. If the replies to items (a) and (b) of part 1 above be in the affirmative, will Government be pleased to state under what law a man dismissed from a State Railway for misconduct, has been appointed in another State Railway, and what are his special qualifications, for which he has got such rapid promotion in preference to senior Indians?

3. If the replies to items (a) and (b) of part 1 above are in the negative, will Government be pleased to state the reason for the man's dismissal from the North Western Railway?

Mr. A. A. L. Parsons: 1 (a) and 3. Mr. Keelan, who was working as Head Neutral Train Examiner at Ghaziabad on Rs. 500 *per mensem*, was dismissed in August 1927 by the Director of Wagon Interchange because he was unable satisfactorily to explain certain unauthorised payments made by him. The greater portion of the sum involved was recovered from him at the time under the orders of the Director of Wagon Interchange.

1(b). The Eastern Bengal Railway, not having a suitable man either Indian or European to fill a post of Head Train Examiner shortly to become vacant, appointed Mr. Keelan in July 1928 as Train Examiner on probation, on a salary of Rs. 250 *per mensem* with a view to promoting him to the post of Head Train Examiner should he prove satisfactory.

The Eastern Bengal Railway Administration were fully aware of the circumstances of Mr. Keelan's dismissal, and before appointing him, they made a reference to the Director of Wagon Interchange. That officer reported that he was a very smart Train Examiner, and a steady man and that he had no objection to his being given employment on the Eastern Bengal Railway. He was therefore appointed, and in August 1928 was promoted to act as Head Train Examiner. He has since been confirmed in this post.

2. It is not usual for an employee dismissed by one railway to be re-appointed to another railway, but in this particular case the Railway Administration, taking all circumstances into consideration, together with his history previous to his dismissal, his experience of interchange work, and the lack of suitable men on their own railway, decided to appoint him on probation. He has proved himself to be satisfactory, fully qualified and well above the average.

GRANT OF AN ALLOWANCE TO THE RAILWAY STAFF AT SILIGURI STATION.

47. ***Mr. V. V. Jogiah:** (a) Will Government be pleased to state whether it is a fact that the Eastern Bengal Railway Indian Employees' Association represented to the Agent of that Railway to grant a Terai

allowance to the staff posted at Siliguri Station, such as is granted to the staff of other Departments of the Government of Bengal posted at Siliguri to compensate them for the unhealthiness of the locality and expense of living at that station, and that the Agent has refused to grant any compensatory allowance but proposed to improve the sanitary conditions of the station instead?

(b) What steps have the Eastern Bengal Railway Authorities taken to improve the sanitary condition of the station and how long will it take to make the station healthy?

(c) If the reply to part (a) be in the affirmative, will Government be pleased to state why the Eastern Bengal Railway staff should not be given the compensatory allowance, till such time as the sanitary condition of the station is not improved, and Terai allowance at present paid to the staff of the Bengal Government employed at that station, is withdrawn?

Mr. A. A. L. Parsons: (a) Yes.

(b) A good deal has been done already towards improving the drainage by the filling up of low lying land and by connecting borrow pits and stagnant pools with running streams. The running rooms have been provided with mosquito nets and electric fans: a dispensary has been opened and an anti-malarial campaign has been inaugurated.

(c) As has been explained, action has already been taken to improve the sanitary condition of the station.

QUARTERS FOR RAILWAY STAFF ON THE EASTERN BENGAL RAILWAY.

48. ***Mr. V. V. Jogiah:** (a) Will Government be pleased to state if it is a fact that, owing to financial stringency, the Eastern Bengal Railway has not yet been able to provide a large number of staff with quarters?

(b) Will Government be also pleased to state if at certain centres of the Eastern Bengal Railway, the Administration has not provided all the staff with quarters, on the plea that quarters are not available there, whereas the managing staff and other employees of the refreshment room contractors, Messrs. D. Sorabjee and Co., have been provided with railway quarters at these centres?

(c) If the replies to parts (a) and (b) are in the affirmative, will Government be pleased to place on the table a statement showing the names of these centres where such quarters have been provided, and the number of quarters allotted, with their respective area and the amount of rent collected for each quarter?

Mr. A. A. L. Parsons: (a) At certain centres of the Eastern Bengal Railway it has not yet been possible to provide all staff with quarters.

(b) One of the conditions of the agreement executed between the Secretary of State for India and Messrs. D. Sorabjee and Co. for the supply and sale of refreshments at stations and in restaurant cars on the Eastern Bengal Railway is that the railway should provide habitable and sanitary quarters for the Purveyors' staff at stations other than Calcutta. The reason for inserting this condition to the agreement is that, in the interests of the travelling public, it is desirable that refreshment room staff should be on railway premises.

(c) A statement showing the names of stations where such quarters are provided under this agreement, together with their number, area, and the amount of rent collected respectively, is laid on the table. The rents in some cases are too low and are being reviewed.

Name of Stations.	Number and area of quarters provided.	Rent collected.
		Rs. as. p.
Sealdah	One Room 13' x 11'	3 2 3 per mensem.
Ranaghat	2 rooms 14 3/4' x 11' each	1 0 0 per annum.
Poradah	3 rooms 10' x 9 1/2' each	1 0 0 per annum.
Santahar	1 room 14 1/2' x 10 1/6'	1 0 0 per annum.
	1 room 10' x 6 5/6'	5 5 7 per mensem.
Parbatipur	1 room 20 1/4' x 20 1/4'	Nil.
	1 room 20 1/4' x 15 1/3'	10 2 5 per mensem.
	1 room 30 2/3' x 11 1/6'	28 3 9 per mensem.
	1 room 20' x 20'	1 14 4 per mensem.
	4 rooms 15' x 15'	2 3 6 per mensem.
	1 room 37' x 22'	Nil.
	1 room 10' x 8'	Nil.
	4 rooms 12' x 10'	Nil.
	2 rooms 8' x 6'	Nil.
	1 room 25' x 25'	Nil.
	and 6 ft. verandah	Nil.
	Tnatched building area 1,800 s. ft.	Nil.
	On top of station building 2 rooms 18' x 16'	13 8 10 per mensem.
	Soda water factory—	
	1 room 40' x 30'	28 2 0 per mensem.
	1 room 30' x 30'	2 3 3 per mensem.
Siliguri	18' x 18'	15 10 0 per mensem.
	2 rooms 18' x 16'	15 6 0 per mensem.
	1 room 11' 1/2' x 8 1/2'	21 7 9 per mensem.
	1 room 19' x 11 1/2'	1 0 0 per annum.
	1 room 14' x 12'	1 0 0 per annum.
	1 room 14' x 9'	
	1 room 14' x 9'	
	1 block of 12 rooms 10' x 9'	
Lalmonirhat	1 room 18' x 16'	
	1 room 8' x 5'	
Sorbhog	2 rooms 12' x 10' each	
Rangiya	2 rooms 11 1/2' x 10' each	

APPOINTMENT OF ASSISTANT TRAFFIC SUPERINTENDENTS ON THE EASTERN BENGAL RAILWAY.

49. *Mr. V. V. Jogiah: (a) Will Government be pleased to state if it is a fact that European and Anglo-Indian subordinates are being promoted to the rank of Assistant Traffic Superintendents in the Eastern Bengal Railway, who have no technical qualifications as Station Masters, Traffic or Transportation Inspectors?

(b) Will Government be also pleased to state if it is a fact that the names of European or Anglo-Indian subordinates recommended by the District Traffic Superintendents for promotion to the post of Assistant Traffic Superintendent are at once approved by the authorities and promoted to the posts of Assistant Traffic Superintendents without testing their technical knowledge?

(c) Will Government also be pleased to state why senior Traffic or Transportation Inspectors or senior Indian Station Masters who possess the necessary technical qualifications and who are still holding responsible posts are not promoted to the posts of Assistant Traffic Superintendents in preference to men not possessing such qualifications?

Mr. A. A. L. Parsons: (a) No; only suitably qualified persons are promoted.

(b) No.

(c) Permanent promotions to the rank of Assistant Traffic Superintendents are made by the Railway Board, and acting promotions are made by the Agent of the Railway; both promotions are made by strict selection of the most suitably qualified subordinates.

QUARTERS FOR RAILWAY STAFF AT SEALDAH.

50. *Mr. V. V. Jogiah: (a) With reference to Government's reply to part (b) of my starred question No. 521, in the Legislative Assembly on the 11th February, 1929, are Government aware whether it is a fact that rents of quarters provided by private enterprise at or near Sealdah (Eastern Bengal Railway), are so exorbitant that many Indian guards, being unable to pay such exorbitant rates have been compelled to hire quarters some two or four miles away from the station?

(b) Have Government considered the question of providing accommodation for this class of staff as near as possible to the Sealdah Station?

(c) If the replies to parts (a) and (b) above are in the affirmative, will Government be pleased to state, what steps they propose to take in the matter and when?

Mr. A. A. L. Parsons: (a), (b) and (c). From inquiries made, it has been ascertained that non-railway quarters are to be obtained in the vicinity of Sealdah at a rental of about Rs. 20 per mensem per room. It is realised that on men with families on a low rate of pay these rents bear heavily. To improve the position, a progressive programme for the building of quarters for Indian guards at Sealdah has recently been sanctioned, and under this programme a special effort will be made to build quarters so that, by the end of the next financial year, about 50 per cent of the Indian guards will be provided with quarters.

ARTICLE IN "THE INDIAN RAILWAYS" REGARDING EXCESS FARE TICKETS.

51. *Mr. V. V. Jogiah: (a) Has the attention of Government been drawn to an article headed "Hotch-potch Kings Hundy-dundy" appearing at page 16 of the monthly journal *The Indian Railways* in its issue of May and June, 1929?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state if the facts, as stated therein, are true, and will Government be pleased to lay on the table a copy of the Audit Inspection Report on the subject and state whether the amounts involved in the missing excess fare ticket books have been credited to the railway? If not, what action do the Government propose to take in the matter?

Mr. A. A. L. Parsons: (a) Yes: by the Honourable Member.

(b) The information is being obtained.

QUARTERS FOR THE STATION STAFF AT JHIKERGACHA.

52. ***Mr. V. V. Jogiah:** (a) Has the attention of Government been drawn to an article headed "Quarters for the Station Staff at Jhikergacha" appearing at page 5 of the *Eastern Bengal Railway Labour Review* for July, 1929, and if so, whether the facts stated therein are true?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state if they propose to provide quarters for the Station Staff at that station? If not, why not?

Mr. A. A. L. Parsons: (a) and (b). Government have seen the paragraph mentioned. It is true that no quarters have been constructed for station staff at Jhikergacha Ghat station. The reason is that quarters exist for this staff at the old station, which is less than a mile away.

GRANT OF AN ALLOWANCE TO THE SUBORDINATE STAFF OF THE EASTERN BENGAL RAILWAY AT CALCUTTA.

53. ***Mr. V. V. Jogiah:** Will Government be pleased to state whether on account of the dearness of living at Calcutta and its suburbs it is proposed to sanction a local allowance to all subordinate and inferior staff of the Eastern Bengal Railway working at Calcutta? If not, why not?

Mr. A. A. L. Parsons: I would invite the Honourable Member's attention to my reply to question No. 234 asked in the Legislative Assembly by Mr. Amar Nath Dutt on the 4th September, 1928, and to the information supplied to him in Railway Board's letter No. 6988-E., dated 9th November, 1928, which is in the Library of the House. They give information on the subject of the grant of compensatory allowances to employees of the Eastern Bengal Railway stationed at Calcutta.

2. I would add that the question of the suitability of the rates of pay of certain classes of the lower paid establishments of the Eastern Bengal Railway is at present under examination.

ANTI-INDIAN AGITATION BY RETIRED OFFICIALS.

54. ***Mr. B. Das:** (a) Will Government be pleased to state the number of Indians in the service of the Government of India who have been punished for taking part in anti-Government and anti-Indian agitations?

(b) Are there cases where pensions of Government officials have been stopped as such people took part in political activities against the Government?

(c) If the reply to part (b) is in the affirmative, will Government be pleased to state if the officers of the Imperial services come under similar scrutiny after they are pensioned off?

The Honourable Sir James Crerar: (a) The information is not available and I do not consider I should be justified in making the elaborate inquiries which would be necessary in order to answer the Hon'ble Member's question. Personally, and so far as my Department is concerned, I am not aware of any such cases. It is, I need hardly say, an uncommon thing for a Government servant to take part in an anti-Government or any other agitation.

(b) and (c). The pension of Government servants may be withheld, withdrawn, or reduced, if the pensioner is guilty of grave misconduct, and activities directed to the subversion of Government or resistance to its authority would certainly be regarded as grave misconduct.

ANTI-INDIAN PROPAGANDA BY RETIRED OFFICIALS.

55. ***Mr. B. Das:** (a) Have Government noticed the propaganda in the British Press especially in the *Daily Mail* by Indian pensioners such as Sir Michael O'Dwyer, Sir Reginald Craddock and others against the Government of India and the Indian people?

(b) Will Government be pleased to state if they have asked the Secretary of State to prosecute these anti-Indian agitators in England?

(c) Have they asked the Secretary of State for India to stop their pensions for deliberate propaganda against Indians?

The Honourable Sir James Crerar: (a) I have seen references in the Press to some articles contributed by these gentlemen on the present political situation.

(b) and (c). No, Sir. There have obviously been no grounds for taking such action.

ANTI-INDIAN PROPAGANDA BY RETIRED OFFICIALS.

56. ***Mr. B. Das:** Will Government be pleased to state if ex-Government servants drawing pensions are allowed to carry out propaganda against the declared policy of the Government of India? Does the same principle govern the conduct of subordinate officers recruited (a) by the Government of India, and (b) by the Secretary of State for India?

The Honourable Sir James Crerar: A Government pensioner, by whatever authority appointed to Government service, is no longer subject to the Government Servants' Conduct Rules regulating such matters. Government, however, retain to themselves the right to reduce or withdraw a pension in cases of grave misconduct.

MAKING THE CHILD MARRIAGE RESTRAINT ACT KNOWN.

57. ***Mr. B. Das:** (a) Will Government be pleased to state what instructions they issued to the Provincial Governments to promulgate the Sarda Act for restraint of child marriage from 1st April 1930?

(b) What steps have the Government of India taken to inform the people of remote villages under their own administration about the Sarda Act and its consequences?

(c) In how many languages have the Government of India so far translated the Sarda Act, and has it been distributed freely to the villagers, and if so when?

The Honourable Sir James Crerar: (a) and (b). The Government of India have asked Local Governments and Administrations to take suitable steps to make the provisions of the Act widely known.

(c) The practice of the Government of India is to have Acts of the Indian Legislature translated into Urdu. Distribution and translation into other languages are dealt with by Local Governments and Administrations.

MAKING THE CHILD MARRIAGE RESTRAINT ACT KNOWN.

58. ***Mr. B. Das:** Will Government be pleased to lay a statement on the table showing the activities of each Provincial Government (a) in translating the Sarda Act in the different written languages within the province and (b) the specific methods of propaganda to bring the Act within the knowledge of every body?

The Honourable Sir James Crerar: As already stated, the Government of India have asked Local Governments to take suitable steps to make the provisions of the Act widely known. They do not contemplate calling for reports as to the action taken, and are therefore not in a position to supply the information desired by the Honourable Member.

INCREASED EXPENDITURE ANTICIPATED FOR ADMINISTERING THE CHILD MARRIAGE RESTRAINT ACT.

59. ***Mr. B. Das:** (a) Will Government be pleased to state whether they have increased the budget grant under the head "Administration of Justice" in (1) the Delhi Province, (2) Ajmer-Merwara, (3) the North West Frontier Province, (4) Coorg and (5) Baluchistan, in anticipation of a large number of cases that will arise in consequence of the Sarda Act?

(b) If the answer to part (a) be in the affirmative, what will be the anticipated increment on this particular grant in each of the administered areas mentioned in part (a)?

(c) What are the number of cases that the Government of India expect to occur in these areas in the light of experience gathered from Indian States where the Child Marriage Restraint Act is already in practice?

(d) Will Government be pleased to state if they anticipate an increase of their judicial staff in the above mentioned administrative areas in consequence of the Sarda Act?

The Honourable Sir James Crerar: (a) The reply is in the negative.

(b) Does not arise.

(c) Government are not in possession of data which would enable them to frame any estimate.

(d) No.

INCREASED EXPENDITURE ANTICIPATED FOR ADMINISTERING THE CHILD MARRIAGE RESTRAINT ACT.

60. ***Mr. B. Das:** (a) Will Government be pleased to state whether the provinces anticipate an increase of expenditure under the head "Administration of Justice" in consequence of the Sarda Act?

(b) Has any of the Provincial Governments asked for any financial help from the Central Government on that ground or has any of the provincial Governments complained of the imposition of an additional financial burden due to the Sarda Act being placed on the Statute-book? If so, which are these provinces?

The Honourable Sir James Crerar: (a) There is no reason to suppose so.

(b) The reply is in the negative.

CHILD MARRIAGES IN ANTICIPATION OF THE CHILD MARRIAGE RESTRAINT ACT.

61. ***Mr. B. Das:** (a) Are Government aware that there has been a large number of child marriages all over India during the last few months to avoid the penal clauses of the Sarda Act?

(b) Will Government be pleased to state the number of such child marriages amongst (i) Hindus and (ii) Muslims since the Sarda Act was placed on the Statute-book?

The Honourable Sir James Crerar: (a) and (b). I have seen some reports in the Press to this effect, but as such marriages are not ordinarily registered, Government have no definite information.

†62*—64*.

ESTABLISHMENT OF A CIRCUIT COURT AT DELHI.

65. ***The Revd. J. C. Chatterjee:** (a) Has the attention of Government been called to the great hardship caused to litigants from the Delhi Province and the neighbouring districts, in taking their appeals to the Lahore High Court and to the oft-repeated public demand for the establishment of a Circuit Bench of the High Court at Delhi?

(b) Do Government propose to take steps in the near future to establish a Circuit Bench of the High Court at Delhi?

The Honourable Sir James Crerar: (a) and (b). The Honourable Member is referred to the answer given to Mr. Abdul Haye's question No. 421 on the subject on the 10th September 1929, and the answer by the late Sir Alexander Muddiman to Sir Hari Singh Gour's question in the Legislative Assembly on the 25th January 1926, which is published in Vol. VII—No. 3, of Assembly Debates, page 148. The matter has not again been brought before the Government of India.

UTILIZATION OF VICEREGAL ESTATE AND OTHER GOVERNMENT HOUSES IN OLD DELHI.

66. ***The Revd. J. C. Chatterjee:** What use do Government propose to make of the Viceregal Estate in Old Delhi, as well as of Flagstaff House and of other Government Houses in Kingsway?

The Honourable Sir Bhupendra Nath Mitra: The question of the disposal of the Viceregal Estate and Flagstaff House in old Delhi is under the consideration of Government. The other Government residences at Kingsway are being used by Government officials and are likely to be so used for many years to come.

The Revd. J. C. Chatterjee: Have Government received an application from the Delhi University for the use of the old Viceregal Lodge?

The Honourable Sir Bhupendra Nath Mitra: I think, Sir, the answer to the question is in the affirmative, though I am not in a position to give precise information to my Honourable friend at the present moment, not having got the relevant papers with me.

The Revd. J. C. Chatterjee: Are Government aware that the Delhi University, owing to the delay in getting an answer to their application, are incurring heavy expenditure and are finding great difficulty in finding suitable accommodation for the University?

The Honourable Sir Bhupendra Nath Mitra: There also I am quite prepared to take the information which my Honourable friend seeks to impart to me.

The Revd. J. C. Chatterjee: When are Government likely to make up their mind on this matter?

The Honourable Sir Bhupendra Nath Mitra: My Honourable friend is no doubt aware that His Excellency the Viceroy entered into occupation of the Viceroy's House, New Delhi, quite recently.

†For these questions and their answers, see Proceedings of the 21st January, 1930.

The Revd. J. C. Chatterjee: Will Government state when the application from the Delhi University for the use of this building was received?

The Honourable Sir Bhupendra Nath Mitra: I shall have to ask for notice of that question as I have not got the relevant papers with me.

Mr. B. Das: Are Government aware that the Viceregal Estate is built from money provided by the whole of India, and, as they did with Government buildings in Bengal, when they left Bengal, they should not part with Government buildings to particular institutions without consulting the Provincial Governments?

The Honourable Sir Bhupendra Nath Mitra: I am not sure that Provincial Governments are concerned in this particular matter. But I have already said that the Government of India have not arrived yet at any decision in regard to the disposal of the particular building; and before they arrive at a decision, they will undoubtedly take into consideration all relevant factors.

QUARTERS FOR THE STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

67. ***The Revd. J. C. Chatterjee:** Referring to assurances previously given by Government, have they started building quarters for the staff of the Railway Clearing Accounts Office and if not, when do they propose to do so?

Mr. A. A. L. Parsons: Government have not yet started building quarters for the Railway Clearing Accounts Office staff, as they have not yet been able to obtain a suitable site at reasonable cost. The matter is, however, being further investigated.

†68*-69*.

REVENUE DERIVED FROM OPIUM.

70. ***The Revd. J. C. Chatterjee:** (a) Will Government be pleased to state, what revenue is derived by them on "Excise Opium", i.e., on opium sold to Provincial Governments for consumption within the boundaries of India?

(b) Will Government be pleased to state what income is derived by the different Provincial Governments, through the sale of opium, in the shape of profits or by way of licence fees?

(c) Do Government still adhere to their policy regarding the internal consumption of opium, as set forth in their Resolution published in January 1926?

The Honourable Sir George Schuster: (a) None.

(b) A statement is laid down on the table.

(c) Yes. The Government of India have had no occasion for a general review of their policy since 1926.

†For these questions and their answers, see Proceedings of the 21st January, 1930.

QUESTIONS AND ANSWERS.

Statement showing the revenue derived by the Provincial Governments from the sale of Excise Opium during the years 1925-26 to 1927-28.

Province.	1925-26.			1926-27.			1927-28.		
	Gross revenue.	Total.		Gross revenue.	Total.		Gross revenue.	Total.	
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Madras	9,57,153	33,04,587	42,62,050	23,70,321	10,20,083	33,90,404	11,52,000	30,45,209	42,10,887
Bombay	12,80,480	27,48,569	40,29,049	20,31,158	11,14,159	31,45,317	12,19,559	26,82,129	38,36,132
Bengal	15,35,320	31,07,382	46,42,713	13,29,916	15,14,943	28,44,859	11,55,000	36,75,599	48,30,599
United Provinces	7,94,725	15,89,815	23,84,540	8,38,481	7,79,545	16,18,026	5,93,010	17,06,314	24,41,769
Punjab	9,46,320	24,31,493	33,77,813	12,46,645	10,69,754	23,16,399	9,90,095	26,48,076	36,38,171
Burma	1,508	43,36,692	43,38,110	13,62,809	2,061	40,07,182	4,71,548	35,37,695	39,14,669
Bihar and Orissa	8,34,156	25,89,450	34,23,606	12,55,600	8,49,794	21,05,394	9,51,120	25,42,330	34,93,450
Central Provinces	16,87,538	26,57,560	43,45,098	12,06,554	16,51,415	28,57,969	10,05,840	31,32,906	41,38,746
Assam	20,03,368	24,90,819	44,94,187	11,90,548	17,46,884	29,37,432	8,95,440	30,96,401	39,91,831
Total	1,00,40,608	2,62,86,537	3,53,27,163	1,24,52,650	2,38,74,575	3,45,80,451	54,33,642	2,61,56,809	3,45,80,451

NOTE.—(1) The figures have been taken from the Finance and Revenue Accounts of the Government of India. Figures for 1928-29 are not yet available.

(2) "Sale proceeds of Excise opium" include "Cost price of opium" and "duty" levied by the Provincial Governments. Separate figures for "duty" are not shown in the Accounts. The difference between the figures under "Sale proceeds of Excise opium" and "Cost of opium supplied to Excise Department" in a given year will not give the correct figure on account of duty in that year, since the quantity of opium supplied to the Excise Department by the Government of India in a given year will not coincide with the quantity sold to the licensed vendors in that year. In the long run the difference between the two sets of figures must approximate to the figure of duty realised. The "net revenue" figures in the above table are thus approximate only.

(3) Provincial Governments also get some revenue in the shape of fines, confiscations, etc. But in the Finance and Revenue Accounts, fines, etc., in respect of liquors, opium and other dangerous drugs are lumped together, and it is therefore not possible to calculate the share of opium. The amount of revenue is however not much.

Mr. M. S. Aney: May I ask when my questions, Nos. 62 to 64, will be answered?

Mr. President: I understand Sir Frank Noyce is ill and that he will answer them to-morrow. I thought the Honourable Member was informed.

QUARTERS IN NEW DELHI BUILT BY THE TELEGRAPH DEPARTMENT.

71. ***Mr. G. Sarvotham Rao:** (a) Is it a fact that sites in New Delhi were allotted to the Telegraph Department for building quarters for their ministerial staff?

(b) Is it a fact that the Telegraph Department erected quarters by calling for tenders themselves, and is it also a fact that the funds were provided for this purpose in the budget of the Telegraph Department?

(c) Will Government be pleased to state the capital outlay on the different types of quarters in New Delhi built by the Telegraph Department as well as the capital outlay on the corresponding types of quarters in New Delhi built by the Public Works Department?

(d) Is it a fact that the capital outlay on the quarters built by the Telegraph Department is far less than the capital outlay on the quarters built by the Public Works Department, type by type? If so, will they be pleased to state the reasons therefor?

The Honourable Sir Bhupendra Nath Mitra: (a). Yes.

(b) No. The quarters were erected by the Public Works Department. The cost was provided for in the budget of the Posts and Telegraphs Department.

(c) The types of quarters built for the Telegraph Department, and the outlay thereon, are the same as those of other quarters built by the Public Works Department at the same time.

(d) This part of the question does not arise in view of the preceding replies.

QUARTERS FOR THE MINISTERIAL STAFF OF THE LEGISLATIVE ASSEMBLY DEPARTMENT.

72. ***Mr. G. Sarvotham Rao:** Do Government propose to allot some sites in New Delhi nearest to the Council House for building quarters for housing the ministerial staff of the Legislative Assembly Department? If not, why not, and why was the Telegraph Department allotted sites for erecting their own quarters?

The Honourable Sir Bhupendra Nath Mitra: No. The sites closest to the Council House could not suitably be utilised for this purpose. Within the limits dictated by financial considerations, Government propose to authorize the construction, during 1930-31 of additional quarters, on suitable sites, for ministerial and other staff employed in New Delhi. The staff of the Legislative Assembly Department will be eligible for tenancy of such quarters, with others, but Government cannot make special provision for any one Secretariat Department. Quarters were provided for telegraph employees in New Delhi as in other stations in accordance with the policy of the Posts and Telegraphs Department to provide housing as far as possible for its staff in places where special difficulty is experienced. To the extent to which these quarters were provided, the difficulty of other employees of Government in finding accommodation is reduced.

CLASSIFICATION OF QUARTERS IN NEW DELHI.

73. ***Mr. G. Sarvotham Rao:** (a) Will Government be pleased to state how many times they have classified and reclassified the different types of quarters at New Delhi, since they were constructed?

(b) Will Government be pleased to state the pay limits that were in force in 1920 for the eligibility of the ministerial staff of the Government of India for the different types of quarters in New Delhi, and will they be pleased to state how many times these pay limits were raised since then up to date?

(c) Will Government be pleased to lay on the table a statement showing the changes that have been made between the years 1920 and 1929 in the pay limits governing the eligibility of the ministerial staff of the Government of India for the different types of quarters at New Delhi?

(d) Is it a fact that the reclassification of the Government quarters at New Delhi from time to time has on each such occasion resulted in depriving the various grades of the ministerial staff of their claim to classes of accommodation to which they were previously eligible?

(e) If the answer to part (d) is in the affirmative, is it a fact that Government have never considered the question whether the reclassification of the Government quarters at New Delhi from time to time has resulted in lowering the standard of living of the ministerial Government of India staff against their will? What steps do Government propose to take in the matter and when?

(f) Will Government be pleased to state the reasons why they have made such frequent changes in the classification of the quarters at New Delhi?

The Honourable Sir Bhupendra Nath Mitra: The information is being collected and will be furnished to the Honourable Member in due course.

MEMORIAL FROM THE MINISTERIAL OFFICERS' UNION, BOMBAY.

74. ***Mr. Ram Narayan Singh:** (a) Will Government be pleased to state whether they have received a memorial dated 1st September, 1929, from Mr. S. C. Joshi, the Honorary Secretary to the Central Board of Revenue Ministerial Officers' Union, Bombay?

(b) Has the memorial been considered and decided and if so, with what result?

The Honourable Sir George Schuster: (a) Yes.

(b) Yes. After careful consideration, the Government came to the conclusion that no case had been established for a revision of the memorialists' pay.

+75*.

AERO CLUBS IN INDIA.

76. ***Dr. B. S. Moonje:** (a) Will Government be pleased to state how many aero clubs have been established in India?

(b) How many of them receive Government grants and what are the amounts of grant given to each of these clubs?

+For this question and its answer, see Proceedings of the 21st January, 1930.

(c) How many Indians were trained by and are under training in each of these clubs?

(d) What are the courses of training and what fees are charged per student for a full term of training?

(e) Are there facilities for training for "B" certificates?

(f) How many Indians were granted "A" certificates and how many "B" certificates?

(g) Are any of these Indians with "A" and "B" certificates provided with any appointments in the Department of Civil Aviation?

The Honourable Sir Bhupendra Nath Mitra: (a) Six.

(b) Four. Government have provided each club with two "Moth" aeroplanes, a spare engine and a grant of Rs. 9,000 towards the provision of a hangar. Government have also given to each club an annual grant of Rs. 20,000, and a bonus of Rs. 150 per pilot trained, up to a limit of Rs. 2,250 per club in the first year, and Rs. 5,000 per club in the second year of operation.

(c) The figures are as follows:

Trained—

Delhi, 5.

Bombay, 8.

Bengal, 3.

Karachi, 9.

Under training—

Delhi, 13.

Bombay, 13.

Bengal, 14.

Karachi, 13.

(d) The length of the course of training and the expense involved are naturally dependent on the aptitude shown by the pupil. It can be taken that the average Indian pupil requires about 17 hours dual control instruction and that the average cost of training for an "A" licence is approximately Rs. 480.

(e) Government are of opinion that the clubs as at present constituted and equipped are not in a position to undertake the training required for "B" licences. They have not, however, actually prohibited clubs from undertaking such training.

(f) "A" Licences, 18.

"B" Licences, nil.

(g) There have up to date been no posts in which their services could be utilised.

Dr. B. S. Moonje: Do the Government propose to make provision for training for the B Certificate?

The Honourable Sir Bhupendra Nath Mitra: Not in the immediate present.

Dr. B. S. Moonje: When is it likely that the arrangement will be made, if not at present?

The Honourable Sir Bhupendra Nath Mitra: I cannot give my Honourable friend over there any definite information. He was a member of the Standing Finance Committee and has some information about our programme in regard to the development of air services.

Mr. Lalchand Navalrai: Can the Honourable Member give the approximate time?

Mr. Arthur Moore: Is it not a fact that the present pilot instructors of aeroplane clubs are sufficiently qualified to enable them to give B certificates?

The Honourable Sir Bhupendra Nath Mitra: My information, Sir, is that the clubs as at present constituted and equipped are not in a position to undertake the training required for B licences, though they are not actually prohibited from undertaking such training. The point is this. Training for B licences includes training in meteorology, air navigation and certain other subjects.

Nawab Sir Sahibzada Abdul Qaiyum: On what principle is the selection of candidates made for this service?

The Honourable Sir Bhupendra Nath Mitra: My Honourable friend is apparently under a misapprehension. We are now talking of training by aero clubs and there is no question of a service.

Nawab Sir Sahibzada Abdul Qaiyum: The whole question applies to the selection of candidates as well and I should like to know, on what principle candidates are selected for training?

The Honourable Sir Bhupendra Nath Mitra: That depends on the aero club. The aero clubs train people who are members of those clubs and there is no question of selection by Government.

Mr. Lalchand Navalrai: Instead of giving us a vague reply, will the Honourable Member say at least approximately what time it will take to make provision for the training?

The Honourable Sir Bhupendra Nath Mitra: I am sorry I cannot be a prophet. It depends on considerations over which I have no control.

Mr. Lalchand Navalrai: I know, if the Honourable Member were a prophet he would say exactly, but I wanted him to say approximately.

Mr. President: Dr. Moonje.

SELECTION OF INDIAN CADETS FOR TRAINING IN MILITARY AND NAVAL COLLEGES IN ENGLAND.

77. ***Dr. B. S. Moonje:** (a) Will Government be pleased to state when the Interview and Record Board was first appointed in India for the selection of Indian candidates for training in the cadet colleges of Sandhurst, Woolwich and Cranwell and for the Royal Indian Marine?

(b) How many times has the Board been meeting every year since its appointment?

(c) How many Indian candidates have presented themselves each time for examination?

(d) How many of them presented themselves for each of these cadet colleges and for marine training?

(e) How many of them were selected for each of these cadet colleges and for marine training?

(f) Has the Board selected any candidates up to now, and if so, how many for Woolwich and for Cranwell?

(g) How many of those passed and selected by the Board here were rejected by the Examining Board in England?

(h) How many vacancies were reserved for Indians at each time the Interview and Record Board met for their training as Army, Naval, and Air Force cadets?

(i) Have Government noticed the opinion of Pandit Hirday Nath Kunzru, M.L.A., as cabled by Reuter and published in the *Hindustan Times* of Monday the 16th December, 1929, on page 13, at the top of the third column, that after visiting Sandhurst and Woolwich, he found that "contrary to the impression prevailing in India, the standard of recruitment for Woolwich was not higher than for Sandhurst"?

(j) Do Government propose to ask for a report from the Interview and Record Board as to the reasons for their failure to select as many candidates as were required to fill up the vacancies available each time at the cadet colleges of Sandhurst, Woolwich and Cranwell, and for naval training, and if so, will Government be pleased to lay the report on the table?

Mr. G. M. Young: The answer to this long question is necessarily itself very long, and contains much statistical matter. Unless, therefore, the Honourable Member—unless the House—would prefer me to read it out, I propose to lay it on the table.

Most of the information required by the Honourable Member can be found in the pamphlets containing the results of the examinations to which he refers, copies of which have been placed in the Library. As, however, the Honourable Member appears to be under some misapprehension as to the character and functions of the Interview and Record Board, I propose to give a detailed reply. The Board is not, as one might suppose from the Honourable Member's question, a standing Board set up in India, to make a preliminary selection of candidates for admission to the written examination. On the contrary, the examinations themselves consist of two parts—a number of written papers, and an oral test,—which are conducted simultaneously in India: but whereas, in the written examination the papers are set and subsequently marked by the Civil Service Commissioners in England, the oral test is necessarily carried out by a Board sitting in India, on each occasion that an examination takes place. The answers to the various parts of the Honourable Member's question are as follows:—

(a) An interview and record test has been in force for Sandhurst candidates since 1919, but the present system of examination for entry to the Army and Air Force was introduced in November, 1928, and for the Royal Indian Marine in June, 1929.

(b) There was one examination in 1928 and two in 1929. An Interview and Record Board was constituted for each of these examinations.

(c) 59 candidates sat for the Army and Air Force examination held in November, 1928, and 88 and 75 candidates for the Army,

Air Force, and Royal Indian Marine examinations held in June, and November, 1929, respectively.

(d) A statement is annexed.

(e) Seven candidates passed for Sandhurst at the examination held in November, 1928, and 11 at the examination held in June, 1929. No candidate passed into Woolwich, Cranwell or the Royal Indian Marine at either of these examinations. The results of the examinations held last November, have not yet been received.

(f) Three candidates for Woolwich and one for Cranwell passed the oral test in November, 1928. One candidate for Cranwell and two for Woolwich passed the oral test in June, 1929. The number of those who obtained qualifying marks in the oral test at the examination held in November, 1929, is not yet known.

(g) Nine of those who obtained qualifying marks in the oral test in November, 1928, and six who obtained similar marks in June, 1929, failed to pass the written portion of the examination.

(h) A statement is annexed.

(i) Government have seen the message referred to, but are not aware whether the Honourable Pundit has been correctly reported. The standard required for entry into Woolwich is considerably higher than the standard required for Sandhurst. There are certain subjects, viz., Lower Mathematics and Physics or Chemistry, which candidates for Woolwich are compelled to take, and obtain a qualifying mark in them, while Sandhurst candidates are not. Again, the minimum qualifying total of marks for Sandhurst is 540, and for Woolwich, 690.

(j) Government do not consider that the figures of any of the past examinations are such as call for a report or explanation from the Interview and Record Board. They are satisfied that the Board, on which the Honourable Member has served more than once, is competent to judge the suitability of the candidates who appear before it: and that it rejects only those who are definitely unsuitable. The Board's decisions must obviously be governed by this criterion alone, and not by any consideration of the number of vacancies available.

Statement referred to in the reply to parts (d) and (h) of the question.

(d) Number of candidates who appeared for the various cadet colleges and for marine training.

Date of examination.	Marine only or Marine as first choice.	Sandhurst only or Sandhurst as first choice.	Woolwich only or Woolwich as first choice.	Cranwell only or Cranwell as first choice.	Total.
November 1928 .	..	36	17	6	59
June 1929 .	29	40	7	12	88
November 1929 .	19	39	6	11	75

(h) Number of vacancies reserved for Indians at the various cadet colleges and in the Royal Indian Marine.

Date of examination.	Royal Indian Marine.	Sandhurst.	Woolwich.	Cranwell.	Total.
November 1928 .	..	10	3	3	16
June 1929 .	7	13	6	6	32
November 1929 .	8	10	6	6	30

APPOINTMENT OF INDIAN OFFICERS TO THE ARMY.

78. ***Dr. B. S. Moonje:** (a) Will Government be pleased to state if it is a fact that there is a shortage of British officers in the Army?

(b) If the answer to part (a) be in the affirmative, what is the number of this shortage, and how do Government propose to make up this shortage, and what is this shortage due to?

(c) What is the number of annual wastage and of yearly recruitment of officers to meet the wastage?

(d) Are Government aware that to meet this shortage, it is proposed that all officers up to a certain rank, say Captain or Major, should be recruited from Indians and that the senior ranks be, for the present, held by British officers?

(e) Has the attention of Government been drawn to the following, which is a quotation from the book called the "Autography of General Sir O'Moore Creagh", one of the late Commanders-in-Chief of India?:

"The entrance examination (for selection of British boys for admission into the military colleges of England) was of open competition but it was very easy, as the qualification was low and there normally were more vacancies than competitors..... The curriculum, on paper, was very much as it is to-day but the passing out test which qualified for a Commission was much lower. The life of a cadet was less luxurious than is now the case. There were about 250 cadets and the ordinary course was one of two terms; but those who failed to qualify for a purchase commission (or in the competition for a non-purchase commission) at the examination held at the end of a cadet's second term were allowed to put in a third course in order to give them another chance."

(f) If the answer to part (e) is in the affirmative, are Government prepared to bring this point to the notice of the members of the Interview and Record Board, instructing them to bear it in mind while selecting Indian candidates for admission to the Cadet Colleges of Sandhurst, Woolwich and Cranwell and for the Royal Indian Marine?

Mr. G. M. Young: (a) There is no shortage in the actual number of British officers in the Indian Army at the moment. On the other hand there is some congestion due partly to exceptional recruitment during the war and partly to certain recent measures of reorganisation.

About three years ago there was a shortage in recruitment. Recruitment has however since improved, and the position is now satisfactory.

(b) Does not arise.

(c) The wastage is about 120 a year, and it is met by recruitment from Sandhurst and by transfer of officers from the British Service.

(d) Government are not aware of any such proposal, nor do they understand how it would be put into practice.

(e) Yes.

(f) If the Honourable Member's suggestion is that the standard of admission should be lowered for Indians in order to meet a shortage in British recruitment, my answer to the earlier parts of his question will show that such a course is unnecessary. In any case the conditions of recruitment prevailing 70 years ago, when the system of purchase Commissions was still in existence, would not, in the opinion of the Government of India, provide any argument for adopting that course to-day.

DEMOLITION OF INDIAN BAZAARS ATTACHED TO CANTONMENTS.

79. ***Dr. B. S. Moonje:** (a) Are Government aware that the All-India Cantonment's Association have submitted a representation to His Excellency the Commander-in-Chief, complaining that the military authorities are solicitous of giving a monopoly to coffee shop contractors and are therefore discouraging and demolishing long-standing Indian bazaars attached to Cantonments?

(b) Will Government be pleased to state their reasons for adopting the policy referred to in part (a)?

(c) How do Government propose to compensate the Indian shopkeepers of these Indian bazaars?

(d) Why do Government propose to establish a system of monopoly in favour of a few coffee shop contractors?

(e) Who are these coffee shop contractors, and will Government please lay on the table a list of these contractors and also of the firms, if any, they represent with their names and addresses?

Mr. G. M. Young: (a) Yes.

(b), (c) and (d). Government have not adopted the policy attributed to the military authorities in part (a). I am inquiring into the facts, and will communicate the result to the Honourable Member as soon as possible.

(e) I will send the Honourable Member a copy of the current list of approved contractors.

APPLICATIONS FOR ADMISSION TO THE CHANDAUSI TRAINING SCHOOL.

80. ***Dr. B. S. Moonje:** (1) Are Government aware that the Divisional Superintendent, Moradabad, East Indian Railway, recently invited applications by public advertisements on the prescribed application forms obtainable from his office for Re. 1 per form, from Indians for admission in the Chandausi Training School?

(2) If the answer to part (1) is in the affirmative, will Government please state:

(a) What were the qualifications prescribed for eligibility for admission?

(b) What were the rules according to which selection was made?

(c) Who made the selection?

(d) What was the number, if any, that was previously fixed for admission into the school?

(e) Was the number so fixed mentioned in the advertisement calling for applications?

(f) Who authorised the Divisional Superintendent for fixing and according to what rule did he fix the price of one rupee per form of application?

(3) Are Government aware that about 700 applications on the prescribed forms were received and that only about 100 candidates were selected for admission into the School?

(4) Will Government be pleased to state if it proposed to return the amount of Rs. 600 or so, received as the price of the application forms from those candidates who were not eventually selected for admission?

(5) Will Government please state:

(a) If the rejected applicants have been informed of the fact of their rejection; and,

(b) If so, with or without mentioning the reasons for rejection?

(6) Will Government please state the numbers of candidates selected for admission into the school according to their religions and colours?

Mr. A. A. L. Parsons: I am making enquiries from the Agent and will communicate with the Honourable Member on receipt of his reply.

+81*.

REPRESENTATION OF SIND AT THE ROUND TABLE CONFERENCE.

82. ***Mr. Lalchand Navalrai:** (a) Had the attention of Government been drawn to the editorial in the *Daily Gazette*, Karachi, dated the 6th November, 1929, under the heading "Sind and the proposed Conference" regarding the representation of Sind on the proposed Round Table Conference to be called in England in consideration of Sind having its own problem requiring careful consideration by those who are to draw up a new constitution for India?

(b) What steps do Government propose to take in the matter?

The Honourable Sir James Crerar: (a) Yes.

(b) I am not in a position to make any statement on the subject.

Mr. Lalchand Navalrai: Will the Honourable Member tell me if any scheme or method of election or selection of the members of the Round Table Conference is being considered by the Government of India?

The Honourable Sir James Crerar: I cannot add to what I have already said, namely, that I am not in a position to make any statement on the subject.

EXTENSION OF THE WAKF ACT TO THE BORAH COMMUNITY.

83. ***Mr. Lalchand Navalrai:** In view of the representations made to the Government of India with regard to the extension of the Wakf Act to the Borah Community, will Government be pleased to say what decision Government have arrived at?

The Honourable Sir James Crerar: The Honourable Member presumably refers to a petition submitted by Mr. Karimbhoy Adamjee Peerbhoy. It has been forwarded for consideration to the Government of Bombay. The matter is primarily one for the Local Government under section 13 of the Mussalman Wakf Act, 1923.

+For this question and its answer, see Proceedings of the 21st January, 1930.

CONSTRUCTION OF A BROAD GAUGE RAILWAY FROM KARACHI TO BOMBAY.

84. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state when they intend to take in hand the constructional work of the Karachi-Bombay broad gauge through railway?

(b) Is it a fact that people in Sind have been asking for this railway for the last fifteen years?

(c) Is it a fact that the Bombay Council have shown the urgency of this Railway, and that H. E. the Governors of Bombay and even H. E. the Viceroy on their visits to Karachi have expressed the same view?

(d) Do Government propose to solve the financial difficulty which has always been brought in the forefront and provide for starting the work in this year's Budget?

Mr. A. A. L. Parsons: (a), (c) and (d). Government are unable to say at present when it will be possible to start work on the Bombay-Sind through connection. They recognise the importance attached to this by the Government of Bombay and the people of Bombay and Sind and will endeavour to find means to take it up as soon as possible.

(b) Yes.

Mr. Lalchand Navalrai: Is not Government still prepared, after the lapse of 15 years, definitely to take this matter in hand, especially when the necessity is being admitted?

Mr. A. A. L. Parsons: As I have already explained, we propose to take this line up as soon as our means permit. We can hardly be expected to take it up when our means do not permit us to do so.

Mr. Lalchand Navalrai: The means are always complained of.

ADVISORY COMMITTEES OF THE NORTH WESTERN RAILWAY.

85. ***Mr. Lalchand Navalrai:** (a) Is it a fact that the North Western Railway Karachi Advisory Committee have resolved, by a majority of votes, more than once to hold monthly meetings instead of quarterly ones as at present?

(b) Are Government aware that quarterly meetings do not sufficiently serve the purpose for which they are designed?

(c) Is it a fact that generally meetings of all other Advisory Committees in other Divisions of the State Railways respectively are held once a month?

(d) If the answer to part (c) be in the negative, will Government be pleased to state the period at which each of Advisory Committee meetings in all the Divisions on the State Railways respectively are held?

(e) Do Government propose, in view of the opinion of the Karachi Advisory Committee, to ask the Agent, North Western Railway, to give a trial to holding monthly meetings?

Mr. A. A. L. Parsons: (a) Yes.

(b) No.

(c) No.

(d) I am laying a statement on the table giving the required information. It will be seen that the main Advisory Committee of each of these railways ordinarily meets once a month, but branch Committees, like that at Karachi, ordinarily meet once a quarter or once in two months.

(e) The Agent of the North Western Railway has reported that a meeting once a quarter suffices to deal with the business to be transacted, and that if he finds occasion to call for more frequent meetings, he will do so. Government consider that the present practice meets the requirements.

Statement showing the meetings of Local Advisory Committees of State Railways held during the period from October 1928 to September 1929.

Item No.	Railway Advisory Committee.	October 1928.	November 1928.	December 1928.	January 1929.	February 1929.	March 1929.	April 1929.	May 1929.	June 1929.	July 1929.	August 1929.	September 1929.	Remarks.
1	E. I. (Caletta)	...	30-11-28	...	4-1-29	1-2-29	1-3-29	5-4-29	5-5-29	7-6-29	5-7-29 17-7-29	9-8-29	2-9-29	Monthly.
	Do. (Cawnpore) Lucknow (Branch Committee).	...	24-11-28	...	25-1-29	...	27-3-29	...	11-5-29	...	27-7-29	...	28-9-29	After every 2 months.
2	G. I. P. (Bombay)	...	1-11-28	6-12-28	10-1-29	7-2-29	7-3-29	...	2-5-29	6-5-29	4-7-29	1-9-29	5-9-29	Monthly.
	Do. (Nagpur) (Branch Committee)	13-10-28	...	...	7-1-29	...	...	11-4-29	...	...	31-7-29	...	...	Quarterly.
	Do. (Cawnpore) (Branch Committee)	...	...	5-12-28	...	...	28-3-29	...	...	*	29-7-29	...	...	Quarterly.
3	N. W. (Lahore)	16-10-28	13-11-28	4-2-29	20-1-29	20-2-29	10-3-29	22-4-29	25-5-29	25-5-29	16-7-29	6-8-29	17-9-29	Monthly.
	Do. (Karachi) (Branch Committee)	...	21-11-28	...	...	20-2-29	...	...	22-5-29	...	...	14-8-29	...	Quarterly.
4	E. B.	...	2-11-28	7-12-28	25-1-29	...	1-3-29	12-4-29	10-5-29	14-6-29	...	9-8-29	6-9-29	Monthly.
5	Burma Railways	...	...	11-12-28	...	7-2-29	7-3-29	4-4-29	2-5-29	6-6-29	4-7-29	1-8-29	5-9-29	Monthly.

* This meeting was postponed to 4th week of July on account of certain members having been unable to attend the meeting.

Mr. Lalchand Navalrai: Is the Honourable Member aware that the members of the Committee hold different opinions to those of the Agent? Has the Honourable Member considered that question or inquired into that difference of opinion?

Mr. A. A. L. Parsons: I have, Sir, accepted the statement of the Agent that a meeting once a quarter is ordinarily sufficient for transacting the business. I do not consider it necessary, therefore, for the Agent to call meetings more frequently, even though possibly some of the members of the Committee may desire more frequent meetings.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to place the reasons of the Agent on the table?

Mr. A. A. L. Parsons: I can tell the Honourable Member the reasons immediately. The reasons are that a meeting once in three months is ordinarily sufficient for transacting the business that comes up before that Committee.

Mr. Lalchand Navalrai: The reason for the sufficiency there must be, and what I am asking the Honourable Member is to give the reason for showing how that one meeting in three months is sufficient, otherwise it is only an opinion.

Mr. A. A. L. Parsons: It may be presumed that the meeting once every three months gets through the business which is laid before the meeting.

Mr. Lalchand Navalrai: I have been myself a member of that Advisory Committee, though not now, and I know that the work was not being properly conducted and finished within quarterly meetings. Is the Honourable Member going to contradict that too?

(No answer was given.)

FARES ON THE JODHPUR RAILWAY.

86. ***Mr. Lalchand Navalrai:** (a) Are Government aware that the Jodhpur Railway passenger fares for third class are about 65 per cent. higher than those of the North Western Railway for long distances?

(b) Are Government aware that this line is connected with the North Western Railway line from Hyderabad Sind and that British subjects travel from Sind to Gujrat, Bombay, and other places through the territory of the Jodhpur State by this line?

(c) Do Government propose, in view of the fact mentioned in part (b), to move the Jodhpur Railway authorities to reduce their fares?

Mr. A. A. L. Parsons: (a) and (b). Yes,

(c) No. Passenger fares on the different Railway Administrations are not uniform, financial and other conditions varying.

APPLICATION FORMS PRESCRIBED FOR CANDIDATES BY THE NORTH WESTERN RAILWAY.

87. ***Mr. Lalchand Navalrai:** (a) Are Government aware that two Railway Selection Boards met at Karachi on 15th and 21st August, 1929, or thereabouts to select candidates?

(b) Is it a fact that the Railway called upon the candidates to send in their applications on railway prescribed forms and to appear in person at the headquarters at Karachi?

(c) Is it a fact that the North Western Railway sells to each candidate the railway application form at a cost of one rupee each?

(d) How much was spent by the Railway on the printing and paper of these forms sold on these two aforesaid occasions in August, 1929?

(e) How much was realised by the Railway by the sale of these forms and from the railway fares spent by these candidates in order to attend at the headquarters and what was the balance saved by the Railway in all the Divisions of the North Western Railway?

Mr. A. A. L. Parsons: I propose to reply this and the following question together. I am obtaining the information which the Honourable Member asks for and will communicate with him on its receipt.

CANDIDATES SELECTED BY THE RAILWAY SELECTION BOARD AT KARACHI.

†88. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state how many candidates actually appeared before the Railway Selection Board at Karachi on the two occasions mentioned in part (a) of my immediately preceding question and how many were selected?

(b) How many Sindhis appeared for the selection on the aforesaid occasions and how many were selected?

(c) Were there any such selected persons relations of railway employees who were given preference in these selections? If so, what are the names and the designations of these railway employees?

(d) Do Government propose in future to call only such candidates as are likely to be selected?

CONSTITUTION OF RAILWAY SELECTION BOARDS.

89. ***Mr. Lalchand Navalrai:** (a) Have Government by now thought of making some change in the Railway Selection Boards? If so, which?

(b) If the answer to the above be the same as was given on 10th September, 1929, in answer to part (f) of my starred question No. 330, will Government be pleased to state the reasons for making no improvement and for not associating the non-official element with the official members of the Selection Board?

Mr. A. A. L. Parsons: The methods of recruiting subordinates are under examination. Government are unable to agree that it would be an improvement if non-officials were added to the Selection Boards.

APPOINTMENT OF PROVINCIAL SERVICE MEN AS OFFICERS IN THE IMPERIAL SECRETARIAT.

90. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if there are Secretaries, Deputy Secretaries or Assistant Secretaries in all the Departments of the Government of India Secretariat, who may have been imported from the Provincial Service or are these appointments restricted to Imperial Service men? If the former, will Government be pleased to state how many and from which presidencies have they been recruited?

†For answer to this question, see answer to question No. 87.

(b) If the answer to the first part of part (a) be in the negative, will Government be pleased to state if they propose to encourage and train Provincial Service men for the said appointments by giving them appointments in the Imperial Secretariats? If not, what are the reasons for it?

The Honourable Sir James Crerar: (a) I would refer the Honourable Member to section 98 and the third Schedule of the Government of India Act, from which he will see that the posts of Secretary and Joint and Deputy Secretaries in some of the Departments of the Government of India are reserved for the Indian Civil Service. The posts of Assistant Secretary are ordinarily filled from the Imperial Secretariat Service. In the past some members of the provincial services have been appointed to posts of Deputy and Assistant Secretary. There are no such officers in the Government of India Secretariat at present.

(b) Government see no reason for making any departure from the present arrangements.

Mr. Lalchand Navalrai: Would the Government be pleased to say why office rules should not be amended in order to make the Indians enter as Secretaries and Deputy Secretaries?

The Honourable Sir James Crerar: As I have already stated, the existing arrangements are working satisfactorily and, as the Honourable Member is aware, there is a considerable number of Indians who are holding these posts. The point I understood the Honourable Member to refer to particularly was with regard to the members of the Provincial Services, and my answer is that there is nothing to prevent such appointments being made on suitable occasions, and the heads of the Departments concerned will exercise their discretion.

Mr. Lalchand Navalrai: I hope so.

Pandit Hirday Nath Kunzru: Is it the considered opinion of Government that no more opportunities are to be given to the members of the Provincial Services to hold responsible posts in the Imperial Secretariat?

The Honourable Sir James Crerar: No, Sir.

Pandit Hirday Nath Kunzru: What is the exact import of the Honourable Member's reply? I should like him to bear in mind the desire repeatedly expressed in this House for giving wider opportunities to the members of the Provincial Services for employment in the Imperial Secretariat.

The Honourable Sir James Crerar: I have no doubt the considerations mentioned by the Honourable Member are borne carefully in mind at the time of making these appointments.

Pandit Hirday Nath Kunzru: The Honourable Member said that the present system was working satisfactorily. Is it to be inferred from this that no change will be made by the Government of India and that consequently Provincial Service men will in practice be as much debarred from holding Imperial Secretariat appointments in the future, as they have been in the past?

The Honourable Sir James Crerar: A number of members of the Provincial Services have been appointed to these posts in the past and may be so appointed in the future.

Pandit Hirday Nath Kunzru: These appointments have been few and far between. At present, as the Honourable Member has said, there are no Provincial Service men who are serving as Assistant or Deputy Secretaries in the Imperial Secretariat. Is the present system to continue as a rule? Is no special effort to be made to extend the appointment of Provincial Service men?

The Honourable Sir James Crerar: I quite see the point raised by the Honourable Member, but I should like to make it clear in reply that there is no embargo on such appointments. Naturally, experience of the Imperial Secretariat itself is an important qualification for appointment to these posts, but that does not involve necessarily the exclusion of Provincial members. I will endeavour, however, to examine the particular point raised by the Honourable Member more fully.

Mr. Lalchand Navalrai: Will the Honourable Member please say that in future Provincial Service men will be taken in the Imperial Secretariat?

The Honourable Sir James Crerar: I will examine the point more fully.

UNSTARRED QUESTIONS AND ANSWERS.

BUS SERVICE BETWEEN NEW AND OLD DELHI.

1. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government be pleased to state if the news published in the issue of the *Statesman* of the 2nd October, 1929, page 10, under the heading "Cheap Transport for Delhi—New Bus Service", regarding the scheme to link up Old and New Delhi by means of a regular bus service is correct?

(b) If so, by what time is the new arrangement expected to be completed?

Sir Frank Noyce: The necessary information has been called for and will be supplied to the Honourable Member on receipt.

RECOMMENDATIONS OF THE HARTOG COMMITTEE.

2. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of the 19th October, 1929, page 9, under the heading "Wanted a national policy in education—Centralized control urged by Hartog Committee—Waste of present system—Giving girls first chance of learning"?

(b) Will Government be pleased to state by what time the recommendations of the Committee, i.e., (1) to serve as a centre of information for all provinces, (2) to provide funds to such as want assistance, and (3) to co-ordinate the experience of different provinces—are likely to come into force?

Sir Frank Noyce: (a) Yes.

(b) Government do not propose to take the report of the Auxiliary Committee into detailed consideration until they have received the report of the Indian Statutory Commission.

REPORT OF THE INDIAN CENTRAL COMMITTEE.

3. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of 31st October, 1929, page 9, under the heading "Report posted to India—Publication left to Viceroy's discretion"?

(b) If so, will they please state if the statement made therein is correct?

The Honourable Sir James Crerar: (a) Yes.

(b) As the Honourable Member is aware, the Report was published on the 23rd December, and copies were at the same time supplied to all Members of the Indian Legislature.

EXTENSION OF DELHI CITY.

4. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of 31st October, 1929, page 10, under the heading "Congestion in Delhi City—Extension scheme"?

(b) If so, will they please state if the statement made therein is correct?

Sir Frank Noyce: (a) and (b). Yes

AIR MAIL SERVICE TO DELHI.

5. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of 31st October, 1929, page 10, under the heading "Extension of Air Mail to Delhi—Plans ordered—no chance of service to Bombay"?

(b) If so, will they please state if the statement made therein is correct?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The London-Karachi air mail service was extended to Delhi with effect from 30th December. This extension is being operated as an Indian State Air Service with aircraft chartered from Imperial Airways Limited. Further extensions to Calcutta and Rangoon are under consideration by Government.

Government are considering the question of an air mail service between Karachi and Bombay. The aerodrome at Bombay is at present only fit for use during the dry season, but it is hoped, if funds permit, to undertake the work necessary to render it fit for use throughout the year during 1930.

OPENING OF THE VICEROY'S HOUSE, NEW DELHI.

6. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of 16th November, 1929, page 14, under the heading "Opening of the new Viceregal House—Ready next year"?

(b) If so, will they please state if the statement made therein is correct?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) It is proposed to hold ceremonies in connection with the formal inauguration of New Delhi during the winter season, 1930-31.

RAILWAY TRAFFIC IN INDIA.

7. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of 16th November, 1929, page 10, under the heading "Railway Working in India—Fewer Passengers—Slight improvement in Goods traffic"?

(b) If so, will they please state if the matters reported therein are correct? If correct, will they please state the reasons which led to the receipts for the year 1928-29 being less than for the year 1927-28?

Mr. A. A. L. Parsons: (a) Yes.

(b) Yes, except that the capital at charge at the end of the year was 739.2 crores. The reasons for the variation will be found in Chapter II of the Railway Board's Annual Report for 1928-29, copies of which will shortly be available in the Library of the House.

WAITING ROOM AT KHAJAUJI.

8. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the letter published in the issue of the *Searchlight* of 3rd November, 1929, page 11, under the heading "Waiting Room at Khajauli"?

(b) If so, will they please state if the complaint made therein is correct? If correct, do they intend to see that the grievance complained of is redressed?

Mr. A. A. L. Parsons: (a) Yes.

(b) Government are not aware of the position; but a copy of the Honourable Member's question has been sent to the Agent, Bengal and North Western Railway, with the request that he will see what action, if any, is needed.

OPIUM INQUIRY.

9. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of 17th November, 1929, page 9, under the heading "Opium Inquiry—Government of India to hasten it"?

(b) If so, will they please state if the statement made therein is correct? If correct, will they please state when inquiries into opium consumption in the province of Bombay are likely to be completed?

The Honourable Sir George Schuster: (a) Government have seen the paragraph referred to.

(b) It is correct. It is hoped that the Bombay report will be received in February.

CLERKS' QUARTERS IN PHAGLI, SIMLA.

10. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to starred question No. 871 in the Legislative Assembly, on the 25th September, 1929, on the subject of "Shortage of 'B' Class Clerks' Quarters in Phagli, Simla", will Government please state if the question of constructing additional accommodation has since been considered and a decision arrived at?

(b) If so, will they please communicate their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) The question of constructing additional residential accommodation is still under consideration.

(b) Does not arise.

TERMINAL TAX ON GOODS ENTERING NEW DELHI.

11. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to starred question No. 887 in the Legislative Assembly on the 25th September, 1929, regarding "Imposition of a Terminal Tax on Goods entering New Delhi", will Government please state if the necessary preliminaries have since been considered?

(b) If so, with what results?

Sir Frank Noyce: (a) The preliminaries are still under consideration.

(b) Does not arise.

APPOINTMENT OF CLERKS IN ARMY HEADQUARTERS.

12. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since considered the matter of "Appointment permanently of clerks provisionally appointed in Army Headquarters" (*vide* Government reply to starred question No. 904(d) in the Legislative Assembly on the 25th September, 1929), and come to a decision in the matter?

(b) If so, will they please communicate their decision to the House?

Mr. G. M. Young: (a) Yes, in all but two cases, which are still under consideration.

(b) Except for the two cases referred to, the individuals concerned have been confirmed in permanent vacancies.

SUPERSESSION OF CLERKS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

13. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to starred question No. 915(b) in the Legislative Assembly on the 25th September, 1929, on the subject of "Supersession of clerks in the Railway Clearing Accounts Office", will Government please state if the Committee appointed for the purpose of determining the seniority of the staff of the Railway Clearing Accounts Office has since considered the question and come to a decision in the matter?

(b) If so, will they please communicate their decision for the information of the House?

Mr. A. A. L. Parsons: (a) Yes.

(b) The Report is now under consideration.

AIR MAIL SERVICE AND AERONAUTICAL SCHOOL IN INDIA.

14. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if they contemplate opening an air mail service in India?

(b) If so, do they propose to consider the question of starting a school of commercial aeronautics where flying and aeronautical engineering can be taught in their entirety, and where the youth of India can fit themselves for that line?

The Honourable Sir Bhupendra Nath Mitra: (a) The Karachi-Delhi section of the Indian State Air Service was inaugurated on the 30th December, 1929.

(b) Not at present.

THE DACCA-ARICHA RAILWAY.

15. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of 9th November, 1929, page 5, under the heading "Dacca-Aricha Railway—Appointment of Site Selection Committee"?

(b) If so, will they please state if the Chief Commissioner of Railways and the Commerce Member have since considered the proposal as a result of the deputation which waited on them and come to a decision in the matter?

(c) If so, will they please communicate their decision to the House?

Mr. A. A. L. Parsons: (a) Government have seen the paragraph mentioned.

(b) and (c). It is intended to proceed with the scheme as funds permit.

GRIEVANCES OF RAILWAYMEN.

16. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the letter published in the issue of the *Searchlight* of the 30th October, 1929, page 11, under the heading "Grievances of Railwaymen"?

(b) If so, will they please state if the complaints made therein are correct?

(c) If correct, will they please state if they are willing to have the grievances complained of redressed?

Mr. A. A. L. Parsons: (a) Yes.

(b) No.

(c) Does not arise.

INDIAN CADETS FOR SANDHURST.

17. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of the 19th November, 1929, page 12, under the heading "Indian Cadets—Eleven qualify for Sandhurst"?

(b) If so, will they please state if the statement made therein is correct?

(c) If correct, will Government please state what were the qualifications of the other five candidates, referred to therein?

Mr. G. M. Young: (a) and (b). Yes.

(c) The information required by the Honourable Member is contained in the Press communiqués issued by the Government of India on the 20th September, 1929, and subsequent dates. For the sake of convenience, however, a consolidated list of candidates who were successful in the Army Air Force and Royal Indian Marine entrance examination held in June 1929 has been prepared and is placed on the table for the Honourable Member's information.

In the half-yearly Army, Air Force and Royal Indian Marine entrance examination held in June, 1929, the following candidates were declared successful:

For admission to the Royal Military College, Sandhurst.

1. *Bahadur Singh, Kanwar, Son of Major General Ap Onkar Singh, C.I.E., of Palaitha, Kotah State, Rajputana.
2. Bilimoria, Nasservanji Dhanjisha, Son of Mr. D. C. Bilimoria, Deputy Superintendent of Police, Anand, Bombay Presidency. (Educated at the Gujrat College, Ahmedabad).
3. Dhargalkar, Krishna Purshotam, Son of Mr. Purshotam Dhargalkar, Dental Surgeon, Bombay. (Educated at the St. Xavier's College, Bombay).
4. Daulat Singh, Son of Rai Bahadur Dewan Dina Nath, Chief Minister, Mandi State, Punjab. (Educated at the Government College, Lahore).
5. Dutt, Raj Kumar, Son of Rai Bahadur P. N. Dutt, Registrar, Punjab University, Lahore, Punjab. (Educated at the Government College, Lahore).
6. *Gambhir Singh, Son of Major Thakur Karam Singh, Officer Commanding, State Forces, Tehri Garhwal State, United Provinces.
7. *Gurdip Singh, Son of Sardar Gurdit Singh, Village Khojki Chak, Pathankot, Punjab.
8. *Lachhman Singh Negi, Son of Subedar Major Sardar Bahadur Hans Ram Singh Negi. (Retired), Pauri, Garhwal, United Provinces.
9. *Rodrigues, Edward Augustus, Son of Sardar Bahadur J. N. Rodrigues, Yeotmal, Berar.
10. Sen, L. P., Son of Mr. Narendra Nath Sen, Barrister, Rangoon, Burma. (Educated at the Diocesan Boys' High School, Rangoon and at Leinster House School, London).
11. *Sheriff, Muhammad Khalilullah, Son of Subedar Major and Hony. Lieut. Muhammad Sheriff, (Retired), Vellore, Madras Presidency.

RAILWAY EARNINGS.

18. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of the 19th November, 1929, page 12, under the heading "Railway Earnings"?

(b) If so, will Government be pleased to state what were the causes that led to the earnings for the week ending November 2nd being less than the figures for last week as well as for the corresponding week of the previous year?

Mr. A. A. L. Parsons: (a) Yes; the paragraph merely reproduces a part of the information published in a Press communiqué issued by the Railway Board.

*Educated at the Prince of Wales's Royal Indian Military College, Dehra Dun.

(b) The principal decreases were in passenger traffic on the North Western, Eastern Bengal and Great Indian Peninsula Railways; in food grains, oil seeds, sugar and jaggree traffic on the Great Indian Peninsula Railway; in cotton and metal traffic on the North Western Railway; Jute traffic on the Eastern Bengal Railway.

CONSTRUCTION OF A BRIDGE OVER THE MEGHNA RIVER.

19. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to question No. 13 in the Council of State on the 16th September, 1929, regarding the construction of a bridge over the Brahmaputra, will Government please state if they have since considered the question of the construction of a bridge over the Meghna River near Bhairab Bazaar?

(b) If so, will they please state when the construction work is likely to commence?

Mr. A. A. L. Parsons: (a) Yes.

(b) Not before 1931-32.

EXPENDITURE INCURRED ON COMMITTEES.

20. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to part (b) of my unstarred question No. 26 in the Legislative Assembly on the 2nd September, 1929, on the subject of expenditure incurred on Committees appointed by the Government of India and the effect of their recommendations, will Government please state if the information required therein has since been received?

(b) If the answer to part (a) is in the affirmative, will Government please furnish the information to the House?

The Honourable Sir James Crerar: (a) Yes.

(b) The information promised was supplied to the Honourable Member on the 14th December, 1929. No further action seems necessary.

OPIUM-SMOKING.

21. **Khan Bahadur Sarfaraz Hussain Khan:** Will Government please state if the legislation proposed by the Bengal Government has since been passed into law (*vide* Government reply to my unstarred question No. 31 in the Legislative Assembly on the 2nd September, 1929) on the subject of the suppression of opium-smoking in the Central Provinces and Bengal?

The Honourable Sir George Schuster: No, it is still under the consideration of the Local Government, who are making an extensive inquiry regarding the results of the registration of opium smokers elsewhere. This is expected to take some time.

EXTRA PAY FOR POSTAL OFFICIALS.

22. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 32 in the Legislative Assembly on the 2nd September, 1929, regarding extra pay to postal officials for working on Sundays and holidays, will Government please state if any decision has yet been arrived at?

(b) If so, will they please communicate their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). No final decision has yet been reached.

UNBOOKED LUGGAGE OF THIRD CLASS RAILWAY PASSENGERS.

23. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 37 in the Legislative Assembly on the 2nd September, 1929, on the subject of unbooked luggage of third class passengers, will Government please state if the question was discussed at the meeting of the Central Advisory Council?

(b) If so, will they please communicate the decision arrived at to the House?

Mr. A. A. L. Parsons: (a) No. It was not reached at the meeting of the Council on September 21st.

(b) Does not arise.

CONSTRUCTION OF A RAILWAY BRIDGE OVER THE RIVER GANDAK.

24. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 38 in the Legislative Assembly on the 2nd September, 1929, will Government please state if the revised report regarding the construction of a railway bridge over the river Gandak, has since been examined and whether a decision has been arrived at thereon?

(b) If so, will they please communicate their decision to the House?

Mr. A. A. L. Parsons: (a) Yes.

(b) The matter is under consideration. No decision has as yet been arrived at.

HAJ COMMITTEES IN INDIA.

25. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 40 in the Legislative Assembly on the 2nd September, 1929, regarding Haj Committees in India, will Government please state if the information has since been collected?

(b) If so, will they please communicate the information received to the House?

Sir Frank Noyce: (a) Yes.

(b) A statement containing the information has been placed in the Library of the House.

PERMANENT CADRE OF THE PUBLIC WORKS DEPARTMENT, DELHI.

26. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to starred question No. 984 in the Legislative Assembly on the 26th September, 1929, regarding the permanent cadre of the Public Works Department at Delhi, will Government please state if proposals in respect of the permanent cadre for the Delhi Public Works Department have since been considered and whether a decision has been arrived at?

(b) If so, will they please communicate their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) Proposals in respect of a permanent cadre of the superior engineering staff required for the Delhi Public Works Department have recently been sanctioned by the Secretary of State. As regards the other staff required permanently for that Department, proposals are at present under preparation.

(b) The permanent cadre of the superior engineering staff, which has been sanctioned, includes the following posts:

- 1 Chief Engineership.
- 2 Superintending Engineerships.
- 6 Divisional posts.

The above cadre provides also for requirements for the central works in the United Provinces and the Punjab (including Simla).

ROYAL AIR FORCE METEOROLOGISTS.

27. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since considered the question of the renewal of contracts of Royal Air Force meteorologists and come to a decision in the matter (*vide* Government reply to part (a) of starred question No. 1012 in the Legislative Assembly on the 26th September, 1929)?

(b) If so, will they please communicate the decision arrived at to the House?

Mr. G. M. Young: (a) Yes.

(b) It has been decided to make no change at present in the existing system.

LUGGAGE OF INTERMEDIATE AND THIRD CLASS RAILWAY PASSENGERS.

28. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to part (4) of unstarred question No. 230 in the Legislative Assembly on the 26th September, 1929, regarding the free allowance of luggage for intermediate and third class railway passengers, will Government please state if they have since considered the question and arrived at a conclusion in the matter?

(b) If so, will they please communicate their conclusion to the House?

Mr. A. A. L. Parsons: As a result of the recommendation made by the Indian Railway Conference Association, the following revised scale of free allowance of luggage was introduced on the 15th December, 1929:

- 1st Class, 60 seers (no change).
- 2nd class, 40 seers.
- Intermediate class, 30 seers.
- 3rd class, 25 seers.

The Assam Bengal Railway introduced the revised scale on the 1st January, 1930, but some of the minor railways have not at present adopted it.

PROMOTIONS IN THE TRAFFIC BRANCH OF THE TELEGRAPH DEPARTMENT.

29. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if a decision has yet been reached in the matter of promotions

to the second division in the Traffic Branch of the Telegraph Department (*vide* Government reply to part (a) of unstarred question No. 234 in the Legislative Assembly on the 26th September, 1929)?

(b) If so, will they please communicate the decision arrived at to the House?

The Honourable Sir Bhupendra Nath Mitra: It has been decided that no examination should be instituted, at any rate for the present, in connection with promotions to the second division of the Traffic Branch of the Posts and Telegraphs Department.

REMUNERATION OF TELEGRAPH MESSENGERS.

30. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to unstarred question No. 236 in the Legislative Assembly on the 26th September, 1929, regarding loss sustained by telegraph messengers in the delivery of messages, will Government please state if they have since considered and come to a decision in the matter?

(b) If so, will they please communicate their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The answer to the first part of the question is in the negative and the second part does not arise.

INDIANS REPATRIATED FROM THE COLONIES.

31. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have done anything to help the repatriates, *vide* Government reply to part (c) of question No. 78 in the Council of State on the 25th September, 1929, regarding unemployment among Indians born in the Colonies who have recently returned to India?

(b) If so, will they please communicate their conclusion to the House?

Sir Frank Noyce: (a) and (b). The Honourable Member is presumably referring to a number of Indian repatriates who have taken up their abode at Matiabruz. For an explanation of the position, I would invite the Honourable Member's attention to the answer given to Mr. Ranga Iyer's starred question No. 209 on the 6th September, 1928. It is regretted that it has not been found possible, so far, to do more for them than what was stated in the first part of the reply to part (c) of that question. The attempt to find an outlet for them in Malaya proved abortive.

THE RIKHIKESH-KARANPRAYAG RAILWAY EXTENSION.

32. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to my unstarred question No. 22 in the Legislative Assembly on the 2nd September, 1929, regarding the Report on the Rikhikesh-Karanprayag Railway extension, will Government please state if the report has since been received?

(b) If so, will they please lay a copy thereof on the table?

Mr. A. A. L. Parsons: (a) Yes.

(b) As the project is unremunerative and is therefore unlikely to be proceeded with further, the Report is not being printed; but I shall be pleased to show it to the Honourable Member at any time convenient to him.

COLLISION ON THE BENGAL AND NORTH WESTERN RAILWAY.

33. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to my unstarred question No. 42 in the Legislative Assembly on the 2nd September, 1929, regarding the action taken in regard to a certain collision on the Bengal and North Western Railway, will Government please state if they have since completed their inquiry into the matter?

(b) If so, will Government please communicate the result of their inquiry to the House?

Mr. A. A. L. Parsons: The result of the inquiries made was communicated to the Honourable Member in a letter dated the 9th November. I am sorry if it failed to reach him. A copy is in the Library.

HOUSING CONDITIONS OF WORKMEN IN LILLOOAH.

34. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since considered the question of the housing conditions of the workmen in Lillooah and arrived at a decision in the matter (*vide* Government reply to my unstarred question No. 47 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will Government please communicate their decision to the House?

Mr. A. A. L. Parsons: (a) and (b). The question is still under consideration.

SUBSISTENCE ALLOWANCE OF PEONS IN THE TELEGRAPH DEPARTMENT.

35. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since been able to reach a decision in the matter of the increase in the subsistence allowance of peons in the Telegraph Department (*vide* Government reply to my unstarred question No. 48 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will Government please communicate their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Government have recently placed before the Standing Finance Committee their proposals to introduce incremental scales of subsistence allowance for task work telegraph delivery peons at rates rising by four-anna increments from the existing fixed rates, to sums higher than those by five rupees. The Committee have approved of this scheme, and it is proposed that the change should have effect from the 1st April 1930.

INDIAN TRADE COMMISSIONERS.

36. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since considered and arrived at a decision in the matter of appointing Indian Trade Commissioners abroad (*vide* Government reply to my unstarred question No. 56 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will Government please communicate their decision to the House?

The Honourable Sir George Rainy: A detailed scheme for the appointment of Indian Trade Commissioners abroad has been prepared and it is expected that a final decision will be reached shortly.

RAILWAY BETWEEN JAKHAL AND SIRSA.

37. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to my unstarred question No. 57 in the Legislative Assembly on the 2nd September, 1929, on the subject of the opening of a broad gauge railway between Jakhal and Sirsa, will Government be pleased to state if they have since received the survey report?

(b) If so, will Government please state when the construction of the line is likely to be taken up?

Mr. A. A. L. Parsons: (a) and (b). The survey report is still awaited.

EXAMINATION FOR THE TRAFFIC BRANCH OF THE POST OFFICE.

38. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to my unstarred question No. 63 in the Legislative Assembly on the 2nd September, 1929, will Government please state if they have since considered and come to a decision in the matter of the introduction of an examination for the Traffic Branch of the Post Office?

(b) If so, will Government please communicate the decision arrived at to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The Traffic Branch clerks like those of the Postal, Engineering and Wireless Branches, will have to pass a departmental examination for promotion to the lowest selection grade.

MEMORIAL FROM THE MINISTERIAL STAFF IN CALCUTTA UNDER THE CONTROLLER OF PRINTING.

39. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since been able to consider the memorial of the ministerial staff of the four offices in Calcutta under the Controller of Printing and arrived at a decision in the matter (*vide* Government reply to my unstarred question No. 64 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will Government please communicate the decision arrived at to the House?

The Honourable Sir Bhupendra Nath Mitra: Government have examined the memorial and are considering what action should be taken.

ACCOMMODATION FOR PILGRIMS ON THE BARS LIGHT RAILWAY.

40. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to the Government reply to part (e) of starred question No. 1 in the Legislative Assembly on the 2nd September, 1929, regarding insufficient accommodation for pilgrims on the Barsi Light Railway, will Government please state if the Railway Board have since considered the report of the Government Inspector of Railways and arrived at a decision in the matter?

(b) If so, will Government please communicate the decision arrived at to the House?

Mr. A. A. L. Parsons: The Agent of the Barsi Light Railway has stated that his Board of Directors have practically agreed to provide the extra rolling stock which the Government Inspector recommended as necessary in order to remedy the practice of carrying pilgrim passengers in goods wagons. One of the Directors of the Company is visiting the line this month when a final decision will be come to.

ORGANISATION OF MEDICAL RESEARCH IN INDIA.

41. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since considered the recommendations of the Fletcher Committee on the organisation of medical research in India (*vide* Government reply to starred question No. 12 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will they please communicate their decision to the House?

Sir Frank Noyce: The Government of India have accepted the recommendations of the Fletcher Committee regarding the establishment of a Central Medical Research Institute at Dehra Dun. They have also agreed in principle to the constitution of a Recruitment and Appointments Board in India and a Consultative Board in Great Britain, but the actual composition of these Boards has not yet been finally settled. The proposal that any new appointments that may be added to the existing cadre of the Medical Research Department should be open equally to Indian Medical Service and non-Indian Medical Service candidates has also been accepted. Steps are also being taken to reconstitute the Governing Body of the Indian Research Fund Association with a view to the inclusion in it of a certain number of non-officials. The recommendations of the Fletcher Committee concerning the future strength of the Medical Research Department, the emoluments of non-Indian Medical Service officers employed in that Department, the training of research workers and assistants and certain other matters of detail are still under consideration.

INDIAN ARMoured CAR COMPANIES.

42. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if the Secretary of State for India has since considered the question of formation of Indian armoured car companies and arrived at a decision in the matter [*vide* Government reply to parts (a) and (b) of starred question No. 21 in the Legislative Assembly on the 2nd September, 1929, regarding the training of Indians at Sandhurst in departments other than cavalry and infantry]?

(b) If so, will they please communicate their decision to the House?

Mr. G. M. Young: (a) and (b). The matter is still under consideration and no decision has been reached.

MINIMUM RATES OF PAY IN RAILWAY WORKSHOPS.

43. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to my unstarred question No. 83 in the Legislative Assembly on the 2nd September, 1929, will Government please state if they have since been able to collect complete information regarding the minimum rates of pay for skilled, semi-skilled and un-skilled labour in railway workshops?

(b) If so, will Government be pleased to state if any decision has been arrived at in the matter?

(c) If reply to part (b) be in the affirmative will Government please communicate their decision to the House?

Mr. A. A. L. Parsons: (a) The necessary information has been supplied to Mr. Jogiah and a copy of the reply has been placed in the Library of the House.

(b) and (c). It is not understood what the Honourable Member refers to as the previous question merely asked for information regarding rates of pay.

PROMPT PAYMENT OF WAGES.

44. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have yet been able to arrive at a decision in the matter of the prompt payment of wages (*vide* Government reply to unstarred question No. 91 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will Government please state for the information of the House what their decision is?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) Does not arise.

EDUCATION OF THE CHILDREN OF RAILWAY EMPLOYEES.

45. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if the views of some of the Railway Administrations, regarding the education of the children of railway employees in India has since been received (*vide* Government reply to my unstarred question No. 92 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will they please state if they have arrived at a decision in the matter?

(c) If the answer to (b) be in the affirmative, will they please communicate their decision to the House?

Mr. A. A. L. Parsons: Most, but not all, of the Railway Administrations have replied. Their replies received are at present under examination.

RESTRICTION OF RECRUITMENT IN THE POSTAL DEPARTMENT, BOMBAY.

46. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to my unstarred question No. 93, in the Legislative Assembly on the 2nd September, 1929, will Government please state if the Director General has since considered and come to a decision in the matter of the restriction of recruitment in the Postal Department of Bombay?

(b) If so, will they please communicate the decision arrived at to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The matter is still under consideration by the Director General in connection with new rules for recruitment, of which the restriction referred to forms a part and must be considered with the whole.

PAY OF CLERKS IN THE GOVERNMENT OF INDIA PRESS, ALIGARH.

47. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 107 in the Legislative Assembly on the 2nd September, 1929, regarding the reduction of the scales of pay of the clerical establishment, Government of India Press, Aligarh, will they please state if they have since considered and come to a decision in the matter?

(b) If so, will they please communicate their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The effect on the clerical staff of the revision of the establishment of the Aligarh Press is as below:

(i) One clerical post on Rs. 70—3—100 was abolished.

(ii) The scale of two clerical posts on Rs. 80—4—120 was altered to Rs. 80—4—100.

(iii) Six clerical posts on Rs. 50—3—80 were substituted for six clerical posts previously on Rs. 35—2—75.

(iv) One new clerical post on Rs. 50—3—80 was created.

The post which was abolished was vacant at the time, and the existing incumbents of the two posts, the scale of which has been reduced, will be permitted to exercise their option of retaining the old scale.

RAILWAY FROM HAZARIBAGH ROAD STATION TO HAZARIBAGH TOWN.

48. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if they have since received the results of the survey regarding the construction of a railway between Hazaribagh Road Station and Hazaribagh Town (*vide* Government reply to my unstarred question No. 109 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will they please state when the construction is likely to be taken up?

Mr. A. A. L. Parsons: (a) The results of the survey have not yet been received.

(b) Until they have been received and considered by the Railway Board, it is not possible to state if and when the construction is likely to be taken up.

THE CHAKIA-SIDHWALIA RAILWAY.

49. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if the revised report regarding the construction of the Chakia-Sidhwalia Railway has since been examined (*vide* Government reply to my unstarred question No. 114 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will they please state when the construction of the line is likely to be taken up?

Mr. A. A. L. Parsons: (a) Yes.

(b) The matter is under consideration. No decision has as yet been arrived at.

EXCLUSION OF INDIANS FROM SALE ROOMS IN LONDON.

50. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 118 in the Legislative Assembly on the 2nd September, 1929, regarding the exclusion of Indians from commercial sale-rooms in London, will they please state if they have since received a reply from the High Commissioner, London, on the subject?

(b) If so, are they now in a position to place a copy of it on the table?

The Honourable Sir George Rainy: (a) Yes.

(b) Government do not propose to place on the table the communications which they have received on the subject from the High Commissioner. As the Honourable Member is doubtless aware, two Indian gentlemen have now been elected members of the Baltic Exchange and one of them has, in addition, been elected a member of the London Commercial Sale-rooms.

SUNDAY AND HOLIDAY ALLOWANCES FOR POST OFFICE EMPLOYEES.

51. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if any decision has yet been arrived at regarding the grant of Sunday and holiday allowances to Post Office employees (*vide* Government reply to my unstarred question No. 120 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will they please state their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). No final decision has yet been reached.

EMPLOYMENT OF ASSISTANT GUARDS AS GUARDS ON THE BENGAL AND NORTH WESTERN RAILWAY.

52. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to parts (b) and (c) of my unstarred question No. 129 in the Legislative Assembly on the 2nd September, 1929, regarding the employment of assistant guards as guards on the Bengal and North Western Railway, will they please state if they have since considered the question and arrived at a decision in the matter?

(b) If so, will they please communicate the decision arrived at to the House?

Mr. A. A. L. Parsons: Assistant guards who are qualified in guard's duties are utilised to work trains as guards as and when required, and when so employed for other than short periods are temporarily promoted to the rank of guard.

The position is being further looked into by the Agent with a view to seeing whether any further change in arrangements is necessary, having regard to the practice in this matter on other railways.

LATRINES FOR RAILWAY SERVANTS.

53. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 134 in the Legislative Assembly on the 2nd September, 1929, will Government please state if a final decision has yet been arrived at in the matter of the provision of latrines in servants' quarters on State Railways?

PAY OF CLERKS IN THE GOVERNMENT OF INDIA PRESS, ALIGARH.

47. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 107 in the Legislative Assembly on the 2nd September, 1929, regarding the reduction of the scales of pay of the clerical establishment, Government of India Press, Aligarh, will they please state if they have since considered and come to a decision in the matter?

(b) If so, will they please communicate their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The effect on the clerical staff of the revision of the establishment of the Aligarh Press is as below:

(i) One clerical post on Rs. 70—3—100 was abolished.

(ii) The scale of two clerical posts on Rs. 80—4—120 was altered to Rs. 80—4—100.

(iii) Six clerical posts on Rs. 50—3—80 were substituted for six clerical posts previously on Rs. 35—2—75.

(iv) One new clerical post on Rs. 50—3—80 was created.

The post which was abolished was vacant at the time, and the existing incumbents of the two posts, the scale of which has been reduced, will be permitted to exercise their option of retaining the old scale.

RAILWAY FROM HAZARIBAGH ROAD STATION TO HAZARIBAGH TOWN.

48. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if they have since received the results of the survey regarding the construction of a railway between Hazaribagh Road Station and Hazaribagh Town (*vide* Government reply to my unstarred question No. 109 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will they please state when the construction is likely to be taken up?

Mr. A. A. L. Parsons: (a) The results of the survey have not yet been received.

(b) Until they have been received and considered by the Railway Board, it is not possible to state if and when the construction is likely to be taken up.

THE CHAKIA-SIDHWALIA RAILWAY.

49. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if the revised report regarding the construction of the Chakia-Sidhwalia Railway has since been examined (*vide* Government reply to my unstarred question No. 114 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will they please state when the construction of the line is likely to be taken up?

Mr. A. A. L. Parsons: (a) Yes.

(b) The matter is under consideration. No decision has as yet been arrived at.

EXCLUSION OF INDIANS FROM SALE ROOMS IN LONDON.

50. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 118 in the Legislative Assembly on the 2nd September, 1929, regarding the exclusion of Indians from commercial sale-rooms in London, will they please state if they have since received a reply from the High Commissioner, London, on the subject?

(b) If so, are they now in a position to place a copy of it on the table?

The Honourable Sir George Rainy: (a) Yes.

(b) Government do not propose to place on the table the communications which they have received on the subject from the High Commissioner. As the Honourable Member is doubtless aware, two Indian gentlemen have now been elected members of the Baltic Exchange and one of them has, in addition, been elected a member of the London Commercial Sale-rooms.

SUNDAY AND HOLIDAY ALLOWANCES FOR POST OFFICE EMPLOYEES.

51. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if any decision has yet been arrived at regarding the grant of Sunday and holiday allowances to Post Office employees (*vide* Government reply to my unstarred question No. 120 in the Legislative Assembly on the 2nd September, 1929)?

(b) If so, will they please state their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). No final decision has yet been reached.

EMPLOYMENT OF ASSISTANT GUARDS AS GUARDS ON THE BENGAL AND NORTH WESTERN RAILWAY.

52. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to parts (b) and (c) of my unstarred question No. 129 in the Legislative Assembly on the 2nd September, 1929, regarding the employment of assistant guards as guards on the Bengal and North Western Railway, will they please state if they have since considered the question and arrived at a decision in the matter?

(b) If so, will they please communicate the decision arrived at to the House?

Mr. A. A. L. Parsons: Assistant guards who are qualified in guard's duties are utilised to work trains as guards as and when required, and when so employed for other than short periods are temporarily promoted to the rank of guard.

The position is being further looked into by the Agent with a view to seeing whether any further change in arrangements is necessary, having regard to the practice in this matter on other railways.

LATRINES FOR RAILWAY SERVANTS.

53. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply to my unstarred question No. 134 in the Legislative Assembly on the 2nd September, 1929, will Government please state if a final decision has yet been arrived at in the matter of the provision of latrines in servants' quarters on State Railways?

(b) If so, will they please communicate the result of their inquiry to the House?

Mr. A. A. L. Parsons: (a) Yes.

(b) A copy of the reply sent to the Honourable Member who put the question is in the Library of the House.

SHORTAGE OF RESIDENCES FOR GOVERNMENT OFFICIALS IN NEW DELHI.

58. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if the question of building additional quarters has since been considered (*vide* Government reply to part (b) of starred question No. 254 in the Legislative Assembly on the 9th September, 1929, regarding the scarcity of residential accommodation in New Delhi for Government officials)?

(b) If so, will they please state when the construction of additional quarters is likely to be taken up?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The question of building additional quarters is receiving consideration, and pending a decision on the general question it is proposed to construct 36 class 'B' orthodox quarters for clerks during the next financial year.

EDUCATIONAL INSTITUTIONS IN AJMER.

59. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to starred question No. 276 in the Legislative Assembly on the 10th September, 1929, regarding the poor results and increased cost of Government educational institutions in Ajmer in 1929, will Government please state if they have since completed their inquiry into the matter?

(b) If so, will they please communicate the result of their inquiry to the House?

Sir Frank Noyce: (a) Yes.

(b) The information, as supplied to the Honourable Member who had put the question referred to, is laid on the table.

No. 276 (b) The work of an institution should be judged by its results taken over a number of years and not by its relative lack of success in any particular year. There are every now and again bad batches of students, and there are changes in the standard of examinations, which contribute to fluctuations in examination results. In addition there were considerable changes in the staff of the Government high schools—changes which were inevitable on account of some of the officers taking leave—which led to some dislocation of work.

(d) Government are unable to accept the presumption that public money is not being properly used. They will, however, invite the attention of the Local Administration to the fall in the percentage of successes in examination results.

INTRODUCTION OF A STAFF BENEFIT FUND ON INDIAN RAILWAYS.

60. Khan Bahadur Sarfaraz Hussain Khan: With reference to Government reply to part (a) of starred question No. 372 in the Legislative Assembly on the 11th September, 1929, will Government please state if the Staff Benefit Fund has yet been introduced on Indian Railways?

Mr. A. A. L. Parsons: No.

QUALIFICATIONS OF TEACHERS AND FEES CHARGED IN THE LADY IRWIN GIRLS' SCHOOL, SIMLA.

61. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to parts (e), (f) and (g) of starred question No. 413 in the Legislative Assembly on the 11th September, 1929, regarding the number and qualifications of teachers and fees charged in the Lady Irwin Girls' School, Simla, will Government please state if the matter has since been re-examined?

(b) If so, with what results?

Sir Frank Noyce: (a) Yes.

(b) The Governing Body of the school have been invited to consider the desirability of altering the rates of fees.

GRANT FOR THE LADY IRWIN GIRLS' SCHOOL, SIMLA.

62. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since considered the application for an increased grant-in-aid to the Lady Irwin Girls' School in Simla and come to a decision in the matter (*vide* Government reply to part (c) of starred question No. 414 in the Legislative Assembly on the 11th September, 1929)?

(b) If so, will they please communicate their decision to the House?

Sir Frank Noyce: (a) Yes.

(b) The Government of India have decided to give the school a special additional grant of Rs. 2,000 for the current financial year.

PROMOTION FROM LOCAL TO SUPERIOR TRAFFIC SERVICE ON RAILWAYS.

63. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to part (b) of starred question No. 422 in the Legislative Assembly on the 11th September, 1929, on the subject of the number of Local Traffic Service men to be promoted to the Superior Traffic Service, will Government please state if the question of selection of the men to the Superior Service has since been considered by the Railway Board?

(b) If so, will they please give the total number of men in the Local Traffic Service, stating how many of them are to be promoted to the Superior Service and how many of the latter are direct recruits?

Mr. A. A. L. Parsons: (a) Selections for promotion are made once a year. The selections for the year 1929-30 have been considered by the Railway Board and are now under discussion with the Public Service Commission.

(b) The information asked for by the Honourable Member will be supplied to him after the selections have been finally decided upon.

TIME-TEST FOR THE POSTAL DEPARTMENT.

64. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if the Director General has since considered the report of Mr. G. V. Bewoor, a Postmaster General on the time-test of the Postal Department and if his views have yet reached Government (*vide* Government reply to starred question No. 437 in the Legislative Assembly on the 12th September, 1929)?

(b) If so, will they please state for the information of the House what the views of the Director General were and whether they were accepted by Government?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Government have under consideration the views submitted by the Director General, but are not prepared to communicate them to the House. Government have not yet reached a decision on the Report.

GRANT OF AN ALLOWANCE TO POSTMEN IN DELHI FOR DELIVERY OF FOREIGN MAILS.

65. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if the Director General of Posts and Telegraphs has since considered the question of the grant to postmen in Delhi of an extra duty allowance for delivery of foreign mails and come to a decision in the matter (*vide* Government reply to part (b) of starred question No. 476 in the Legislative Assembly on the 16th September, 1929)?

(b) If so, will they please communicate the decision arrived at to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). No decision has yet been reached.

FIELD MANŒUVRES OF INDIAN TERRITORIAL FORCES.

66. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to supplementary question to starred question No. 555 in the Legislative Assembly on 17th September, 1929, on the subject of field manœuvres of the Indian Territorial Force and University Training Corps, will Government please state if they have since considered the question of allowing the Territorial Forces to take part in the regular manœuvres of the Regular Army, and arrived at a decision in the matter?

(b) If so, will they please communicate their decision to the House?

Mr. G. M. Young: (a) Yes.

(b) As the Honourable Member is aware, the Indian Territorial Force consists of units scattered all over the country, and their periods of embodiment are necessarily short. But every opportunity will be taken to permit units, during their periods of training, to take part in the operations of regular troops, if there are any going on in the neighbourhood at the time.

MEMORIAL FROM LINO AND MONO OPERATORS OF THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

67. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to part (c) of starred question No. 624 in the Legislative Assembly on the 18th September, 1929, on the subject of a memorial from the lino. and mono. operators of the Government of India Press, Calcutta, will Government please state if they have since considered the memorial and come to a decision in the matter?

(b) If so, will they please communicate the decision arrived at to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The memorial is still under the consideration of Government.

PAY OF READERS IN THE GOVERNMENT OF INDIA PRESS.

68. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since inquired into the matter of the pay of readers in the Government of India Press (*vide* Government reply to parts (b) and (c) of starred question No. 628 in the Legislative Assembly on the 18th September, 1929)?

(b) If so, will they please communicate the result of their inquiry to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). Yes, the result of the inquiry was communicated to Mr. S. C. Mitra in the demi-official letter from the Department of Industries and Labour No. A-332, dated the 23rd October, 1929, copies of which have been placed in the Library of the Legislative Assembly.

MEMORIAL FROM EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

69. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to starred question No. 635 in the Legislative Assembly on the 18th September, 1929, on the subject of a memorial from certain employees of the Eastern Bengal Railway Press, will Government be pleased to state if the Agent, Eastern Bengal Railway, has yet dealt with the memorial?

(b) If so, will they please state if they have considered and passed orders on it?

(c) If the reply to part (b) be in the affirmative, will Government please lay a copy of their orders on the table?

Mr. A. A. L. Parsons: Intimation has been received from the Agent, Eastern Bengal Railway, that, except in regard to the appeals regarding wages and increments, which are still under examination, the appeals relating to other matters have been dealt with by the Agent.

When the former have been dealt with, a statement will be placed in the Library.

ISSUE OF CHEAP RETURN TICKETS ON RAILWAYS.

70. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to supplementary question to starred question No. 653 in the Legislative Assembly on the 18th September, 1929, regarding the issue of cheap return tickets on railways, will Government be pleased to state if they have since looked into the question of issuing third and intermediate class return tickets at single fares during Puja, Christmas, Easter and Moharrum, and arrived at a decision in the matter?

(b) If so, will they please communicate their decision to the House?

Mr. A. A. L. Parsons: (a) The question of issuing third and intermediate class return tickets generally is still under examination.

(b) Does not arise.

APPOINTMENTS OF STAMP VENDORS.

71. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have since considered the question of appointments of stamp vendors, and arrived at a decision in the matter (*vide* Government reply to unstarred question No. 184 in the Legislative Assembly on the 18th September, 1929)?

(b) If so, will they please communicate their decision to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) No decision has yet been reached.

(b) Does not arise.

ELECTRIC LIGHTS IN "D" CLASS QUARTERS IN NEW DELHI.

72. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to starred question No. 707 in the Legislative Assembly on the 23rd September, 1929, on the subject of electric lights in 'D' Class quarters in New Delhi, will Government please state if they have yet considered and arrived at a decision in the matter?

(b) If so, will they please communicate the decision arrived at to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) The matter is still under consideration.

(b) Does not arise.

EDUCATION OF THE CHILDREN OF THE MIGRATORY STAFF OF THE GOVERNMENT OF INDIA.

73. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government be pleased to state if they have since considered the question of starting an additional school (moving between Delhi and Simla) in order to remove the trouble in connection with the education of the sons of the migratory staff of the Government of India and come to a decision in the matter (*vide* Government reply to starred question No. 714 in the Legislative Assembly on the 23rd September, 1929)?

(b) If so, will they please communicate their decision to the House?

Sir Frank Noyce: (a) and (b). The matter is still under consideration.

EDUCATION OF THE CHILDREN OF THE MIGRATORY STAFF OF THE GOVERNMENT OF INDIA.

74. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to parts (b) and (c) of starred question No. 715 in the Legislative Assembly on the 23rd September, 1929 on the subject of facilities for the education of the children of the migratory staff of the Government of India, will Government please state whether they have considered the matter and arrived at a decision thereon?

(b) If so, will they please communicate their decision for the information of the House?

Sir Frank Noyce: (a) and (b). The matter is still under consideration.

THIRD AND INTERMEDIATE CLASS ACCOMMODATION ON THE PESHAWAR-MANGALORE EXPRESS TRAIN.

75. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have inquired from the Railway Administrations as to whether any steps can be taken to improve third and intermediate class accommodation on the Continental Express from Peshawar to Mangalore (*vide* Government reply to supplementary question to starred question No. 762 in the Legislative Assembly on the 24th September, 1929)?

(b) If so, will they please communicate the result of their inquiry to the House?

Mr. A. A. L. Parsons: As stated in Mr. Rau's reply to question No. 762 on the 24th September, the provision of an intermediate class compartment in these through coaches is not practicable, as the railways over which it passes do not all issue intermediate class tickets. As regards a third class reserved compartment for ladies, the Agents of the railways concerned report that the number of through long distance third class passengers by this train is not sufficient to warrant the reservation of a third class compartment for ladies in the through third class coach, though such a compartment is provided in one of the other coaches on the train.

HOURS OF REST OF THE STAFF OF THE SUCTION DREDGER "VIZAGAPATAM".

76. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to starred question No. 805 in the Legislative Assembly on the 24th September, 1929, regarding hours of rest of the staff of the Suction Dredger "Vizagapatam," will Government please state if they have made inquiries into the matter?

(b) If so, will they please communicate the result of their inquiries to the House?

Mr. A. A. L. Parsons: Subordinate staff of the Suction Dredger "Vizagapatam" are allowed to live on the dredger without charge for accommodation, but are free to live on shore if they wish to do so. The lower ratings receive no house allowance, but their pay is consolidated to comprise a ration allowance, as is customary with men of their ratings when serving afloat. Any question of a house allowance for them would raise that of the continuance of their ration allowance.

The staff work in two shifts of nine hours each only during the 24 hours, although a few of them are required to be on duty for the execution of minor repairs during the remaining six hours.

No complaint has been received from the staff regarding the conditions of their service.

COLLECTION OF EXCESS FARES BY TICKET COLLECTORS.

77. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply to the last supplementary question to starred question No. 857 in the Legislative Assembly on the 25th September, 1929, on the subject of the collection of a minimum amount of excess fares by ticket collectors, will Government please state if they have inquired into the matter?

(b) If so, will they please communicate the result of their inquiry to the House?

Mr. A. A. L. Parsons: It has been ascertained from the Agent of the Bengal and North Western Railway that there are not and never have been any orders to the effect suggested in force on his railway.

PROFESSORS SELECTED FOR THE SASTRI COLLEGE IN SOUTH AFRICA.

78. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the speech published in the issue of the *Statesman* of the 1st December, 1929, page 10, under the heading "Indian Education in South Africa—Dawn of New Era—Sastri College opened by Earl of Athlone"?

(b) If so, will they please state if the statements made therein are correct?

(c) If correct, will they please state the names and qualifications of the six professors selected for the College from India?

Sir Frank Noyce: (a) Yes.

(b) The Honourable Member presumably wishes to know whether it has been arranged that six teachers should go from India to serve on the staff of the college. The answer is, yes.

(c) The selection of teachers has not yet been completed.

REPRESENTATIVES FOR THE ROUND TABLE CONFERENCE.

79. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Star* of Allahabad of the 2nd December, 1929, page 1, under the heading "Mr. Wedgwood Benn and India"?

(b) If so, will they please state if the statements made therein are correct?

(c) If correct, will Government please state by what time the terms of reference and the procedure proposed for the election of the representatives for the Round Table Conference are expected to be announced?

The Honourable Sir James Crerar: I have not seen the article referred to by the Honourable Member, nor am I in a position to make any statement on the matters to which his question refers.

LABOUR IN INDIAN STATES.

80. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the replies given by the Secretary of State for India on the subject of the Royal Commission on Labour in India, published at page 828 of the *Journal of the Parliaments of the Empire* Vol. X, No. 4, for the month of October 1929?

(b) If so, will they please state if the statements made therein are correct?

(c) If correct, will they please state if any inquiry was made from the Government by the Secretary of State regarding the Labour question in Indian States?

The Honourable Sir Bhupendra Nath Mitra: (a), (b) and (c). Yes.

TIMINGS OF TRAINS CONNECTING AT NAGPUR.

81. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of the 4th December, 1929, page 5, under the heading "Improved Lighting on Bengal Nagpur Railway—Narrow Gauge Line"?

(b) If so, will they please state if the Chairman of the Railway Advisory Committee has since received from the Agent of the Great Indian Peninsula Railway a census report of passengers travelling through the Bengal Nagpur Railway system off the Grand Trunk Express?

(c) If so, will they please state if the proposal regarding alteration in the timings of No. 1, Down Bombay Mail or Down Passenger Train to provide a connection at Nagpur with the north-bound Grand Trunk Express has been further examined as proposed by the Committee?

Mr. A. A. L. Parsons: (a) Yes.

(b) No.

(c) In view of the answer to part (b), this question does not at present arise.

RAILWAYMEN'S WAGES.

82. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the letter published in the issue of the *Statesman* of the 5th December, 1929, page 18, under the heading "Railwaymen's Wages"?

(b) If so, will they please state if the statements made therein are correct?

(c) If not, will they please place on the table a statement showing how the figures regarding an increase in wages of over 170 per cent. to the workmen of the Bombay, Baroda and Central India Railway between the years 1913—1929, as stated by the Agent have been arrived at?

Mr. A. A. L. Parsons: (a) Yes.

(b) No.

(c) The information has just been obtained and a statement in a convenient form will be prepared and laid on the table of the House very shortly.

AIR MAIL PASSENGERS.

83. Khan Bahadur Sarfaraz Hussain Khan: Will Government be pleased to state the approximate number of persons who have travelled by the air mail from India to Great Britain and from Great Britain to India since the establishment of the service up to the present?

The Honourable Sir Bhupendra Nath Mitra: Government have no information.

CONFERENCE OF ASIATIC WORKERS.

84. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the Geneva telegram published in the issue of the *Statesman* of the 6th December, 1929, at page 9, under the heading "Asiatic workers—Conference in India next Spring"?

(b) If so, will Government please state if the statements made therein are correct?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Government have no information beyond what they have seen in the newspapers.

APPOINTMENT OF VAKILS AS JUSTICES.

85. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of the 8th December, 1929, page 9, under the heading "Vakils as Justices—M. P.'s Bill to remove disqualification"?

(b) If so, will Government please state if the report is correct?

The Honourable Sir James Crerar: (a) and (b). The answer to both parts of the question is in the affirmative.

APPOINTMENT OF SIKHS IN THE SUBORDINATE ACCOUNTS SERVICES OF CERTAIN OFFICES.

86. Sardar Gulab Singh: (a) Will Government be pleased to state the total number of posts in the Subordinate Accounts Service in each of the undermentioned offices in New Delhi and to what community and Province the holders of these belong?

- (1) Office of the Auditor General;
- (2) Office of the Accountant General, Central Revenues;
- (3) Office of the Accountant General, Posts and Telegraphs;
- (4) Office of the Deputy Accountant General, Posts and Telegraphs;
- (5) Office of the Director of Railway Audit;
- (6) Office of the Controller of Railway Accounts;
- (7) Office of the Central Accounts Officer, Public Works Department;
- (8) Office of the Pay and Accounts Officer, Secretariat;
- (9) Office of the Audit Officer, Indian Stores Department;
- (10) Office of the Audit Officer, Delhi Experiment;

(b) Is it a fact that there is not a single Sikh in the Subordinate Accounts Service in any one of the above offices?

(c) If so, will Government be pleased to state what action they propose to take to give the Sikh minority community their due share in this service?

(d) In case there is a great preponderance of only one nationality and province in any one of the above mentioned offices, are Government prepared to stop further recruitment of that community and the men of that province until the other provinces and the minority communities are well represented? If not, why not?

The Honourable Sir George Schuster: (a) A statement giving the information required by the Honourable Member is placed on the table.

(b) The reply is in the affirmative.

(c) and (d). A few appointments to the Subordinate Accounts Service are made direct, on probation, subject to passing of the regular examination within a definite space of time. The Auditor General has already given orders that one-third of the appointments so made should be given to members of minority communities. The great majority of appointments to the Subordinate Accounts Service consists of promotions of members of the clerical and divisional accountants' services who have passed the prescribed examination. Such departmental promotions are and must continue to be regulated by considerations of seniority and merit.

Distribution of holders of posts by													
Serial No.	Name of Office.	Total No. of Subordinate Account Service posts.	Community.				Province.						Remarks.
			Hindus.	Moham. madans.	Euro- peans.	Parsees.	Punjab.	Bengal.	Madras.	Bombay	United Pro- vinces.	Delhi.	
1	Auditor General.	33	31	..	1	..	4	14	8	..	1	4	One post is vacant. 1 Ac- countant was not born in India.
2	Accountant Gen- eral, Central Re- venues.	34	32	2	..	..	6	20	1	..	6	1	
3	Accountant Gen- eral, Posts and Telegraphs.	8	8	..	..	..	..	4	2	..	..	2	
4	Deputy Account- ant General, Posts and Telegraphs, Delhi.	15	12	2	..	1	3	1	2	1	1	7	
5	Director of Rail- way Audit.	9	8	1	..	..	5	1	2	..	1	..	
6	Controller of Rail- way Accounts.	7	6	1	..	..	3	1	3	..	..	..	
7	Central Accounts Office, Public Works Depart- ment, Delhi.	9	8	1	..	..	5	1	1	..	1	1	
8	Pay and Accounts Office Secreta- riat.	3	3	..	..	..	..	2	1	..	..	..	
9	Audit Office, Indian Stores Department.	16	16	..	..	..	1	15	..	..	..	..	
10	Audit Office, Delhi Experi- ments.												

The staff of this office is borne on the cadre of the office of the Accountant General, Central Revenues, and the figures given above for that office include the information relating to this office.

The staff of this office is borne on the cadre of the office of the Accountant General, Central Revenues, and the figures given above for that office include the information relating to this office.

UNSUITABLE SITE FOR QUARTERS AT PAHAR GANJ, DELHI.

87. **Sardar Gulab Singh:** (a) Is it a fact that about a hundred of "E" type quarters have been constructed near Pahar Ganj in Delhi?

(b) If so, will Government please state the names of the engineers who selected the site?

(c) Is it a fact that quite close to the quarters there is much night-soil and filth making the atmosphere altogether dirty and full of bad smells?

(d) Has the Honourable Member of the Industries and Labour Department ever visited that area in the evening?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Sir Alexander Rouse, Chief Engineer, Public Works Department, Delhi.

(c) There is a temporary pail shoot in the vicinity of the site which it is intended to remove before the quarters are occupied.

At a distance to the north of the quarters, a portion of land which is within the limits of the Delhi Municipality, is being used as a refuse dump. Proposals to have the dumping in this area stopped are under consideration.

(d) No.

WILD BOAR SHOOTING ON THE BANKS OF THE RIVER JUMNA.

88. **Sardar Gulab Singh:** (a) Will Government be pleased to state if wild boar shooting is prohibited on the banks of the Jumna river in the Province of Delhi?

(b) Is it a fact that certain peons of the respective tent clubs prevent people from shooting wild boars on the banks of the Jumna river?

(c) Is it a fact that by the illegal prevention the number of wild boars has gone up considerably and is doing great damage to the crops on and near the banks of the Jumna river?

(d) If any part of the Jumna river banks in the Delhi Province is preserved, are Government prepared to mark the boundary and put sign boards?

The Honourable Sir James Crerar: The Honourable Member is referred to the reply given to Sardar Kartar Singh's starred question No. 166 on the 5th September, 1929.

AIR MAIL SERVICE BETWEEN BOMBAY AND KARACHI.

89. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the news reported at page 9 of the issue of the *Statesman* of the 12th December, 1929, under the heading "Bombay-Karachi by air—Report of signing of a contract"?

(b) If so, will they please state if the news published therein is correct?

(c) If correct, will they please state the date by which the service is to begin?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) No.

(c) Does not arise.

APPOINTMENT OF VAKILS AS CHIEF JUSTICES.

90. **Khan Bahadur Sarfaraz Hussain Khan:** Will the Government be pleased to state if it is a fact that the House of Commons has passed the first reading of Mr. Graham Pole's Bill to remove the disqualification of vakils from the office of Chief Justices in Indian High Courts, as reported in the issue of the *Statesman* of the 13th December, 1929, page 9, under the heading 'Vakils Bill Progress'?

The Honourable Sir James Crerar: Yes.

MATCH FACTORIES IN INDIA.

91. **Sardar Gulab Singh:** (i) Will Government be pleased to state how many match factories there are in all in (a) British India, and (b) the Native States in India, respectively?

(ii) What is the total output of each of these in (a) British India, and (b) the Native States in India?

(iii) What is the capital invested in each of these?

(iv) How many of these factories are owned by (a) foreign capitalists, and (b) Indian capitalists?

(v) What are the facilities provided by the State for the encouragement, support and uplift of the indigenous match trade?

(vi) Will the Honourable Member in charge of the Industries and Labour Department, please state, (a) from where the most up-to-date, economic and efficient machinery can be had, and (b) whether any such information or literature has freely been given to the public at large through the Press?

The Honourable Sir Bhupendra Nath Mitra: The information is being collected and will be forwarded later.

SUPERSESSION OF GENERAL SKEEN.

92. **Sardar Gulab Singh:** Will Government be pleased to state if it is a fact that:

(i) General Sir Andrew Skeen has been superseded in his rank by a far junior officer; and

(ii) the Anglo-Indians did not approve of Sir Andrew's report regarding the Indianisation of the military services in India?

Mr. G. M. Young: (i) No, Sir. Sir Andrew Skeen has not been superseded by anyone. The vacancy in the establishment of full Generals of the Indian Army caused by his retirement has been filled by the appointment of the senior Lieutenant-General on the list.

(ii) I do not know to whom the Honourable Member refers by the designation "the Anglo-Indians". There is no foundation, however, for the suggestion that Sir Andrew Skeen's retirement was not due to medical grounds, or that it was in any way connected with the Report of the

Indian Sandhurst Committee. Sir Andrew Skeen had been selected for the post of General Officer Commanding-in-Chief, Northern Command, and would have been appointed to that post if he had been medically fit.

INDIAN CANDIDATES FOR THE INDIAN MEDICAL SERVICE.

93. **Sardar Gulab Singh:** (a) Will Government be pleased to state:

- (i) the total number of candidates who applied to the Selection Board in India for permanent commissions to the Indian Medical Service in the month of July last;
- (ii) the number of Indian candidates that were recommended for consideration by the India Office, who applied for the permanent commissions while residing in India;
- (iii) the number of Indian candidates separately from India and England, who were approved for the permanent commission, and their respective qualifications;
- (iv) the number of the candidates declared unfit by the Medical Board;
- (v) the number of candidates put on the waiting list separately from India and England, along with their respective qualifications; and
- (vi) the numbers of rejected candidates for permanent commissions from India and England separately, with their respective qualifications?

(b) Will Government be pleased to state if the rejected candidates could reapply at any subsequent selection? If the reply is in the negative, will Government please give reasons?

(c) Are Government aware that no such clause, indicating that a rejected candidate shall not re-apply, exists in the current rules and regulations for appointment by selection to the permanent commission in the Indian Medical Service?

(d) Do Government propose to alter or amend the rules and regulations to enable such candidates to re-apply at any subsequent selection, provided they have also by that time improved their academic qualifications and experiences as desired?

Mr. G. M. Young: (a) (i). 124 candidates applied for permanent commissions in the Indian Medical Service between August 1927, when the last selection was made, and the holding of the Selection Board in July 1929.

(ii) 17.

(iii) Eight Indian candidates from India and five from England were approved for appointment in existing vacancies. A statement showing their qualifications is placed on the table.

(iv) Six.

(v) Nine approved candidates from India and one from England were placed on the waiting list. A statement showing their qualifications is placed on the table.

(vi) 22 candidates were finally rejected by the Indian Selection Board. A statement showing their qualifications is placed on the table. Three Indian candidates had previously been rejected by the India Office Selection Board. 32 candidates were not selected for immediate commissions, but were permitted to apply to appear before the next Selection Board.

(b), (c) and (d). There is nothing to prevent any rejected candidate from re-applying at any subsequent selection. The Selection Board does, however, classify candidates into the three main categories of suitable, possible and definitely unsuitable. Those placed in the last category are informed that further applications from them will not be considered, and it is obviously both in the interests of the applicants themselves and the efficient working of the Board that some such procedure should be observed. Government do not consider that any alteration in the existing practice is called for.

Statement showing the qualifications of Indian candidates who were approved for permanent commissions in the I. M. S.

FROM INDIA (8).

M.B.B.S. (Punjab), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.O.M.S. (Lond.), D.L.O. (Lond.).
 M.B.B.S. (Allahabad).
 M.R.C.S. (Eng.), L.R.C.P. (Lond.), L.M.S.S.A. (Lond.).
 M.B.B.S. (Punjab), L.M.(Dublin), D.P.H. (Lond.), D.M.T. (Liverpool).
 M.B.B.S. (Bombay), M.R.C.S. (Eng.), L.R.C.P. (Lond.), Passed Primary F.R.C.S.I.
 M.R.C.S. (Eng.), L.R.C.P. (Lond.).
 M.B.B.S. (Aberdeen).
 B.Sc. (Punjab), M.B., Ch.B. (Edin.).

FROM ENGLAND (5).

M.B.B.S. (Madras), F.R.F.P. & S. (Glas.), L.M. (Dub.), M.M. & P. (Lond.), Primary F.R.C.S. (I.), Preparing for final F.R.C.S. (I.), M.R.C.P.
 M.B.B.S. (Bombay), M.R.C.S. (Eng.), L.R.C.P. (Lond.), Studying for F.R.C.S.
 M.B. (Cal.), M.R.C.S. (Eng.), L.R.C.P. (Lond.), F.R.C.S. (Eng.).
 M.B. (Cal.), M.R.C.S. (Eng.), L.R.C.P. (Lond.), F.R.C.S. (Eng.), Preparing for B. Sc. Honours (Lond.), and D.O.M.S. (Lond.).
 M.B.B.S. (Bombay), D.P.H. (Camb.), D.T.M. & H. (Camb.), L.R.C.P. (Lond.), Preparing for M.R.C.S. (Eng.).

Statement showing the qualifications of Indian candidates who were placed on the waiting list for I. M. S. commissions.

FROM INDIA (9).

M.B., Ch. B. (Edin.).
 M.B., Ch. B. (Edin.).
 M.D. (Harvard, U.S.A.), M.R.C.S. (Eng.), L.R.C.P. (Lond.), L.M.S.S.A. (Lond.), L.M. (Dub.).
 M.B., Ch. B. (St. And.), D.T.M. & H. (Lond.).
 M.B.B.S. (Punjab), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.T.M. & H. (Lond.).
 M.B.B.S. (Punjab), F.R.C.S. (Edin.).
 M.B., Ch. B. (Edin.), D.T. M. (Liverpool), M.D. (Edin.), clinical.
 M.B., Ch. B. (St. And.), L.D.S. (St. And.).
 M.B.B.S. (Bombay), M.R.C.P. (Edin.), D.T.M. (Liverpool), T.D.D. (Wales).

FROM ENGLAND (1).

M.B., Ch. B. (Edin.), D.T.M. (Liverpool), M.D. (Edin.), clinical.

Statement showing the qualifications of candidates for permanent commissions in the Indian Medical Service who were rejected by the Selection Board in India. (22).

M.B.B.S. (Punjab).
 M.B.B.S. (Madras).
 M.B., Ch.B. (Leeds).
 M.B.B.S. (Allahabad), D.P.H. (Lond.).
 M.B.B.S. (Bombay), D.P.H. (Lond.), D.T.M.&H. (Lond.).
 M.B.B.S. (Lond.), M.R.C.S. (Eng.), L.R.C.P. (Lond.).
 L.R.C.P.&S. (Edin.), L.R.F.P.&S. (Glasgow), D.T.M. (Liverpool), L.M. (Dublin).
 M.R.C.S. (Eng.), L.R.C.P. (Lond.).
 M.B.B.S. (Madras), B.Sc. (Madras).
 M.B. (Calcutta), B.Sc. (Calcutta).
 L.M. (Dublin), L.R.C.P.&S. (Edin.), L.R.F.P.&S. (Glasgow).
 M.B.B.S. (Punjab), D.P.H. (Lond.), D.T.M.&H. (Lond.).
 M.B.B.S. (Madras), D.O.M.S. (Lond.), F.R.C.S. (Edin.).
 L.R.C.P.&S. (Edin.), L.R.F.P.&S. (Glasgow).
 M.R.C.P. (Edin.), L.R.C.P.&S. (Edin.), L.R.F.P.&S. (Glasgow), D.T.M. (Liverpool),
 L.M. (Dublin), D.T.M.&H. (Camb.), Pt. 1.
 M.B.B.S. (Punjab), D.P.H. (Lond.), D.T.M.&H. (Lond.), L.M. (Dublin).
 M.B.B.S. (Punjab), D.P.H. (Lond.), D.T.M. (Liverpool).
 F.R.C.S. (Edin.), L.R.C.P.&S. (Edin.), L.R. F.P.&S. (Glasgow).
 M.B.B.S. (Punjab), D.O.M.S. (Lond.), D.P.H. (Lond.), L.M. (Dublin).
 M.B.B.S. (Punjab), L.R.C.P. (Lond.), D.P.H. (Lond.), D.T.M. (Liverpool).
 L.R.C.P.&S. (Edin.), L.R.F.P.&S. (Glasgow).
 M.B.B.S. (Punjab), D.T.M. (Liverpool), D.P.H. (Lond.), L.M. (Dublin).

APPOINTMENT OF A HINDU AS MEMBER FOR EDUCATION, HEALTH AND LANDS.

94. **Sardar Gulab Singh:** (i) Is it a fact that since the introduction of the Montagu-Chelmsford Reform scheme in India, (a) the first Member in charge of the Education, Health and Lands Department was a Muslim, (b) the second Member selected for the same place was also a Muslim, and (c) the third Member that has just recently succeeded to the same place is also a Muslim?

(ii) Will Government be pleased to acquaint the House with the relative proportion of Muslims and Hindus employed in the Department concerned in the years 1920-21, 1921-22, 1925-26, and 1928-29?

(iii) Will Government be pleased to state if this appointment of the Member has been exclusively reserved for the Muslim community alone?

(iv) If the answer to part (iii) is in the negative, do Government intend to select a Hindu Member to take charge after the present Member retires, provided a really capable and an efficient hand be available?

The Honourable Sir James Crerar: (i) The first Member in charge of the Education, Health and Lands Department was Sir B. N. Sarma. The second Member was Sir Muhammad Habibullah, who is still in charge, and his successor will, as already announced, be Sir Fazl-i-Husain.

(ii) The Department of Education, Health and Lands was created in 1923, by the amalgamation of the Departments of Revenue and Agriculture and of Education and Health. The percentage of Hindus and Muslims in the years 1921, 1922, 1926 and 1929 was as follows:

	1st January 1921.		1st January 1922.	
	Hindus.	Muslims.	Hindus.	Muslims.
Department of Revenue and Agriculture	45.45	21.82	45.45	21.82
Department of Education and Health	51.43	25.71	46.15	25.64

	1st June 1926.		1st June 1929.	
	Hindus.	Muslims.	Hindus.	Muslims.
Department of Education, Health and Lands	48.31	23.59	54.65	23.25

(iii) It will be apparent from what I have already stated that this is not the case.

(iv) Portfolios are allotted to Honourable Members of Council at the discretion of the Governor General.

UNEMPLOYMENT IN INDIA.

95. **Sardar Gulab Singh:** (a) Are Government aware that discontent due to unemployment in England has recently been met by the introduction of a law to provide pensions to the unemployed and helpless people there?

(b) Do Government intend to consider the problem of unemployment in India as well, a bit more seriously, and to devise some means to curb its rapid increase by putting a similar Bill before this House at their earliest possible convenience?

The Honourable Sir Bhupendra Nath Mitra: (a) Government are aware that in England there is compulsory insurance against unemployment for persons engaged in certain specified occupations.

(b) The question of unemployment is in India a matter which is primarily the concern of Provincial Governments. In this connection the attention of the Honourable Member is invited to the reply given on the 25th September, 1929, to Dr. Moonje's starred question No. 852.

FLUCTUATIONS IN THE PRICE OF GOVERNMENT PAPER.

96. **Mr. E. F. Sykes:** (a) Has the attention of Government been drawn to the fact that the price of 3½ per cent. Government paper rose in the two years from 1925 to 1927 from 68 to 78 and in the following two years receded again to 68?

(b) Will Government let the House know the causes of those wide fluctuations and how far they are due to world causes and how far to causes over which the Government of India has control?

The Honourable Sir George Schuster: (a) Yes.

(b) Fluctuations are caused partly by world causes and partly by causes which are local to India, though as regards the latter the factors which

are operative may be beyond the control of the Government. The relative importance of the factors which are not local to India can be approximately gauged by studying the course of the securities of other countries. For example, British Government Conversion Loan fell from 77 in 1927 to 72½ in 1929. As regards the relative importance of local factors, this is to some extent a matter of opinion, but I shall be pleased to give the Honourable Member a fuller explanation if he will communicate with me personally. In the meanwhile, I would refer him to the annual reports of the Controller of the Currency and to the speech which I made in introducing the Budget last year, in which I reviewed the Government policy of capital expenditure and borrowing during the past years.

THE ADMINISTRATION REPORT ON INDIAN RAILWAYS.

97. **Mr. E. F. Sykes:** Will the Government kindly lay on the table or put in the Library a revised copy of Table 7 in Vol. II of the Administration Report on Indian Railways for the year 1927-28, replacing the column "Per cent. of gross earnings" by two columns headed "per net ton mile" and "per passenger mile" respectively?

Mr. A. A. L. Parsons: The compilation of the figures required will necessitate a considerable amount of clerical labour and Government do not consider that any useful purpose would be served by such compilation.

SUBSCRIPTIONS TO THE NEW INDIAN STERLING LOAN.

98. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the report published in the issue of the *Statesman* of the 19th December, 1929, page 8, under the heading "Today's News" to the effect that "The New Indian Loan for £6,000,000 has been oversubscribed by more than £2,000,000"?

(b) If so, will they please state if the report is correct?

The Honourable Sir George Schuster: (a) Yes.

(b) The report is correct except that the use of the term "Indian Loan" to describe an issue of India Bills is not strictly accurate.

THE DELHI MUNICIPALITY.

99. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the paragraph published in the issue of the *Statesman* of the 26th October, 1929, page 15, under the head "Problem for Delhi Municipality—Future Status—Government Property Control Question"?

(b) If so, will they please state if the creation of a Municipal Corporation for Old and New Delhi including notified areas, as reported therein is under contemplation.

Sir Frank Noyce: (a) Yes.

(b) No such proposal is under the consideration of the Government of India.

JOINT PARLIAMENTARY COMMITTEE ON INDIAN AFFAIRS.

100. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the report published in the issue of the *Statesman* of 22nd November, 1929, page 9, under the heading "Indian affairs—Government to set up a joint committee"?

(b) If so, will they please state if the statements made therein are correct?

(c) If correct, will they please state the time when a motion to the effect is expected to be moved in the House of Lords?

The Honourable Sir James Crerar: (a) and (b). Yes.

(c) The motion was agreed to by the House of Lords on the 5th December and the House of Commons concurred on the 19th December last.

OPENING OF A RAILWAY STATION AT NANDGAON BORSANA.

101. **Mr. Mukhtar Singh:** Are Government aware that Nandgaon Borsana, Muttra District, is a place of pilgrimage and Railway trains pass by this place? If the answer be in the affirmative, will Government be pleased to state if there is any difficulty in opening a railway station at this place?

Mr. A. A. L. Parsons: I am obtaining the information from the Agent of the Great Indian Peninsula Railway and I will communicate it to the Honourable Member.

POSTAL DELAYS.

102. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the letter published in the issue of the *Statesman* of the 27th December, 1929, page 8, under the heading "Postal delays"?

(b) If so, will Government please state if the statements made therein are wholly or partly correct?

(c) If correct, will Government please state what steps they are going to take to remove the grievances complained of?

Mr. H. A. Sams: (a) Yes.

(b) and (c). I have no information, but inquiries are being made. Such action will be taken as the results of the inquiries show to be necessary, and the facts will be communicated to the Honourable Member hereafter.

PAY OF NON-GAZETTED STAFF OF THE CURRENCY OFFICE, LAHORE.

103. **Mian Mohammad Shah Nawaz:** (a) Are Government aware of the fact that the scales of pay of the non-Gazetted staff of the Currency Office at Lahore are lower than those of the Currency Office at Madras?

(b) Is it a fact that Government of India on the basis of the comparative costs of living and the economic conditions prevailing in the various provinces have invariably classed Lahore above Madras in determining the scales of pay of the clerical and the Subordinate Accounts Service establishments of the Audit Office?

(c) If the replies to parts (a) and (b) are in the affirmative, are Government prepared to take early steps to redress the grievances of the staff of the Currency Office at Lahore by removing the apparent anomaly in the classification and restoring Lahore to its former position above Madras?

The Honourable Sir George Schuster: The Government are obtaining certain information to enable them to reply fully to the Honourable Member's question. A further answer will be sent to him as soon as possible.

GRIEVANCES OF RAILWAY STATION STAFFS.

104. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government be pleased to state if it is a fact that (1) racial discrimination is freely practised in the Eastern Bengal Railway, (2) the "C" class important stations (scales of pay Rs. 420—20—500) are exclusively reserved for European and Anglo-Indian station-masters and that there is not a single Indian in this grade, (3) no facilities for education are afforded to the children of the Indian employees posted at a station where there is no school, whereas these facilities are always given to the European and the Anglo-Indian employees, (4) housing arrangements of the subordinates and menial staff are hopelessly poor in the Eastern Bengal Railway, (5) there is no proper arrangement for drinking water at many stations which are hot beds of malaria, (6) arrangements for medical aid to Railway employees and their family at out-stations is hopelessly poor, (7) no arrangements are made by the Eastern Bengal Railway to fill up the ditches and borrow-pits near the Staff Quarters although stagnant water accumulates there, breeds mosquitoes and forms poisonous gas—detrimental to the health of the staff?

(b) If the state of things described in the above question is correct what steps do Government propose to take to remove the grievances?

Mr. A. A. L. Parsons: (a). (1) No.

(a) (2) to (7) and (b). I am making inquiries and will communicate the result to the Honourable Member on receipt.

INCOME-TAX LEVIED ON CANTONMENT PROVIDENT FUNDS.

105. **Mr. K. C. Roy:** (a) Is it a fact that income-tax is levied on contributions to the Cantonment Provident Fund made by Cantonment Fund servants?

(b) Are Government aware that the contributions made by servants of all other local bodies to their respective Provident Funds are exempt from the payment of the tax?

(c) If the replies to parts (a) and (b) be in the affirmative, are Government prepared to take steps to remove this distinction?

The Honourable Sir George Schuster: (a) It is true that such contributions are not allowed as deductions from the taxable income for assessment to income-tax.

(b) Such subscriptions to a Provident Fund of a local authority are exempt from tax under section 15 of the Indian Income-tax Act (XI of 1922) if the Local Government has directed under section 8 of the Provident Funds Act (XIX of 1925) that the provisions of the latter Act shall apply to such Fund.

(c) Local Governments and Administrations have been asked recently to extend the provisions of the Provident Funds Act to the Provident Funds of cantonment authorities. The following Governments and Administrations, namely, Madras, Bihar and Orissa, Assam, Baluchistan, North West Frontier Province, Delhi, Ajmer-Merwara, Hyderabad, Central India and Baroda have already extended the Act, or will extend it soon. Replies have not been received from other Local Governments and Administrations.

RESOLUTION RE ATTEMPT TO WRECK THE VICEROY'S TRAIN.

Sardar Gulab Singh (West Punjab: Sikh): Sir, there is no denying the fact that His Excellency

Mr. President: The Honourable Member will read his motion first.

Sardar Gulab Singh: I beg to move:

"That this Assembly heartily congratulates Their Excellencies Lord and Lady Irwin on their miraculous escape from the dastardly attempt to blow up their train near Delhi, and this House very strongly detests and condemns the insensate outrage."

(Applause.)

Sir, there is no denying the fact that His Excellency Lord Irwin's regime of the Viceroyalty in India has, so far, been a period of prudence and sympathy and a rule of remarkable equilibrium. Unlike some of his countrymen, His Excellency Lord Irwin has been fighting our cause in India and at home as best as his person, place and office could permit. Even in the teeth of a bitter opposition from the Press at Home he has been literally true to his word of honour.

His Excellency went to England last year as an ambassador of India and he did all what he could do there, even in the face of such an unfavourable atmosphere. He came to India when very few other men could have dared to face the country at such a political juncture, and permit me to say to my Honourable colleagues that he is performing his duties in such an efficient and appropriate manner that he enjoys the fullest confidence of our countrymen at large to-day. His name will most surely go down to history coupled with the names of Messrs. Hoover and MacDonald as the greatest peace-maker of our times. He spared neither occasion nor risk to do for India whatever lay in his province, and is acting as a true and an honest personage.

We heard with a very painful surprise that the life of the man of such professions and virtues was attacked. But we are extremely pleased to know that the attempt on Their Excellencies' life has met with the universal contempt and detestation that it deserved, through the agencies of the Indian Press and Pulpit alike, and that Their Excellencies have been shown a general and an all-round sympathy by the public of every shade and description. We are very glad to learn that His Excellency has taken the mishap in the proper spirit, and we are further glad to read His Excellency's declaration that the catastrophe will not cause the least divergence from the policy that has been taken up and established by the Government of India.

[Sardar Gulab Singh.]

Although the miscreants have given out that their motive was not to kill, we should assert that if we are fighting our battles against the present system of Government on the one hand, we shall equally oppose the anarchy on the other. It is very fortunate that Providence has saved Their Excellencies from any sort of calamity. Therefore we should congratulate Their Excellencies on their escape; and, with your permission, I move, Sir, that:

"This Assembly heartily congratulates Their Excellencies Lord and Lady Irwin on their miraculous escape from the dastardly attempt to blow up their train near Delhi, and this House very strongly detests and condemns the insensate outrage."

The Honourable Sir James Crerar (Home Member): Mr. President, I desire in a very few words, on behalf of Government, to endorse very cordially the terms of the motion which has been moved by Sardar Gulab Singh. I am sure that he has quite correctly represented the truth when he alludes to the shock of horror and consternation with which the news of this outrage was received throughout India. I may, perhaps, be permitted to quote a few words from the Message published by His Excellency the Viceroy in response to the numerous messages he received on that occasion. He says:

"Since the day on which an attempt was made by the explosion of a bomb to derail my train a few miles from New Delhi, I have received from every quarter of India hundreds of messages congratulating me and those who were travelling with me on the failure of the attempt, and repudiating utterly and without reservation the action of those who originated and carried out the design.

Every class and every community have joined in this universal condemnation; Ruling Princes and people of India; associations political, commercial, social and communal; and individuals in every walk of life."

He concludes:

"It is a convincing proof, if proof were necessary, that Indian public opinion condemns such methods and realizes that those who resort to them are the worst enemies of their own country."

I think, Sir, that I can add little to what has been so feelingly and so eloquently said by His Excellency. For this House there are very special reasons for joining in this motion of congratulation. We have also, in view of our responsibilities, very special reasons for joining in the condemnation of the perpetrators with which the motion concludes. We must share to the full the feelings of relief which were so universally felt in the country at the Providential escape of His Excellency and his party. In these sentiments I am sure that this House will unanimously join, and I can only add, having regard to my own responsibilities in the matter, that no effort will be spared to bring the perpetrators of this insensate and atrocious outrage to justice. (Hear, hear.)

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, I wish also to associate myself with the motion which has been moved by my Honourable friend Sardar Gulab Singh. On account of his genial courtesy, his sympathy with the aspirations of Indians and the manner in which he has carried on his administration in this country, no doubt, Lord Irwin has endeared himself throughout the whole length and breadth of India, and I can say without fear of contradiction that no previous Viceroy of India, probably with the exception of Lord Ripon, made himself so popular with the people of this country as

the present Viceroy has done. We were all shocked that an attempt was made on the life of such a Viceroy, especially after the manner in which he fought our case in England and after the announcement about the Round Table Conference which he made in the teeth of opposition from the die-hards in England. A motion like this does not require a long speech. The unanimity with which this action has been condemned by all the people of all shades of opinion in this country shows the esteem in which the Viceroy is held in this country. Lady Irwin, too, like her noble husband, has shared in the welfare of the people of this country and she has earned the same popularity as her husband. We, the people of India, are really very grateful to Providence that the attempt which was made on their lives remained unsuccessful and no harm was done to Their Excellencies. With these words, I associate myself with the motion and wish that the congratulations of this House may be conveyed to Their Excellencies.

***Sir Zulfiqar Ali Khan** (East Central Punjab: Muhammadan): Sir, I desire wholeheartedly to associate myself with the remarks which have already been made by the various speakers. I remember when this news was made known to the public, it evoked such indignation as no such outrage on any previous occasion did. All sensible men felt that Providence, in saving the life of such a Viceroy, had saved India from a great calamity. Supposing anything more serious had happened to the Viceroy, I think the stigma on the character of the people would have been indelible. As it is, I think the mentality of those people who commit such outrages is inscrutable. That a Viceroy who is engaged in doing all that he can to help forward the cause of India should be subjected to such outrages is a thing which seems inscrutable to those who wish to help the Viceroy in his mission. Sir, I remember having seen His Excellency in London when he was in England on a short visit. I saw him so full of hope and so full of promise with regard to India that I felt that a man of this character and this moral feeling must be a great asset not only to England, but also to the whole of India. It is a great pity that a man of such convictions should be subjected to this kind of treatment. I do not think that the assurance given by the Honourable the Home Member that the culprit will be pursued and discovered will satisfy those who are the friends of India, but wish something could be done to trace the conspiracy behind this outrage and then put an end to this kind of occurrence.

Sir, I associate myself with the sentiments expressed by the previous speakers, and I wish on behalf of my Party to congratulate His Excellency on his miraculous escape, and I hope that His Excellency, as he has himself declared, will continue the benevolent work that he has undertaken on behalf of India.

***Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I join my friends in expressing my strong condemnation of the attempt made to blow up His Excellency's train. Such an attempt would be condemnable whoever the person was upon whom it was made. The fact that it was made upon the life of a Viceroy who has made himself so very popular adds to the strength of the condemnation which the attempt deserves. But, as I have said, an attempt like this made upon the life of any innocent fellow-man would be worthy of

*Speech not revised by the Honourable Member.

however, give a sufficiently clear idea of the savings accruing to India as a result of the transfer :

	Expenditure for 1926-27 before transfer.	Expenditure in 1927-28 after transfer.*
	Rs.	Rs.
(1) Civil (Central and Provincial)	7,01,731	10,19,072
(2) Political	6,74,934	
(3) Military	48,57,372	
Total Civil, Political, Military and Marine expenditure	62,37,037	
Contribution to His Majesty's Government for Political and Military charges	..	33,33,333
Total	..	43,52,405

The approximate saving to India on a comparison of the above is Rs. 18,84,632, and to this should be added a further sum of at least £100,000 from the year 1931-32, from which date the contribution to His Majesty's Government on account of political and military expenditure will be limited to one-third of the total actual expenditure, or £150,000 whichever is less.

THE INDIAN SALE OF GOODS BILL.

PRESENTATION OF THE REPORT OF SELECT COMMITTEE.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to present the Report of the Select Committee on the Bill to define and amend the Law relating to the sale of goods.

THE INDIAN CONTRACT (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF SELECT COMMITTEE.

The Honourable Sir Brojendra Mitter: (Law Member): Sir, I beg to present the Report of the Select Committee on the Bill to amend section 178 of the Indian Contract Act, 1872.

THE INLAND STEAM-VESSELS (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF SELECT COMMITTEE.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Inland Steam-vessels Act, 1917.

*(Excludes "political" debited to His Majesty's Government being covered by contribution).

THE DANGEROUS DRUGS BILL.

APPOINTMENT OF MR. E. F. BAUM TO THE SELECT COMMITTEE.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move that Mr. E. F. Baum be appointed to the Select Committee on the Bill to centralize and vest in the Governor General in Council the control over certain operations relating to dangerous drugs and to increase and render uniform throughout British India the penalties for offences relating to such operations.

The motion was adopted.

THE CANTONMENTS (HOUSE-ACCOMMODATION AMENDMENT) BILL.

APPOINTMENTS TO THE SELECT COMMITTEE.

Mr. G. M. Young (Army Secretary): Sir, I beg to move that Sir Hugh Cocke be appointed to the Select Committee on the Bill further to amend the Cantonments (House-Accommodation) Act, 1923, for certain purposes.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): I understand that Sir Hugh Cocke's name is being proposed in place of Mr. Price who has resigned from the Assembly. Another member of the Committee, Mr. Misra, has unfortunately ceased to be a Member of the Assembly since the Committee was elected. I therefore propose that the name of Mr. N. C. Kelkar be substituted for that of Mr. Misra.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): Is a Member who has not taken his oath in the Assembly entitled to be put on any Committee until he takes the oath, whether he has been elected or not?

Mr. President: Whose name?

Mr. Muhammad Yamin Khan: Sir Hugh Cocke, Sir. He has not taken the oath yet.

Mr. President: His name can be proposed to the Committee, but he cannot sit on the Committee unless he takes the oath.

Mr. M. S. Aney (Berar Representative): Can any name be suggested before taking the consent of the Member concerned to serve on that Committee? Was the consent of Sir Hugh Cocke taken to serve on the Committee?

Mr. G. M. Young: Certainly it was.

Mr. President: Has the Honourable Member any objection to add the name of Mr. N. C. Kelkar?

Mr. G. M. Young: No, Sir, none at all.

Mr. President: The question is:

"That Sir Hugh Cocke and Mr. N. C. Kelkar be appointed to the Select Committee on the Bill further to amend the Cantonments (House-Accommodation) Act, 1923, for certain purposes."

The motion was adopted.

THE TRANSFER OF PROPERTY (AMENDMENT) BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move for leave to introduce a Bill to amend the Transfer of Property (Amendment) Act, 1929, for a certain purpose.

I will explain the reason for this. In section 4 we provided for the case where a document was registered in a Presidency town, but we omitted to provide for the case where a document which dealt with property scattered in several sub-districts was registered in one sub-district. It is that omission which is sought to be filled by the present Bill.

The motion was adopted.

The Honourable Sir Brojendra Mitter: Sir, I introduce the Bill.

RESOLUTION *RE* FIXING MINIMUM WAGES.

Mr. President: The House will now resume discussion of the following Resolution moved by the Honourable Sir Bhupendra Nath Mitra on the 26th September, 1929:

"This Assembly, having considered the Draft Convention and Recommendation regarding the machinery for fixing minimum wages in certain trades adopted at the Eleventh International Labour Conference, recommends to the Governor General in Council that he should not ratify the Draft Convention nor accept the Recommendation."

Pandit Hriday Nath Kunzru: Sir, this Convention, as pointed out last year by the Honourable Member who moved the Resolution, was passed in June 1928. A year and a half has therefore already elapsed since the Convention was adopted by the International Labour Conference. It is true that, since the Convention was passed, a Labour Commission has been appointed with very comprehensive terms of reference which include an inquiry regarding machinery for fixing a minimum average. But considering the wide scope of the terms of reference, one need not be surprised if the Commission's Report is not available much before the end of the next year. There need again be no surprise if the Government of India take about two years to arrive at definite views with regard to the recommendations of the Commission. I should therefore personally have liked that this convention should, in the interval, be accepted by the Government. Unfortunately, however, when I read the various articles of the Convention, I found that article 9 of the Convention stood in our way. It says that:

"A member who has ratified the Convention may denounce it after the expiration of ten years from the date on which the convention first comes into force."

It is obviously impossible for us, therefore, to accept the Convention as we shall not be able to modify it earlier than ten years since its introduction in the light of the Commission's recommendations. I propose, therefore, that we should not dispose of the Convention finally today. I know that, even if the Resolution is passed in the present form, there is nothing

to prevent us from reconsidering the matter at some future date. But I should like the matter to be kept alive in a more formal way and to throw upon the Government the responsibility of bringing the question again to the notice of the House at a subsequent date. If you will therefore permit me, I shall move the following amendment:

"That the following words be added at the end of the Resolution: 'pending the Report of the Indian Labour Commission'."

Maulvi Abdul Matin Chaudhury (Assam: Muhammadan): Sir, I want to oppose both the Resolution and the amendment. When, Sir, a particular convention is passed by the International Labour Conference, surely it is not meant only for the benefit of the Western countries. On the other hand the idea is to raise up the standard of wages and the working condition in the less progressive countries of the East to the level of the more advanced countries of Europe and America. After discussion in two annual sessions of the International Labour Conference, after consultation with all the various Governments, and after hard Committee work for about three weeks, the representatives of labour, of capital and of the Governments of over 40 countries of the world come to a unanimous decision that such and such a convention ought to be universally adopted for improvement of the conditions of labour, and when that comes before the Government of India, the usual practice here seems to be summarily to reject that recommendation, saying that the Government of India should not ratify the Convention. In this particular case, Sir, what is it that we are asked not to ratify? The first Article of the Convention says:

"Each Member of the International Labour Organisation which ratifies this Convention undertakes to create or maintain machinery whereby minimum rates of wages can be fixed for workers employed in certain of the trades or parts of trades (and in particular, in home working trades) in which no arrangements exist for the effective regulation of wages by collective agreement or otherwise and wages are exceptionally low."

Now, Sir, it is an admitted fact that in India the workers are too disorganised to effect regulation of wages by collective agreement, and in many trades in India wages are exceptionally low when the two elements of disorganised labour and low wages co-exist in India it was the duty of the Government to set up a minimum wage-fixing machinery without waiting for the International Convention, but to remind them of their duty whenever the Government do not desire to do a thing, they have plenty of excuses. Now the latest excuse is that the Labour Commission is sitting. I remember, Sir, in a speech that Mr. Joshi delivered at Geneva he said that, if the Government of India trotted up the inquiry by the Labour Commission as an excuse for postponing labour legislation, he would rather resign from the Whitley Commission than serve on it. Now, as a matter of fact, the Whitley Commission cannot help us very much in the matter. This Convention refers particularly to home working trades which are, I maintain, outside the scope of the terms of reference to the Whitley Commission. Will the Honourable Member kindly say whether the Royal Commission is going to inquire into industries such as lace-making, knitting, hosiery, and the carpet industry, or any other similar home-working trades? If they are not going to do that, Sir, the recommendations of the Whitley Commission will be of no use to us in regard to the question of ratifying this Convention, and I therefore urge that the House refuse to accept the motion.

Maulvi Mohammad Shafee Daoodi (Tirhut Division: Muhammadan): I think, Sir, that the ratification of the Convention and the acceptance of the Recommendations of the International Labour Conference should not be delayed any longer. It ought to have been done long before, because everybody knows that labourers in these home industries suffer very much as they are much scattered all over the country, and they have no resources at their back, and unless we, who understand their difficulties, help them, there are no chances of this being done. I think, Sir, that the International Labour Convention at Geneva has done the right thing. So many countries were represented at the Conference and all men interested in labour were those who have discussed the matter, and I do not think we have any other course to adopt. My friend Pandit Hirday Nath Kunzru says that, if the recommendation is adopted today and the Whitley Commission reject it, it will take ten years for us to revise it, but I do not think such an axiomatic truth can be denied by the Whitley Commission or by any Commission. It is absolutely necessary that things like this should be expedited and not postponed till the Report of the Whitley Commission. I would urge upon Government that it is in the fitness of things that matters like this should not be postponed, otherwise I should say, in the interests of Government themselves, that they will have greater difficulties to face later on if they are not going to look to the interests of such people for whom there is nobody to speak strongly. Unless their case is taken up by Government, they will have much greater cause of grievance against the Government, and I should not like, Sir, that this popular Assembly, sitting here as the representative of the people, should give its vote for postponing the ratification of the Convention. I am strongly opposed to postponement and I would ask my friend over there, Pandit Hirday Nath Kunzru, to consider this question again and see his way to throw out this Resolution of the Government and press the Government to accept the draft Convention and the Recommendations.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I may state at the outset that I am quite willing to accept the amendment proposed by my Honourable friend Pandit Hirday Nath Kunzru, if you, Sir, are prepared to put that amendment to the vote of the House. The opposition on the part of my friends Mr. Abdul Matin Chaudhury and Maulvi Mohamed Shafee Daoodi to the course of action proposed by Government is, I submit, based on a misapprehension of the situation. Mr. Abdul Matin Chaudhury, if I heard him correctly, stated that this Draft Convention referred to home-working trades only. Article 1 refers to "workers employed in certain of the trades or parts of trades and in particular, in home-working trades . . ." From Article 2 it is also clear that the convention is not confined to home-working trades or parts of such trades. Now, Sir, supposing Government had decided to ratify this particular Convention, what would the implication be arising therefrom? Is it seriously contended that Government must forthwith take a plunge, a leap in the dark and ask this House immediately to pass any legislation which it might have been possible for them to bring forward? In fact I, who am the responsible Member of the Government in this matter, cannot yet even sketch out roughly in my mind what would be the form of that legislation. Before a Bill could be given proper shape, it would have been necessary to start extensive inquiries, in consultation with the parties concerned, as to what would be the form of the machinery. The Royal Commission on Labour is examining this matter already as one of

the various problems to which it is devoting its consideration. My friend Mr. Abdul Matin Chaudhury is certainly not correct in saying that they will not deal with home industries. Now, the expression "home industries" is rather indefinite. Take the cotton mill industry of Bombay. Is it not partly a home industry? Is not part of the production intended for consumption in India?

Maulvi Abdul Matin Chaudhury: May I know if home-working trade includes the cotton mills of Bombay?

The Honourable Sir Bhupendra Nath Mitra: I do not quite understand what my Honourable friend means.

Maulvi Abdul Matin Chaudhury: Sir, by home-working trade, the International Labour Conference meant those trades in which workers did their work at home and in which the difficulty of organising them was inherent in the nature of the work that they were doing.

The Honourable Sir Bhupendra Nath Mitra: I am afraid I did not quite follow my Honourable friend's arguments. I think, however, the Honourable Member specifically referred to the carpet industry. I know as a matter of fact that the Royal Commission went to Amritsar to examine the position of the carpet industry there. That being so, I am sorry that I cannot agree to take action on the lines suggested either by my friend, Mr. Abdul Matin Chaudhury or my friend, Maulvi Shafee Daoodi. At the same time, in order that the matter may not be lost sight of and may be again taken up for consideration by this House when the recommendations of the Whitley Commission have reached Government, I am quite willing to accept the amendment proposed by my friend, Pandit Hirday Nath Kunzru.

Maulvi Abdul Matin Chaudhury: Do I understand that, after the Whitley Commission have made their recommendations, the Government will come up with this same Resolution before this House?

The Honourable Sir Bhupendra Nath Mitra: There is no question of this Resolution being brought forward again. My Honourable friend must realise that this House will cease to exist in the near future and the Resolution, if not disposed of by them, will have in fact lapsed automatically.

Mr. President: The original Resolution was:

"This Assembly, having considered the Draft Convention and Recommendation regarding the machinery for fixing minimum wages in certain trades adopted at the Eleventh International Labour Conference, recommends to the Governor General in Council that he should not ratify the Draft Convention nor accept the Recommendation."

Since which the following amendment has been moved:

"That the following words be added at the end of the Resolution:

'pending the Report of the Indian Labour Commission'."

The question is that that amendment be made.

The motion was adopted.

Mr. President: The question is that the following Resolution, as amended, be adopted:

"This Assembly, having considered the Draft Convention and Recommendation regarding the machinery for fixing minimum wages in certain trades adopted at the Eleventh International Labour Conference, recommends to the Governor General in Council that he should not ratify the Draft Convention nor accept the Recommendation pending the Report of the Indian Labour Commission."

The Assembly divided:

AYES—47.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Coatman, Mr. J.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Das, Mr. B.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gulab Singh, Sardar.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Iswar Saran, Munshi.
Jawahar Singh, Sardar Bahadur
Sardar.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.
Lalchand Navalrai, Mr.
Lindsay, Sir Darcy.

Mitra, The Honourable Sir Bhupendra.
Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Mukhtar Singh, Mr.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Row, Mr. K. Sanjiva.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarda, Rai Sahib Harbilas.
Sarfaraz Hussain Khan, Khan
Bahadur.
Sarma, Mr. R. S.
Schuster, The Honourable Sir George
Singh. Raja Raghunandan Prasad.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

NOES—3.

Abdul Matin Chaudhury, Maulvi.
Lahiri Chaudhury, Mr. D. K.

Shafee Daoodi, Maulvi Mohammad.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 21st January, 1930.

LEGISLATIVE ASSEMBLY.

Tuesday, 21st January, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN.

Mr. William Alexander, M. L. A. (Madras: European); and Mr. G. W. Chambers, M. L. A. (Associated Chamber of Commerce: Nominated Non-Official).

QUESTIONS AND ANSWERS.

COMMISSIONER OF MEDICAL QUALIFICATIONS IN INDIA.

25. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Is it a fact that, in consequence of a letter addressed by Sir Donald Macalister, Chairman of the General Medical Council, to the Secretary of State for India, on the 12th June last, Colonel Needham was temporarily appointed Commissioner of Medical Qualifications in India, and that he was expected to assume charge on the 1st November, 1929?

(b) Is it intended to bring up again this question before the Legislative Assembly at the instance of the General Medical Council in England?

Sir Frank Noyce: (a) The General Medical Council of Great Britain, in its letter of the 12th June, 1929, emphasised the necessity for the appointment of a whole-time Commissioner of Medical Qualifications and Standards. Government decided to offer the post to Bt.-Col. R. A. Needham, but the offer was subsequently withdrawn. According to the original arrangements, Bt.-Col. Needham would have sailed for India on the 1st November, 1929.

(b) The question of the measures which should be adopted to ensure the continued recognition of Indian medical degrees by the General Medical Council is still under consideration of Government.

Dr. B. S. Moonje: Was any compensation paid for cancelling the appointment?

Sir Frank Noyce: No, Sir.

CONDITION OF INDIANS REPATRIATED FROM SOUTH AFRICA.

26. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Will Government be pleased to say how many Indians have been repatriated from South Africa since the scheme has been in force; and what provisions have been made by the Government, and what facilities have been provided for the repatriated Indians after their arrival in this country from South Africa?

(b) Has the attention of the Government been drawn to the *Leader*, dated the 20th October, 1929, (page 7) in which a letter is published over the signature of P. B. Naidu, Allahabad; a repatriate from South Africa, in which he complains about the distressing condition of the repatriates from South Africa on their arrival in India, and the failure of the Government to make any provisions for them in this country?

Sir Frank Noyce: (a) The total number of Indians who have so far returned to India from South Africa under the scheme of assisted emigration is 7,376. As regards the second part of the question, the attention of the Honourable Member is invited to parts (a) and (b) of the reply given on the 11th September, 1929, to Mr. Rafi Ahmad Kidwai's question No. 399.

(b) Yes. Mr. Naidu is not an "assisted emigrant" and returned to India long before the Cape Town Agreement was concluded. Strictly speaking, therefore, he is not one of those for whose assistance the special staff in Madras has been appointed. But the Government of India take a broad view of their responsibilities in the matter, and are doing what they can to secure employment for Mr. Naidu. Government have no reason to believe that the hardship complained of by Mr. Naidu is common among those who have come back from South Africa under the scheme of assisted emigration.

GRIEVANCES OF INDIANS IN FIJI.

27. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Is it a fact that in Fiji the number of Indians is more than 60,000 while that of the Europeans is about 4,000 only, but that in the Legislative Council of Fiji, according to the present constitution, the Indians elect three, and the Europeans six members, through separate electorates? Why is the representation of the Indians so small?

(b) Is it a fact that the motion of the Indian members recommending the provision of a common electoral roll was rejected by the votes of the European members in the Legislative Council, and that the Indian members resigned in protest?

(c) Are Government aware that a Royal Commission, which was recently appointed to inquire into the grievances of the Indians in Fiji, have recorded that "Indians have been deprived of representation on the Municipal Councils since 1915, and have no facility for participating in Municipal affairs to look after their requirements and interests"; that the Municipal Council of Suva "is not carrying out its obligations to Indian rate-payers"; that "most of the roads in Indian areas are in a disgraceful condition, lighting arrangements in such areas are bad, and measures of discrimination have been adopted on racial grounds in the matters of public baths and library"; and that the Levuka Municipal Council "collects education rate from Indian taxpayers, although Indian children are not admitted to the public school at Levuka"?

(d) Are Government prepared to make a statement indicating in brief detail when and what steps they have so far taken to remove the grievances of the Indians in Fiji, and with what result?

Sir Frank Noyce: (a) The attention of the Honourable Member is invited to the answer given by Mr. G. S. Bajpai on the 4th September 1928 to his unstarred question No. 22.

(b) The motion was supported only by the Indian Members of the Legislative Council who withdrew after its rejection and subsequently resigned.

(c) The statements quoted by the Honourable Member occur in the Minority Report of the Indian Members of the Municipal Franchise Committee set up by the Colonial Government and not by a Royal Commission.

(d) Papers relating to the Indian position in Fiji were published in the Government of India, Department of Education, Health and Lands, Resolution No. 24, dated 12th January, 1927. Since then the Municipal question, referred to in part (c) of the Honourable Member's interpellation, and the franchise question, referred to in part (b), have again come into prominence and are at present the subject of correspondence with His Majesty's Secretary of State for India. I regret that it is not possible for me to disclose the contents of this correspondence, which is confidential. I can, however, assure the House that the representations of the Government of India on such questions will always be framed with due regard to the legitimate views and wishes of the Indian communities concerned.

Dr. B. S. Moonje: The number of Indians is more than 60,000 and the number of Europeans is about 4,000. May I know what was the principle on which this representation of three for the Indians and six for the Europeans was based?

Sir Frank Noyce: As already stated I would refer the Honourable Member to the answer given by Mr. Bajpai to a similar question on the 4th of September.

Pandit Hirday Nath Kunzru: Have Government received the Report of the Municipal Franchise Committee?

Sir Frank Noyce: Yes.

Pandit Hirday Nath Kunzru: Will a copy of it be placed in the Library?

Sir Frank Noyce: I will see if that can be done.

Dr. B. S. Moonje: Who asked for the separate electorates? Was it the Europeans or the Indians or the Bureaucracy who asked for separate electorates?

Sir Frank Noyce: I am sorry I could not quite follow the Honourable Member's question.

Dr. B. S. Moonje: Who asked for separate electorates in Fiji?

Sir Frank Noyce: I should like to ask for notice of that question.

INTERESTS OF INDIANS IN CEYLON.

28. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Is it a fact that 40 to 50 per cent. of the Indians in Ceylon were permanent residents, and entitled to franchise, if otherwise qualified?

(b) Will Government be pleased to state how far the recommendations of the Donoughmore Report have been dealt with, in so far as they affect the rights and interests of the Indians in Ceylon?

Sir Frank Noyce: (a) Government have no information beyond what is given in chapter V, part II of the Report of the Special Commission on the Constitution of Ceylon.

(b) The recommendations of the Governor and the orders passed thereon are contained in the Ceylon Sessional Paper XXXIV—1929, a copy of which has been placed in the Library of the House. The matter is now the subject of correspondence between the Government of India and His Majesty's Secretary of State for India.

Pandit Hirday Nath Kunzru: Is it a fact that the orders recently passed by the Colonial Secretary will place the Indians, that is the emigrant Indians in Ceylon at a disadvantage?

Sir Frank Noyce: I think the Honourable Member is asking for an expression of opinion?

Pandit Hirday Nath Kunzru: I am not asking for an expression of opinion at all. May I know whether the recommendations made by the Ceylon Reforms Commission were more liberal than the orders passed by the Secretary of State for the Colonies?

Sir Frank Noyce: That is so; but I think the Honourable Member is as capable of drawing that inference as I am.

Pandit Hirday Nath Kunzru: May I know whether under the orders passed by the Secretary of State for the Colonies the number of Indian electors will be the same as under the recommendations of the Ceylon Commission?

Sir Frank Noyce: I cannot say off-hand.

Pandit Hirday Nath Kunzru: Has the Honourable Member read the despatch of the Secretary of State for the Colonies to the Government of Ceylon?

Sir Frank Noyce: Yes, Sir.

Pandit Hirday Nath Kunzru: Is it not a feature of that Report?

Mr. Arthur Moore: May I ask, Sir, if the Honourable Member is aware of it, why should he ask a question?

Pandit Hirday Nath Kunzru: It is for the President to regulate the proceedings of the House. I did not know that there was more than one President.

Is it a fact that, under the orders of the Secretary of State for the Colonies, the number of Indian electors would be less than it would have been had the recommendation of the Ceylon Commission been accepted?

Sir Frank Noyce: That is so.

Pandit Hirday Nath Kunzru: Have the Government of India brought that matter to the notice of His Majesty's Government?

Sir Frank Noyce: I have informed the Honourable Member that the matter is under correspondence between the Government of India and His Majesty's Secretary of State for India. I may also add for the information of the Honourable Member that the Government of India propose to refer the matter to the Standing Emigration Committee and obtain their advice.

THE EAST AFRICAN QUESTION.

29. ***Dr. B. S. Moonje** (on behalf of Mr. Gaya Prasad Singh): (a) Has the attention of the Government been drawn to the following passage in their despatch of 1920 on the East African question?

"We desire to reiterate our opinion that there should be a common electoral roll, and a common franchise on a reasonable property basis, *plus* an educational test without racial discrimination, for all British subjects. We believe that this is the true solution of the East African problem."

(b) Have the Government, in their recent despatch of September last to the India Office, emphasised the above points and are they prepared to publish the despatch? If not, why not?

Sir Frank Noyce: (a) Yes.

(b) The Government of India still hold the views quoted by the Honourable Member. As regards the Honourable Member's request for publication of the despatch, Government regret their inability to consider the matter until the decision of His Majesty's Government on the East African question has been announced. Until then the correspondence must be treated as confidential.

†30*—38*.

RECOMMENDATIONS OF THE ROYAL COMMISSION ON AGRICULTURE.

39. ***Mr. C. Duraiswamy Aiyangar:** (a) Will Government be pleased to state how many of the recommendations of the Royal Commission on Agriculture will be given effect to in this and the ensuing years?

(b) Which are the recommendations that will be given effect to?

(c) Do Government propose to recruit from outside India in carrying out the proposals of the Royal Commission?

Sir Frank Noyce: (a) and (b). Statements showing the action taken by the Government of India and by Local Governments and Administrations on the recommendations of the Royal Commission are under preparation and will be placed in the Members' Library as soon as they are complete.

(c) Yes.

†40*—42*.

REBATES FOR CO-OPERATIVE SOCIETIES.

43. ***Mr. C. Duraiswamy Aiyangar:** (a) Is it a fact that rebates to the extent of 75 per cent. are granted to the co-operative banks and societies in the Bombay Presidency on the money order and insurance charges paid by them?

(b) Is a similar concession shown to similar societies and banks in the other Presidencies? If not, do Government propose to order rebates even in the case of other provinces?

Sir Frank Noyce: (a) In Bombay the Local Government refund to Co-operative Societies three quarters of the commission on postal money orders when these are employed for remittances between Societies.

(b) A similar concession has been granted in some other provinces. As the cost of the concession falls on provincial revenues, the Government of India do not propose to issue orders on the subject.

†44*—61*.

MEMBERS OF THE HISTORICAL RECORDS COMMISSION.

62. ***Mr. M. S. Aney:** (a) Will Government be pleased to give the total number and names of the members of the Historical Records Commission?

(b) How is the selection of these members made?

(c) Are bodies carrying on historical research work in the country, such as Itihas Sanshodhak Mandal of Poona consulted?

†For these questions and their answers, see Proceedings of the 20th January, 1930.

(d) What are the facilities, such as travelling allowances, etc., given to the members of the Commission?

(e) Is any discrimination being made in regard to these facilities between ordinary members and co-opted members?

(f) If the answer to part (e) is in the affirmative, will Government be pleased to state whether they propose to take steps immediately to extend the same facilities to co-opted members as are being given to the ordinary members?

Sir Frank Noyce: (a) A list of the members of the Indian Historical Records Commission is placed on the table.

(b) They are appointed by the Government of India.

(c) The reply is in the negative. I may, however, state for the Honourable Member's information that two like members of the Itihas Sanshodhak Mandal of Poona (*viz.*, Sir Jadunath Sarkar and Mr. G. S. Sardesai) are members of the Commission.

(d) Members of the Commission who are Government servants draw travelling and daily allowances, when they attend the annual meeting of the Commission, at the rates admissible to them under the rules for journeys on Government business. Non-official members are granted these allowances at the rates admissible to first grade Government servants.

(e) For the annual meeting of the Commission it is usual to co-opt members from the province or State in which the meeting is held. Other members are co-opted at the request of Local Governments, Indian States and Universities, which presumably meet their travelling expenses. A few corresponding members and other persons interested in historical research, who desire to attend the meeting of the Commission at their own expense, are also appointed as co-opted members.

(f) Government do not consider that the present rules are inequitable.

Permanent Members of the Indian Historical Records Commission.

- | | |
|---|------------------------------|
| 1. The Secretary to the Government of India, Department of Education, Health and Lands. | <i>Ex-officio</i> President. |
| 2. The Keeper of the Records of the Government of India | <i>Ex-officio</i> Secretary. |
| 3. The Keeper of the Records, Bengal | <i>Ex-officio</i> Member. |
| 4. The Curator, Madras Record Office | <i>Ex-officio</i> Member. |
| 5. Sir Jadunath Sarkar, Kt., C.I.E., Calcutta | Member. |
| 6. Mr. H. G. Rawlinson, M.A., I.E.S., Poona | Member. |
| 7. Mr. H. L. O. Garrett, M.A., I.E.S., Lahore | Member. |
| 8. Mr. G. S. Sardesai, B.A., of Bombay | Member. |
| 9. Dr. Shafaat Ahmad Khan, M.A., D. Litt., Allahabad | Member. |

RULES FOR THE APPOINTMENT OF THE HISTORICAL RECORDS COMMISSION.

63. ***Mr. M. S. Aney:** Will Government be pleased to lay on the table any circulars or rules which they might have framed for the appointment of the Historical Records Commission and regulation of the procedure, *etc.*?

Sir Frank Noyce: A copy of the Government of India Resolution No. 77, dated the 21st March, 1919, announcing the establishment of the Indian Historical Records Commission has been placed in the Library of the House.

SUPPLY TO RESEARCH INSTITUTIONS OF RECORDS OF THE HISTORICAL RECORDS COMMISSION.

64. ***Mr. M. S. Aney:** (a) Will Government be pleased to furnish a list of the historical research institutions in this country to which the copies of the reports of the Historical Records Commission are supplied free of cost?

(b) If there be no such list maintained for the supply of copies free of cost, will Government be pleased to state whether they propose to consider the suggestion favourably in the near future?

Sir Frank Noyce: (a) A list of the institutions in India to which copies of the proceedings of the eleventh session of the Commission (last published) were supplied free of cost is placed on the table. The Indian Universities are also on the free distribution list.

(b) Does not arise.

List of institutions to which the proceedings of the eleventh session of the Indian Historical Records Commission were supplied free of cost.

1. Bharat Itihas Sansodhak Mandal, Poona.
2. Servants of India Society, Poona.
3. Gauthami Library, Rajahmundry.
4. Asiatic Society of Bengal, Calcutta.
5. Bangiya Sahitya Parishad, Calcutta.
6. The Muslim Institution, Calcutta.
7. The Imperial Library, Calcutta.

†65*—67*.

CONGESTION OF DELHI CITY.

68. ***The Revd. J. C. Chatterjee:** (a) Are Government aware that the old city of Delhi is greatly congested and that public health is endangered by the existence of a large number of iron foundries and factories within the city area?

(b) Are Government prepared to allot land outside the city for the removal of these foundries and factories?

Sir Frank Noyce: (a) Certain parts of the old city are greatly congested. There are several factories and iron foundries within the city limits, but they are under the supervision of the Municipal Health Officer. I would invite the Honourable Member's attention to section 121 of the Punjab Municipal Act, 1911, which is applicable to the Delhi Province. This section requires *inter alia* that a licence shall be obtained from the Municipal Committee before a place can be used as a manufactory, engine-house or place of business from which offensive or unwholesome smells, noises or smoke arise.

(b) If the Delhi Municipal Committee at any time decides to refuse such licences, and if application is made to Government for the location of the factories elsewhere, the matter will receive due consideration.

The Revd. J. C. Chatterjee: Are Government satisfied that the Delhi Municipality have used their discretion rightly in the matter of allowing factories and engine-houses to be erected in the admittedly congested parts of the old city?

Sir Frank Noyce: I have no information on the subject.

The Revd. J. C. Chatterjee: Will the Honourable Member make inquiries into the matter as it concerns a matter of vital importance to the public health of the city?

Sir Frank Noyce: Yes, Sir.

†For these questions and their answers, see Proceedings of the 20th January, 1930.

BUS SERVICE BETWEEN NEW AND OLD DELHI.

69. ***The Revd. J. C. Chatterjee:** (a) Are Government aware that no regular bus or tram service exists between the old and the new cities of Delhi, or between the old city and its suburbs?

(b) Have Government taken any steps to provide suitable means of communication between these parts and if not, do they propose to take up the matter at an early date?

Sir Frank Noyce: (a) Yes.

(b) The question of providing transport facilities between Old and New Delhi was considered in 1926, when the railway authorities proposed to run a motor bus service from the Delhi Main Station to New Delhi. The proposal, however, involved the grant of a monopoly to the railway which the Local Government was not prepared to allow. A similar scheme put forward by the Delhi Electric Tramways and Lighting Company, Limited, was also negatived as the Company could not agree to the routes proposed. The next scheme emanated from the Gwalior and Northern India Transport Co., Delhi. This involved a Government subsidy and was eventually rejected by the New Capital Committee.

A scheme framed by Messrs. Govan Bros. was submitted to the Delhi Municipal Committee in 1929, but the Committee were not prepared to give the monopoly asked for.

The matter is primarily one for private enterprise, and Government are not prepared to provide a bus service themselves.

The Revd. J. C. Chatterjee: Do Government recognise that considerable hardship is caused to the general public by the absence of adequate communications between the two cities?

Sir Frank Noyce: That may be so, but their view is that the remedy for that hardship is that given in my reply.

The Revd. J. C. Chatterjee: Do I understand that in case the local bodies are not able or willing to do their duty, Government refuse to take any steps to provide these conveniences for the public?

Sir Frank Noyce: As I have said, Government regard this matter as one for private enterprise, which I understand is not entirely lacking in this matter. I believe there are a certain number of private buses which ply between Old and New Delhi, at any rate.

The Revd. J. C. Chatterjee: Are Government prepared to make an inquiry into the subject in order to facilitate the provision of this convenience between the two cities?

Sir Frank Noyce: No, Sir. I cannot give an undertaking to that effect.

†70*—74*.

GOVERNMENT POLICY RE MEDICAL COLLEGES IN INDIA.

75. ***Mr. Ram Narayan Singh:** (a) Are Government aware of the fact that the attitude of the British General Medical Council towards the Universities and the Medical Colleges in India has caused great resentment all over this country?

(b) Will Government be pleased to state their own policy in connection with the subject referred to in part (a)?

†For these questions and their answers, see Proceedings of the 20th January, 1930.

Sir Frank Noyce: (a) Government are fully cognisant of public opinion on this question.

(b) The action which should be taken to ensure continued recognition of Indian medical degrees by the General Medical Council is at present under their consideration.

†76*—80*.

MEDICAL DEGREES IN BRITISH COLONIES.

81. ***Dr. B. S. Moonje:** (a) Will Government please state whether the medical degrees of the British colonies such as Canada, Australia and South Africa are recognised as registrable by the General Medical Council in England?

(b) If the reply to part (a) is in the affirmative, is any British officer or are any officers of the Indian Medical Service or are any other officers appointed by the General Medical Council of England as Commissioner of Medical Qualifications for examining the system of medical education of those countries for certifying it as fit for recognition?

(c) If the answer to part (b) is in the affirmative, who pays for them?

Sir Frank Noyce: (a) The medical degrees granted by certain Universities and medical colleges in Canada, Australia and South Africa are recognised as registrable in Great Britain by the General Medical Council.

(b) No. These countries have their own Statutory Medical Councils.

(c) Does not arise.

†82*—90*.

MEMORIAL FROM INCOME-TAX OFFICERS IN THE BOMBAY PRESIDENCY.

91. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state when orders will be passed on the memorial submitted by the Income-tax officers of the Bombay Presidency regarding annual increments?

(b) Do Government intend to give retrospective effect to the promotion of these officers, at least from the time when their memorial was received by Government?

The Honourable Sir George Schuster: (a) The position at present is that this proposal has been before the Standing Finance Committee who have recommended that it might justifiably be postponed. The proposal, together with a number of other similar proposals, is still under consideration by Government.

(b) Is at present a hypothetical question and may not arise. I can inform the Honourable Member however that it is an almost invariable rule that retrospective effect should not be given to such revisions.

Mr. Lalchand Navalrai: Is it a fact that the pay of the Secretary of the Central Board of Revenue has been increased from Rs. 1,700 to Rs. 2,500?

The Honourable Sir George Schuster: I do not see how that question arises out of the Honourable Member's question to which I gave an answer.

†For these questions and their answers, see Proceedings of the 20th January, 1930.

Mr. Lalchand Navalrai: It arises this way, that if that increase of pay has been sanctioned to the Secretary, there is absolutely no reason for postponing this increment in the case of subordinates.

The Honourable Sir George Schuster: I am afraid I must adhere to my own opinion that that question does not arise out of the question to which I gave an answer.

Mr. Lalchand Navalrai: I would submit that this arises in the way in which I have explained.

Mr. President: It does not arise.

APPOINTMENTS IN THE CUSTOMS DEPARTMENT, KARACHI.

92. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if they have received a scheme from the Collector of Customs, Karachi, regarding an increase in the number of appraisers, examiners and clerks and as to increment of their salaries?

(b) If the reply to part (a) is in affirmative, will Government be pleased to state if the scheme has been submitted to the Standing Finance Committee? If not, why not?

(c) From what date will the scheme come into operation, after it is passed?

The Honourable Sir George Schuster: (a) Yes, but no increase in pay was recommended by the Collector of Customs in respect of existing posts.

(b) Yes, the case was submitted to the Standing Finance Committee and that body has recommended that the proposals should be held over for the present.

(c) Does not arise.

APPOINTMENTS IN THE INCOME-TAX DEPARTMENT IN SIND.

93. ***Mr. Lalchand Navalrai:** (a) Is it a fact that non-qualified men who are not eligible for Government service have been recruited in the Income-tax Department in Sind in contravention of Memorandum No. P-186/25 of the 5th February, 1926?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state reasons?

The Honourable Sir George Schuster: The Government of India have called for a report, the result of which will be communicated to the Honourable Member in due course.

THE NEW PENSION RULES.

94. ***Mr. Lalchand Navalrai:** Will Government be pleased to state how much more time they will take in passing the new pension rules?

The Honourable Sir George Schuster: As regards the Provincial and Subordinate Services under the Provincial Governments, I would refer the Honourable Member to my reply to unstarred question No. 89 by K. B.

Sarfaraz Hussain Khan, published on page 81 of the Legislative Assembly Debates for the 2nd September 1929. The pension rules for the other Services are still under preparation. I must hesitate to promise any definite date for their completion. I can only give the Honourable Member the assurance that they are being proceeded with as rapidly as possible consistently with the claims of other work and without engaging special additional staff.

LEAVE PAY OF PEONS IN THE INCOME-TAX AND CUSTOMS DEPARTMENTS AT KARACHI.

95. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if it is a fact that the peons in the Income-tax and Customs Departments at Karachi, when proceeding on privilege leave, do not get their full pay, if their substitute is appointed, whereas clerks and other officers get full pay while on privilege leave?

(b) Do Government contemplate passing orders that peons should get full pay while on privilege leave, even if their substitutes are appointed?

The Honourable Sir George Schuster: (a) The Government of India have issued general orders under Fundamental Rule 2 continuing the restrictions formerly imposed by Articles 147 (iii) and 321 (a) of the Civil Service Regulations on the grant of leave to inferior servants. The result is that the absentee allowance of the substantive incumbent must not exceed what remains from his pay, after provision is made for the efficient discharge of his duties during his absence, except when, in the resulting acting arrangements, an inferior servant who has no substantive appointment is given more than half the pay of the appointment in which he acts, in which case the excess over half-pay granted to him may, at the discretion of the authority sanctioning the leave, be disregarded altogether in calculating the sum available for the leave allowance of the absentee, and the acting allowance paid in consequence of his absence.

(b) I would refer the Honourable Member to the first paragraph of the answer which I gave on 2nd September last to unstarred question No. 51, put by Khan Bahadur Sarfaraz Hussain Khan.

CHARGES FOR DISINFECTANTS AND FILE BOARDS IN SECOND CLASS HEAD POST OFFICES.

96. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether the feniles and flat files used in second class head offices are sanctioned from the allotment of fluctuating charges placed at the disposal of the Superintendents of Post Offices? If so, why are orders issued to some of the Superintendents of Post Offices to meet such charges out of the contingent allowance sanctioned for head offices?

Mr. H. A. Sams: It is presumed that the Honourable Member's question relates to the purchase of disinfectants and file boards by Head Postmasters from the allowances sanctioned for each second class head post office for the provision of stationery (twine and sealing wax, etc.), needed for the conduct of work in their offices. No orders have been issued by the Director General in the terms described by the Honourable Member. On the contrary, in prescribing a formula for calculating the contingent

allowances for all post offices (including head post offices) it has been expressly laid down that the cost of such items as polish, brooms, etc., of like nature to disinfectants should be specially sanctioned by Postmasters General or Superintendents. If the Honourable Member can acquaint me with the names of the postal divisions in which the orders to which he refers have been issued, I shall correct any misunderstanding which has arisen.

APPOINTMENT OF INSPECTORS OF POST OFFICES.

97. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether it is a fact that the posts of the Engineering Supervisors of Telegraphs were formerly filled up exclusively by the telegraphists, and that now-a-days 50 per cent. of the posts are filled up by outsiders? If so, why cannot such procedure be introduced for the posts of the Inspectors of Post Offices?

The Honourable Sir Bhupendra Nath Mitra: Yes. It is a fact that 50 per cent. of the posts of Engineering Supervisors are filled up by direct outside recruitment as a sufficient number of qualified candidates are not available departmentally.

Direct recruitment for the cadre of the Inspectors of Post Offices is not considered necessary, as a sufficient number of officials with the requisite educational qualifications and practical knowledge of Post Office work are available from men already in the service.

APPOINTMENT OF MUSLIM CLERKS IN OFFICES OF SUPERINTENDENTS OF POST OFFICES.

98. ***Mr. Anwar-ul-Azim:** Are Government aware of the fact that Muslim clerks are never employed in offices of the Superintendents of Post Offices, and that, if employed, they act for very short periods? If so, why? How many clerks are there in the Office of the Superintendent, Post Office, Chittagong and how many of them are Muslims?

The Honourable Sir Bhupendra Nath Mitra: Muslim clerks are employed in offices of Superintendents of Post Offices.

The second part of the question does not therefore arise.

In the office of the Superintendent of Post Offices, Chittagong there are four clerks, of whom at present none is a Muslim. There was lately a Muslim clerk in that office for a period of over a year and eight months, but he has recently been transferred to a post office as a signaller.

INCREASED WORK CAUSED BY MAINTAINING SERVICE ROLLS FOR POST OFFICE RUNNERS.

99. ***Mr. Anwar-ul-Azim:** Are Government aware of the fact that orders have been issued to maintain service rolls for the runners and that the runners should get regular leave as is granted to other menials of the Postal Department, and that this has caused a heavy increase of work in the Accounts Branch of the head offices? If so, what action, if any,

has been taken by Government to increase the staff to meet the situation? If not, why not?

Mr. H. A. Sams: The answer to the first part of the question is in the affirmative. As regards the second part, Government have no information whether the new procedure has resulted in any heavy increase of work in the Accounts Branch of Head Offices, but, if it has, it is within the competence of Heads of Circles to entertain such additional staff as may be necessary to cope with it.

REPRESENTATION OF MINORITY COMMUNITIES IN THE POSTS AND TELEGRAPHS DEPARTMENT.

100. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether it is a fact that the orders issued from time to time regarding the ill-representation of minority communities in the Posts and Telegraphs Department are not properly attended to? If so, do Government propose to introduce a chapter in the annual report of the Department regarding the minority communities in the Department? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: The attention of the Honourable Member is invited to the reply given to part (a) of his question No. 123, in the last Session of the Legislative Assembly. Government do not propose to introduce in the Annual Report of the Director General a chapter regarding minority communities, but the Director General will introduce a statement showing the distribution of new recruits by communities.

ADVERTISEMENTS FOR THE POST OF DEPUTY SECRETARY IN THE LEGISLATIVE ASSEMBLY DEPARTMENT.

101. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state in how many Bengal newspapers the post of the Deputy Secretary in the Legislative Assembly Department was advertised, and for how long?

The Honourable Sir James Crerar: The advertisement relating to the post of Deputy Secretary in the Legislative Assembly Department was, according to the standing practice of the Public Service Commission, published in one issue of the following newspapers in Bengal:—

1. *The Statesman*,
2. *The Anglo-Indian Review*, and
3. *The Young men of India*, Associated Press.

It was also published in the *Calcutta Gazette*.

CONVEYANCE OF THE POST FROM CHITTAGONG TO COX'S BAZAR.

102. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state what is the distance of Cox's Bazar from Chittagong town and how long it takes now for the post to travel from Chittagong to that place?

Mr. H. A. Sams: The distance between Cox's Bazar and Chittagong is 84 miles. The mails take 34½ hours to traverse that distance. The question of speeding up the mail is receiving my attention.

EXTENSION OF THE DOHAZARI CHITTAGONG LINE OF THE ASSAM BENGAL RAILWAY.

103. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether the Dohazari-Chittagong line of the Assam Bengal Railway will be extended beyond Dohajari? If so, up to what place? Are Government aware that Sholasahar Station on the Chittagong Nazirhat Railway is at an awkward and uninhabited part of Panchalaish Thana, and that that is giving an impetus to the motor trade at the expense of the Railway? Is it a fact that Sholasahar Station is four miles from court and that mostly the people of the north side get down there to come to court?

Mr. A. A. L. Parsons: No extension of the Dohazari-Chittagong line beyond Dohazari is at present contemplated. Government are not aware that Sholasahar Station is awkwardly situated, but I am drawing the attention of the Agent, Assam Bengal Railway to this portion of the Honourable Member's question. Sholasahar Station is about three miles from the centre of Chittagong, but trains from Dohazari will run into Chittagong and not terminate at Sholasahar.

NUMBER OF MUSLIM LAWYERS EMPLOYED BY THE ASSAM BENGAL RAILWAY.

104. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state how many railway pleaders are employed by the Assam Bengal Railway and at what annual cost? How many Muslims are employed by this Railway system as lawyers?

Mr. A. A. L. Parsons: One pleader, who is a Hindu, is retained by the Assam Bengal Railway Administration on a retaining fee of Rs. 100 per mensem, besides which he receives fees for cases conducted on behalf of the Administration.

In addition, for the conduct of cases at out stations, local pleaders are engaged as found necessary, and paid fees for the work done by them.

ROAD BOARDS IN THE PROVINCES.

105. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state how many provinces in India have got Road Boards, and what are their relations with the Central Road Committee?

The Honourable Sir Bhupendra Nath Mitra: So far as the Government of India are aware, seven provinces have Road Boards. The Boards have no relations with the Central Standing Committee for Roads.

THE ASSAM BENGAL RAILWAY.

106. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether it is a fact that they are abandoning their idea of making the Assam Bengal Railway a State Railway? If so, why?

Mr. A. A. L. Parsons: The question of taking over the Assam Bengal Railway on the expiry of the working contract with the Assam Bengal Railway Company on the 31st December 1931 is under consideration and no decision has yet been arrived at.

NAVIGABILITY OF THE PORT OF CHITTAGONG.

107. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether it is a fact that the port of Chittagong is not fit for navigation for 24 hours, and if so, why? Is that compatible with its status as a major port?

The Honourable Sir George Rainy: The Government of India understand, on inquiry from the Port Commissioners, that the Port of Chittagong is fit for navigation throughout the day. The latter part of the question does not arise.

SITE SELECTED FOR QUARTERS FOR EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS IN NEW DELHI.

108. ***Mr. E. F. Sykes:** (a) Do Government recollect replying to part (g) of my starred question No. 927 of 6th March, 1928, viz., "are Government prepared to consider the question of locating the press in the Industrial area, or in some site other than that at present selected?" and that the answer was in the negative?

(b) Are Government aware that nevertheless the press quarters have already been erected on the extension of Parliament Street beyond Barakhamba?

(c) Was this done with the approval of the Government of India?

(d) If so, will Government please explain the very sudden change in their determination not even to consider another site?

The Honourable Sir Bhupendra Nath Mitra: (a), (b) and (c). Yes.

(d) The attention of the Honourable Member is drawn to the reply given by me in this House on the 3rd April, 1929, to part (a) of Mr. S. C. Mitra's unstarred question No. 459.

COST OF OPERATION ON VARIOUS RAILWAYS.

109. ***Mr. E. F. Sykes:** (a) Has the attention of Government been called to the figures given below and abstracted from the Administration Report of the Railway Department for the year 1927-28, Vol. II?

(b) Will Government give explanations of the extreme variations exhibited therein, more especially with regard to the following comparisons?

(i) The North Western Railway with a passenger density slightly less than that of the Bengal and North Western Railway and a lead slightly greater, spends 2.61 times as much per passenger mile as the Bengal and North Western Railway.

(ii) The East Indian Railway with a passenger density more than twice that of the Rohilkhand and Kumaon Railway and a passenger lead nearly twice as great nevertheless spends ten per cent. more on carrying a passenger a mile.

(iii) The goods density of the East Indian Railway is 5.23 times that of the Bengal and North Western Railway, its haul 1.85 times as long, its wagon loading double, and yet its cost of haulage *per ton-mile* is only six *per cent.* less.

(iv) The goods density of the North Western Railway is three times that of the Rohilkhand and Kumaon Railway the haul a good deal over twice as much, and yet the cost of haulage *per ton-mile* is only two *per cent.* less.

PASSENGER.

(Percentages calculated from B. N. W.=100.)

Administration.	E. I.	N. W.	B. N. W.	R. K.	Class I Rys.
Charges—					
Pies per passenger mile	3.15	3.42	2.41	2.91	3.44
Per cent.	131	142	100	121	143
Costs—					
Pies per passenger mile	1.64	2.46	0.95	1.50	N. A.
Per cent.	173	261	100	158	N. A.
Density—					
Passengers per running track mile per annum.	737,697	533,336	666,584	325,433	530,961
Per cent.	111	80	100	48	79
Lead—					
Miles	49.3	42.1	36.8	26.2	34.1
Per cent.	135	115	100	71	93
Loading—					
Passenger miles per hundred seat miles.	N. A.	N. A.	N. A.	N. A.	N. A.

GOODS.

(Percentages calculated from B. N. W.=100.)

Administration.	E. I.	N. W.	B. N. W.	R. K.	Class I. Rys.
Charges—					
Pies per ton mile	4.01	6.34	7.12	7.32	6.00
Per cent.	57	89	100	103	84
Costs—					
Pies per ton mile	2.50	4.12	2.66	4.24	N. A.
Per cent.	94	155	100	158	N. A.
Density—					
Tons per running track mile per annum.	1,252,365	456,413	240,964	151,283	549,035
Per cent.	523	188	100	62	228
Haul—					
Miles	272.3	210.3	147.6	91.7	192
Per cent.	185	143	100	62	130
Loading—					
Tons per wagon	14.4	11.4	7.07	9.42	B. G. 13.0 M. G. 6.59

Mr. A. A. L. Parsons: Sir, as my reply is long and technical, I will, if the Honourable Member has no objection, lay it on the table.

(a) Yes, except that figures of 'costs-pies per passenger mile' are not to be found in the Administration Report referred to.

(b) The comparisons made are vitiated owing to the figures of cost per passenger mile as given by the Honourable Member not being correct. Apart from the fact that it is impracticable to allocate definitely to passenger traffic the cost of the numerous operations which are joint for all traffic, the allocation of cost as between "coaching" and "goods" services made by railways for statistical purposes is in proportion to the gross ton miles in each case; an arrangement which is purely empirical and, therefore, may not coincide with the actual facts. But even if a comparison were possible,

there would be variations as between the railways referred to for the following reasons:

- (i) the North Western and East Indian Railways are broad gauge, whereas the Bengal and North Western and Rohilkund and Kumaon Railways are metre gauge. Their density figures to be comparable must, therefore, be expressed as a percentage of their respective capacity. Moreover, about one fourth of the total mileage of the North Western Railway consists of strategic lines where the cost of operation is higher than on the rest of the system.

- (ii) the Bengal and North Western Railway passes through flat country having only 1·6 per cent. of its line with a grade steeper than 1 in 300. Similar figures for other lines are:—

Rohilkund and Kumaon	9·1
North Western	22·3
East Indian	12·5

Consequently, less tractive effort is necessary to haul trains over the Bengal and North Western and Rohilkund and Kumaon Railways than over the North Western and East Indian Railways.

- (iii) The Bengal and North Western and Rohilkund and Kumaon Railways operate over areas where the standard of wages is low as compared with the areas traversed by the North Western and East Indian Railways.

- (iv) The cost of fuel on the Bengal and North Western and Rohilkund and Kumaon Railways is considerably lower than on the North Western Railway owing to the relatively short distance from the coalfields.

- (v) The Bengal and North Western and Rohilkund and Kumaon Railways' systems do not include important through routes as do the North Western and East Indian Railways'. Their trains are consequently comparatively slower and so large an expenditure on the upkeep of track, station equipment, etc., as on the North Western and East Indian Railways is not called for.

- (vi) The adoption of more modern practices in railway working in regard to the interlocking of points and signals, the provision of vacuum brakes on goods trains, high level platforms, etc., on the North Western and East Indian Railways necessitate greater expenditure.

INDIAN TRADE COMMISSIONERS.

110. *Mr. B. Das: (a) Will Government be pleased to state at what stage the correspondence with the High Commissioner for opening Trade Commissionerships at New York, Milan and Hamburg stands at present?

(b) Have Government reached conclusions in the matter and will the establishment of these Indian Consulates materialise in the near future?

The Honourable Sir George Rainy: (a) A detailed scheme for the appointment of Indian Trade Commissioners at Hamburg, Milan and New York has been prepared in consultation with the High Commissioner for India.

(b) It is expected that a final decision in the matter will be reached shortly, but I am not yet in a position to say if and when the appointments will actually be made.

Mr. B. Das: Is it a fact that Government have gone beyond the recommendations of the Council of State and also the Advisory Committees to the Department of Commerce and are going to appoint men of the Indian Civil Service into these posts of Trade Commissioners?

The Honourable Sir George Rainy: I must ask for notice of that question because it contains several points that I cannot answer off-hand. For instance, the question referred to a recommendation of the Council of State and that is not in my mind at the moment.

Mr. B. Das: Is it the intention of Government to appoint men in Indian commercial pursuits as Trade Commissioners in these places?

The Honourable Sir George Rainy: The intention of Government with regard to these appointments, acting on the advice of the High Commissioner and the Trade Commissioner in London, is that, in the first instance, the officers selected for these appointments, if they are made, should be officers already in Government service.

Mr. B. Das: Do I take it that the High Commissioner in London has advised that they should be men recruited from the Indian Civil Service?

The Honourable Sir George Rainy: Yes, Sir; that is the advice we have received from the High Commissioner.

INDIAN TRADE COMMISSIONERS.

111. *Mr. B. Das: (a) Will Government be pleased to state if they have come to any decision regarding the establishment of Trade Commissioners in Asiatic countries including European Turkey and also Africa?

(b) What was the recommendation of the Meek Committee on this matter?

(c) What steps have Government taken since the publication of that report to expedite the opening of trade relations with those countries?

(d) Did Government consult the various Chambers of Commerce, and if so what are their views?

The Honourable Sir George Rainy: (a) A detailed scheme for the appointment of Indian Trade Commissioners in Europe and in the Near East and Africa has been prepared, and it is expected that a final decision in the matter will be reached shortly.

(b) The Trade Mission's recommendation was that Indian Trade Commissioners should be appointed at Durban, Mombasa and Alexandria.

(c) This part of the question is covered by my reply to part (a).

(d) No, Sir, but they have received several representations from commercial and industrial Associations strongly supporting the Trade Mission's recommendation.

TELEGRAPHIC ABBREVIATIONS.

112. ***Mr. B. Das:** (a) Will Government be pleased to state whether abbreviations like "M. L. A." and "M. L. C." cannot be taken as one word in telegraphic transmission?

(b) Is "M. P." taken as one word for telegraphic communication by the British Post Office?

Mr. H. A. Sams: Presumably the information required is about the use of these abbreviations in the address of a telegram.

(a) The reply is in the negative.

(b) No.

THE CONTRACT WITH THE IMPERIAL BANK OF INDIA.

113. ***Mr. B. Das:** (a) With reference to the reply of the Honourable Sir Basil Blackett to question No. 992 of 24th February, 1925, regarding the future contract with the Imperial Bank of India, will Government be pleased to state if the reply that no departure from the arrangements provided for in the Imperial Bank of India Act can be made unless the Act is amended still holds good?

(b) Have the Government of India been approached by the Governors of the Imperial Bank for the renewal of this contract, and if so have they reached any conclusions regarding amendment of the contract?

(c) Is it a fact that the agreement of the Government with the Imperial Bank of India will terminate in 1931?

(d) Will Government be pleased to state if they intend to renew the agreement and contract with the Imperial Bank thereafter, and if so for what period?

(e) Do the Government of India propose to introduce a Bill to amend the Imperial Bank of India Act, 1921, and if so for what period would the existing arrangement remain in force?

The Honourable Sir George Schuster: (a) Yes.

(b), (c) and (d). Under clause 16 of the agreement between the Imperial Bank and Government, the agreement may be determined on the 27th January, 1931, or at any time thereafter by either of the parties giving notice of a desire to terminate it, and if such notice is given, the agreement will cease to operate twelve months after the giving of the notice. In the absence of such a notice by either party, the agreement automatically remains in force. The earliest date at which the Imperial Bank could give twelve months' notice of the termination of the agreement would be the 27th January, 1930. No such notice has yet been received from the Bank. Similarly, the Government of India could give twelve months' notice of the termination of the agreement on the 27th of January, 1930, or on any subsequent date. They have considered whether such notice should be given, but have decided not to do so for the present. There are many reasons why it is difficult to take a final decision at the present stage, pending the Report of the Banking Inquiry Committee, and the Report of the Statutory Commission. The position therefore is that, after January 27th of this year, the agreement will remain in force subject to termination at any time by either party on twelve months' notice.

(e) Government at present have no intention of introducing a Bill to amend the Imperial Bank of India Act, 1921.

APPOINTMENT OF AN INDIAN AS MANAGING GOVERNOR OF THE IMPERIAL BANK OF INDIA.

114. ***Mr. B. Das:** (a) With reference to question No. 475 of the 30th January, 1925, of Mr. K. C. Neogy, regarding the appointment of an Indian Managing Governor and with reference to the reply of the Honourable Sir Basil Blackett to parts (c) and (d) thereof that, "the intention of the Government is to appoint the persons best qualified irrespective of race after considering the recommendations of the Central Board, which, I may mention, contains several Indians. The question of a duly qualified Indian has not hitherto arisen" will Government be pleased to state how many vacancies of Managing Governors have occurred since the above reply was made?

(b) Was the name of any duly qualified Indian recommended by the Central Board when these vacancies arose?

(c) Have Government taken any steps to train any Indian bankers with a view to their eventually becoming Managing Governors of the Imperial Bank?

(d) Do Government propose to fill up the next vacancy of the Managing Governor of the Imperial Bank by an Indian?

The Honourable Sir George Schuster: (a) Two.

(b) No.

(c) It is not part of the functions of Government to train bankers, but the Imperial Bank have taken special steps to provide opportunities for the training of Indians, which is a step in the direction desired by the Honourable Member.

(d) As there is no immediate prospect of a vacancy, the Government cannot be said to have any proposal before them on this subject. The policy of Government has always been, as stated in the first part of the question, to appoint as Managing Governors the persons best qualified, irrespective of race, after considering the nominations of the Central Board.

Mr. B. Das: Is the Honourable Member aware that since 1927 when the Indian Currency Commission's Report was published, the Imperial Bank have not taken steps to enroll an annual quota of Indian probationers and officers?

The Honourable Sir George Schuster: I shall be very pleased to give the Honourable Member full particulars of what has been done by the Imperial Bank in order to encourage the recruitment of Indians to the staff of the Bank. The figures on the subject showing the increase in the proportion of Indians in the supervising staff of the Bank are very convincing. I have not got them at hand as I did not expect the question to arise out of this question, but I shall be very pleased to furnish them to the Honourable Member after the sitting.

Mr. B. Das: I am grateful to the Honourable Member.

INDIAN MEMBERS IN THE CENTRAL BOARD OF THE IMPERIAL
BANK OF INDIA.

115. ***Mr. B. Das:** (a) Will Government be pleased to state the names of Indian members in the Central Board of the Imperial Bank of India and the specific qualifications for which each Indian Governor was nominated by the Government or by other interests?

(b) With reference to part (b) of the previous question, did any of the Indian members of the Central Board make any recommendations regarding the appointment of an Indian Managing Governor at the time of vacancies or did any of them record any protest regarding non-appointment of an Indian?

(c) In case any definite protest was recorded, will Government be pleased to place on the table a copy of the same?

(d) Will Government be pleased to lay on the table a copy of the rules governing the selection of the members of the Central Board, indicating the powers and privileges they exercise?

The Honourable Sir George Schuster: (a) With effect from 27th January, 1930, the Indian Members of the Central Board nominated by Government are as follows:

Honourable Sir Dinshaw Wacha, Kt.

Honourable Sir Maneckji Dadabhoy, K.C.I.E.

Sir Rajendranath Mookerjee, K.C.I.E., K.C.V.O.

Honourable Raja Sir Annamalai Chettiar, Kt.

Government do not consider it desirable to attempt to specify the qualifications of these gentlemen who, on account of their intimate connection with and long experience of commerce, industry or finance, are obviously representative of these interests in the Provinces in which they reside.

The other Indian members are Sir Purshotamdas Thakurdas and Mr. S. V. Ramaswamy Mudaliar who are the representatives of the Bombay and Madras Local Boards respectively. The selection of these gentlemen is a matter for the Local Boards, and while it is not for me to express an opinion as to their qualifications, I would suggest that they must be sufficiently well known to the Honourable Member.

(b) No recommendation or protest was received by the Government of India.

(c) Does not arise.

(d) The Honourable Member is referred to the Imperial Bank of India Act and the bye-laws framed under the Act.

Mr. Vidya Sagar Pandya: May I inquire from the Honourable Member how many times each member has sat on the Board, and for how many years at a time and in all and whether they can be removed except by an act of God? (Laughter).

LETTER FROM THE SECRETARIES OF ZAMINDARI RYOTS SANGAM,
ANDHRADESH AND GANJAM DISTRICT.

116. ***Mr. B. P. Naidu:** (a) Will Government be pleased to state whether they are aware of the fact that an open letter was addressed to the Private Secretary to H. E. the Viceroy to be placed before him, on

the 11th or 12th December, 1929, by Messrs. R. Mandeswara Sarma and Narayana Panda, Secretaries of Zamindari Ryots Sangam, Andhradesh and also of Ganjam District?

(b) If so, will Government be pleased to place the letter on the table?

(c) Has any inquiry been made on the questions raised in the letter?

(d) Did the Government of India have any correspondence with the Government of Madras on the question?

(e) If so, will Government be pleased to lay the correspondence on the table?

(f) What action is proposed to be taken in the matter?

Sir Frank Noyce: (a) Government have no information.

(b)—(f). Do not arise.

MANAGEMENT OF PROPRIETARY ESTATES BY OFFICERS OF THE INDIAN
CIVIL SERVICE.

117. ***Mr. B. P. Naidu:** Will Government be pleased to state:

(a) Whether they are aware of the fact that officers of the Indian Civil Service are deputed on foreign service to manage proprietary estates either under zamindars or in zamindari under the Court of Wards in the Presidency of Madras?

(b) Whether they have considered the desirability of lending such officers, who very soon go as Collectors of Districts with prospects of getting into the highest offices under the State?

(c) Whether they are aware of the fact that the zamindari ryots have protested against this policy?

(d) Whether they would consider the inadvisability of such loan services being allowed to private persons and estates?

The Honourable Sir James Crerar: The condition of employment of I. C. S. as of other Government officers on foreign service is that the duties to be performed must be such as should, for public reasons, be rendered by a Government servant. The question whether in a particular case the condition is fulfilled is for the Local Government to decide, and the Government of India do not propose to interfere with its discretion.

BIRTH AND MARRIAGE REGISTERS.

118. ***Mr. B. Das:** (a) Will Government be pleased to state if they have consulted the Provincial Governments regarding up-to-date birth and marriage registers to suit the conditions imposed by the Sarda Act?

(b) Have Government come to any decision regarding the uniformity of these registers all over India?

(c) Is it not a fact that the village chowkidar at present registers births and deaths in every British Indian village?

(d) Is it not also a fact that in almost every case the village chowkidar happens to be illiterate?

(e) Do Government propose to utilise the services of village chowkidars for birth, death and marriage registers, or do they propose to introduce any elaborate machinery for register of births and marriages?

INDIAN MEMBERS IN THE CENTRAL BOARD OF THE IMPERIAL
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(c) Whether they are aware of the fact that the zamindari ryots have protested against this policy?

(d) Whether they would consider the inadvisability of such loan services being allowed to private persons and estates?

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(b) Have Government come to any decision regarding the uniformity of these registers all over India?

(c) Is it not a fact that the village chowkidar at present registers births and deaths in every British Indian village?

(d) Is it not also a fact that in almost every case the village chowkidar happens to be illiterate?

(e) Do Government propose to utilise the services of village chowkidars for birth, death and marriage registers, or do they propose to introduce any elaborate machinery for register of births and marriages?

(f) Do Government anticipate any extra expenditure over the maintenance of proper birth and marriage registers? If so, what will be the additional expenses *per annum* to be incurred by (i) the Government of India and (ii) Provincial Governments?

The Honourable Sir James Crerar: (a) and (b). The Local Governments have been consulted on the recommendations of the Age of Consent Committee. Their views are awaited before a final decision is arrived at.

(c), (d) and (e). These matters relate to a provincial transferred subject, and are not primarily the concern of the Governor General in Council.

(f) It is possible that extra expenditure may be involved but Government are not able to state even approximately what it will be, if any.

DELIVERY OF LETTERS FROM THE BALDEO POST OFFICE.

119. ***Mr. Mukhtar Singh:** (a) Is it a fact that within the circle of Baldeo Post Office, Muttra District, the post is distributed only once a week?

(b) Is it a fact that before the year 1926 when the Baldeo Post Office was opened, the post used to be distributed twice a week? If the answer be in the affirmative, will Government be pleased to state the reasons for making this change in the distribution of the post?

(c) Will Government be pleased to state whether the amount of work in this circle has increased or decreased during the period Baldeo Post Office has been opened?

Mr. H. A. Sams: (a) and (b). I have no information on the subject. Inquiries have been made from the local postal authorities and, as soon as a reply is received, the facts will be communicated to the Honourable Member.

(c) I have no precise information, but it may be assumed that the amount of work in the United Provinces Circle as a whole has increased since 1926.

DELIVERY OF LETTERS FROM THE JUGSENA POST OFFICE.

120. ***Mr. Mukhtar Singh:** (a) Is it a fact that village Angai in Muttra District used to get its post daily till the time the post office at Jugsena was opened?

(b) Is it a fact that now the people of village Angai get their post only once a week? If the answer be in the affirmative, will Government be pleased to state why the people of this village have been deprived of this facility?

Mr. H. A. Sams: (a) and (b). I have no information in the subject. Inquiries have been instituted and the result will be communicated to the Honourable Member in due course.

POST OFFICES DISTRIBUTING LETTERS WEEKLY.

121. ***Mr. Mukhtar Singh:** Will Government be pleased to state:

(a) the number of post offices in whose circle the post is distributed only once a week;

(b) whether these post offices are distributing their post only once a week since the time of their opening or the system has been introduced later; and

(c) if it has been introduced later, the reasons why the system has been changed?

Mr. H. A. Sams: I regret that I cannot answer the question as it would entail an elaborate inquiry and analysis throughout India and Burma. I may, however, assure the Honourable Member that the number of offices from which there is only one delivery weekly is very small, and that the tendency is in general towards an increase in the frequency of deliveries as indicated for example by the increase in the past five years of the number of village postmen from 8,461 to 9,003.

ABOLITION OF SERVANTS' COMPARTMENTS ON STATE RAILWAYS.

122. ***Colonel J. D. Crawford:** Will Government please state whether the Railway Board have taken any decision on the question of the abolition of servants' compartments in their coaching stock?

Mr. A. A. L. Parsons: Government have informed railways that servants' compartments may be provided in designs for non-corridor upper class stock.

DELAY IN DELIVERY OF AIR MAIL AFTER ARRIVAL IN KARACHI.

123. ***Mr. C. S. Ranga Iyer:** (a) Has the attention of Government been drawn to the following editorial observation of the *Sunday Observer* (London) of December 8th, 1929?

"*Muddling the Air-Mail—*

In India, too, there is a manifest case for reform of postal methods, for the time saved by the air-mail is being squandered after it has been landed. Tests carried out by Imperial Airways show that the delays which admittedly occur in the delivery of the air-mail arise after the arrival of the mail-plane at Karachi. The matter should be thoroughly examined."

(b) Will Government be pleased to state:

(i) if it is not a fact that "the time saved by the air mail is being squandered after it has been landed"?

(ii) if it is not a fact that delays occur in the delivery of the air mail after the arrival of the mail-plane at Karachi?

(c) Will Government be pleased to state if they propose (i) to appoint a non-official *cum* Expert Committee to examine the matter or (ii) to examine it in some other way?

(d) If the answer to part (c) (i) is in the negative, will Government be pleased to state why?

(e) If the answer to part (c) (ii) is in the negative, will Government explain the reasons, and if the answer to the same be in the affirmative, will Government be pleased to state the method they propose to adopt to bring the subject under thorough inquiry?

The Honourable Sir Bhupendra Nath Mitra: (a) No; but the Honourable Member's quotation from it has been read.

(b) (i) No. I may draw the attention of the Honourable questioner to the reply to Mr. Price's question No. 148, dated the 2nd September, 1929, and to the answer given to Mr. Gaya Prasad's question No. 145, dated 4th September, 1929.

(b) (ii) No evidences of any delays in the deliveries of the air mail have reached Government beyond those referred to in the reply to Mr. Gaya Prasad Singh.

(c) The answer to both parts of the question is in the negative.

(d) and (e). Government are satisfied, after due inquiry, that at the present moment no change in the method of handling the air mails for onward despatch after they are landed at Karachi is actually called for.

AIR MAIL SERVICE IN INDIA.

124. *Mr. C. S. Ranga Iyer: (a) Are Government aware of the progress made in aviation in Europe?

(b) Do Government propose to consider the question of an inter-provincial air-mail service throughout India? If not, why not? If yes, when?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Government are proceeding with the organisation of the main air route across India as rapidly as funds will permit. Government hope that it will, later on and as funds can be made available, be possible to organise subsidiary services linking up with it.

AIR MAIL SERVICE IN INDIA.

125. *Sir Darcy Lindsay: With reference to the statement recently made in Bombay by the Honourable Member for Industries and Labour at the meeting of the Associated Chambers of Commerce, are Government again prepared to examine the position, with a view to providing for an air mail service (not necessarily with accommodation for passengers) between Karachi, Bombay and Madras and Karachi, Delhi, Calcutta and Rangoon or any of these services at a more early date than the end of 1930-31 and 1931-32?

The Honourable Sir Bhupendra Nath Mitra: A weekly air service between Karachi and Delhi was inaugurated on the 30th December, 1929. Proposals for the extension of this service to Calcutta and Rangoon have been approved by the Standing Finance Committee, and subject to the provision of funds, Government hope to operate the extension to Calcutta towards the end of the year 1930, and to Rangoon shortly after, provided the necessary ground organisation is complete. It may, however, be necessary temporarily to discontinue the service to Rangoon, during the monsoon of 1931.

Any further extension towards Bombay and Southern India can only be put into operation as and when funds permit, but the importance of these services has not been lost sight of.

Sir Darcy Lindsay: Will Government examine the position as to the possibility of a counter-service between Allahabad and Karachi via Jhansi and diverting the present service from Karachi to Delhi to Karachi-Bombay?

The Honourable Sir Bhupendra Nath Mitra: I shall be quite ready to have the matter considered, but I should like to warn my Honourable friend that it is bound to involve expensive ground organisation.

CONVEYANCE OF PASSENGERS ARRIVING AT KARACHI BY THE AIR MAIL.

126. *Sir Darcy Lindsay: Is there any obligation upon Government implied or otherwise to convey passengers by air service who may have arrived at Karachi by air mail?

The Honourable Sir Bhupendra Nath Mitra: There is no actual obligation, but Government have announced that the Indian State Air Service between Karachi and Delhi will carry passengers and a schedule of fares has been published. It is obviously desirable to encourage through traffic, and with this object in view Government are in communication with Imperial Airways Limited regarding the issue of through tickets between places on the London-Karachi route and places on the Karachi-Delhi route. At present accommodation required for through passengers is reserved by telegram and rebooking is carried out at Karachi.

COST OF SMALL AND LARGE AEROPLANES FROM KARACHI TO DELHI AND CALCUTTA.

127. *Sir Darcy Lindsay: What is the approximate difference in cost between a 10/12 passenger and mail plane and a smaller plane suitable for conveyance of mails only, and the respective maintenance and running cost of either over a given mileage say Karachi to Delhi and thence to Calcutta?

The Honourable Sir Bhupendra Nath Mitra: Government understand that it would be possible to purchase an aeroplane suitable for carrying up to 800—1,000 lbs. of mail matter for approximately a fourth of the cost of a larger plane capable of carrying 10—12 passengers and mails and that the maintenance and running costs of such an aeroplane over a given mileage, say Karachi—Delhi, would be approximately three-fourths of those of the larger aeroplane.

EXTENSION OF AIR SERVICE TO CALCUTTA.

128. *Sir Darcy Lindsay: (a) Were Imperial Airways asked to quote for extending to Calcutta the chartered service now arranged for Delhi only?

(b) Were Imperial Airways asked to quote for a mail service only?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) No.

ESTABLISHMENT OF AN AIR MAIL SERVICE BY THE POSTAL DEPARTMENT.

129. *Sir Darcy Lindsay: (a) Has any air service company been formed in India, and have they made definite proposals for the conveyance of mails by air route? If so, will Government be pleased to state the terms proposed?

(b) Are Government again prepared to examine the position as to whether it would be practicable for the Postal Department with or without the assistance of the Royal Air Force to establish its own air mail service?

and maintain the same on a special grant or until such time as private enterprise can offer efficient services (mail and passenger) on reasonable terms and conditions?

The Honourable Sir Bhupendra Nath Mitra: (a) Three companies have been registered in India with the object of engaging in commercial air transport. Of these, one company submitted to Government definite proposals for the carriage of air mails. After careful consideration of the proposals put forward, Government decided that the financial resources of the company were not such as to justify the placing of a contract.

(b) As the Honourable Member is no doubt aware, proposals for the establishment of a Government air mail service in extension of the existing service between Karachi and Delhi have recently been approved by the Standing Finance Committee.

AIR SERVICE BETWEEN INDIA AND EUROPE.

130. Sir Darcy Lindsay: Do the Government of India intend to make every endeavour to co-operate with the British Government in the efforts that are being made to establish a reliable air service between India and Europe?

The Honourable Sir Bhupendra Nath Mitra: Although the Government of India have made no financial contribution to the air service between India and Europe, which was established in April of last year, they have co-operated with the British Government to the extent of supplying terminal facilities at Karachi, together with wireless and meteorological services. They are most anxious to see the service firmly established.

TIME OF AIR JOURNEY FROM CALCUTTA TO CROYDON.

131. *Sir Darcy Lindsay: Is it a fact that the air journey from Calcutta to Karachi has recently been completed by a non-stop flight in under 16 hours and with halts from Karachi to Croydon in about 3½ days?

The Honourable Sir Bhupendra Nath Mitra: The journey by air from Calcutta to Karachi was recently accomplished by a non-stop flight in 15½ hours. Government have no information as to the further progress of this flight.

POSTAGE ON AIR MAIL LETTERS TO GREAT BRITAIN.

132. *Sir Darcy Lindsay: Will Government explain why the postage charge for ½ oz. air mail letters from India to Great Britain is nine pence (8 annas) as against 6½ pence for the outward journey? How much of either postage is retained by the Indian Post Office?

The Honourable Sir Bhupendra Nath Mitra: It is presumed that the Honourable Member's question relates to the postage and air mail fees paid on correspondence travelling by air between Karachi and Croydon and *vice versa* only and not to the inclusive rates charged over the Indian State Air Service from Delhi. The charge of eight annas on westbound traffic conveyed to London is made up of postage at the rate of 2 annas an ounce or part of that weight and of an air mail fee of 6 annas per half ounce or part of that weight. The entire postage rate is retained by the Indian Post Office under the terms of the Universal Postal Convention.

Of the air fee, a sum of nearly 5 annas per half ounce is paid to the British Post Office in accordance with the Hague air mail regulations, for the conveyance of the air mails by Imperial Airways as the service maintained by them is under the control of the British Administration. The balance of slightly over one anna per half ounce is retained by the Indian Post Office and goes towards the extra expenditure incurred in connection with the handling of the westbound air mail. The charge of 6½d. in the reverse direction on letters originating in Great Britain is made up of an air fee of 5d. and a postage rate of 1½d. This air fee and postage are both retained by the British Post Office in accordance with the International Regulations already referred to. The Indian Administration could not afford to reduce its postage rate to the equivalent of the British rate. There is no element of reciprocity in these matters and the Postal Union allows each country to fix its rates of foreign postage on financial grounds. The air fee adopted is levied to cover the expense of the service, and only experience will show whether the margin allowed can with safety be reduced.

Sir Darcy Lindsay: Can the Honourable Member explain why the extra one anna for, as he puts it, handling the air mail is necessary when he is already charging two annas for the Indian postage?

The Honourable Sir Bhupendra Nath Mitra: The reason is this, Sir. Additional expenditure will have to be incurred for handling the air mail. To give a specific case, for example, it may involve an extra evening delivery at Delhi for the purpose of delivering air mails.

Colonel J. D. Crawford: May I ask the Honourable Member how it came about that the British Post Office fixed the rate for air mail from England to India only up to Karachi and did not at that time include an additional charge for delivery throughout India?

The Honourable Sir Bhupendra Nath Mitra: It is not possible for me to answer that question, Sir, as I do not know the precise reason why the British Post Office took that particular action.

Colonel J. D. Crawford: When the Government of India were consulted, did they consider this question of delivery throughout India?

The Honourable Sir Bhupendra Nath Mitra: I should prefer to have notice of that question, but to the best of my recollection, the Government of India were not consulted at that stage.

Colonel J. D. Crawford: What is going to be the result to Indian revenues of allowing this to escape? Will not letters then be posted only to Karachi, and nobody pay the additional fee for delivery throughout India by air mail?

The Honourable Sir Bhupendra Nath Mitra: I think I have already explained, Sir, that whatever air mail fee is charged by the British Post Office for letters posted in England is retained by the British Post Office.

Colonel J. D. Crawford: But the Indian revenues will get nothing out of delivery in India. People will not use the air mail throughout India. They will simply use the air mail for Karachi and you will not get the air mail in India used?

The Honourable Sir Bhupendra Nath Mitra: That may be Sir, but we cannot possibly force people who do not want to use the air mail service from Karachi onwards to use that service.

Colonel J. D. Crawford: Am I to understand that there is some misunderstanding, some blunder, in this matter between England and India?

The Honourable Sir Bhupendra Nath Mitra: There has been no blunder at all. The Government in neither country can force the users of the air mail service to take any particular course of action.

Sir Darcy Lindsay: Are we to understand then that the air mail service that has now been inaugurated between Karachi and Delhi is for the use of outward letters only, and not also for the air mail that comes from Europe?

The Honourable Sir Bhupendra Nath Mitra: There is nothing, Sir, in any of the answers that I have given which can lead to that impression. The point is this: If an individual, say, in London, wants that his letters should be conveyed by air mail only up to Karachi and thereafter by the ordinary mail, say, to Delhi or Calcutta, neither the British Post Office nor the Indian Post Office can compel him to take any other course.

Sir Darcy Lindsay: That I entirely understand, Sir, but my point is how he can be put in the position of having his mail conveyed from Karachi by the air mail service throughout India?

The Honourable Sir Bhupendra Nath Mitra: Well, Sir, if he pays the air mail fee, right up to Delhi, he will have his letters conveyed by air mail to Delhi.

Sir Darcy Lindsay: Is it known throughout Europe that, by an extra charge, the sender will have his letter conveyed by air mail throughout India?

The Honourable Sir Bhupendra Nath Mitra: I believe, Sir, that is now known.

TIME SAVED BY INAUGURATION OF THE AIR MAIL SERVICE TO DELHI.

133. *Sir Darcy Lindsay: (a) Have arrangements been made to make it known in Europe that an Indian State Air Mail Service has now been inaugurated between Karachi and Delhi, giving the time that will be saved in delivery at important centres and the extra postage charge?

(b) With the inauguration of this Service what will be the saving in time of transit between say Calcutta and Karachi and *vice versa*, giving approximately time and days of train arrival and departure?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) With the establishment of the Service, the transit time occupied between Karachi and Calcutta and *vice versa* has been reduced by 10 hours 21 minutes in the eastbound direction and by 14 hours in the westbound direction. The journey from Karachi by the combined use of aeroplane and rail can be accomplished in 50 hours 50 minutes against a train journey throughout of 61 hours 11 minutes and in the reverse direction, the use of aeroplane and railway reduces the journey to one of 45 hours 24 minutes against 59 hours 24 minutes by rail throughout. Departure from Karachi by air at 5 P.M. makes possible an arrival at Calcutta on the third day at 10 minutes to 8 P.M. Departure from Calcutta by rail at 6 minutes past 8 P.M. to Delhi and thence by air to Karachi provides for an arrival at 6-30 P.M. on the afternoon of the third day. The corresponding time of departure from Calcutta by rail throughout is 6 minutes past 8 P.M. and an arrival

at Karachi at 7-30 A.M. on the fourth day, while in the reverse direction the departure is timed for 5 minutes past 10 P.M. and an arrival on the fourth day at 16 minutes past 11 A.M. The time given is Indian standard time.

Sir Darcy Lindsay: Does the Honourable Member consider that any advantage is gained by arrival in Calcutta at 8 P.M. as against arrival by train at 7 o'clock the next morning?

The Honourable Sir Bhupendra Nath Mitra: I admit that there is no appreciable advantage, and for that reason we are trying to alter the time to 5 P.M. which will permit of an evening delivery the same day.

Sir Darcy Lindsay: Does the Honourable Member think that that will appreciably serve commercial correspondence after the offices are closed?

The Honourable Sir Bhupendra Nath Mitra: Well, Sir, that is the most we can do. It is not possible for me to say whether it will meet the requirements of commercial correspondence, though I know that in some cases even business people are particularly anxious to get the evening delivery in preference to a delivery the next morning.

DELAY OF TRAINS CONNECTING WITH THE OUTWARD AIR SERVICE FROM KARACHI.

134. *Sir Darcy Lindsay: What has been the recent experience of trains not running to time to connect with the outward air service from Karachi?

Mr. H. A. Sams: There have been no failures of the trains to connect with the westbound aeroplane from Karachi.

DEVELOPMENT OF AIR SERVICES IN INDIA.

135. *Sir Darcy Lindsay: (a) With a view to the development of air services other than purely military, have Government considered the expediency of forming a Civil Branch of the Royal Air Force by recruitment in India for services such as air survey, carriage of mails and war on insect life (locusts and mosquito)?

(b) Have Government considered the possibility of recruitment in India for the Royal Air Force with a system of training for cadet officers holding temporary (five year) commissions similar to the arrangement at the training depots of the Royal Air Force located in Egypt?

(c) Will Government be pleased to state the location of the training depots in India?

Mr. G. M. Young: (a) The answer to the first part of the question is in the negative. The Royal Air Force is a fighting service, and it would not be practicable or desirable for it to undertake remunerative work connected with civil aviation.

(b) and (c). There is no training establishment of the Royal Air Force in India. A certain number of British cadets are selected for short service commissions in India, but when so selected they have to be sent to England for training.

RATE OF INTEREST PAYABLE ON STATE RAILWAY PROVIDENT FUND BALANCES.

136. *Colonel J. D. Crawford: (a) Is it a fact that the rate of interest payable by Government on State Railway Provident Fund balances was reduced from $5\frac{1}{4}$ to $4\frac{3}{4}$ per cent. from 1st April, 1927?

(b) If so, will Government please say, whether in view of the higher rates they are now paying on loans recently issued, they have under consideration an increase in the rates of interest payable on balances in State Railway Provident Funds, corresponding to that which now prevails?

The Honourable Sir George Schuster: (a) The rate of interest payable by Government on balances in the State Railway Provident Fund was reduced from $5\frac{1}{4}$ to $4\frac{3}{4}$ per cent. with effect from the 1st April 1927.

(b) The matter is under consideration and I hope to be able to give a definite reply very shortly.

GRIEVANCES OF THIRD CLASS RAILWAY PASSENGERS.

137. *Mr. Sarabhai Nemchand Haji: (a) Is it a fact that the Railway Board invited the opinion of the Great Indian Peninsula Railway Administration on the subject of ameliorating the grievances of the third class passengers?

(b) Is it true that the Chief Traffic Manager of the Railway before dealing with the subject had invited Mr. Jivaraj G. Nensey and Khan Bahadur P. E. Ghamat, Honorary Joint Secretaries of the Passengers' and Traffic Relief Association, Bombay, to offer suggestions in the matter?

(c) Will Government be pleased to state whether those recommendations have been received by them, and if so, what action the Railway Board desire to take and when?

(d) Have the Railway Board likewise called for suggestions from other Railway Administrations, and Local Advisory Committees thereof? If the answer be in the affirmative, will Government be pleased to name them, and state how far their recommendations will be accepted by Government?

(e) Will Government be pleased to state whether the views of the Passengers' Associations in Bombay, Belgaum, Calcutta and Madras were called for by the Railway Board? If not, will Government state the reason why?

Mr. A. A. L. Parsons: I would refer the Honourable Member to the reply given by Mr. Rau to an almost identical starred question No. 1081, put by Mr. Ghanshyam Das Birla on the 18th March 1929.

OVERCROWDING OF THIRD CLASS PASSENGERS.

138. *Mr. Lalchand Navalrai: (a) Has the attention of Government been drawn to the contribution by Miss Mirabai (Miss Slade) published in November or December, 1929 in *Young India* and reproduced in the *Sind Observer*, dated the 20th December, 1929, as to her personal experience with regard to the unbearable overcrowding of third class passengers between Allahabad and Dacca and the note of Mahatma Gandhi thereon?

(b) Is it a fact that extreme inconvenience of overcrowding is caused to third class passengers on all the State Railways on account of care not being taken to provide additional carriages in time?

(c) Is it proposed to create special travelling officers to take a census of third class passengers in running trains and arrange for their accommodation by getting additional carriages attached wherever overcrowding occurs?

(d) Is it a fact that State Railways recently created the posts of inquiry clerks as a tentative measure at a few stations to afford convenience to third class passengers?

(e) Are Government aware that they stay at the gate and only guide the passengers to particular platforms and take no part in arranging their seats or removing overcrowding in trains?

(f) What steps do Government propose to take to uproot this nuisance of overcrowding in trains?

Mr. A. A. L. Parsons: (a) Yes.

(b) The inconvenience of overcrowding in third class carriages has been reduced during recent years by the provision of additional trains and more passenger coaches. During the five years ending 31st March, 1929, the third class seating capacity of the passenger carriages on all railways has increased by 14 per cent. and the mileage of passenger trains by 29 per cent., while the number of third class passengers carried has increased by 8 per cent. only.

(c) Railways have been taking a periodical census of third class passengers in running trains, and of the actual seating accommodation, to enable an opinion to be arrived at as to what extra carriages may be required.

(d) Yes.

(e) The primary duty of an inquiry clerk is to give information to passengers who arrive at a station to undertake a journey. This matter was discussed with the Central Advisory Council for Railways in September 1929, and the consensus of opinion was that the best place for an inquiry clerk was in the third class waiting hall. The actual placing of passengers in their carriages and the prevention of overcrowding is attended to by station masters and their assistants, platform inspectors, guards and travelling ticket inspectors.

(f) My reply to part (b) of the Honourable Member's question indicates that the overcrowding in trains is decreasing and not growing. The question of the provision of more trains and more coaches where necessary is a matter that receives the constant attention of Railway Administrations.

Mr. Lalchand Navalrai: Will the Honourable Member please explain to what extent the inconvenience referred to in this particular case is being reduced all round?

Mr. A. A. L. Parsons: I think it is clear from my reply that a great deal has been done. But it is impossible for any Railway Administration, either in this country or anywhere in the world, on all occasions to prevent overcrowding. I cannot say exactly how it occurred in this particular case, though I can well understand that the train might be overcrowded, if Mr. Gandhi was travelling by it.

Mr. K. C. Neogy: With reference to the personal aspects of Miss Mirabai's complaint, is it a fact that the Honourable Member has advised her to revert to her European name and her European mode of dress and travel in third class compartments reserved for Europeans?

Mr. M. S. Aney: Has the Honourable Member no reply to give?

The Honourable Sir George Rainy: I am afraid, if the Honourable Member's question was addressed to me, I did not catch it.

Mr. K. C. Neogy: It was addressed to the Honourable Member who answered it on behalf of the Government.

Mr. A. A. L. Parsons: I caught the question, but it struck me that it was more argumentative than asking for information.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to say if Government are prepared to remove this distinction between Indian and Anglo-Indian in the third class compartments also?

Mr. A. A. L. Parsons: To the best of my recollection, some instructions have been issued to that effect, which the Honourable Member, who put to me the previous supplementary question, is either not aware of or believes have not been followed.

REFUSAL OF RAILWAY CONCESSIONS FOR THE KUMBH MELA.

139. ***Mr. Lalchand Navalrai:** (a) Are Government aware that the great Kumbh Mela at Allahabad takes place on the 14th January, 1930 or thereabouts?

(b) Is it a fact that the Railway Board was asked, in view of the great profit railways make on such occasions, to extend the time of the Christmas concession tickets to a few days more in order to enable passengers to return under concession tickets?

(c) Is it a fact that the Railway Board expressed inability to interfere and referred the matter to the Agents of the respective State Railways who declined to accede to the wishes of the public?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state if the Agents of the Railways concerned consulted their Advisory Committees?

(e) Will Government be pleased to state the reasons for which the Agents of the State Railways refused to extend the concession?

(f) Is it a fact that the State Railways have made a considerable profit owing to this Kumbh Mela having taken place?

Mr. A. A. L. Parsons: (a) Yes.

(b) Letters were received by the Railway Board asking that the period of availability of the Christmas concession tickets should be extended so as to include the Kumbh Mela at Allahabad.

(c) The Railway Board replied that such letters had been forwarded for disposal to the Agents of the railways concerned who were the competent authorities to deal the matter.

(d) No.

(e) The Railway Administrations were of opinion that an extension of the Christmas concession would not lead to sufficient additional passengers travelling to compensate for the lower fare charges recovered.

(f) I am unable to say whether this will be so or not.

Pandit Hirday Nath Kunzru: Has any concession been made with regard to return tickets issued for the Kumbh Mela?

Mr. A. A. L. Parsons: I am afraid I must ask for notice. It is quite possible of course that some railways have given concessions with regard to the Mela; but they would not be the Christmas concessions to which the Honourable Member who put the original question referred.

INCOME-TAX RETURNS IN SIND.

140. ***Mr. Lalchand Navalrai:** 1. Will Government be pleased to state whether they have under contemplation the amendment of section 30, read with section 48 of the Indian Income-tax Act in order to enable aggrieved parties to file appeals against the Income-tax Officer's refusal to grant refunds?

2. Will Government be pleased to state the following particulars showing for each of the Income-tax charges in Sind for the years 1927-28 and 1928-29:

(a) Number of cases in which the returns were sent blank by assesseees, with a forwarding letter supplying information about income but not actually filling the returns owing to want of proper assistance;

(b) Number of cases in which notices under section 23 (2) of the Act were issued in reference to such returns which were considered as valid;

(c) Number of cases in which notices under section 22 (4) were issued in consequence of the returns being treated as invalid; and

(d) Number of cases in which assessment orders under section 23 (4) were passed without issuing notices under section 23 (2) or 22 (4)?

3. Do Government propose to issue instructions to Income-tax Officers to render assistance to the assesseees in filling up the returns properly?

The Honourable Sir George Schuster: With your permission, Sir, I will answer questions 140 to 146 and 148 to 151 together.

The Government of India have called for a report, the result of which will be communicated to the Honourable Member in due course.

Mr. Lalchand Navalrai: That saves supplementary questions.

INCOME-TAX NOTICES IN SIND.

†141. ***Mr. Lalchand Navalrai:** Will Government be pleased to supply a statement showing separately for each of the charges of Income-tax Officers in Sind for each of the two years 1927-28 and 1928-29 the following information:

(a) Number of cases in which notices under section 23 (2) were issued;

†For answer to this question, see answer to question No. 140.

- (b) Number of cases in which, after such notices were issued, evidence and accounts were produced and yet assessment orders were passed under section 23 (4) instead of section 23 (3); and
- (c) Number of cases in which action was taken by the Assistant Commissioner or Commissioner on inspection of the records, and the Income-tax officers were directed to issue proper notices of demand allowing the right of appeal?

ORDERS AND APPEALS UNDER THE INCOME-TAX ACT IN SIND.

†142. ***Mr. Lalchand Navalrai:** Will Government be pleased to give the following information showing for each of the different charges of Income-tax Officers in Sind for each of the years 1927-28 and 1928-29:

- (a) Number of cases in which orders under section 23 (4) were passed and appeals preferred under section 30;
- (b) Number of cases in which appeals were thrown out simply because the assessment order purported to be passed under section 23 (4) without going into the merits of the case whether or not the order really fell under section 22 (3) or section 23 (4)?

INCOME-TAX NOTICES IN MOFUSSIL AREAS IN SIND.

†143. ***Mr. Lalchand Navalrai:** Will Government be pleased to state if it is a fact that in several cases notices under section 22 (2) of the Indian Income-tax Act, are issued in English to Income-tax assesses residing in mofussil areas in Sind, although forms of notice and return have been translated and printed in Sindhi and are available for issue?

BUSINESS ACCOUNTS IN MOFUSSIL AREAS IN SIND.

†144. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if they are aware that in mofussil areas in Sind it is customary to maintain accounts for two or three or more years according to the local usage, sometimes for the entire period of partnership at a stretch without being squared up every year?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state how such accounts are dealt with for Income-tax purposes and what instructions, if any, have been issued in regard to the acceptance of such accounts covering a period of more than twelve months?

PETITIONS FROM SIND SUBMITTED TO THE COMMISSIONER OF INCOME-TAX, BOMBAY PRESIDENCY.

†145. ***Mr. Lalchand Navalrai:** Will Government be pleased to state the number of cases reviewed by the Commissioner of Income-tax,

†For answer to this question, see answer to question No. 140.

Bombay Presidency, in each of the charges of Income-tax offices in Sind, in consequence of the petitions submitted to him and also those in which no such petitions had been sent and the number of cases in which he had cancelled or upheld the assessment or the appellate orders?

PROCEEDINGS FOR SUPPLEMENTARY ASSESSMENT IN SIND.

†146. ***Mr. Lalchand Navalrai:** Will Government be pleased to lay on the table a statement showing for each of the years 1927-28 and 1928-29, the number of cases in which proceedings were instituted for the supplementary assessment of escaped income under section 34 of the Indian Income-tax Act, 1922, in each of the seven charges of Income-tax Officers in Sind and in how many cases these proceedings were filed simply because the result of the supplementary proceedings were unfavourable to Government in that refund would have been made if orders were passed under section 23 (3) of the Act in such cases?

RULES FOR THE REGISTRATION OF FIRMS.

147. ***Mr. Lalchand Navalrai:** Will Government be pleased to state whether they have received any representation in regard to the alteration of the rules relative to the registration of firms framed by the Central Board of Revenue under section 59 of the Act on the ground that after the amendment of section 26 of the Act by Act III of 1928, these would no longer be consistent with the spirit of the law? Do Government propose to issue an amended set of rules immediately?

The Honourable Sir George Schuster: The Government have not received any such representation. The rule has already been amended so as to bring it into conformity with amended section 26 of the Indian Income-tax Act by the Central Board of Revenue Notification No. 15, dated 24th August, 1929.

ACTION TAKEN UNDER SECTION 34 OF THE INCOME-TAX ACT.

†148. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if it is a fact that in the Karachi Income-tax Office, cases have occurred of action being taken under section 34 instead of section 35 of the Income-tax Act, because of the bar of limitation to take action under the latter section?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state if they propose issuing instructions in this behalf or amending section 34 of the Act limiting the period to the same extent as in section 35?

(c) If the reply be in the negative, will Government be pleased to give their reasons?

†For answer to this question, see answer to question No. 140.

[Mr. President.]

elected, the safer course for me was to stand as an independent candidate in order to guard against any future misunderstandings. I accordingly did so and was returned unopposed. When the election of the President took place, the Leader of the Congress Party, among others, proposed me to the Chair and I was unanimously re-elected. I then made the following declaration on the occasion:

"From the brief experience that I had as the occupant of this Chair I have found, as I stated when I was addressing you last, that any one who aspires to fill this great office with any hope of success must lay aside all that is personal, all that is of party, all that savours of political predilection, and learn to subordinate everything to the great interests of the House as a whole. Not that it is possible for any one to divest himself so completely of the influence of his political associations and the teachings of a lifetime. He may have his political opinions, he may retain them; he may have his prejudices; but in his general decisions and in his treatment of individual Members no trace of them should find any place. I do not know whether I have in the past lived up to that ideal, nor can I say whether it would be possible for me to live up to that ideal in the future. All I can promise is that I shall ever endeavour to the best of my capacity to regulate my conduct in the Chair on the lines which I have just indicated."

Since the Resolution of the Lahore Congress, many friends are anxious to know how I propose to act on this occasion. I am making this statement to-day to set at rest all speculation on the question and to reaffirm and emphasise the principle that the President is above all parties and he would be unworthy of the confidence reposed in him if he were to allow his conduct to be influenced by any party in or outside this House. I venture to think that this principle must and will hold good under any form of Government. In these circumstances, I feel I would be nullifying and indeed destroying all the work it is claimed I have done during the last four years and more, were I to tender my resignation in obedience to the mandate of the Congress.

It has been suggested to me that the absence of the Congress Party in this House would materially handicap me in the discharge of my duties to the best interests of the country. I am afraid I am unable to agree with this view, for I have no reason to think that other parties in the House, as also those who would replace Congressmen, would not accord the same support to me as I have been fortunate enough to receive from the House as a whole during my term of office. In any case the moment I find that the holding of this office under altered conditions is inconsistent with the maintenance of that absolute independence and impartiality,—the two essential attributes upon which at once the influence of the President and the confidence reposed in him are founded,—that moment you will not find me in this Chair.

Whilst, therefore, I am quite clear that it would be wrong, and indeed dangerous, for any President to act on the mandate of any political party in or outside this House, I am equally emphatic that circumstanced as India is, a situation might arise when, in the larger interests of the country, the President of the Assembly might feel called upon to tender his resignation with a view to return to a position of greater freedom. Such a situation had, I thought, arisen when His Majesty's Government announced the personnel of the Simon Commission and the overwhelming

majority of my countrymen decided to boycott the Commission. I was then seriously contemplating resignation with a view to actively participate in the boycott agitation. I was, however, advised that I would be serving the cause of the country better by my retention of the office than otherwise. I accepted the advice and issued a statement to the Press accordingly. That statement I to-day lay on the table for the information of Honourable Members. Irrespective of the general situation in the country, I had on several occasions in the past contemplated resignation because of my fundamental differences with the Government of India on matters of great moment. I was on each occasion advised that, so long as I retained the confidence of the House as a whole, I should continue to serve them, leaving the party dissatisfied to table a vote of no confidence. To be frank, I should not have continued so long in this Chair had it not been for His Excellency Lord Irwin, who on more than one occasion by his timely intervention had averted a crisis in the past.

I have given my most anxious consideration to the situation in the country to-day arising out of the Viceregal announcement and the Resolution of the Lahore Congress, and I have come to the conclusion that, in the interest of the cause itself, apart from other considerations, it is necessary that I should continue to occupy this Chair at this juncture. I have always maintained and still maintain, the change in the Congress creed in favour of complete Independence notwithstanding, that the relations between Great Britain and India can only be finally adjusted on the basis of India's right to Dominion Status being acknowledged without any reservation, and the method of giving effect to that decision being examined in some joint and equal conference between the plenipotentiaries of the two countries, and that the greater the delay in finding a solution of the problem on these lines, the lesser the chances for favourable atmosphere for the purpose and its general acceptance in this country. I have missed no opportunity during the last four years that I have been in this Chair, to press this view as strongly as I can upon the attention of the authorities concerned. I am aware that the Viceregal announcement does not go so far, but viewing the situation as a whole, I am bound to admit that it represents a genuine and honest attempt of a sincere Viceroy anxious to find a way for peace in the most difficult circumstances. The Congress no doubt remains dissatisfied at the announcement, and it will be a grave mistake to underrate the strength behind the Congress. I endeavoured in my own way to bring about rapprochement. I confess I have failed, but perhaps it is not still impossible, by mutual give and take, to evolve a formula acceptable to all parties. I only hope that it is not already too late.

In these circumstances, and holding the views I do, I have decided to continue to serve the House and the country as best as I can from this Chair for the present.

Statement issued to the Press by Mr. President after the Announcement of the Personnel of the Simon Commission.

A little over two years ago I accepted the post of President of the Assembly because I believed that I could thereby serve my country better. I thought then, and I still think, that it was not right for myself, or for any other patriotic Indian similarly situated, to reject this method of serving India. At the same time, it is

[Mr. President.]

evident that any occupant of my present post necessarily labours under a certain disability. There may be circumstances, as is the case today, by which strong political feelings are aroused, and in regard to which the President of the Assembly may hold pronounced views. If he were a private individual, he would naturally give full utterance to these views; but whatever may be the personal opinions of any President of the Assembly, the fact remains that he fills a quasi-judicial position and, while he occupies the Presidential Chair, he is bound in his official capacity to remember that he represents not one section but all sections of the body whose principal officer he is, and to act as the guide and director not only of all those who are his natural political associates, but of all sections of the House. My political opinions are well known, and they have not at all varied since I assumed the office of President of the Assembly. There will, therefore, be no doubt whatever of the opinion which I would publicly desire to express upon the question of the forthcoming Statutory Commission if I were not debarred from speaking freely by the reserve imposed upon me by my office. As a matter of fact, I have not hesitated to express that opinion privately to the authorities concerned in most unmistakable language, and repeatedly made it clear to them what sort of reception a purely Parliamentary Commission would have in India. Indeed, I and my friends of the Congress have consistently maintained that the question of the relations between Great Britain and India can only be finally adjusted on the basis of India's right to Dominion Status being acknowledged without any reservation, and the method of giving effect to this decision being examined in some joint and equal conference between the plenipotentiaries of the two countries. I am also aware that the general scheme of procedure sanctioned by the British Parliament, in so far as it ignores that claim, and also by reason of the exclusion of Indians from the Statutory Commission of Inquiry, stands condemned in the eyes of politically minded India. At the same time, while as President of the Assembly I have taken note of the views entertained by the originators and supporters of that scheme, that under it the constitutional position of the Central Legislature is more definitely recognised by His Majesty's Government than has previously been the case, and that this precedent, if ultimately established, may have far-reaching results, I cannot persuade myself to believe that this is in any sense any real advance towards the recognition of the position India is fighting for.

In these circumstances, I have anxiously considered whether I should vacate my office and return to a position of greater freedom and of a responsibility less restricted. I am convinced that I cannot enjoy that freedom and take my legitimate place side by side with my friends of the Congress in the agitation now going on in the country over this question unless I tender my resignation. After consulting friends, to whose opinions I attach the greatest weight, I have come to the conclusion that, for the present, no useful purpose would be served by my so acting. I have, therefore, decided to wait and watch future developments in the hope that they might bring into being a combination of circumstances making it possible for the British Government to recognise the justice of the claim made by the Congress and satisfactorily settle India's problem to the lasting benefit of India and Britain alike.

In the meantime, I feel I should be guilty of desertion of India's cause were I to throw aside the opportunity which my present office affords to me of proving that an Indian is not incapable of discharging the duty of one of the most responsible posts under the present constitution in circumstances however difficult, and of serving the Legislative Assembly as best as I can at this crisis of India's fortunes.

STATEMENT LAID ON THE TABLE.

REPORT ON THE CREW SYSTEM OF TICKET CHECKING AND COLLECTING.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I lay on the table a copy of the Report on the Crew System of Ticket Checking and Collecting, 1926—29, by the Chief Operating Superintendent, East Indian Railway, September 1929, with reference to the replies given to questions Nos. 1105 to 1111, 1371 to 1378, 1380, 1381, 1389 to 1391 and 1393, asked by Maulvi Mohammad Yakub and Mr. Amar Nath Dutt on the 18th March and 2nd April, 1929, respectively.

Report on the Crew System of Ticket Checking and Collecting 1926—29 by the Chief Operating Superintendent, East Indian Railway, September 1929.

1. *Terms of Reference.*—During the March-April 1929 Session of the Legislative Assembly a series of questions in connection with the working of the Crew System were asked, and the Railway Board in their letters Nos. (a) 109-T., dated 16th March, 1929, (b) 109-T.-1, dated 8th April, 1929 and (c) 109-T.-5, dated 20th May, 1929, called for a full and detailed report on the Crew System together with answers to these questions; it was further stated that this report would be laid on the table before the House, and accordingly the following has been prepared.

2. *Railway, Functions of.*—A Railway is primarily intended for the carriage of Passengers, Animals and Goods and is therefore a gigantic business organisation, operated for the convenience and benefit of the general public. To succeed in any business undertaking no matter how small or large, stringent measures have to be adopted to guard against possible financial loss, Railways have also had to devise suitable safeguards.

3. *Fraud, Nature of.*—(a) The general public who are a Railway's customers, are in the main honest, but there are certain sections of them who are not, which necessitate Railways adopting counter-measures to cope with the activities of the latter.

(b) The commonest form of Fraud perpetrated on Railways is that of Passengers Travelling Without Ticket and this evil is not confined to this Railway only, but it is to be found on all Railway Systems in India.

(c) The problem of combating this evil has for many years now been engaging the attention of the different Railway Administrations, who from time to time have adopted various measures; these have led and do lead, to the detection of a considerable number of such Ticketless Passengers but they do not in any way prevent Fraudulent Travelling.

3. *Fraudulent Travelling.*—(d) It may be of interest to detail what comprises Fraudulent Travelling, and the following are some of the principal items:

- (i) Adults Travelling Without Tickets.
- (ii) Adults Travelling on Child's Tickets.
- (iii) Children over 3 without Tickets.
- (iv) Travelling on ticket of Expired Date.
- (v) Over-riding.
- (vi) Travelling in Higher Class.
- (vii) Unbooked Luggage.

(e) *Extent of.*—The extent to which this evil exists on this Railway can be gauged from the following figures:

Period.	Total No. of Passengers carried and Earnings including Traffic from Foreign Railways.		Average fare per passenger.	Total No. of Passengers detected and Excess Fares exclusive of penalty and excess luggage realised.	
	Number.	Amount.		Number *Approximate.	Amount.
1924-25 . . .	75,760,000	Rs. 6,43,14,000	0.86	715,487	Rs. 6,15,319
1925-26 . . .	71,705,700	6,03,89,000		Records not available.	
1926-27 . . .	71,989,300	5,79,95,000	0.81	753,998	6,10,738
1927-28 . . .	76,365,000	6,18,05,000	0.81	515,658	4,17,683
1928-29 . . .	71,576,400	5,72,67,000	0.80	385,810	3,08,648

*Actual figures not available, these numbers have been arrived at by dividing the total amount of Excess Fares realised per year by the average fare per passenger obtained in that year.

(f) It will be observed that in 1927-28 and again in 1928-29 there is a progressive decrease in the Number of Passengers detected and in the amount of Excess Fares realised.

4. *Existing Law.*—The Law does not recognise Travelling Without a Ticket as a penal offence, for in Sections 112 and 113 of the Railway Act it is treated as Non-Cognisable and the Penalties prescribed are so mild that they do not act as a deterrent.

5. *Indian Railway Conference Association—Views of.*—Railway Administrations finding this evil widespread and being unable to devise effective means of prevention, came to the conclusion that the only remedy lay in amending these two sections of the Railway Act by making this offence Cognisable, and with this object in view the matter was referred to the Indian Railway Conference Association as far back as 1911.

(a) In 1911 the Conference resolved :

"This Conference do not think it desirable to ask for Legislation on this question and must leave it to individual Railways to prevent entry into their Trains of persons not having Tickets."

(b) In 1922 however, the Conference passed the following resolution :

"That in view of the increase of numbers of Passengers travelling Without Tickets and of the loss to Railways and to the Government caused thereby, this Conference recommends to the consideration of the Railway Board the advisability of revising the Railway Act in order to provide better security for Railways in recovering fares and penalties for travelling Without Tickets."

(c) The Railway Board, however, replied that it was not desirable to require an amendment of the Indian Railway Act until all other possibilities had been tried, and, they were of the opinion that the evil complained of should be met by improving the checking and collection of tickets.

(d) In 1924 the Conference again discussed the matter when it was decided that commencing from January 1925 all Railways in India should maintain certain statistics in connection with the total number of persons found travelling without tickets, of the numbers prosecuted under the different sections, and of the results of such prosecutions.

(e) In the Conference of 1926, it was decided to continue recording the above figures and in addition for each Railway to submit a note on the actual methods adopted to combat this evil of fraudulent travelling; also, a further request was made to the Railway Board to re-consider their previous decision.

(f) The Railway Board do not appear to have replied, but in view of their previous reply it is evident the Board do not contemplate approaching the Government of India to revise the existing Law, hence each Railway continues to concentrate on this problem of effectively checking Fraudulent Travelling.

6. *Existing Method.*—*App. 1.*—(a) Mr. W. H. Scott, a Senior Officer of the Accounts Department, in his printed Report on the "Experimental Introduction of the Crew system on this Railway" has very ably and forcibly summarised the existing methods adopted by Railways for dealing with this problem, their defects and the advantages of the Crew system over the former, and extracts from paras. 3 to 7 and 14 to 16 from part I of his report are attached as App. 1.

(b) On this Railway Ticket Collectors were employed at the larger Stations and also Travelling Ticket Examiners; their functions being for the former to check and collect Tickets at stations where posted and for the latter to travel in Trains and recover fares from those detected without tickets.

7. *Main Issue.*—(a) Any System to be successful, must in the main (i) Substantially reduce, if not eliminate entirely, Fraudulent Travelling, and (ii) Proportionately increase the Railways Revenue.

(b) *Crew System, Introduction of.*—That this had not been achieved is clear from the foregoing remarks, and a new scheme called the Crew System of Ticket Checking and Collecting was introduced as an experimental measure for 6 months on the Howrah-Asansol section including the Bandel-Naihati and Tarakeswar Branch, and operations commenced from 1st August 1926.

(c) This portion of the line was chosen for the experiment as it carries very heavy suburban traffic, and the Passenger earnings are approximately equal to about 1/5 of the entire Passenger earnings of this Railway.

(d) With the introduction of this System the existing staff of Ticket Collectors and Travelling Ticket Examiners were withdrawn and absorbed in the Crew.

8. *Fundamental Principles.*—The fundamental principles of the Crew System are :

- (i) To prevent any person who has not a proper ticket from entraining.
- (ii) To prevent over-riding.
- (iii) To see that all Luggage is booked.
- (iv) To collect Tickets from passengers at or before destination.

9. *Method of Working.*—(a) In actual working this system provides for a certain number of men or in other words a "Crew" to travel with each train throughout its run; each Crew consists of a man in charge designated "Crew-in-Charge" and sufficient number of Crewmen to enable one man being allotted to each 3rd Class and Inter Class Carriage.

(b) *Duties.*—The duties of each member of the Crew are to enforce the principles mentioned in paragraph 8 above.

(c) *Crews-in-Charge.*—The Crew-in-Charge attends to Upper Class Carriages, and in addition supervises generally the working of the Crewmen; further he alone is empowered to recover Excess Fares from passengers detected for any irregularity.

(d) *Crewmen.*—Crewmen attend to III Class and Inter Class Carriages and are prohibited from recovering Excess Fares; Passengers detected by them must be taken before the Crew-in-Charge.

10. *Practical Application.*—(a) It will be observed from the above brief description of the new procedure that it differs from the old in that its main feature is that of Prevention in contrast to that of Detection which belongs to the existing method.

(b) From the outset, however, it must be admitted that the first two items of the fundamental principles quoted above cannot at present be worked to in their entirety, as the existing conditions of working make this impracticable; there are two great obstacles, firstly the type of carriages in use which are Non-Corridor and are further divided into 4 entirely separate compartments, thus preventing the Crewman from moving from one compartment to another in the same carriage while the train is running between stations, and secondly the want of adequate fencing or other form of barrier, at a large number of stations, so as to prevent unauthorised ingress or egress to and from Station Platforms.

(c) In spite, however, of these handicaps it is claimed that the Crew System does tend towards the curtailment of Fraudulent Travelling and to a corresponding increase in Railway Revenue.

11. *Experimental Stage.*—*App. 2.*—(a) As previously stated the experiment of the Crew System was started on a portion of the Howrah Division from 1st August 1926, and after 5 months the results obtained have been detailed in Mr. Scott's Report.

(b) *Extensions.*—From these definite results which fully justified the experiment, the Railway Board in their letter No. 109-T., dated 30th March 1927, sanctioned the extension of the system to the whole of the Howrah Division including a small portion of the Asansol Division for one year from 1st April 1927, and to its introduction on the Lucknow Division from 1st May 1927 to 31st March 1928.

(c) On the Howrah Division the entire extension took place from 10th June 1927 and on the Lucknow Division the system was completely introduced from 5th June 1927; the executive control of the organisation was also at the same time vested in the respective Divisional Superintendents.

(d) The results continuing to be satisfactory the Crew System was further extended as under :

- (i) Lucknow-Shahjahanpur Section on the Moradabad Division sanctioned by the Railway Board in their letter No. 57675, dated 13th December 1927; operations commenced from 1st May 1928.
- (ii) Asansol-Moghalsera Section excluding Branches sanctioned by the Railway Board in their letter No. 6307-E., dated 15th May 1928, for one year from 1st April 1928. This brought practically the whole of the Asansol and Dinapore Divisions under the scheme; the Crew commenced working from 1st July 1928 and by 16th August 1928 was in full operation.

(e) The Railway Board in their letter No. 6307-E., dated 16th October 1928, sanctioned the extension of the Crew System to the whole of this Railway, temporarily till 31st March 1930, but no further extensions have yet taken place, as it was decided that before this was done the scheme should be re-organised with regard to the number of staff actually required, and accordingly a Revised Scheme is being submitted separately.

12. Results of Working :

(a) *Howrah Division—Appendices 2 and 3.*—Partial introduction from 1st August 1926. Complete extension from 10th June 1927 :

(i) Similar results for the period 1st January 1927 to 31st May 1927 prior to the complete extension compared with those for the same period of 5 months in 1926 before the System was introduced are also given in Appendix '2'; these again are on a par with those obtained during the first 5 months of the experiment.

(ii) A further comparison is made in Appendix '3' of the results obtained from June to December 1927, after the complete extension with a corresponding period in 1926 and 1925; the increases are satisfactory.

(iii) A final comparison is also detailed in Appendix '3' shewing the results of a complete year's working from January to December 1928, with the two preceding years 1927 and 1926; here the increases are remarkable.

(b) *Lucknow Division—Appendix 4.*—Complete introduction from 5th June 1927 :

(i) In Appendix 4 the results obtained after 6 months trial from July to December 1927, compared with the figures for a similar period in 1926 and 1925 are given; on this Division also there is a marked increase.

(ii) A final comparison of a complete year's working from January to December 1928 with the two preceding years 1927 and 1926 are also detailed in Appendix 4; here again as for the Howrah Division, the increases are surprising.

(c) *Dinapore Division—Appendix 5.*—Complete introduction from 16th August 1928.

The results obtained after 5 months of working from August to December 1928 as compared with similar periods in 1927 and 1926 are given in Appendix 5; here also there is a very appreciable increase.

13. *Comments.*—On 2 Divisions, Howrah and Lucknow, the Crew System has been in complete operation for over a year, and the results obtained after a full year's working can therefore be compared with figures of the preceding years with a greater degree of confidence than is possible for shorter periods. These figures for Howrah and Lucknow Divisions as detailed in Appendices 3 and 4 shew increases as follows :

(a) Under "Total number of Passengers booked from Stations on a Division to all Stations on the East Indian Railway with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Howrah	831,079	1,046,769	Rs. 7,79,187	Rs. 7,87,810
Lucknow	1,099,329	932,507	4,72,274	4,45,883

(b) Under "Total number of Passengers booked from Stations locally on a Division to all other Stations on the same Division with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Howrah	731,290	689,032	Rs. 4,00,888	Rs. 5,62,833
Lucknow	466,786	328,715	3,56,160	3,20,541

(c) Under "Luggage Earnings" :

Division.	Increase in Earnings.	
	1927 over 1926.	1928 over 1927.
Howrah	Rs. 50,550	Rs. 26,515
Lucknow	15,377	Less by 3,943

(d) Under "Excess Fares Earnings" :

Division.	Increase in Earnings.	
	1927 over 1926.	1928 over 1927.
Howrah	Rs. 30,828	Rs. Less by 15,471
Lucknow	11,506	„ „ 6,109

14. *Non-Crew Divisions—Appendix 6.*—Similar figures for 9 months—April to December—1926, 1927 and 1928 are detailed in Appendix 6 for the Allahabad and Moradabad Divisions where the Crew System has either not yet been introduced or extended; taking the first two headings only the figures are :

(a) Under "Total number of Passengers booked from Stations on a Division to all Stations on the East Indian Railway with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Allahabad	336,612	Less by 478,145	Rs. 3,77,501	Rs. Less by 1,93,505
Moradabad	515,865	„ „ 345,491	5,41,816	„ „ 2,43,120

(b) Under "Total number of Passengers booked from all Stations on a Division to all other Stations on the same Division with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Allahabad	242,287	Less by 384,330	Rs. 2,46,397	Rs. Less by 1,31,779
Moradabad	436,145	„ „ 242,954	5,08,195	„ „ 2,00,378

12. Results of Working :

(a) *Howrah Division—Appendices 2 and 3.*—Partial introduction from 1st August 1926. Complete extension from 10th June 1927 :

(i) Similar results for the period 1st January 1927 to 31st May 1927 prior to the complete extension compared with those for the same period of 5 months in 1926 before the System was introduced are also given in Appendix '2' ; these again are on a par with those obtained during the first 5 months of the experiment.

(ii) A further comparison is made in Appendix '3' of the results obtained from June to December 1927, after the complete extension with a corresponding period in 1926 and 1925 ; the increases are satisfactory.

(iii) A final comparison is also detailed in Appendix '3' shewing the results of a complete year's working from January to December 1928, with the two preceding years 1927 and 1926 ; here the increases are remarkable.

(b) *Lucknow Division—Appendix 4.*—Complete introduction from 5th June 1927 :

(i) In Appendix 4 the results obtained after 6 months trial from July to December 1927, compared with the figures for a similar period in 1926 and 1925 are given ; on this Division also there is a marked increase.

(ii) A final comparison of a complete year's working from January to December 1928 with the two preceding years 1927 and 1926 are also detailed in Appendix 4 ; here again as for the Howrah Division, the increases are surprising.

(c) *Dinapore Division—Appendix 5.*—Complete introduction from 16th August 1928.

The results obtained after 5 months of working from August to December 1928 as compared with similar periods in 1927 and 1926 are given in Appendix 5 ; here also there is a very appreciable increase.

13. *Comments.*—On 2 Divisions, Howrah and Lucknow, the Crew System has been in complete operation for over a year, and the results obtained after a full year's working can therefore be compared with figures of the preceding years with a greater degree of confidence than is possible for shorter periods. These figures for Howrah and Lucknow Divisions as detailed in Appendices 3 and 4 shew increases as follows :

(a) Under "Total number of Passengers booked from Stations on a Division to all Stations on the East Indian Railway with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Howrah	831,079	1,046,769	Rs. 7,79,187	Rs. 7,87,810
Lucknow	1,099,329	932,507	4,72,274	4,45,883

(b) Under "Total number of Passengers booked from Stations locally on a Division to all other Stations on the same Division with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Howrah	731,290	689,032	Rs. 4,00,888	Rs. 5,62,833
Lucknow	466,786	328,715	3,56,160	3,20,541

(c) Under "Luggage Earnings" :

Division.	Increase in Earnings.	
	1927 over 1926.	1928 over 1927.
Howrah	Rs. 50,550	Rs. 26,515
Lucknow	15,377	Less by 3,943.

(d) Under "Excess Fares Earnings" :

Division.	Increase in Earnings.	
	1927 over 1926.	1928 over 1927.
Howrah	Rs. 30,828	Rs. Less by 15,471
Lucknow	11,506	„ „ 6,109.

14. *Non-Crew Divisions—Appendix 6.*—Similar figures for 9 months—April to December—1926, 1927 and 1928 are detailed in Appendix 6 for the Allahabad and Moradabad Divisions where the Crew System has either not yet been introduced or extended ; taking the first two headings only the figures are :

(a) Under "Total number of Passengers booked from Stations on a Division to all Stations on the East Indian Railway with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Allahabad	336,612	Less by 478,145	Rs. 3,77,501	Rs. Less by 1,93,505.
Moradabad	515,865	„ „ 345,491	5,41,816	„ „ 2,43,120.

(b) Under "Total number of Passengers booked from all Stations on a Division to all other Stations on the same Division with Earnings" :

Division.	Increase in Passengers.		Increase in Earnings.	
	1927 over 1926.	1928 over 1927.	1927 over 1926.	1928 over 1927.
Allahabad	242,287	Less by 384,330	Rs. 2,46,397	Rs. Less by 1,31,779
Moradabad	436,145	„ „ 242,954	5,08,195	„ „ 2,00,378

15. *Comparison of Results.*—(a) Thus from these figures, paras. 13 (a) and (b) and 14 (a) and (b) it is seen that on each of the two Crew Divisions (Howrah and Lucknow) there has not only been an increase in Passengers and Earnings in 1927 over 1926, but also in 1928 when compared with 1927, but the position is different on the two Non-Crew Divisions (Allahabad and Moradabad) when though an increase both in Passengers and Earnings occurred in 1927 over 1926, there was a decrease under each head in 1928 when compared with 1927.

(b) When, however, comparing the results of these 3 years 1926, 1927 and 1928 it must be remembered that in :

(i) 1926.—Inter and III class long distance fares were reduced from 1st January which would tend to stimulate travel but the whole year was marked by a general decline in Passenger traffic.

(ii) 1927.—From 1st February there was a general reduction in Fares of all Classes and added to this stimulus was the great Kumbh Mela at Hardwar to which thousands of Pilgrims travelled ; the year was therefore propitious.

(iii) 1928.—Nothing unusual occurred but as in 1926 the year again witnessed a general decline in Passenger Traffic.

(c) The increases in 1927 over 1926 can therefore be accounted for by the stimulation of traffic brought about by these reductions in fares and to the increased bookings for the Kumbh Mela, but the continued increases in 1928 over 1927 occurring on the Howrah and Lucknow Divisions in contrast to the decreases found on the Allahabad and Moradabad Divisions, without the influence of any subsidiary factor, must in the main be attributed to the activities of the Crew.

(d) A more equitable comparison therefore lies between the figures for 1928 and 1926, and on this basis percentage increases and decreases have been calculated.

16. (a) *Booking to Foreign Lines*—Appendix 7.—The Chief Accounts Officer was unable to furnish readily figures similar to those mentioned in para. 13 (a) but shewing the total bookings separately by Divisions to Foreign Railways and the Home Line proportion of such Earnings ; the total Passenger traffic, however, from this Railway as a whole to Foreign Railways for the years 1926-1927, 1927-1928 and 1928-1929, are detailed in App. 7, but these figures naturally cannot be utilized for comparison by Divisions. Comparative figures as used in this Report are confined to Local Traffic only.

17. *Percentage Increases and Decreases.*—The percentage increases or decreases for the number of passengers carried and the earnings during August to December 1926 as compared with the period August to December 1925, and for 1928 as compared with 1926 are tabulated below :

(a) "Total number of Passengers booked from Stations on a Division to all Stations on the East Indian Railway with Earnings" :

Division.	PASSENGERS.		EARNINGS.	
	Increase or decrease August to December 1926 compared with August to December 1925.	Increase or decrease in 1928 compared with 1926.	Increase or decrease August to December 1926 compared with August to December 1925.	Increase or decrease 1928 compared with 1926.
			Rs.	Rs.
Howrah	1.5 per cent.	12 per cent.	—1.7 per cent.	13 per cent.
Lucknow	..	21 "	..	11 "
Allahabad	..	—2 "	..	3 "
Moradabad	..	2 "	..	7 "

STATEMENT LAID ON THE TABLE.

(b) "Total number of Passengers booked from Stations on a Division to all Stations on the same Division with Earnings" :

Division.	PASSENGERS.		EARNINGS.	
	Increase or decrease August to December 1926 compared with August to December 1925.	Increase or decrease in 1928 compared with 1926.	Increase or decrease August to December 1926 compared with August to December 1925.	Increase or decrease 1928 compared with 1926.
			Rs.	Rs.
Howrah	3 per cent.	10.7 per cent.	1.4 per cent.	21 per cent.
Lucknow	..	8.8 "	..	11.6 "
Allahabad	..	—3.5 "	..	3.2 "
Moradabad	..	3.1 "	..	0.7 "

(c) If to the Earnings recorded under heading (b) above are added the increases or decreases resulting from "Unbooked Luggage" and "Excess Fares" the Percentage increase in Earnings become :

Division.	EARNINGS.	
	Increase or decrease August to December 1926, compared with August to December 1925.	Increase or decrease 1928 compared with 1926.
Howrah	1.7 per cent.	20.1 per cent.
Lucknow	..	11.3 "
Allahabad	..	3.7 "
Moradabad	..	10.5 "

(d) *Average Percentages.*—Of these two main headings the latter (Total Number of Passengers booked from Stations on a Division to all other Stations on the same Division) is relatively the more important, for as it embraces all passenger Traffic within a Division, it is more directly connected with Crew working ; as such a comparison between the average percentage increases obtained from the actual results of 1928 over 1926 on the two Crew Divisions (Howrah and Lucknow) with those on the two Non-Crew Divisions (Allahabad and Moradabad) is of interest ; the figures are :

Division.	Average Percentage Increase or Decrease.	
	Passengers.	Earnings.
Crew	9.7	15.7
Non-Crew	—0.2	7.1

(e) These average Percentage Increases which are far greater on the two Divisions where the Crew System is in operation than for the two Divisions where the system has not yet been introduced, clearly indicate, as also mentioned in para. 15 (c), the benefits derived from this System.

18. *Financial Results.*—(a) Continuing from the same figures quoted in paragraph 17 (b & c) above, the net increases in Earnings on the Howrah and Lucknow Divisions in 1928 over 1926 were :

Division.	Earnings.	Luggage.	Excess Fares.	Gross Total.
	Rs.	Rs.	Rs.	Rs.
Howrah	9,63,721	77,065	15,357	} 16,49,675 or 16,50,000
Lucknow	5,76,701	11,434	5,397	

(b) From January to December 1928 the inclusive cost of the Crew staff employed on the Howrah and Lucknow Divisions was :

Howrah	4,83,522	} Total cost Rs. 7,73,468.
Lucknow	2,89,946	

(c) *Cost of former staff.*—Prior to introduction of the Crew the former annual sanctioned cost of Ticket Collectors and Travelling Ticket Inspectors for the Howrah and Lucknow Divisions was :

Howrah	2,56,524	} Total cost Rs. 3,69,957.
Lucknow	1,13,433	

(d) *Additional cost.*—The additional cost of the Crew staff on these two Divisions is therefore (b.c) or Rs. 4,03,511 per annum.

(e) *Cost of Uniforms, etc.*—Under either system (old or new) cost of Uniforms, House Rent Allowances, etc., would have to be added but as the Crew Staff outnumber their predecessors an estimate of 10 per cent. increase has been taken on the additional cost to cover all such expenditure ; the additional cost of the Crew staff therefore comes to Rs. 4,43,862 or in round figures Rs. 4,44,000.

(f) *Net Profit.*—Hence on these two divisions an additional expenditure of Rs. 4,44,000 has resulted in an increase of Rs. 16,50,000 in earnings.

(g) It is not claimed that the whole of this increase is due to the Crew System, but it may be considered that 75 per cent. of it is, and as such these figures furnish complete justification of the system.

19. *Excess Fare Earnings.*—(a) From the figures quoted in paragraph 3 (c) of the total amount of Excess Fares exclusive of Penalty and Excess Luggage realized on the whole Railway, viz.:

1924-25	Rs. 6,15,319
1925-26	Not available.
1926-27	Rs. 6,10,738
1927-28	Rs. 4,17,683
1928-29	Rs. 3,08,648

it will be noticed that in 1927-28 and 1928-29 there is a progressive decrease in the amounts of total recoveries realised ; this coincides with the extension of the Crew System made in 1927 and 1928.

(b) On four Divisions, Crew and Non-Crew, similar figures but including Penalty and Excess Luggage are :

Period.	Crew Divisions.		Period.	Non-Crew Divisions.	
	Howrah.	Lucknow.		Allahabad.	Moradabad.
	Rs.	Rs.		Rs.	Rs.
Jan. to Dec. 1926 .	1,48,955	1,33,720	April to Dec. 1926.	76,106	52,460
Jan. to Dec. 1927 .	1,79,783	1,45,226	April to Dec. 1927.	1,01,844	54,491
Jan. to Dec. 1928 .	1,64,312	1,39,117	April to Dec. 1928.	71,581	52,638

(c) On the two Crew Divisions there is an appreciable rise while on the two Non-Crew Divisions the figures show no great variation. At first sight this would appear to stultify the remarks made in paragraph 19 (a) but it must be remembered that the nature of these two sets of figures differ from each other in that the figures in paragraph 19 (a) represent recoveries of Excess Fares only, while those in paragraph 19 (b) include Excess Fares, Penalty Charges and recoveries on Excess and Unbooked Luggage. Moreover, on the Crew Divisions there is now operating a greatly increased staff compared with the former staff of Ticket Collectors and Travelling Ticket Examiners employed on the Non-Crew Divisions, which in itself enforces a closer check resulting in an increase in the number of irregularities detected. These inclusive figures, in proportion to the increase in the number of passengers booked, do not show an increase.

This is illustrated by the following tables :

Division.	Period.	Total No. of Passengers booked.	Increase in Passengers over previous year.	Percentage increase over previous year.	Inclusive Excess Fare recoveries.	Percentage of Excess Fares to Total No. of Passengers booked.
					Rs.	
Howrah .	January to December 1926.	15,585,541	..	..	1,48,955	.9
"	January to December 1927.	16,416,620	831,079	5.3	1,79,783	1.09
"	January to December 1928.	17,463,389	1,046,769	6.3	1,64,312	.9
Lucknow .	January to December 1926.	9,882,645	..	..	1,33,720	1.3
"	January to December 1927.	10,981,974	1,099,329	11.1	1,45,226	1.3
"	January to December 1928.	11,914,481	932,507	8.4	1,39,117	1.1

(e) These average Percentage Increases which are far greater on the two Divisions where the Crew System is in operation than for the two Divisions where the system has not yet been introduced, clearly indicate, as also mentioned in para. 15 (c), the benefits derived from this System.

18. *Financial Results.*—(a) Continuing from the same figures quoted in paragraph 17 (b & c) above, the net increases in Earnings on the Howrah and Lucknow Divisions in 1928 over 1926 were:

Division.	Earnings.	Luggage.	Excess Fares.	Gross Total.
	Rs.	Rs.	Rs.	Rs.
Howrah	9,63,721	77,065	15,357	16,49,675
Lucknow	5,76,701	11,434	5,397	16,50,000

(b) From January to December 1928 the inclusive cost of the Crew staff employed on the Howrah and Lucknow Divisions was:

Howrah	4,83,522	} Total cost Rs. 7,73,468.
Lucknow	2,89,946	

(c) *Cost of former staff.*—Prior to introduction of the Crew the former annual sanctioned cost of Ticket Collectors and Travelling Ticket Inspectors for the Howrah and Lucknow Divisions was:

Howrah	2,56,524	} Total cost Rs. 3,69,957.
Lucknow	1,13,433	

(d) *Additional cost.*—The additional cost of the Crew staff on these two Divisions is therefore (b-c) or Rs. 4,03,511 per annum.

(e) *Cost of Uniforms, etc.*—Under either system (old or new) cost of Uniforms, House Rent Allowances, etc., would have to be added but as the Crew Staff outnumber their predecessors an estimate of 10 per cent. increase has been taken on the additional cost to cover all such expenditure; the additional cost of the Crew staff therefore comes to Rs. 4,43,862 or in round figures Rs. 4,44,000.

(f) *Net Profit.*—Hence on these two divisions an additional expenditure of Rs. 4,44,000 has resulted in an increase of Rs. 16,50,000 in earnings.

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19. *Excess Fare Earnings.*—(a) From the figures quoted in paragraph 3 (c) of the total amount of Excess Fares exclusive of Penalty and Excess Luggage realized on the whole Railway, viz.:

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1926-27	Rs. 6,10,738
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it will be noticed that in 1927-28 and 1928-29 there is a progressive decrease in the amounts of total recoveries realised; this coincides with the extension of the Crew System made in 1927 and 1928.

(b) On four Divisions, Crew and Non-Crew, similar figures but including Penalty and Excess Luggage are:

Period.	Crew Divisions.		Period.	Non-Crew Divisions.	
	Howrah.	Lucknow.		Allahabad.	Moradabad.
	Rs.	Rs.		Rs.	Rs.
Jan. to Dec. 1926 .	1,48,955	1,33,720	April to Dec. 1926.	76,106	52,460
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Jan. to Dec. 1928 .	1,64,312	1,39,117	April to Dec. 1928.	71,581	52,638

(c) On the two Crew Divisions there is an appreciable rise while on the two Non-Crew Divisions the figures show no great variation. At first sight this would appear to stultify the remarks made in paragraph 19 (a) but it must be remembered that the nature of these two sets of figures differ from each other in that the figures in paragraph 19 (a) represent recoveries of Excess Fares only, while those in paragraph 19 (b) include Excess Fares, Penalty Charges and recoveries on Excess and Unbooked Luggage. Moreover, on the Crew Divisions there is now operating a greatly increased staff compared with the former staff of Ticket Collectors and Travelling Ticket Examiners employed on the Non-Crew Divisions, which in itself enforces a closer check resulting in an increase in the number of irregularities detected. These inclusive figures, in proportion to the increase in the number of passengers booked, do not show an increase.

This is illustrated by the following tables:

Division.	Period.	Total No. of Passengers booked.	Increase in Passengers over previous year.	Percentage increase over previous year.	Inclusive Excess Fare recoveries.	Percentage of Excess Fares to Total No. of Passengers booked.
					Rs.	
Howrah .	January to December 1926.	15,585,541	..	..	1,48,955	.9
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"	January to December 1928.	17,463,389	1,046,769	6.3	1,64,312	.9
Lucknow .	January to December 1926.	9,882,645	..	..	1,33,720	1.3
"	January to December 1927.	10,981,974	1,099,329	11.1	1,45,226	1.3
"	January to December 1928.	11,914,481	932,507	8.4	1,39,117	1.1

20. *Prosecution of Passengers.*—(a) The total number of passengers prosecuted under the 3 Sections 112, 113 and 132 of the Railway Act, for the whole Railway are :

1926	32,547
1927	23,591
1928	12,594

Here also there is a progressive decrease similar to that given in paragraph 19 (a) above.

(b) On Divisions, Crew and Non-Crew, similar figures are :

Period.	Crew.				Non-Crew.	
	Howrah.	Lucknow.	Dinapore.	Asansol.	Allahabad.	Moradabad.
1926	3,418	8,492	1,742	2,913	7,496	8,487
1927	1,167	1,482	1,759	2,100	8,140	8,943
1928	2,706	590	458	2,096	4,216	2,528

(c) Here also at first sight it would appear that the largest decreases occurred on the Non-Crew Divisions, but as the number of Passengers prosecuted bears a direct ratio to the numbers detected for Fraudulent Travelling, the reasons set forth in paragraph 19 (c) also apply here ; moreover the moral effect of the Crew System also in a measure makes itself felt in the neighbouring Non-Crew Divisions, the cumulative result being a marked decrease in the returns for the Railway as a whole.

21. *Existing difficulties.*—(a) As briefly mentioned in paragraph 10 (b) the System is being worked under very real difficulties. In accordance with the fundamental principles, the following instructions are issued to each Crewman :

“ A Crewman on taking charge before the departure of the train must examine tickets of all passengers travelling in the carriage allotted to him and any person found without a proper ticket or pass be at once removed.”

“ During the run he will be responsible for the prevention of passengers entraining without tickets and with unbooked Excess Luggage and for the collection and cancellation of tickets from passengers at their destination.”

(b) The working conditions under which these duties are required to be performed are easily visualised ; each train consists of from 10 to 12 carriages ; each carriage is divided into 4 or more separate compartments, and each compartment has at least one door on either side. A Crewman placed in charge of a carriage is responsible for carrying out his duties in respect of each of the 4 compartments. This can be done at Train Starting Stations which are generally provided with suitable barriers, but once the train commences running, one man cannot possibly even check the tickets of passengers entraining at Stations where the stoppage of the train is for only two or three minutes.

(c) Again while the train is running between stations the Crewman cannot move from compartment to compartment as there is no interior means of communication such as a corridor, hence particularly on long non-stop runs much valuable time is wasted owing to the Crewman being confined to one compartment, in which after the first 5 minutes occupied in checking, he must perforce remain idle till he can move into another compartment at the next stop. Thus on a run a Crewman can only enter each compartment of the carriage under his charge for purpose of recheck, once after every 5th stop.

(d) A passenger after having his ticket checked once will naturally object to subsequent inspections if called upon frequently to produce his ticket.

(e) Thus it is difficult under existing conditions for the Crew staff on a Running Train to prevent Ticketless Passengers from entraining and to prevent over-riding.

22. *Suggestions.*—(a) These difficulties could be overcome if each carriage was of the corridor type, and a very considerable saving in working costs would be obtained if not only carriages but entire rakes were so constructed.

(b) This type of carriage is now being used on the Light Train Rakes, Omnibuses and Sentinel Coaches in service on certain sections.

(c) The question of effectively barricading each station could only be done at enormous expense, but so far as the larger stations are concerned the matter is receiving attention by Divisional Superintendents.

23. *Future Outlook.*—Notwithstanding these drawbacks the success of the system, as is evident from paras. 12 to 18 of this report, is apparent, and the ultimate fulfilment of the fundamental principles is merely a question of time and future development.

24. *Missing Tickets.*—(a) No statistics shewing the percentage of missing tickets either by Stations or Divisions have for recent years been prepared, but it was evident from the Registers of Collected Tickets maintained at Stations that the figure was high ; this was not due, as would appear at first sight, to failure on the part of the Crew staff to collect tickets but rather to their mischievous disappearance after collection to avoid the labour involved in sorting and posting up these Registers.

New Punch.—(b) In order to prevent this a patent “ Ticket Collector and Punch ” was devised, manufactured and has now been issued for service. This Punch serves a dual purpose of automatically collecting one half of a ticket and at the same time stamping and dating the other half portion which is returned to the passenger ; furthermore tickets once collected in the punch cannot be destroyed or otherwise misused.

New Ticket.—(c) For the purpose of this Punch revised forms of Local Tickets both for Single and Return Journeys for all classes were introduced, and are now being issued to Stations in compliance with Indents.

(d) When the new form of Tickets are in complete circulation and with the use of this new Punch, there should be cent. per cent. collection of Local Tickets.

25. *Further Advantages.*—The activities of the Crew are not only confined to their fundamental principles of prevention of Fraudulent Travelling, but they are of immense benefit in other directions both to the Railway Administration and to the Travelling Public ; these are briefly :—

(a) The ready preparation of accurate and timely Census returns shewing the extent to which Trains are filled on different sections on which immediate action can be taken either to prevent overcrowding or to curtail running of non-paying trains.

(b) Reduction in crime, i.e., thefts of Fittings from Coaching Stock.

(c) Added security and assistance to the Travelling Public due to the presence of a Railway Servant in each coach.

26. *Hostels.*—The method introduced by Mr. Scott of housing the large number of Crewmen employed by the provision of suitable Hostels has been found to be satisfactory ; no change is therefore contemplated.

27. *Assembly Questions.*—Replies to many of the Questions asked in the Legislative Assembly concerning the Crew System as mentioned in para. 1 will be found in the foregoing paragraphs ; in addition for convenience these Questions with their Answers will be found tabulated as App. “ 8 ”.

R. E. RUTHERFORD,
Chief Operating Superintendent.

1st September 1929.

APPENDIX 1.

Extracts from Mr. Scott's printed report on the Experimental Introduction of the Crew System on the Howrah-Asansol Section of the East Indian Railway.

PARAS. 3 TO 7 AND 14 TO 16.—PART I.

3. *Existing System.*—Most of the Indian Railways have hitherto depended upon one or other of the following agencies to combat the evil of illicit travelling. These agencies have existed either singly or combined with one another. The agencies are :

(a) *Station Staff.*—This comprises the ticket checking and ticket collecting staff employed at important stations and junctions who in addition to this work are required to prepare reports of collected tickets for submission to the Audit Department. At roadside and smaller stations, these functions are performed by the Station Staff, in addition to their other duties.

(b) *Travelling Ticket Checkers.*—These are checkers who travel on trains and their duties are to detect persons actually found travelling without tickets or with improper tickets and to realise Railway fares and other penalties

eviable from them under the Railway rules and the Indian Railways Act. They are also required to prosecute persons who are found committing any of the various offences in connection with travelling without or with improper tickets, under the Indian Railways Act.

(c) *Squads*.—These squads which are composed of varying numbers of Inspector and men carry out surprise checks either at stations or on running trains. Passengers found without tickets are excessed or, if legal action is called for in any case, it is initiated.

4. It has been stated that these agencies have proved a failure. This is evidenced by the fact that the Travelling Ticket Examiners, where they exist, recover large sums from the public. Further, lest it may be supposed that these large recoveries approximate to the sum total of ticketless travelling, it should be stated that the recoveries increase with the appointment of increased checkers.

* * * * *

5. Now the statement may be surprising but it is true nevertheless that the illicit travelling existing on Indian Railways is the direct result of the very methods which have been and are in force to stop it. In the first place the method of work has definitely the character of a system of *detection*. The machinery for the detection is primarily the Gate and Travelling Ticket Staffs as above indicated, and the efficiency of their work is gauged by the amount of their collections. The more illicit travelling there is, therefore, the more efficient appears to be their work. When, in addition to this, it is considered that it is the easiest possible thing for them to divert passengers from the booking office and excess them in the train, it is clear that not only are they in a position to encourage ticketless passengers to entrain but there is a strong inducement for them to do so, and very few, if any, are able to resist it.**** The first indictment against existing methods is therefore that it fosters the diversion of earnings from the booking office under cover of what appears to be efficient work on the part of the staff.

6. The next point is subsidiary to this. The earnings having been diverted from the booking office it has not so far at any rate been possible to devise an account procedure to ensure that such monies ultimately reach the coffers of the Railway. A portion of it does and is reflected in the statements of recoveries made by the staff as already indicated; the balance is plundered. As a second count the system thus engenders a misappropriation of public monies.

7. There is one other fundamental defect in the system. It lies in the fact that personal responsibility for illicit travelling when it is detected cannot be brought home to any individual member of the staff. Thus if a Travelling Ticket Examiner finds a passenger without a ticket it is impossible to say what particular Ticket Controller let him pass through the gates; he may not have passed through the gates at all.****

14. *The Crew System*.—First with regard to the diversion of earnings from booking offices, as the system provides for the issue of tickets only by booking offices, it is clear that the effect in working must be that all earnings will be forced into the booking offices where there exist accounting arrangements which ensure that Railways actually receive, the monies collected on their behalf.

15. As regards the second defect in the old system, *viz.*, that of an inducement to a misappropriation of Railway's monies, seeing that the staff under the new methods are prohibited from recovering any money from the public, there will in result be no Railway money in their charge to misappropriate. If a member of a Crew, nevertheless does receive money or other gratification he is not covered as a Travelling Ticket Examiner is by the transaction having all the appearances of a simple discharge of his duties, but he has manifestly rendered himself guilty of a very serious offence and is liable to heavy legal penalties. Further the staff do not work alone but are under supervision. Malpractices must either be carried out in collusion with other members of the Crew and the man-in-charge or it must be hidden from them. Neither of these alternatives is altogether easy.

16. Then as regards the question of personal responsibility, here again under the new scheme the discovery of any person without a ticket or with an improper ticket or with unbooked luggage lies at the door of the member of the Crew-in-charge of the coach in question and definite disciplinary measures can be taken. As regards the collection of tickets the issues by each train made by stations are compared with the collections of that train. Any laxity can be definitely taken up with the Crew and principally the Head of the Crew responsible for deficient collections. The position is in striking contrast to the conditions where with heavy illicit travelling, with luggage much underbooked, and poor collections of tickets, no personal responsibility for laxity can be brought home to any individual member of the staff.

APPENDIX 2.

HOWRAH DIVISION.

1	2	3	4	5	6
Months.	Total No. of Passengers booked from stations under the Crew System to all stations on E. I. Rly. with earnings.	Total No. of Passengers booked from stations under the Crew System to all other stations on the Crew System with earnings.	Luggage earnings.	Excess Fare earnings.	Remarks.
	Number.	Number.	Amount.	Amount.	
			Ra.	Ra.	
August to December 1925.	6,900,957	6,040,493	23,19,287	60,037	
August to December 1926	7,005,398	6,061,102	23,53,809	59,707	
Increase or decrease in 1926 over 1925 (August to December).	104,941	20,609	34,522	—330	
Percentage of increase or decrease in 1926 over 1925.	1.5%	.3%	1.4%	—	
January to May 1926	5,476,072	4,485,117	14,56,836	61,667	
January to May 1927	5,657,983	4,602,794	14,92,924	76,406	
Increase or decrease in 1927 over 1926 (January to May).	181,911	117,677	36,088	14,739	
Percentage of increase or decrease in 1927 over 1926.	3.3%	2.6%	2.5%	—	

APPENDIX 3.
HOWRAH DIVISION.

1 Months.	2 Total No. of Passengers booked from stations on Howrah Division to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations on Howrah Division to stations on Howrah Division with earnings.		4 Luggage earnings.	5 Excess fare earnings.	6 Remarks.
	Number.	Amount. Rs.	Number.	Amount. Rs.	Amount. Rs.	Amount. Rs.	
June to December 1925	9,920,418	70,44,616	8,728,376	33,09,747	1,71,850	85,634	
June to December 1926	10,099,469	68,83,386	8,898,906	33,22,652	1,90,895	87,288	
June to December 1927	10,658,637	75,30,442	9,312,519	36,87,452	2,09,886	1,03,377	
Increase or decrease in 1926 over 1925 (June to December).	179,051	1,61,230	170,530	12,905	19,045	1,654	
Increase or decrease in 1927 over 1926 (June to December).	559,168	6,47,056	413,613	3,64,800	18,991	16,089	
January to December 1926	15,585,541	1,18,74,028	13,184,023	47,79,488	3,19,449	1,48,955	
January to December 1927	16,416,620	1,26,53,215	13,915,313	51,80,376	3,69,999	1,79,783	
January to December 1928	17,463,389	1,34,41,025	14,604,345	57,43,209	3,96,514	1,64,312	
Increase or decrease in 1927 over 1926 (Jan- uary to December).	831,079	7,79,187	731,290	400,888	50,550	30,828	
Increase or decrease in 1928 over 1927 (Jan- uary to December).	1,046,769	7,87,810	689,032	5,62,833	26,515	—15,471	
Increase or decrease in 1928 over 1926 (Jan- uary to December.)	1,877,848	15,66,997	1,420,322	9,63,721	77,065	15,357	
Percentage of increase or decrease in 1928 over 1926.	12%	13%	10.7%	21%	..	..	

APPENDIX 4.
LUCKNOW DIVISION.

1 Months.	2 Total No. of Passengers booked from stations on Lucknow Division to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations on Lucknow Division to stations on the Lucknow Division with earnings.		4 Luggage earnings.	5 Excess fare earnings.	6 Remarks.
	Number.	Amount. Rs.	Number.	Amount. Rs.	Amount. Rs.	Amount. Rs.	
July to December 1925	4,346,335	32,56,569	3,780,546	22,71,383	57,418	1,03,640	
July to December 1926	4,714,120	40,20,231	4,350,579	24,05,046	60,142	1,07,556	
July to December 1927	5,526,482	43,89,002	4,674,461	25,56,420	65,037	1,07,982	
Increase or decrease in 1926 over 1925 (July to December).	367,785	7,73,662	570,033	1,33,663	2,724	3,916	
Increase or decrease in 1927 over 1926 (July to December).	812,362	3,68,771	323,882	1,51,374	4,895	426	
January to December 1926	9,882,645	84,40,452	8,985,233	49,08,296	1,08,136	1,33,720	
January to December 1927	10,981,974	89,12,726	9,452,019	52,24,456	1,23,513	1,45,226	
January to December 1928	11,904,481	93,58,609	9,780,734	55,44,997	1,19,570	1,39,117	
Increase or decrease in 1927 over 1926 (January to December).	1,099,329	4,72,274	4,66,786	3,56,160	15,377	11,506	
Increase or decrease in 1928 over 1927 (January to December).	922,507	4,45,883	3,28,715	3,20,541	—3,943	—6,109	
Increase or decrease in 1928 over 1926 (January to December).	2,031,836	9,18,157	7,95,501	576,701	11,434	5,397	
Percentage of increase or decrease in 1928 over 1926.	21%	11%	8.8%	11.6%	..	..	

APPENDIX 5.

DINAPORE DIVISION.

1 Months.	2 Total No. of Passengers booked from stations on Dinapore Division to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations on Dinapore Division to stations on Dinapore Division with earnings.		4 Luggage earnings.	5 Excess Fare earnings.	6 Remarks.
	Number.	Amount. Rs.	Number.	Amount. Rs.	Amount. Rs.	Amount. Rs.	
August to December 1926	3,655,369	28,39,107	3,181,217	16,74,567	20,603	34,169	
August to December 1927	3,611,860	28,31,126	3,196,860	16,91,022	20,274	35,439	
August to December 1928	3,776,442	28,68,855	3,253,165	17,37,664	22,126	38,346	
Increase or decrease in 1927 over 1926 (August to December).	—43,509	—8,981	15,643	16,455	—329	1,270	
Increase or decrease in 1928 over 1927 (August to December).	64,582	37,739	56,305	45,642	1,852	2,907	
Increase or decrease in 1928 over 1926 (August to December).	121,073	29,748	71,948	63,097	1,523	4,177	

APPENDIX 6.

ALLAHABAD DIVISION.

Allahabad (Non-Crew) Division.

1 Months.	2 Total No. of Passengers booked from stations on Allahabad Division to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations on Allahabad Division to stations on Allahabad Division with earnings.		4 Luggage earnings.	5 Excess Fare earnings.	6 Remarks.
	Number.	Amount. Rs.	Number.	Amount. Rs.	Amount. Rs.	Amount. Rs.	
April to December 1926	8,749,204	60,58,442	6,862,295	35,02,838	78,647	76,106	
April to December 1927	9,085,816	64,35,943	7,004,582	37,49,225	80,325	1,01,844	
April to December 1928	8,607,671	62,42,438	6,620,252	36,17,446	1,00,914	71,581	
Increase or decrease in 1927 over 1926	336,612	3,77,501	242,287	2,46,397	1,678	25,738	
Increase or decrease in 1928 over 1927	—478,145	—1,93,505	—384,330	—1,31,779	20,589	—30,263	
Increase or decrease in 1928 over 1926	—141,533	1,83,996	—242,043	1,14,618	22,267	—4,525	
Percentage of increase or decrease in 1928 over 1926.	—2%	3%	—3.5%	3.2%	..	..	

APPENDIX 6—*contd.*

MORADABAD DIVISION.

Moradabad (Non-Crew) Division.

1 Months.	2 Total No. of Passengers booked from stations on Moradabad Division to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations on Moradabad Division to stations on Moradabad Division with earnings.		4 Luggage earnings.		5 Excess Fare earnings.		6 Remarks.
	Number.	Amount.	Number.	Amount.	Amount.	Rs.	Amount.	Rs.	
April to December 1926	7,152,843	Rs. 37,72,682	6,103,984	Rs. 28,96,286	Rs. 35,190	52,469			
April to December 1927	7,668,708	43,14,498	6,540,129	34,04,481	37,170	54,491			
April to December 1928	7,323,217	40,71,378	6,297,275	32,04,103	40,910	52,638			
Increase or decrease in 1927 over 1926	515,865	5,41,816	436,145	5,08,195	1,980	2,022			
Increase or decrease in 1928 over 1927	—345,491	—2,43,120	—242,954	—2,00,378	+3,740	—1,353			
Increase or decrease in 1928 over 1926	170,374	2,98,696	193,291	3,07,817	5,720	169			
Percentage of increase or decrease in 1928 over 1926.	2%	7%	3.1%	10.7%	..	..			

STATEMENT LAID ON THE TABLE.

APPENDIX 7.

Statement shewing proportionate earnings on account of Passengers booked from all stations on the East Indian Railway to all stations on the Foreign Railways and vice versa.

Years.	No. of Passengers.	Amounts.	Remarks.
		Rs.	
1926-27	4,159,201	1,08,88,311	
1927-28	6,743,248	1,46,40,070	
1928-29	5,700,553	1,26,80,637	

INCREASE IN 1928-29 OVER 1926-27.

No. of Passengers	1,541,352
Amount	Rs. 17,92,326

APPENDIX 8.

QUESTIONS ASKED IN THE LEGISLATIVE ASSEMBLY BY—

(a) Maulvi Muhammed Yakub (*vide* Railway Board's letter No. 109-T., dated 16th March, 1929).

Numbers 1105 to 1111, and

(b) Mr. Amar Nath Dutt (*vide* Railway Board's letters Nos. 109-T. and 109-T.-5, dated 8th April, 1929 and 20th May, 1929, respectively).

Numbers 1371 to 1391 and 1393.

As the questions asked by both these gentlemen are practically identical, they are tabulated together, with their replies.

Number.	Question.	Reply.
1105 1371	(a) What is the average total expenditure on the Crew System per year per division under the following headings :—	
1105 (a) 1371 (a)	1. Pay and allowances of complete establishment including office and running staff, peons, etc.	See details in Appendix 9.
1105 (a) 1371 (b)	2. Hostels	Ditto ditto.
1105 (a) 1371 (c)	3. Uniforms, Stationery, Provident Fund, Leave Allowances, etc.	Ditto ditto.

APPENDIX 6—contd.

MORADABAD DIVISION.

Moradabad (Non-Crew) Division.

1 Months.	2 Total No. of Passengers booked from stations on Moradabad Division to all stations on E. I. Rly. with earnings.		3 Total No. of Passengers booked from stations on Moradabad Division to stations on Moradabad Division with earnings.		4 Luggage earnings.		5 Excess Fare earnings.		6 Remarks.
	Number.	Amount.	Number.	Amount.	Amount.	Rs.	Amount.	Rs.	
April to December 1926	7,162,843	Rs. 37,72,682	6,103,934	Rs. 28,96,286	Rs. 35,190	52,469			
April to December 1927	7,668,708	43,14,498	6,540,129	34,04,481	37,170	54,491			
April to December 1928	7,323,217	40,71,378	6,297,275	32,04,103	40,910	52,638			
Increase or decrease in 1927 over 1926	515,865	5,41,816	436,145	5,08,195	1,980	2,022			
Increase or decrease in 1928 over 1927	—345,491	—2,43,120	—242,954	—2,00,378	+3,740	—1,853			
Increase or decrease in 1928 over 1926	170,374	2,98,696	193,291	3,07,817	5,720	169			
Percentage of increase or decrease in 1928 over 1926.	2%	7%	3.1%	10.7%	..	..			

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Number.	Question.	Reply.
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1105 (a) 1371 (a)	1. Pay and allowances of complete establishment including office and running staff, peons, etc.	See details in Appendix 9.
1105 (a) 1371 (b)	2. Hostels	Ditto ditto.
1105 (a) 1371 (c)	3. Uniforms, Stationery, Provident Fund, Leave Allowances, etc.	Ditto ditto.

Number.	Question.	Reply.																
1105 1372 (a)	(b) How many Passengers travelled more in the Non-Crew Area during the year 1927-28 as compared with 1926 and 1927 ?	No. of Passengers travelled in Non-Crew Area— 1926-27 . . . 41,787,040 1927-28 . . . 40,236,572 Decrease in 1927-28 =1,550,468																
1105 1372 (b)	(c) How many Passengers travelled in the Crew Area during the same year ?	No. of Passengers travelled in Crew Area— 1926-27 . . . 26,043,059 1927-28 . . . 29,385,180 Increase in 1927-28 =3,342,121																
1105 1372 (c)	(d) If there was remarkable increase of traffic in the Non-Crew Area, what it was due to ?	There was no increase in the Non-Crew Area.																
1106 1373 (a) (b)	(a) What was the object of the Crew System ? Has the Crew System been faithful to its object ? If so, in what manner ?	The object of the Crew System is to prevent fraudulent travelling in all its phases, please see paragraph 8 of this Report (1926-29). Yes, the Crew System has attained success by an increase in earnings and a decrease in Passengers detected without tickets, please see paragraphs 12 to 15 of this Report (1926-29).																
1106 1374 (a)	(b) How many Passengers were prosecuted for travelling without ticket in the Howrah and Lucknow Divisions during the operation of the Crew System—and how many were excused by the staff ?	<table border="1"> <thead> <tr> <th>Division.</th><th>Period.</th><th>No. of Passengers prosecuted.</th><th>No. of Passengers excused.</th></tr> </thead> <tbody> <tr> <td>Howrah</td><td>August 1926 to December 1927.</td><td>2,693</td><td>Figures not available.</td></tr> <tr> <td></td><td>January 1928 to March 1929.</td><td>3,483</td><td>21,423</td></tr> <tr> <td>Lucknow</td><td>May 1927 to March 1929.</td><td>2,374½</td><td>26,290</td></tr> </tbody> </table>	Division.	Period.	No. of Passengers prosecuted.	No. of Passengers excused.	Howrah	August 1926 to December 1927.	2,693	Figures not available.		January 1928 to March 1929.	3,483	21,423	Lucknow	May 1927 to March 1929.	2,374½	26,290
Division.	Period.	No. of Passengers prosecuted.	No. of Passengers excused.															
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Lucknow	May 1927 to March 1929.	2,374½	26,290															
1106	(c) How much was the increase in excess fares in Howrah Division in nine months from January to September 1927, as compared with the corresponding period of 1926 when there were no Crew System ?	Excess fare earnings from January to September— 1926=Rs. 1,13,189. 1927=Rs. 1,37,302 Increase in 1927 is Rs. 24,113																

Number.	Question.	Reply.
1106 1376 (a)	(d) How much amount was the increase in excess fares in Lucknow Division during 4 months of June to September 1927, as compared with the corresponding period of 1926 when there was no Crew System ?	Excess fare earnings from June to September 1926 =Rs. 58,370. Do. 1927 =Rs. 59,334. Increase in 1927 =Rs. 964.
1376 (b)	Will Government be pleased to state the number of passengers found travelling without ticket by the Crews on the Lucknow Division during the said period ?	4,662 passengers from June 1927 to September 1927. Similar figures for 1926 are not available.
1375 (a)	Will Government please lay on the table a statement shewing the increase or decrease in the excess fare earnings for the year 1927-28 as compared with the earnings for the year 1926-27 in the divisions where the Crew System exists.	Excess fare earnings in 1926-27=Rs. 3,51,285. Do. 1927-28=Rs. 3,92,848. Increase in 1927-28=Rs. 41,563.
1375 (b)	Will Government please lay on the table a similar statement for the Non-Crew Area ?	Excess fare earnings in 1926-27=Rs. 6,45,298. Do. 1927-28=Rs. 4,86,071. Decrease in 1927-28=Rs. 1,59,227.
1107 1378	(a) Will Government please state how many Inspector of Accounts (Crews) were on Howrah Division during the year 1927-28 ?	On an average 2 Inspectors of Accounts per month.
1107 1377 (b)	(b) How many passengers were detected without tickets by them on the Crew Area ?	Total of 601 Passengers on Crew Area.
1107 1377 (a)	(c) What is the total number of irregularities detected by them on the Crew Area and how much amount recovered ?	The total number of irregularities detected was 4,686 and the total recoveries amounted to Rs. 17,392 on the Crew Area.
1107	(d) What was the percentage of check of trains on the Crew Area on which the above irregularities were detected ?	6.2 per cent.

Number.	Question.	Reply.
1108 1380 (a)	(a) How many dismissed Government and Railway employees were appointed in the Crew Department in various capacities and how many of them are still working?	Such individuals are not advertently appointed; on one case coming to light, the employee was discharged.
1380 (b)	Will Government please say why it is necessary to retain the services of dismissed men in the Crew Department.	It is not necessary.
1109 1381 (a)	(a) Has the Crew System been successful in achieving satisfactory collection of tickets?	Yes.
1109 1381 (b)	(b) What has been the percentage of missing tickets on Howrah, Lucknow, Dinapore and Asansol Divisions during 5 months ending November 1928?	The percentage of missing tickets for a Division as a whole are not compiled, hence the information asked for cannot be given.
1109 1381 (c)	(c) Is it a fact that collection in trains has been a failure and that collection is being done by the running staff on gate or on platforms?	No; tickets are usually collected in trains except at the larger stations, like Howrah, Burdwan, etc., where collection is done at gates. Please also see para. 24 of this Report (1926-29).
1110 1389 (a)	(a) Will Government please state on what basis the opinion was framed that the old Travelling Ticket Inspectors were not qualified for higher posts in the Crew Department?	No such opinion was formed.
1110	(b) Is it a fact that Mr. G. J. Harris, Deputy Chief Operating Superintendent (Crew), recommended a curtailment of Travelling Ticket Inspectors mileage?	No.
1110 1389 (b)	(c) Is it a fact that when the Crew System was started in Howrah Division the following from the Travelling Ticket Inspectors' establishment were taken on loan to start with?	Yes.
	Mr. Bhagat Ram, D. I. of T. T. I.'s A. D. S. (Crew).	
	Mr. Judgaly, D. I. of T. T. I.'s Chief Inspector (Crew).	

Number.	Question.	Reply.															
	Mr. Sakir Ali, T. T. I. as Station Inspector (Crew).																
	Mr. H. S. Gardner, T. T. I. as Station Inspector (Crew).																
	Mr. Walla Razvi, T. T. I. as Station Inspector (Crew).																
	Mr. Benjamin, T. T. I. as Senior Inspector (Crew).																
	Mr. Balbir Singh, T. T. I. as Station Inspector (Crew).																
	And that Travelling Ticket Inspectors from Non-Crew Area were also brought to Howrah Division to train the Crew Staff and to perform various other special duties?																
1110 -1389 (c)	(d) Is it a fact that most of the Travelling Ticket Inspectors had rendered meritorious services in different capacities on different occasions on the Railway and before being confirmed as Travelling Inspectors had undergone selection by the following Officer?	Travelling Ticket Inspectors have to pass an examination before they are confirmed.															
	1. Selection by Station Master.																
	2. Selection by Divisional Superintendent.																
	3. Selection by Deputy Chief Accounts Officer.																
1110 1390	(e) Is it a fact that Travelling Ticket Inspectors' earnings used to cover entire expenditure of their establishment including stationery, uniforms, contingency, provident fund, bonus, retiring gratuity and leave allowances and yield thousands of rupees more than the expenditure under the above headings?	Figures in this respect appended :—															
		<table> <tr> <th>Period.</th><th>Pay and allowances.</th><th>Earnings.</th></tr> <tr> <td></td><td>Rs.</td><td>Rs.</td></tr> <tr> <td>1923-24 .</td><td>1,23,126</td><td>2,58,009</td></tr> <tr> <td>1924-25 .</td><td>1,44,921</td><td>3,36,899</td></tr> <tr> <td>1925-26 .</td><td>2,29,472</td><td>4,81,570</td></tr> </table>	Period.	Pay and allowances.	Earnings.		Rs.	Rs.	1923-24 .	1,23,126	2,58,009	1924-25 .	1,44,921	3,36,899	1925-26 .	2,29,472	4,81,570
Period.	Pay and allowances.	Earnings.															
	Rs.	Rs.															
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1924-25 .	1,44,921	3,36,899															
1925-26 .	2,29,472	4,81,570															

Number.	Question.	Reply.			
1110 1391 (a)	(f) Will Government please state how many Travelling Ticket Inspectors were dealt with departmentally for—	Offence.	No. of T. T. I. offending.		
	1. Illegal gratification.				
	2. Misappropriation of money.	1	Nil.		
	3. Travelling without ticket.	2	One.		
	4. Selling or re-using used tickets.	3 to 8	Nil.		
	5. Absconding with Government property.				
	6. Assaulting passengers.				
	7. Robbing passengers of their money and property, and				
	8. Attempting to commit rape.				
	1110 1391 (b) & (c)	(g) Will Government state how many of the Crew Staff have been dealt with judicially or departmentally for the offences under the above headings and under the following sections of the Indian Railways Act and Indian Penal Code—379, 352, 426, 342, 354, 427, 323, 504, 120 and 101 ?			
1111 1391 (d)		Will Government state how many of the convicted men are still allowed to retain their services in the Crew System ?	See Appendix 10.		
1393	Will Government be pleased to state the amount of earnings and savings effected by the introduction of the Crew System over the East Indian Railway ?	Please see para. 18 of this Report (1926-29). On 2 Divisions (Howrah and Lucknow) in a period of 12 months there was an increase in earnings of Rs. 16,50,000, 75 per cent. of which was brought about by an additional expenditure of Rs. 4,44,000 for the Crew staff.			

APPENDIX 9.

Cost of Crew Staff on Divisions, vide Questions
 { 1105 (a) 1, 2 & 3 } Per App. "8".
 { 1371 (a), (b) & (c) }

Number of Questions.	Divisions.	Periods.	Pay and allowance of complete Crew Establishment including Office Peons and Running Staff.	Hostel Rent and Pay of Hostel Staff.	Uniforms, Stationery and Provident Fund.
1105 (a) 1, 2 & 3 1371 (a), (b) & (c)	Howrah .	1st August 1926 to 31st March 1927	Rs. 2,52,684	Rs. 7,610	Rs. 14,681
		1st April 1927 to 31st March 1928	4,17,073	16,545	29,663
		1st April 1928 to 31st March 1929	5,49,972	16,247	50,020
	Lucknow .	1st May 1927 to 31st March 1928	2,50,945	3,021	28,117
		1st April 1928 to 31st March 1929	2,96,321	4,776	35,083
	Dinapore .	1st July 1928 to 28th February 1929.	2,20,363	7,232	11,219

APPENDIX 10.

Statement of Court cases against Crew Staff (still in service) which resulted in their conviction, *vide* Questions { 1111 (a) } in App. "8".
{ 1391 (d) }

Parties to the case.	Section under which charged.	Brief particulars of the case.	Final judgment.	Departmental action taken.	Remarks.
Kali Das Manna <i>vs.</i> Rahindad Khan, Crewman.	379, I. P. C. (Theft) 352, I. P. C. (Assault).	A crowd of about 200 monthly ticket holders refused to show tickets to Crewman on Gate duty at Bandel at the time of 16 NB on 4th August 1926 & were met with resistance by the Crew Staff who persisted in seeing their tickets. The complainant who also took part in the affray was prosecuted on being identified by the Crewman. He filed this case against the Crewman as a counter-charge.	Fined Rs. 10 (for simple assault) under section 352, I. P. C., charge of theft could not be established.	On the recommendation of Mr. Barwell, Counsel for defence, who opined that the trying Magistrate's remarks went far to exonerate him on general grounds, the Crewman was asked to pay the fine himself and allowed to remain in service by the then Officer-in-charge, Crews.	An appeal was preferred on behalf of R. D. Khan for revision of judgment which was unsuccessful.
A. C. Ganguly <i>vs.</i> Mohd. Mustafa Khan, Crewman.	352, I. P. C. (Simple assault). 379, I. P. C. (Theft).	The complainant along with other passengers assaulted the Crewman on 21st December 1926 at Howrah station at the time of 152 Down. He instituted this case as a counter-charge.	Fined Rs. 25. It is not clear from the file under which of the sections he was convicted.	Papers concerning this case cannot be traced.	
Munshi Lal Choudhury <i>vs.</i> Sayed Amir Shah, Crew-in-charge, and Sami Ahmed, Crewman.	342, I. P. C. (Wrongful confinement).	The complainant was prosecuted for travelling without ticket <i>ex Chinsura to Howrah</i> by 26 Down of 3rd May 1927 and as a counter-charge filed this case against the Crew staff.	C. I. C. S. A. Shah and Sami Ahmed, Crewman, fined Rs. 60 and Rs. 30 respectively.	Nil.	

STATEMENT LAID ON THE TABLE.

Parties to the case.	Section under which charged.	Brief particulars of the case.	Final judgment.	Departmental action taken.	Remarks.
Narain Dass Marwari <i>vs.</i> S. A. Shah, Crew-in-charge.	342, I. P. C. (Wrongful confinement).	The complainant who was prosecuted for travelling without ticket by 17 Up of 12th July 1927 and assaulting Crew-in-charge filed this case as a counter-charge.	Fined Rs. 50	C. I. C. reduced to grade of Crewman.	
A curdman <i>vs.</i> H. L. Sinha, Crewman.	120, Ry. Act (Interfering with comforts of Passengers).	A curd vendor while travelling by 120 Down on 26th August 1927 refused to remove his curds to the van provided for the purpose when asked to do so and assaulted and abused Crewman H. L. Sinha and then brought this case against Crewman concerned as a counter-charge.	Fined Rs. 50 under Section 352, I. P. C., for assault. Charge under Section 120, Railway Act could not be proved.	..	A revision application was preferred in this case before Sessions Judge, but was not entertained by him.
Indra Bhusan <i>vs.</i> Ram Lal Verma, Crewman.	504, I. P. C. (Intentional insult).	The complainant while travelling by 45 Up on 16th September 1927 refused to surrender his ticket for Barharwa and also abused and assaulted Crewman Ram Lal. He filed this case as a counter-charge.	Fined Rs. 20 under Section 504, I. P. C.	..	A revision application was filed in this case before Sessions Judge, Suri, but was not entertained by him.
Mahadeo Brahman <i>vs.</i> M. A. Rahman, Crewman.	323, I. P. C. (Voluntarily causing hurt).	The complainant was travelling without a ticket by 25 Up on 28th December 1927 and when demanded the Railway dues refused to pay the same and assaulted Crewman M. A. Rahman. He instituted this case as a counter-charge.	Fined Rs. 20 under Section 323, I. P. C.	Nil.	

THE HINDU WIDOWS' RIGHT OF INHERITANCE BILL.

Rai Sahib Harbilas Sarda (Ajmer-Merwara: General): Sir, in moving that the Bill to secure a share for Hindu widows in their husbands' family property be taken into consideration, I wish to point out that, owing to a mistake in fair copying the draft of the Bill or elsewhere, the words "under the Mitakshara law" were inadvertently omitted in line six of clause 3 of the Bill, and I ask that those words be restored or inserted when the Bill is discussed. The clause should read thus:

"Where the husband of a widow was at the time of his death a member of a joint Hindu family, the widow shall be entitled to such share of the joint family property as her husband would, under the Mitakshara law, have been entitled to, had a partition taken place in his lifetime; and may sue for partition. This share shall become her absolute property."

Sir, before I discuss the provisions of the Bill or give my reasons for bringing in this measure for enactment, I wish to make it clear that the Bill does not make any inroad into the basic principles of the Hindu law of succession or inheritance; nor does it propose to make any material alteration in the law governing the joint Hindu family. Its sole purpose is to ameliorate the lot of Hindu widows by restoring to them their right to be owners of their husbands' property and thus enable them to live their widowed lives without being left practically at the mercy of the male members of their husbands' families.

The right of a widow to inherit or rather become owner of her husband's property was allowed by Hindu law just as a right of inheritance is allowed by Muhammadan as well as English law to widows. And in the rapidly changing conditions of Hindu society it has now become necessary that Hindu widows, who enjoyed this right in old days should now be restored that right and be declared entitled to inherit their husbands' property. In old days a Hindu widow was legally entitled to be owner of her husband's share in the family estate. Old texts make it abundantly clear.

Under the Hindu law, as at present administered, a daughter does not get any share in her father's property as a son does, nor can she claim and sue for a share in her husband's property in the sense a son can do in his father's property. Where a widow does succeed to her husband, her right of inheritance is limited. For all practical purposes, her right has been reduced to a right of maintenance, and this right is often interpreted in courts of law in a very narrow sense. It is the modern case-law that has really reduced her to the position of a mere dependent on the family and entitled her only to maintenance and residence. The student of Hindu law who does not go to the texts themselves is led to believe that she has never been accorded any higher rights. If anything is primarily responsible for the great hardship which has fallen to the lot of Hindu women and which has reduced them to their present utterly helpless condition as regards their legal rights it is the false notion, harboured in the present system of Hindu law, that the woman has got absolutely no right in the property of her husband, except the right of maintenance. This was not what the law-givers of ancient times ever meant, much less did they lay it down. In order to remove misunderstanding, it is necessary that we should examine the import of the texts of the Hindu law.

The fact is, by marriage a girl is cut off from her father's family and introduced into the family of her husband as if she were born therein at the date of marriage, her *Gotra* becoming the *Gotra* of her husband's family, she being united with her husband in blood and body. Husband and wife constitute one individual, the wife being half, *ardhangini*. And, as the sage Datta puts it, "Wealth is considered as common to the married pair". Not only was wealth regarded as being owned by husband and wife jointly, but whenever occasion arose for dividing the estate among those having an interest in the family estate, the wife or mother was counted as a sharer as if she were a coparcener, and this is exactly the reason why the mother was given a share equal to that of a son on partition effected amongst her sons either in the lifetime of her husband or after his death. As an acute lawyer and an oriental scholar puts it:

"She gets a share in virtue of the co-ownership she acquires from the moment of her marriage in her husband's property, by reason of her being the lawfully wedded wife. It is erroneous to suppose that partition creates her right to get a share; for, according to the Mitakshara, partition does not create any right but it proceeds upon the footing of pre-existing rights."

It is thus clear that the fact that the wife is the co-owner of her husband's property is the only basis upon which her right to a share on partition can be explained.

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

If maintenance was to be all that she was entitled to, that right could have been secured by making a provision to that effect, as has been made in favour of those who are regarded as dependents on the family. Where then was the necessity of giving her a share equal to that of her son or husband unless it was as an assertion of her right as co-owner in the property. Her right to succession to the property of her deceased husband was admitted on the basis of her status as co-owner with her husband, and Mitakshara expresses it in these words:

"If it be objected that jointness is declared even as regards ownership of property in the texts: yes, the wife's ownership in the husband's property is certainly shown by the text. Therefore the ownership in the husband's property is vested in the wife also."

Jimutavahana makes it clearer still. While criticising the position taken up by some commentators, he states:

"Nor is there any proof of the proposition that the wife's ownership in her husband's property accruing to her from her marriage ceases on his death."

In spite of the very liberal conception of a woman's status in the family of her husband as co-owner of his property, as formulated by the text-writers, as the foundation of all her rights either as wife or widow, English judges who decided the earlier cases, misunderstood this fundamental basis of her right, either because of their ignorance of the language in which Hindu law texts are to be found or because of the fact that, in their own country, rights of women were then not fully

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recognised. Mr. M. R. Jayakar in his learned presidential address to the 41st Indian National Social Conference thus speaks of the matter:

"The Englishman was not accustomed until the eighties to regard women in his own country as independently capable of acquiring or holding property. English women got this right at a very late stage. With this bias in his mind, it is not surprising that the English judge at Westminster, in interpreting ancient Indian texts written in a language which he did not understand, and of the context of which too he was personally ignorant, adopted a position inclining more towards limited female rights than towards absolute ones. In a celebrated ruling which laid down for all time that inheritance derived by women from a male in their husband's family can never become their absolute property, the Privy Council, being solely dependent upon confusing rival quotations cited on opposite sides, have actually abrogated the Mitakshara rule in favour of more ancient and doubtful text vaguely prescribing an ascetic life for Hindu widows. The bias thus acquired by judicial decisions has unconsciously survived to present day. The English judge in England and in India, owing to his natural caution born of his ignorance of the language and the habits of the people, has fought shy of liberal interpretations except when compelled by the clearest evidence."

We thus find that women's legitimate rights have been greatly curtailed in defiance of the texts. The Allahabad High Court in 1879, in the case of *Jamna vs. Machul Sahu*, recognised the wife's co-ownership in her husband's property in a subordinate sense, but this right was modified by the Bombay High Court in 1880 in *Narmadabai vs. Mahadeo Narayan*, *Kashinath Narayan* and *Shamabai* by implying that the co-ownership does not involve independent or equal powers of disposition or exclusive enjoyment or ownership in the ordinary sense, while the Calcutta High Court curtailed this right still further in 1903 in *Punna Bibee vs. Radha Kissen Das*, by stating that the wife cannot be regarded as co-owner so as to be able to enforce a claim for maintenance against a purchaser for value. This curtailment has been done in the face of clear texts to the contrary. It is however clear that the Hindu law-givers made wives co-owners of their husband's property and full owners of that property after the death of their husbands.

Until recently, when Hindu society was not subjected so much to outside influence, though women had been deprived of certain necessary rights enforceable at law, yet the social traditions and the noble influences of Hindu culture secured to the Hindu widow a position of respect and comfort in the family. And those who are acquainted with the conditions obtaining in Hindu family life know that in all families where Hindu traditions have not been forgotten but are still alive widows are treated with great respect and consideration, and elderly widows even exercise a predominant influence in domestic and social life. But with the gradual abandonment of those ideals which the originators of the joint Hindu family had in view in consequence of the slow disintegration of the joint Hindu family system under the impact of foreign political, economic and social influences, and owing to the acceptance in an increasing degree of new ideals of life and conduct, due partly to the introduction of foreign culture and partly to a new valuation of things, the entire fabric of Hindu society is undergoing a change, and the position of women and particularly of widows is becoming more and more difficult. With the disappearance of moral safeguards which existed while old Hindu traditions were honoured and acted upon, and owing to their non-possession of legally enforceable rights to property, the position of widows is becoming precarious. The only remedy now is to recognise the right of a Hindu widow in family property and thus safeguard her legitimate position. This is the *raison d'être* of this Bill.

It must be remembered that women all over the country are now awakening to a realisation of their precarious position and are demanding that the time has arrived when their rights should be recognised in law. In their Conferences held in different parts of India in recent years, they have demanded rights of inheritance. The All-India Women's Conference, which meets yearly, and which met at Poona under the Presidentship of Her Highness the Maharani of Baroda, at Delhi under the Presidentship of H. H. the Begum of Bhopal and last year at Patna with the Rani of Mandi as President, and the various provincial constituent conferences of women have been demanding for women rights of inheritance. The Gujarati Women's Conference held at Ahmedabad on 8th December last, the Benares Constituent Conference of Women on 10th December, the Simla Women's Conference on 10th September last, the Mysore Women's Conference, which met on 8th and 9th November, last, the Delhi Branch of the All-India Women's Conference, which met on the 26th November, the Ajmer-Merwara Women's Conference, which met on the 2nd December last and various other Conferences have demanded this right of inheritance. The Indian National Social Conference, which is the most important social organisation representing men and women of the whole of India, in its 42nd session held at Lahore during the last Christmas week, over which I had the honour to preside, unanimously supported the present Bill and demanded its passage into law. The Rajputana Women's Conference held in November, 1928, also demanded the passing of this Bill.

It is thus clear that there is a general demand on the part of the women of India that the law should recognise their share in the family property, and important public bodies like the Indian National Social Conference have given their support to the present Bill.

Mr. B. Das (Orissa Division: Non-Muhammadan): Do you concede the remarriage of widows?

Rai Sahib Harbilas Sarda: Yes, widows have a right to remarry. But on remarriage she becomes a married wife, and this Bill deals with widow's rights. Coming to the provisions of the Bill, I have to say that the Bill does not administer any deep cut across the Hindu law of succession; nor does it alter the line of succession by disinheriting persons who are coparceners under the Mitakshara school or who would be coparceners on the death of an ancestor under the Dayabhaga school. As I have said before, the Bill aims at improving the conditions in which a Hindu widow has to live by giving her a certain well defined right of inheriting property from her husband, without in any way materially altering the general law governing the joint Hindu family, and without creating new rights in addition to those already existing. This Bill in no way affects the rights of those who possess those rights by birth in a Hindu family under the Hindu law. It only affects those who acquire some rights in addition to their birth rights by the death of a member of the family, or those who had no rights in the family property at all and who, by the happening of a certain event, i.e., the death of a person leaving no male issue, acquire certain rights in the property of another family. In other words, it only affects the rights of survivors and reversioners, which rights have come into existence owing to recent interpretations of old texts. The Bill thus follows the line of least interference with the basic principles of the Hindu joint family-system.

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Under the Mitakshara law, a male member of a joint family acquires coparcenary rights by birth. Under the Dayabhaga, the coparcenary rights accrue to sons not on their birth but on the death of their father. But as a widow can only claim the share which her husband would have got under the Mitakshara law, leaving intact the shares of her husband's sons and other male members of the family, even the widows in families governed by the Dayabhaga law will be able, under the proposed law, only to claim that restricted share without in any way interfering with the shares of her husband's sons or other coparceners. Thus, there is no disinheriting any coparceners or would be coparceners. And this is made clearer by the contents of the proviso to clause 3, which lays down that if the husband leaves no male issue and the widow adopts a son, she will share her husband's property with the adopted son.

Sir, I have known cases—and Honourable Members cannot be unaware of them—where people who all through the life of a married man, were at loggerheads with him and were his enemies, laid claim on his death to all his property, depriving his widow of her ownership of it. It is true the present law gives a widow a life interest in her husband's property if he was the sole owner of that property, yet the general illiteracy and ignorance prevailing amongst the women in this country, the *pardah* and the seclusion of women from society, and other special features of life in this country make it well nigh impossible for widows fully to get even their restricted rights enforced by law.

I find that the Honourable the Law Member has tabled an amendment asking that the Bill be circulated for eliciting public opinion thereon. If Government wish to adopt that course, I would not object to it and I would accept the amendment that the Bill be circulated for eliciting public opinion if the amendment provides that the Bill, after circulation, becomes available for consideration at the next Session of the Assembly before the life of this Assembly expires. Sir, I move that the Bill be taken into consideration.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I appreciate the object of the Bill which is to secure to the Hindu widow a share in the family property with full power of disposition. Sir, a Hindu widow's rights in the family property are now well settled by judicial decisions. The present attempt is not to elucidate what is obscure, but really a definite step towards the improvement of the widow's position in the family. To that extent the Honourable the Mover has my full sympathy.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): May I know if this sympathy is confined to the Honourable the Law Member personally or extends to Government as well? I am only thinking of the source of this sympathy.

The Honourable Sir Brojendra Mitter: I will explain the Government attitude. If the community which is affected by this measure generally favours it, Government will not stand in the way of its passing into law. But if the community affected by the measure is generally opposed to the measure, Government will not assist an unpopular measure to get through. That is the position of the Government.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): May I inquire what is the reason of this change of heart on the part of the Government so soon after the passage of Rai Sahib Harbilas Sarda's Marriage Restraint Bill, which was a highly unpopular measure and is an objectionable enactment?

The Honourable Sir Brojendra Mitter: That is an irrelevant interruption. But when I say that I sympathise with the object of the Bill, which is to improve the position of the widow in a family, there is no denying the fact that the measure before the House is a wide departure from the existing law.

Take the Mitakshara school of Hindu law. On the death of a member of a joint Hindu family, his interest in the coparcenary property does not pass by succession to his heirs, but it passes by survivorship to the other coparceners, subject to the rule that where the deceased coparcener leaves male issues, they represent his rights to a share on partition. That is the existing law. The widow under the existing law is not a coparcener, but under this Bill she is being made a coparcener. That is a fundamental departure from the existing law. It cuts across the principle of survivorship. The widow steps into the shoes of the husband by depriving the other coparceners who would have got his share by survivorship. That is a departure from the existing law. Whether that departure is desirable or undesirable, I am not discussing at this moment. All I am saying is that this is a wide departure from the existing law. But if the majority of the community affected by this law were in favour of this departure, then certainly the Government would not stand in the way. The opinion of the community concerned has not yet been ascertained. The Bill has been introduced here and, probably, I am almost certain, that, excepting the lawyer Members of this House, no one has taken the trouble to examine the implications of the Bill. Such being the circumstances, I think it is only fair that the communities affected should have the fullest opportunity of examining the provisions of this Bill and expressing their views, whether they favour it or oppose it or whether they want any modification in it. For this reason, I am moving the amendment which stands in my name:

"That the Bill be circulated for the purpose of eliciting opinions thereon."

I hope this amendment will commend itself to this House as the Honourable the Mover has already expressed his willingness to accept it. As regards the condition which he lays down, that the opinions should be elicited in time for the next Session of this Assembly, I can give no undertaking. So far as the Government are concerned, every step will be taken to get the opinions as quickly as possible. This is a measure which affects the rich and the poor alike. In such circumstances, it is impossible to say when opinions from interested quarters—when I say interested quarters, I mean communities which are affected by this measure—when these opinions would be available. I can give no undertaking with regard to that. But subject to that, I submit that this is a measure which ought to be widely known and ought to be widely canvassed and opinions of everybody concerned should be known to the House before the House takes any definite step. With these words, I move the amendment which stands in my name.

Rai Sahib Harbilas Sarda: I am satisfied with the assurance given by the Honourable Member and I accept his amendment.

Mr. Deputy President: The original motion was:

"That the Bill to secure a share for Hindu widows in their husbands' family property be taken into consideration".

Since which the following amendment has been moved:

"That the Bill be circulated for the purpose of eliciting opinions thereon."

The question is that that amendment be made.

The motion was adopted.

THE IMPERIAL BANK OF INDIA (AMENDMENT) BILL.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I beg to move:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be taken into consideration."

Sir, the reason why I wanted this amendment to take place, I have mentioned in the Statement of Objects and Reasons. I will take back the House to the time when the Imperial Bank of India Act was passed in the old Imperial Legislative Council, and Sir Malcolm Hailey, who was then the Finance Member of the Government of India, described the Imperial Bank of India as a national bank intended to do great things for India.

(At this stage Mr. President resumed the Chair.)

The great things which were expected to be done by the Imperial Bank of India have been belied so far as the Indian Banking, Indian Trade and Commerce are concerned. The Honourable Mr. W. M. Hailey (Sir Malcolm now) then said:

"We ourselves have regarded it purely as a measure to extend banking facilities and to render the money resources of India more accessible to the trade and industry of this country; thereby promoting that financial progress which is an indisputable condition of the social and economic advancement of India. It was in this belief, Sir, that we first set our hands to this measure; it was in this belief that, in spite of some opposition and misunderstanding of our motives, we continued to press it on the Council; and it is in the belief that the measure will give to us a great national institution having ample resources for the assistance of trade, constituting itself an example of sound banking to other banks, an institution which will assist not only the State, but the public, and all sections of the public—it is in the firm assurance in this belief that I now ask the Council to pass the Bill."

He further said:

"I have referred to the honourable career of the Presidency Banks in the past. That chapter of their career is now about to be closed, but if our hopes are realised there will spring from their ashes, phoenix-like, a bank which, while not unmindful of the honourable financial traditions of the past, will partake of a wider outlook, and a larger, a more beneficial sphere as a national bank for India."

I may say at once that the Imperial Bank has not been the national bank of India. On the contrary it has been a great national menace to Indian banking, trade and commerce. If the Bank was to be a national

bank, why did it help when a European bank failed, I mean the Alliance Bank of Simla. It immediately went to its rescue. At the same period certain Indian banks failed too. The Amritsar National Bank and the Standard Bank of India, the Oudh Bank of Lucknow all these failed more or less at the same time, but the Imperial Bank of India did not go to their rescue. The authorities of the Imperial Bank and the Government of which Sir Basil Blackett was the Finance Member at the time took no pains to see that those banks did not fail. They did not go to the help of those Indian managed and Indian owned banks and they did not rescue the shareholders and depositors of those banks. Very recently a bank in Calcutta failed, the Bengal National Bank. We did not see the authorities of the Imperial Bank coming to its rescue, nor was the Government of India mindful about the interests of the depositors or investors. Sir, if the Imperial Bank was really intended to be a national bank, as it was given out at the time of the amalgamation of the three Presidency Banks, it has failed in its purpose. It has failed in the matter of Indianisation of the staff and in the matter of appointments of Indian Managing Governors.

Of course I listened with great attention this morning to the reply which the Honourable the Finance Member gave to one or two questions appertaining to this matter on the floor of this House, and I am sorry I have not yet seen any list to show how the rapid Indianisation of the superior staff of the Imperial Bank has been going on. But this much I know that, when the Presidency Banks were amalgamated, they had 89 European officers, and at present they have much more than 250 European officers. Every year bank clerks from England are imported as Agents; and I have also definite information that Indians born of high families and trained in banking and commercial institutes in India have been taken as probationers and they have been allowed to drudge as clerks till 10 P.M. at night, while these young clerks who come from England, go away at 4 o'clock to play tennis or anything they like, and the Indian probationer rots in the second grade almost as a clerk. That is the tradition which the authorities of the Imperial Bank of India have developed. Sir, about this Indianisation of the Imperial Bank I will quote to the House the opinion of the *Bombay Chronicle* in its issue of the 12th February, 1926. It says:

"The Imperial Bank is the hotbed of racial nepotism; Indianisation of the staff is a mockery if we compare the appointments made in its development with the proportion obtaining before the programme of 100 branches was instituted."

At the same time the *Forward* of Calcutta also wrote on the 12th February, 1926:

"The State has therefore every right to press for Indianisation of the Bank; but there is a more urgent reason in addition to this. It is a matter of common knowledge, which has also been publicly expressed on more than one occasion, that the Imperial Bank makes racial discriminations in the matter of credit. Unless the Bank is Indianised more effectively this evil will continue."

With this question of credit I will deal later on, but it is a matter of pleasant surprise to me that on the same day an Indian paper in Bombay and an Indian paper in Calcutta expressed exactly the same view.

Sir, I have heard on the floor of this House and also outside that the shareholders of the Imperial Bank are all Indians and it is therefore an

[Mr. B. Das.]

allows to Europeans and European concerns and how much to the Indians and Indian concerns. He will be surprised to see the racial discrimination shown by the Imperial Bank in this respect. My friend, Sir George Schuster, has stated that, until the report of the Banking Inquiry Committee is published, the present state of things will continue, and the Imperial Bank will not be asked to terminate the contract. I would much prefer that the contract is terminated, but I appreciate the difficulty. Pending the publication of the report of the Central Banking Inquiry Committee I would insist on the Government to pass this Bill so that the contracts may not be renewed without the assent of this House. The point I submit is that our national banking should be completely Indian-managed. My Honourable friend, the Finance Member, must be taking part in those deliberations regarding the grant of Dominion Status to India. If we can manage in the near future our House, we can manage our banking too, and if the Europeans who are controlling the Imperial Bank exclude every Indian and at every stage the question is put, "Who is that Indian who is fit to be the Managing Governor?" If I am permitted to point out, I will point out the gentleman (the Honourable Sir Bhupendra Nath Mitra) who is sitting on the left of Sir George Schuster and who will shortly retire from the high office he holds in the Government of India. I think he will alone manage ten Imperial Banks put together.

With regard to the Indian probationers I have already stated certain things. In the discussions on the floor of this House Sir Basil Blackett often gave out that Indians with proper training in Europe were not found for being taken on the superior staff of the Imperial Bank. But Indian boys graduated in banking from English Universities are bound to receive banking training in British banks. There is an unholy combination to oust the Indian from English banking experiences. To avoid this handicap, I suggest that five Indians be trained every year in the London branch of the Imperial Bank, so that when they return they can be taken on the staff of the Imperial Bank in India on the same salaries as the English recruits. I remember I had once a talk with Sir Basil Blackett who told me that the London branch is a mere post office. If that be so, let five Indians be trained there every year, let them lick the postage stamps there and learn the intricacies of European banking and when they return, let them come not as clerks but as superior officers to work in the higher grades.

Sir, I wish to say one word why I want to limit the number of European officers to the number employed at the time of the amalgamation. I do not want to create fresh grounds for exploitation by young men from England. India should employ and engage her own best trained men. So if the Imperial Bank is going to be a national bank or is for the present acting as our national bank, it must work in that spirit. There should be only 89 officials and the rest should go and they must be replaced by Indians.

I ask the Government of India and the Honourable the Finance Member, as long as he is controlling the Imperial Bank, to see that such racial discrimination, whether as regards employment or as regards credit facilities to Indian industrialists, is no longer allowed against the interests of India. With these remarks, Sir, with these observations, I ask the House to take the Bill into consideration.

Mr. Vidya Sagar Pandya (Madras : Indian Commerce): I rise to support the motion of my friend, the Honourable Mr. Das, that the Bill be taken into consideration. But before I speak on the Bill, I wish to say a few words as to the time at which the Bill has been taken up. We know that members of a very important Party, the Swarajist or Congress Party, have absented themselves, that is, nearly 45 Members of the House who were always in standing opposition against the Government are absent. At the present juncture, I mean, just as things stand at present, it is possible for Government with a clear majority to defeat any motion, of whatsoever importance it may be, in this House. Secondly, the Government should not have put this piece of legislative business in the earlier part of the Session when Members are not yet present in the House in proper numbers. Government with their official Members, who draw salaries and allowances, and with the knowledge that their nominated Members are always at their beck and call, form a clear majority. Even when the Swarajist Party was present, the Assembly was a farce. To go on with business without the strong Opposition Party is a fraud on the public, and under these present circumstances to consider that any Bill has been rejected or any motion for grant of money has been passed by the House is a mere mockery. In these circumstances it will not be the voice of the people that grants funds for the Government to carry on, nor will it be right to say that, if a Bill is defeated, the non-official side has been given proper consideration. The Government have got a clear majority, and they are taking full advantage of it and with a vengeance. I do not think that any Bill or any motion has any chance of being properly considered as long as the Government have got a clear majority.

Mr. President: Whose fault is it?

Mr. Vidya Sagar Pandya: It is the fault of the Government, because when they know that such a united, solid, and strong Party of about 45 Members have resigned, the Government should have first ordered the bye-elections to fill up those seats and then challenged the strength of the other side. As long as Government have not done that, they are guilty of a gross dereliction of duty in going on with these measures and getting them passed in the name of this House.

Mr. President: You are not bound to move them.

Mr. Vidya Sagar Pandya: Sir, we must raise our little voice of protest against the Government's dereliction of duty. We are here to register our opposition. We are here to fill up the cup of their sins, and it is as our duty to our constituents that we bring all these matters to the notice of the public at large, and if in spite of these things being brought to the notice of the Government, the Government still insist on carrying on their work in this tyrannical way, we can only register our protest against it. Howsoever humble it may be, howsoever ineffective it may be, it is our duty to bring it to the notice of the Government and to the public at large. We owe it to our constituents, and if we fail to do that we will not be doing our part of the duty.

Now, Sir, I will come to the main point. The Bill, in my opinion, is a most modest measure that has been suggested. In my opinion the Imperial Bank of India Act of 1920 requires several drastic changes. Of course this is not the time to make them. But so far as this Bill is concerned, it is very modest, and I hope that the Honourable the Finance Member will accept it on behalf of the Government. I do not know what is his

[Mr. Vidya Sagar Pandya.]
view. The present Bill seeks to limit the appointments to be held by Europeans to the number that they were at the time of the amalgamation. That is one part of the Bill. The second thing is that they should give training to Indians in banking work in England. The Imperial Bank at present does not do any real exchange business; it does it in a sort of way, but it does not do as much as any other Exchange Bank. If Indians are given proper training in England they will be in a better position to handle that kind of business.

The third part of the Bill is the appointment of an Indian Managing Director. At present the Bank is very much dominated by the European Directors who are always in a majority and the chief officers of the Bank are mostly Europeans. To know to what extent the Bank has been managed entirely by Europeans to the exclusion of Indians, we must go into the history of the three Presidency Banks which were amalgamated in 1921 and formed into the Imperial Bank of India. The Bank of Bengal was founded in 1806. From 1806 to 1930, that is, for a century and a quarter, the Bank of Bengal could not find any Indian to be either the Secretary, or Deputy Secretary or the Chief Accountant at the Head Office. In the several important Branches, Europeans only were put as Agents; Indians were not at all put as Agents. Similarly, if we take the case of the Bank of Madras, which was started in 1843, no Indian had ever been put as Secretary or Deputy Secretary or Chief Accountant at the Head Office or in any of the important Branch offices. Similarly again, take the case of the Bank of Bombay, which was started about when the Bank of Madras was started. It is said that Europeans are born bankers and nobody other than a European can manage a banking institution. But in 1866, the Bank of Bombay, which was entirely managed by Europeans, failed. It was again re-started, but even there, from the time it was started and even after the reorganisation of the Bank in 1866, they also have never had Indians as Secretary, Deputy Secretary, Chief Accountant, or Managers of important Branches. In 1921, when the three Presidency Banks were amalgamated, there was much opposition to the scheme, and it was even said that they wanted to wreck the scheme of amalgamation unless the Banks undertook to have Indians on the Board of Governors. It must also be stated that on the institutions from which the Imperial Bank was formed, from 1806 to 1917 or 1918 there was never an Indian Director on the Bank of Bengal. Similarly from 1843 to about 1917 there was not a single Indian Director on the Bank of Madras. On account of public agitation in Madras and Bombay and subsequently on account of the pressure brought by some of the Parsi shareholders of the Bank of Bombay, particularly, Mr. Bomanji the amalgamation scheme would have been wrecked, and it is to the credit of Sir Noreot Warren that he brought about a better understanding and they undertook to take up Indians as Directors of the Bank of Madras and the Bank of Bengal, and subsequently, in the amalgamation scheme, they provided for the appointment of Indians. Even now the appointment of Indians in the Board is entirely at the mercy of those other European Directors and the European Officers.

We have heard something about the scheme of apprentices; whenever there is any question of the Indianisation of the Imperial Bank, a list is brought forward and it is said "Here are so many appointments and probationers have been taken into the Imperial Bank service". I am sorry to say that those who have been taken into service so far have not been

properly treated. A dozen of them have personally told me that they would be very happy to work in any other bank on half their present salary in the Imperial Bank. The way in which they are treated is simply disgraceful and so much is still talked of Indianisation and of probationers being taken. I say, Sir, unless they have got at the head among the Managing Governors Indians who are sympathetic, who only will take a real interest in seeing that the scheme is made a success, it would not be possible to have Indianisation of the Bank even in another two centuries. The treatment which these young men are given is not at all good. Similar men who are employed in England do not have even half the educational qualifications which these young men possess. These young men come from respectable families and are well educated and it is not as if they want to shirk work; they are quite prepared to do any work; but in this case, though we have got the Factory Act, under which the employer is not supposed to keep his labourers beyond particular hours, there is no such thing in the Imperial Bank. I know many cases where these young men have to go at about 8 in the morning and stay in the Bank till about 12 at night and sometimes till 2 in the morning at some places. The Agents go away at about four o'clock for their tennis, and then they come back at 6 or 7 p.m. and all these young men and office clerks have to wait and to dance attendance and then the Boss or the Bahadur comes and says "I shall now start work" and goes on working sometimes till about 9 or so. These poor men cannot make any protest against this; if they do anything they will be sacked, and it will be said that these young men want to shirk work. Under these circumstances, Sir, is it not necessary that we should have some scheme whereby we can compel the Imperial Bank to take proper steps to take Indians and make the Imperial Bank better? You do not find in any other country in the world that the Central Bank has got the least number of sons of the soil on its Board. But in the Imperial Bank of India, in the local Board at Madras there are only two Indians out of seven; similarly in Bombay there are only two or three, and in Calcutta there are only two—only less than one-third; and then, Sir, there are other methods by which the Imperial Bank contrives to keep out Indians from the Central Board. To this I have drawn the attention of the Honourable the Finance Member, and he has very kindly promised that it will receive his attention. Under the Act, the President and the Deputy President of a local Board are ex-officio members of the Central Board. I shall take only my own province of Madras. Since the Bank was established in 1921 there has not been one instance in which an Indian has been put either as President or Deputy President of the local Board. Similarly, except one or two instances, in Bengal, Indians are not made Presidents or Deputy Presidents. The result is that four of these posts, which might have been occupied by Indians in the Central Board, are now held only by European Directors of the Bank. This matter has been brought to the notice of the Imperial Bank by means of newspaper articles and by the Southern India Chamber of Commerce and other commercial bodies; but it has not been mended. Unless we have got a regular Act under which we can compel the Imperial Bank to take all these steps, it will not be possible to do all these things by any other method. I wish very much that we could persuade the Imperial Bank to adopt these improvements without any legislative action; but we have failed in persuading them to make all these reforms, and I do not know of any means other than legislative measures to compel the Imperial Bank to take the necessary action to Indianise the Bank.

[Mr. Vidya Sagar Pandya.]

The Imperial Bank now, like other exchange Banks in India, is practically a foreign bank where Indians are treated as foreigners in their own country. If I were to go on to detail the various things done and the methods adopted by them, it would take a long time; but I shall give you one or two instances. Take for instance a country like India where only 7 per cent. of the population has got education, and even of that portion only a few know English, and yet the Imperial Bank of India compels them to go to their office to sign a cheque. Recently they have made a little alteration, but if anybody has to sign a cheque in the vernacular and to draw his own money, he must go to the Bank; the Bank does not make any arrangements to verify and see whether the signature in the vernacular is in order. If you sign in English it is passed, but if you sign in the vernacular, the Bank says, "We do not know what your vernacular is". They do not even care to engage a clerk who will be able to compare the signatures; and we have a Banking Inquiry to find out methods of banking in this country. Every possible obstacle is put in the way of these men who wish to open accounts. On the other hand, Sir, when I was in England, when I went there about fifteen years ago, I had the honour of visiting some of the leading banks there and I found about a hundred or so, men in all the leading banks who knew foreign languages there. All the Continental bankers and Continental customers, when they open an account with any of the five big banks in England, write their letters in their own language; an Italian writes to, say, the Westminster Bank or Lloyd's Bank in Italian; the man from Spain writes in Spanish; the Frenchman writes in French, and the Russian writes in Russian and so on. Their letters are received in all these different languages and they are translated into English; the replies given in English are again translated into the language of the party addressed, and the result is that every man, when he writes a letter to the bank, knows what it is about. He does not know English or English idioms. But what happens in India? The Imperial Bank of India, like every foreign Bank, has not got vernacular cheque books printed in spite of all this agitation. They compel every man, in order to do his banking, to learn English first. I do not see, Sir, why a man should learn English in India while a Frenchman, a Spaniard, an Italian or a Russian who does not know English can keep an account with one of the leading English Banks without learning English. I do not see why Indians in India should be compelled to sign their names in English or else dance attendance on one of the officers of the Bank, sign in his presence, and put their initials in two places. An Indian has to go to the Bank. About 10 or 20 cheques are signed in the presence of the cashier or officer and if, by any chance, any of these cheques is lost or misapplied, the Bank does not take any responsibility in the matter; he is put to all the trouble and loss.

Now, these are some of the methods employed by the Imperial Bank of India in doing business with the public. Unless, therefore, we have Indian officers and an Indian Managing Director in the Bank to look after the wants of the Indian businessmen, it will not be possible to bring about any real reform. I know of many cases in which Indian constituents have to be practically at the mercy of the Cashiers of the Imperial Bank. (*An Honourable Member*: "Why?") The reason is this. The European Agent Bahadur in charge of the Bank does not care to learn the vernacular. So a constituent, when he wants to arrange for a loan, has to

bring with him an interpreter. But the difficulty is when a man wants to make any financial arrangements with the Bank, he does not wish that others should know anything about his financial position or his arrangements with the Bank. At the same time he wants to have a talk with the Agent, but the Agent does not know the language, and so the constituent who wants to make the arrangement with the Bank is in difficulty. The result is that this man has to approach some of the underlings, and sometimes there is a danger of corruption in such cases . . .

Mr. B. Das: What about the Bombay Imperial Bank frauds?

Mr. Vidya Sagar Pandya: Never mind about the frauds; frauds will happen in any institution. But to treat the Indian public in these matters in such a shabby way is most deplorable. The Bank takes away all the public money; it takes away all the ratepayer's money, enjoys all the privileges, and yet treats the Indians as foreigners in their own country. It is only unfortunately in India that the people submit to such kind of treatment. No other nation would submit to such treatment.

Again, we are told that we should look to the Imperial Bank as an ideal institution. But is that the way in which the Imperial Bank should conduct its business with the Indian public? Surely, we require a change in the constitution of the Imperial Bank so that the Indians may be treated properly; and the object of this measure is to see that that object is attained. The Bill is a very small and modest one. There are of course many directions in which changes could be made. That can be done after the Banking Inquiry Committee has submitted its Report, and the Honourable the Finance Member in the light of that Report is able to make certain changes after the experience he gains from his contact with the Imperial Bank; but I may warn him that he should not be entirely led away by the Report of the Banking Inquiry Committee, because the Imperial Bank is such a strong and powerful institution that it is very difficult for most persons who have dealings with the Bank to come forward and tender evidence against such a strong banking institution . . .

Mr. B. Das: Right you are.

Mr. Vidya Sagar Pandya: The reason is this. If anybody, in the course of giving evidence, gives the slightest offence to the Bank, his business will be ruined completely. I can tell the House my personal experience in this matter. When I had to agitate for the inclusion of Indians on the Board of the Bank in Madras, there was great trouble. Some of my Directors were called upon by the then Secretary of the Madras Bank to explain why I was allowed to agitate. The Imperial Bank Secretary said to my Directors: "Why should Mr. Pandya dabble in these matters? Why can't you control him? Why should he interfere in these matters? See that he does not attend the next shareholders' meeting and speak there". In fact, the authorities of the Madras Bank wanted an undertaking from some of my Directors that I would not take part in the agitation or speak against the Madras Bank . . .

Mr. B. Das: Shame.

Mr. Vidya Sagar Pandya: So, Sir, unless we have got proper Indian officers to look after the interests of Indians, it will not be possible to effect any reform. Of course, I know that all the European officers in the Government of India as well as European commercial magnates think that they are Heaven-appointed trustees over us; that we cannot look after our own interests; and that they are the only and best people

[Mr. Vidya Sagar Pandya.]

who can properly look after our interests. But, Sir, all those theories are gone. We have no faith in such grandmother's stories. (Laughter.) What we want is an effective hand in the management of the Imperial Bank. We know where the shoe pinches. We must be able to set right all our difficulties. It is no use our European friends telling us that we are yet children and we do not know how to manage our affairs. If at all we are allowed to manage our affairs, we can certainly manage them better.

Again, I might quote the instance of the Peoples' Bank of India, Ltd., which was an entirely Indian-managed institution. Unfortunately, when this Bank got into trouble, the Bank of Bengal declined to give an advance against Government Paper to people who wanted to take a loan against their Government Paper with a view to lend money to the Peoples' Bank. In fact the Bengal Bank wanted a clear undertaking from such people that they would not lend such money to the Peoples' Bank and only on that undertaking the Bank would agree to advance money against Government Paper. And, Sir, when the Industrial Commission was touring round the country, Lala Harkishen Lal, when he appeared before the Commission to give his evidence, made these serious charges against the Bank of Bengal. I was present on the occasion. The President said: "Well, Mr. Harkishen Lal, you are a barrister; you realise what you are talking about, I suppose". Lala Harkishen Lal replied: "Yes certainly, I do realise what I am talking about. I am speaking with a full sense of responsibility, and I am prepared to adduce the necessary evidence and my witnesses are here". Then there was a little whispering among the Members of the Commission and they perhaps thought it best to drop the matter and did not pursue it further. As against that, take the case of the Alliance Bank of Simla . . .

Mr. B. Das: What about the dinner on account of the failure of the Peoples' Bank?

Mr. Vidya Sagar Pandya: They have digested it long ago. (Laughter.) But take the case of the Alliance Bank. The Imperial Bank did not know fully what was the value of the properties held by the Alliance Bank. All at once 8 annas in the rupee were given to the depositors. Of course, there were certain political reasons behind this action, and I need not go into them now. But because the Europeans were in a majority on the Boards of all the three Local Boards and the Secretaries were also all Europeans, they at once consulted together and decided to come to the rescue of the Alliance Bank. If the Imperial Bank of India had not come timely to the rescue of the Alliance Bank, it would have revealed a number of bad things in the European management of the Alliance Bank, but everything was carefully hidden. With great and indecent haste the Imperial Bank advanced the money—I do not know yet what were the assets of the Alliance Bank—to the Alliance Bank without even carefully examining the assets or the financial position of the concern. We do not know how much property of the Alliance Bank has been taken up by the Imperial Bank themselves, which was originally given as security when they rendered the Alliance Bank financial assistance. In the case of the Peoples' Bank the depositors were paid at the rate of 19 annas in the rupee, whereas with all the much-trumpeted European management, the Alliance Bank has paid only 8 annas. Look at the difference.

Therefore, Sir, what I am trying to point out is that, unless you have got men who sympathise with us, who take a real and genuine interest in the country, unless you have men who are interested in developing the local industries, trade and commerce, you cannot run the Central Bank properly and efficiently. Most of the foreign banks are run practically by Britishers. Of course, I do not want to find fault with them, because they come here from a distance of 6,000 miles to make some money, and they are interested only in the export and import trade, and the Imperial Bank renders the foreign concerns financial assistance in bringing the crops from the interior. If we want to effect a real reform in the Imperial Bank, I would suggest that at least half the number of Directors should be Indians and one Managing Director; also a majority of officers should be Indians. It is only then that it will be possible to make any headway in the matter of financing our industries, trade and commerce. I shall not take up any more the time of the House. I support the motion of the Honourable Mr. B. Das to take the Bill into consideration.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muhammadan Rural): Sir, after the exposures made before this House by my Honourable friend Mr. Vidya Sagar Pandya, speaking on the motion of Mr. Das it is impossible for any independent Member of this House not to support the motion of Mr. Das. As a matter of fact the details of the Bill moved by Mr. Das have been before the public for many a long year. Ever since the Imperial Bank of India came into existence, or I would rather say, soon after the Bank came into existence, the people of India have been disillusioned as to the mighty results that were expected from it. It was stated when the consolidation of the three Banks was under consideration that this centralisation would lead to the policy of initiation of Indianisation, which in due course would give us all Indian Agents of the Bank at its various branches. That, Sir, has not happened. Not only that, but as my Honourable friend pointed out, since 1926 or 1927 the policy of further initial Indianisation seems to have come to an end. It is most regrettable that in matters of this character, the Government which, when it suits them, raise certain hopes in the public mind, soon afterwards, when their ends are served, forget all about their promises and leave the Indian side to shift for itself. This is not the only case, and if I had time, I could enumerate a large number of cases where high hopes were raised when Government wanted to carry a particular item through. But as months and years roll on, as the pressing need of the hour is no longer felt, a deaf ear and a blind eye are turned towards old promises. That is the reason why I have risen to support this Bill. I would like, if I may, to make a suggestion; that is particularly after what my Honourable friend Mr. Vidya Sagar Pandya has pointed out, I very much doubt the wisdom of clause 2 (c), namely:

"that from the date of the promulgation of this Act, as amended, the total number of European officers shall not at any period exceed the number employed at the time of the amalgamation of the Presidency Banks."

[Mr. Sarabhai Nemchand Haji.]

I do not see any reason why we should encourage the permanence of a European block in this national institution, particularly when we propose to make it national in due course. If it were possible, I would like that the Bill should be committed to a Select Committee wherein its various clauses which make it a very mild measure at the moment, may be strengthened, and other items incorporated with a view that this Bill should help to Indianise the whole of the character of the Imperial Bank as we know it to-day. I want Indianisation not merely with regard to staff, because that is a relatively minor matter; but the important matter is that there should be Indianisation of the Directors and Indianisation of the management. My Honourable friend Mr. Vidya Sagar Pandya has mentioned a majority of Indian Directors. Sir, our experience in the past has been that a mere majority of Indian Directors does not help. It must be an effective majority of Indian Directors. As is required by the various clauses of the Indian Companies law, I suggest that no effective Indian majority of Directors can exist unless the number of Indian Directors is 75 per cent. of the total. Moreover, those of us who have experience of business know that in this country under the present operation of the Company law, if the management is of a mentality different from even that of the majority of Directors, the view of the management holds. It has been our experience in a large number of cases that where management is European, with even an Indian majority of Directors, we have not succeeded in getting the Indian mentality instilled into that company. That is why from the practical point of view, I would also insist that, in addition to 75 per cent. of Indian Directors, we should have 75 per cent. Indian element in the management of the Bank in order that all those evils that have displayed themselves in the past and in the recent history of the Bank should no longer continue to operate, and in order that a brighter future might be held out to those merchants whose claims for help have not in the past been properly considered because they were Indians. This is not the time to go into details of the many cases in which parties have not been helped by the Imperial Bank at one or the other of their branches simply because the parties are Indians. Nor do I want to narrate cases in which large credits have been provided to parties because, as the outside world feels at least, the parties are Europeans. This kind of discrimination which has been going on and under which the public smart much more after the passing of the consolidation Act than before, should no longer be allowed to continue. I say, Sir, that the only way to do it is, not merely to get a majority of Indian Directors on the Board, but also to have a majority of Indians in the management. That majority, if it is to be effective, should be also 75 per cent. That much, Sir, with regard to the Indianisation of the Bank. Now I would just like, before I sit down, to say one word about the training. There is a clause here which says that the London branch shall provide training for at least five Indian graduates from recognised Universities every year. It may be stated in reply to this demand that as the London branch works merely as a post office, it is not possible for that branch to provide any adequate training. Even granting the full strength of that argument, may I suggest that, with a branch working, even as a post box, in London, that branch must have got certain business relations with other banks in London and elsewhere; and if a genuine desire were felt and if genuine efforts were made to help the training of Indians in England under the scheme, it would

not be impossible for even this post office of a branch to arrange with the various banks in London to take up properly recruited Indian candidates. Whatever may be the fate of this Bill, I hope the suggestions that have been thrown out from the popular side will be borne in mind and as many of them incorporated into action as possible whenever opportunity arises. Sir, with these words I support the motion made by Mr. Das.

The Honourable Sir George Schuster (Finance Member): Sir, at the outset I should like to congratulate my Honourable friend Mr. Das, on his success in eventually finding a place in the active list for his Bill.

Mr. B. Das: After five years.

The Honourable Sir George Schuster: He has been a very patient supporter of this measure, and now, as he says, after five years he has found place for a debate on the second reading. I should like to say at the outset that I am in complete sympathy and that Government are in complete sympathy with what they understand to be the object of this Bill, namely, that the Imperial Bank should take every opportunity of training Indians and of associating Indians in the management of the Bank. I am sure my Honourable friend will admit that as regards that kind of policy and the spirit which I believe he has in mind, I myself have never neglected any opportunity to give effect to it in all that I have had to do out here, either working with the Public Accounts Committee or the Standing Finance Committee, or in any other way; so that I feel sure he will believe me to be genuine when I say that I am in complete sympathy with the spirit underlying his Bill.

I do not propose, Sir, to reply in detail to a great many of the general statements which have been made about the Bank. I think those statements have been to say the least exaggerated, as for example when we hear the Bank described as a "hotbed of racial discrimination", and words of that kind used. None of those statements has been supported in this debate by any sort of reliable evidence. It is very easy to make general statements of this kind, and I for one do not believe that they are justified.

I would like to refer to the remarks of my Honourable friend, Mr. Vidya Sagar Pandya, when he regretted the composition of the House which was here to-day to hear the discussion of this Bill. I myself also regret one particular absentee and that is my Honourable friend Sir Purshotamdas Thakurdas. I should have very much liked to hear what he had to say on the subject. So far as I have seen the working of the Bank,—and I have sometimes been insisted to attend the meetings of the Central Board in Bombay,—he has always been a most prominent figure on the stage; and from what I have seen in Bombay, if I had been asked to name an example of any place where there was perfect co-operation between Europeans and Indians in the working of practical business, I should have said it was in the working of the Central Board as I saw it at Bombay. I believe myself that at any rate for the next few years, that is the way in which success is to be achieved in the development of business and in the economic progress of India, and I had thought that in the Imperial Bank something of that kind was being done.

Sir, although I sympathise, as I have said, with the general object of this Bill, I regret to say that, speaking on behalf of Government, I must oppose the second reading. I do not feel that the terms in which the Bill is drafted are appropriate to the objects which the Mover has in mind; nor

[Mr. N. C. Kelkar.]

that sort of assurance even, and simply criticises the Bill in a destructive manner.

The Honourable Sir George Schuster: May I ask what sort of assurance is required? My point was that, from the figures which I gave, the Imperial Bank was advancing very fast in the direction of the Indianisation of its staff, and that the measures that have been already adopted were proving effective in attaining the object which my Honourable friend Mr. Das has in moving this Bill. If I had not been able to find evidence of that advance, I might have taken a different attitude, but in the circumstances my point is that no assurance is required so long as the Bank continues in its existing practice.

Mr. N. C. Kelkar: The assurance I want is not in the light of the interpretation of the figures of Indianisation on which the Finance Member relies, and in which he believes, but specially in the light of the demand made in this Bill, and that assurance again is half-hearted. He practically gives credit to the Imperial Bank for doing what is right, but we on this side of the House say frankly that we do not take the same view as he does about the figures of Indianisation that he has quoted. Therefore what I would have liked to have from him is an assurance, not in relation to the figures that he has quoted, but with regard to the demand that has been made in this Bill.

Now it is said that the treatment of the question of the agreement through a Bill, through statute, would not be very satisfactory. Perhaps there is something in that, but if the Charter of the Bank is given by statute, I do not see why there should not be any reference in the statute itself as to the agreement between the Bank and the Government. At present there may be an agreement, but it is entirely approved by Government alone, and the Legislative Assembly, as such, has absolutely no voice in determining the terms of the agreement, and as the Assembly is the chief custodian of the people's money, and as the Imperial Bank is chiefly supported by the people's money, this Assembly has certainly a right to claim a voice in determining the terms of the agreement also. Now, if it were a question of exchange banks or ordinary shareholders banks, we would not have been right in coming to this House with a demand of this kind, but the Imperial Bank stands on a separate basis altogether. As I have said, the Imperial Bank would not be so powerful or profitable to the shareholders were it not supported by the people's money.

What the Imperial Bank ordinarily does in the nature of training not only Indian students but also training the public at large in the methods and habits of financing—that question was sufficiently discussed when Mr. Haji some time ago moved for a Banking Inquiry. In the course of that debate it was pointed out by many speakers, including myself, that the Imperial Bank does not care a little with regard to the training to be given to the people in the methods and habits of banking. It is an absolutely imperial body, as its name shows; it is imperial and autocratic, and you have simply to attend at the office of the Imperial Bank for some time and again at the office of some private bank for some time to see the difference between the treatment given to the customers by the two banks.

The principal question raised by the Bill is manifestly Indianisation. That has been discussed already to some extent. The other question is as to the views, attitude and tendencies of the Imperial Bank; that also has been discussed and I do not want to go into the merits or demerits, the doings and the misdoings of the Bank; that has been sufficiently discussed. But what is directly aimed at in the Bill is Indianisation. Perhaps clause 2 might have been worded differently. I myself think that the wording, "that from the date of the promulgation of this Act as amended the total number of European officers shall not at any period exceed the number employed at the time of amalgamation of the Presidency Banks", in clause 2 is somewhat drastic. I personally would not make it so drastic, and I see there is some point in what the Finance Member has said with regard to abrupt changes to be made in the personnel of the Bank. Things of course could be done gradually, but there is no assurance that, even gradually, they will be made.

Then there is this demand that the London branch shall provide training for at least five Indian graduates from recognised Universities every year. Here also I am just inclined to agree more with the Finance Member than with the Mover of the Bill, and I think that the principal training that has to be secured for Indian candidates and probationers has to be secured in Indian finance and that will be done more properly in the Indian Bank itself than at the head office in London. But what Mr. Das probably had in mind was that there was such a thing as high finance, and training in that high finance cannot be obtained in India but only in London; and I do say that, even Indians deserve to be given that training in high finance which is to be obtained at the London office rather than in the Indian offices.

Now, Sir, with regard to this demand that Indians should be on the directorate or the management of the Imperial Bank, I do not think there is anything wrong in making that demand. In fact, I may point to the example of the Reserve Bank Bill which has now been dropped. If you look at that Bill, you will find that Indian directors were expressly sought to be secured by statute. Clause 8 (b) of that Bill distinctly says: "Two directors shall be Indians nominated by the Governor General in Council". That is a statutory provision in the name of Indians. I do not see why it should be supposed to be wrong to secure Indians as such by statute on the ground that it is not practicable to secure Indians at once. I may mention in passing that the Reserve Bank was supposed to be a much bigger bank in effect than the Imperial Bank itself; and if on the directorate of the Reserve Bank you could contemplate having Indians as such, I do not see any reason why there should not be a demand for Indian directors as such on the Imperial Bank. Then again in that Bill Indians were supposed to be coming in indirectly also. Clause (b) specifically mentioned Indians to be nominated by the Governor General in Council, but there were to be, in addition, directors to be chosen or selected by Indian Chambers of Commerce: manifestly the expectation was that the selected persons would be Indians. Then again a director was to be elected by the provincial co-operative banks. It was openly expected that that director would also be an Indian and very naturally. There was also a proposal originally, which was stoutly opposed by Government but on which the House never yielded its position, that three directors should be appointed by the Indian Legislatures. I take it that at least

[Mr. N. C. Kelkar.]

two of them would have been Indians; and if I remember aright, the entire effort on the part of this side of the House at that time was to secure, not quite a large majority of Indian directors, but a very considerable number of Indian directors to be appointed on the Board of the Reserve Bank. If that be the case, I suppose, if the Bill had not been dropped under peculiar conditions and if we could have reached the end of that Bill, I think the required number of Indian directors on the Reserve Bank would have been secured. If that is the case with regard to the Reserve Bank, which was a much more important and a bigger bank than the Imperial Bank, why should any difficulty be made about Indian directors to be provided for by statute for the Imperial Bank? In the case of the Reserve Bank manifestly there was an endeavour to be made to have Indian directors on the Bank by statute. Where is then the objection to make a similar attempt with regard to the Imperial Bank?

There is only one more remark I wish to make and that is with regard to the agreement. On that matter I have already said that what the Finance Member has said does convey a sort of assurance that what Mr. Das wants to be secured by the last sub-clause of clause 2 is going to be secured more or less; but the principal point is not yet made clear as to whether the Legislative Assembly will have any voice in settling the agreement as between the Imperial Bank and the Government. So far there is no Reserve Bank on the horizon, and even in the course of the Reserve Bank Bill debate, it was contemplated that the Imperial Bank might work as the agent of the Reserve Bank; and even then the question was raised and a number of amendments were tabled to the effect that the agreement with the Imperial Bank should terminate after a certain period and that future agreements should be subjected to the approval of this House. The same demand is made here. Of course, as I said, the Finance Member has given a sort of assurance that the Legislative Assembly will be kept informed as to what the agreement is; but that is quite different from giving the Legislative Assembly an actual voice in the matter of the settlement of the agreement. With these remarks I support Mr. Das's Bill.

***Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, we are glad to have had the assurance of the Honourable the Finance Member that his sympathies are with the object of this Bill; and I am also glad for the information that he has given with regard to the progress that has been made in the Indianisation with reference to this Imperial Bank. To the extent it has gone, it is a matter for satisfaction and thankfulness. I recognise that the Bill as it stands requires further consideration and I therefore suggest that, if the Honourable the Finance Member agrees, the Bill might be circulated for opinion.

The main points that have come out in the discussion, particularly from the Honourable the Finance Member's remarks, are the impracticability or rather the injustice, which is involved in the suggestion that the total number of European officers shall not in any period exceed the number employed at the time of the amalgamation of the Presidency Banks. I do not think that the House would desire that 89 officers or any

number like that should be dismissed. What the Honourable the Finance Member suggested was a better course, namely, that it might be agreed that, from a certain date to be fixed, there shall be no further increase in the number of European officers. That is a suggestion which is very deserving of consideration. If we had time, possibly we might agree to lay down a proposition in a form which might be acceptable to the House generally. There is no doubt that, while the increase in the number of Indians employed has been considerable so far as numbers go, we have to take into account the emoluments and the offices which they hold, and it is high time that there was a definite policy adopted of increasing the number of Indians in the higher appointments in the service of the Bank. I therefore think that this is a matter which might very well be considered if the Bill were circulated and we had the opinions of those who have been working institutions and dealing with them.

With regard to the second point about giving training to Indian graduates in London, I agree with the Honourable the Finance Member and my friend Mr. Kelkar that provision should be made in India for giving as good a training as can possibly be given in India to suitable Indian graduates to qualify themselves as Managers or Assistant Managers in these Banks. If the Bill is circulated for eliciting public opinion, we might be able to get more definite opinions and more concrete proposals to improve the training which is at present given. It might also then be considered whether, in addition to the training which may be provided for here, there should not be a number of scholarships, say 20 or more or whatever the numbers might be, awarded to students who have taken degrees in economics to proceed to other countries besides England to take the necessary training. That is a matter which requires consideration, because when the result of the Banking Inquiry is known, whatever changes might take place in the constitution of the Government, it is obvious that in the near future a great deal of banking development must be a certainty. We cannot contemplate India going on with the present system of banking. There must be a very great expansion of banking in India, and you will require very well trained men; and men cannot be trained in a day. Therefore, Sir, I suggest that this question also deserves consideration which could be given to it if the Bill were circulated for opinions.

Thirdly, Sir, with regard to the suggestion thrown out by the Honourable the Finance Member that training might be given not so much as in the London Branch of the Imperial Bank as in other institutions, I think that supports what I have already said. There are young men who have taken the M. A. degree in economics in several universities. Several universities give degrees now in commerce. They learn a good deal of banking theoretically, but if we could arrange for institutions in London to receive a certain number of Indians as apprentices, they would be able to qualify themselves in time to be appointed as Managers and Assistant Managers.

Then we come to the appointment of one Indian at least by nomination by the Governor General in Council on the Central Board. I do not know what the practice at present is, but I do not think there should be any difficulty in accepting a statutory provision to that effect. We have been relying too long on a general desire to Indianise Departments. We want now statutory provisions, wherever we can put them in, in order to be

*Speech not revised by the Honourable Member.

[Pandit Madan Mohan Malaviya.]

assured that Indianisation shall be carried on in a definite way. I therefore think that this is also a matter which is well worthy of consideration.

Lastly I come to clause 3, which says that "all future agreements with the Imperial Bank of India shall be subject to the approval of the Legislative Assembly and shall be of a temporary nature". The Honourable the Finance Member has said that no new arrangement will be made with the Imperial Bank of India without the Assembly being informed. Well, that no doubt is very clear. But I think the House on this side wishes to have an assurance that, when the period of the present agreement with the Bank is extended, the House should have an opportunity to review the action of the Bank in different directions, to point out any deficiencies there might be, and to draw attention to those deficiencies. I think an assurance is needed from Government on that score, that the extension of the period of agreement with the Bank will not take place without the House being given an opportunity to have a say in the matter. All these points are such that they deserve to be considered further. At this stage it would be wrong, in my opinion, to ask us to pass the Bill, and it would be equally wrong to oppose the Bill. I therefore venture to put forward the suggestion that, if the Honourable the Finance Member agrees, with the leave of the Chair, I wish to move that the Bill be circulated for opinion. I hope, Sir, I have your approval, and I do move that the Bill be circulated for opinion.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, the discussion on the Bill this morning has shown that both sides of the House, I mean the Government and the non-official Members, are in sympathy with the real object of the Bill. What is required is a modification in the language of the Bill. We find that certain clauses are not properly drafted. But, Sir, in order to achieve that object, my learned friend Pandit Madan Mohan Malaviya has suggested that the Bill should be circulated for eliciting public opinion. With due deference to the Honourable Pandit, I am unable to agree with him in the suggestion he has made. A motion to circulate the Bill for eliciting public opinion at this stage, when the Assembly is going to be dissolved in a few months, would mean killing the Bill altogether. Therefore, Sir, I would propose that, instead of the Bill being circulated for eliciting public opinion, it may be referred to a Select Committee, and after the Select Committee has met, say in the course of a week or ten days, the Bill will again be brought in the House for discussion, and then it may be passed. I hope, Sir, that the view which I have expressed will be accepted by the House.

Mr. President: Has the Honourable Member moved?

Maulvi Muhammad Yakub: I move, Sir, that the Bill be referred to a Select Committee.

Pandit Madan Mohan Malaviya: May I have your permission to withdraw my motion? I agree with the motion moved by my friend Maulvi Muhammad Yakub, and if that is accepted, I shall be very pleased.

Mr. President: Both will stand.

The Honourable Sir George Schuster: Sir, I find myself in some difficulty in dealing with both these motions at the same time. I should like to make one point perfectly clear. The Honourable the Deputy President has

made a statement that both sides are in agreement as regards the object of the Bill

Maulvi Muhammad Yakub: I said that both sides of the House are in sympathy with the object of the Bill. I thought from the speech made by the Honourable the Finance Member that he was in full sympathy with the object of the Bill.

The Honourable Sir George Schuster: I was going to say that that in a sense is perfectly true, but I want very definitely to state that, while I am in agreement with the objects which the Honourable the Deputy President has at heart, and I believe my friend Mr. Das has at heart, I am not in agreement that those objects can be achieved by legislation, and certainly not by legislation of this kind. I think that this Bill is a badly aimed shot at that particular target, which will never hit it, however far it travels. That, Sir, is my difficulty in dealing with the suggestion which came from the Honourable the Leader of the Opposition, that the Bill should be circulated for opinion. There again I am entirely in agreement with the object that it is desirable to get the opinion of the country on this subject, but I venture to suggest that he would be doing a disservice to the cause which he has at heart if he persuaded us to allow this particular Bill to be circulated, because I think that this Bill is misdirected and does not really get down to the root of the matter at all. Therefore, anxious as I should be to meet the Honourable and learned Pandit on this question, I feel that I should have to oppose even his moderate suggestion, and taking that line, I must all the more strongly oppose the suggestion which has come from the Honourable the Deputy President of the House. But, Sir, although I have taken that line, I should be very pleased to discuss with the Honourable the Leader of the Opposition any other method for arriving at the object which he has at heart. I do not think that any useful purpose would be served by allowing this particular Bill to be circulated for opinion. Therefore, Sir, I must oppose both the motions which have been moved.

Mr. President: The question is:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be referred to a Select Committee."

The Assembly divided:

AYES—22.

Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Das, Mr. B.
Farookhi, Mr. Abdul Latif Sahab.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Iswar Saran, Munshi.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.
Lalchand, Navalrai, Mr.
Malaviya, Pandit Madan Mohan.
Mody, Mr. H. P.

Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Rahimtulla, Mr. Fazal Ibrahim.
Rang Behari Lal, Lala.
Sarda, Raj Sahib Harbilas.
Singh, Raja Raghunandan Prasad.
Yakub, Maulvi Muhammad.

NOES—45.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Alexander, Mr. W.
 Anwar-ul-Azim, Mr.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Chambers, Mr. G. W.
 Chatterjee, The Revd. J. C.
 Coatman, Mr. J.
 Cosgrave, Mr. W. A.
 Crawford, Colonel J. D.
 Crerar, The Honourable Sir James.
 Crosthwaite, Mr. H. S.
 Ferrers, Mr. V. M.
 French, Mr. J. C.
 Ghuznavi, Mr. A. H.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. L. B.
 Hira Singh Brar, Sardar Bahadur,
 Honorary Captain.
 Howell, Mr. E. B.
 Jawahar Singh, Sardar Bahadur
 Sardar.
 Lindsay, Sir Darcy.

Mitra, The Honourable Sir Bhupendra
 Nath.
 Mitter, The Honourable Sir Brojendra.
 Monteath, Mr. J.
 Mukherjee, Rai Bahadur S. C.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Row, Mr. K. Sanjiva
 Roy, Mr. K. C.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir George.
 Shah Nawaz, Mian Mohammad.
 Slater, Mr. S. H.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Tin Tut, Mr.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Sir.

The motion was negatived.

Mr. President: The question is:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be circulated for the purpose of eliciting opinions thereon."

The Assembly divided:

AYES—21.

Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Das, Mr. B.
 Farookhi, Mr. Abdul Latif Saheb.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Iswar Saran, Munshi.
 Kelkar, Mr. N. C.
 Kunzru, Pandit Hirday Nath.
 Lalchand Navalrai, Mr.
 Malaviya, Pandit Madan Mohan.

Mody, Mr. H. P.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rang Behari Lal, Lala.
 Sarda, Rai Sahib Harbilas.
 Yakub, Maulvi Muhammad.

NOES—46.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Alexander, Mr. W.
 Anwar-ul-Azim, Mr.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Chambers, Mr. G. W.
 Chatterjee, The Revd. J. C.
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 Singh, Raja Raghunandan Prasad.
 Slater, Mr. S. H.
 Sykes, Mr. E. F.
 Tin Tut, Mr.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Sir.

The motion was negatived.

Mr. President: The question is:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be taken into consideration."

The motion was negatived.

THE ARYA MARRIAGE VALIDATION BILL.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadian Rural): Sir, I beg to move:

"That the Bill finally to recognise and place beyond doubt the validation of inter-marriage of Arya Samajists be referred to a Select Committee consisting of Dr. B. S. Moonje, Mr. Vidya Sagar Pandya, Sardar Gulab Singh, Pandit Thakurdas Bhargava, Rai Sahib Harbilas Sarda, Mr. Fazal Ibrahim Rahimtulla, Mr. N. C. Kelkar, The Honourable the Law Member, the Honourable the Home Member, and the mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, I am indebted to the Honourable the Law Member for enunciating to-day the principle upon which Government have decided to act in the case of legislation of this kind. He has told us that, if the measure introduced has the support of the community which is affected by the measure, Government will not oppose the Bill. If this principle applies in the case of this Bill, which I had the honour to introduce, then I have simply to satisfy Government that my Bill is approved by the community to which it applies. In order to satisfy Government on this score let me point out a few relevant facts in this connection. At the time of the celebration of the centenary of the Arya Samaj at Muttra in 1925, all the Arya Samajists who gathered together decided upon the need of this measure. Then the matter was taken up in right earnest by the All-India

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 Hira Singh Brar, Sardar Bahadur,
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 Lindsay, Sir Darcy.

Mitra, The Honourable Sir Bhupendra
 Nath.
 Mitter, The Honourable Sir Brojendra.
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 Mukherjee, Rai Bahadur S. C.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Row, Mr. K. Sanjiva
 Roy, Mr. K. C.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir George.
 Shah Nawaz, Mian Mohammad.
 Slater, Mr. S. H.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Tin Tut, Mr.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Sir.

The motion was negatived.

Mr. President: The question is:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be circulated for the purpose of eliciting opinions thereon."

The Assembly divided:

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Aney, Mr. M. S.
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 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Iswar Saran, Munshi.
 Kelkar, Mr. N. C.
 Kunzru, Pandit Hirday Nath.
 Lalchand Navalrai, Mr.
 Malaviya, Pandit Madan Mohan.

Mody, Mr. H. P.
 Moonje, Dr. B. S.
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 Neogy, Mr. K. C.
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 Mukherjee, Rai Bahadur S. C.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Row, Mr. K. Sanjiva.
 Roy, Mr. K. C.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir George.
 Shah Nawaz, Mian Mohammad.
 Singh, Raja Raghunandan Prasad.
 Slater, Mr. S. H.
 Sykes, Mr. E. F.
 Tin Tut, Mr.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Sir.

The motion was negatived.

Mr. President: The question is:

"That the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be taken into consideration."

The motion was negatived.

THE ARYA MARRIAGE VALIDATION BILL.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Sir, I beg to move:

"That the Bill finally to recognise and place beyond doubt the validation of inter-marriage of Arya Samajists be referred to a Select Committee consisting of Dr. B. S. Moonje, Mr. Vidya Sagar Pandya, Sardar Gulab Singh, Pandit Thakurdas Bhargava, Rai Sahib Harbilas Sarda, Mr. Fazal Ibrahim Rahimtulla, Mr. N. C. Kelkar, The Honourable the Law Member, the Honourable the Home Member, and the mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, I am indebted to the Honourable the Law Member for enunciating to-day the principle upon which Government have decided to act in the case of legislation of this kind. He has told us that, if the measure introduced has the support of the community which is affected by the measure, Government will not oppose the Bill. If this principle applies in the case of this Bill, which I had the honour to introduce, then I have simply to satisfy Government that my Bill is approved by the community to which it applies. In order to satisfy Government on this score let me point out a few relevant facts in this connection. At the time of the celebration of the centenary of the Arya Samaj at Muttra in 1925, all the Arya Samajists who gathered together decided upon the need of this measure. Then the matter was taken up in right earnest by the All-India

[Mr. Mukhtar Singh.]

Aryan League. They drafted a Bill and got it circulated to all the provincial Arya Pratinidhi Sabhas and through them to all the local Arya Samajes. The present Bill is thus the outcome of the approval of all the Arya Samajes in the country through their provincial Arya Pratinidhi Sabhas and then through the Sarvadeshak Sabha. I have taken the liberty of the introduction of this Bill at the behest of the all-India Aryan League, and this must be quite enough to satisfy Government on this point. The Bill has been before the public from the last Simla Session, when it was introduced in the Assembly. Since then I have received a number of resolutions, letters and telegrams which strongly support the Bill. Is it not enough then for Government to conclude that the Bill is really supported by the community which is affected by it? Where is the necessity then of delaying the measure any more, and why not pass it as soon as possible? If I had been an expert in the matter of drafting, like my friends Mr. B. Das and Rai Sahib Harbilas Sarda, I would have made a motion for the taking into consideration of this Bill at once. But I thought there was a likelihood of improving the language to a considerable extent in the Select Committee. It may be said that there is no harm in getting it circulated so that public opinion may also be consulted in the matter. I am not at all afraid of public opinion, rather I welcome it, but my difficulty is that, if the Bill is not referred to the Select Committee this Session, there is no likelihood of its being passed during the life of this Assembly. It is after continuous attempts for the last two years that the Bill has reached this stage, and any further delay will be a great loss to the Arya Samaj community. I appeal to Government not to take advantage of their majority over this non-controversial measure and give their whole-hearted support to this Bill.

So much for the Government. I may be asked by the Honourable Members where is the necessity for such a measure? They may very well say that the Special Marriage Act of 1872 has been amended and is made applicable to all the Hindus, and so there is no necessity of such a measure. I may be permitted to say in reply that the Special Marriage Act does not meet the need of the occasion. The Special Marriage Act has been conceived in the spirit that marriage is a contract and not a sacrament, while the Arya Samaj believes marriage to be a sacrament and not a contract. Besides this there are a number of other difficulties out of which I may be permitted to quote a few disabilities of the married couples under the Special Marriage Act. Firstly, it affects the severance of the husband from the joint Hindu family of which he is a member. Every Hindu knows what it means and how it affects the social life of a Hindu if one is forced to sever his connections from the joint Hindu family. Secondly, the married couple forfeits the right to manage the Hindu family trust and charitable property. Thirdly, succession to the property of the couple is governed by the Indian Succession Act and not by the Hindu law. And fourthly, the couple loses the right of adoption. These are some of the disabilities of the Special Marriage Act, and every Member who is conversant with the culture and civilization of the Hindus will at once come to the conclusion that such a measure is quite necessary.

Besides these, it is not a case of those Hindus who do not believe in the caste system and want to avoid the shackles of the present system, but this is a case of those Hindus who do not believe in the caste system based upon birth. I do not want to create any controversies on this point.

I simply beg to point out that every member of the Arya Samaj religiously believes in the doctrine that the caste system is a new innovation of the times and that everybody is entitled to belong to a higher *Varna* according to his qualifications, action and natural propensities. He further believes that marriage should take place according to the similarities of these three qualifications. Whether they are right or wrong in this belief is not a point for us to decide at this juncture; but when it is a fact that they religiously believe in this doctrine, I may ask, why do you force them to marry their children against their own convictions? I may tell the House that there is a large number among the members of the Arya Samaj who have acted up to their convictions and married their children without caring for the consequences. I may quote the instance of the revered late Swami Sraddhanand who married both his sons and daughters in a higher caste. Since then a number of inter-caste marriages have taken place in the country and they are now agitating for it. From the figures of the last year alone, no less than 1,682 marriages among different castes have taken place. This will at once convince the House and the Honourable Members about the necessity for such a measure. If the matter is delayed, there is a likelihood of unnecessary litigation in the country amongst the issues of such marriages which have already taken place.

With these words I move my motion.

Mr. C. W. Gwynne (Home Department: Nominated Official): Sir, I beg to move the motion which stands in my name:

“That the Bill be circulated for the purpose of eliciting opinions thereon.”

It is very necessary in the case of a Bill of this character, for the reasons stated this morning by the Honourable the Law Member in reply-
4 P. M. ing to the motion of Rai Sahib Harbilas Sarda, that the Assembly should be in possession of the views of the communities affected. In this particular instance, it is not only the Arya Samajist community which is affected but the Hindu community generally. They are vitally concerned with some of the proposals embodied in the Bill. (An Honourable Member: “Question.”) I hope to show that. The Bill was formally introduced in September last, but there has been no discussion by the several communities affected, so far as I know, on the principles underlying the Bill. Those principles may or may not be acceptable. On that point it is not for me to speak, nor am I competent to do so. But it is very desirable that the House should have more indication of the views entertained by those communities and that the public affected should have an adequate opportunity of making their views known and offering comments and criticisms and expressing their views generally as to whether the provisions of the Bill are acceptable, and if they are, whether the Bill in this form should be accepted. As I said before, the Bill affects other than the Arya Samajists, as is clear from the clauses of the Bill itself. Clause 1, sub-clause (2), clause 2 and clause 3 all embody principles which seem to require ventilation before any decision can be arrived at in regard to them. Without raising at the moment or at any time for my own part, any controversial issue, or discussing in any way the merits of the Bill, I would point out that sub-clause (2) of clause 1, by applying the provisions of the Bill with retrospective effect to marriages which have

[Mr. C. W. Gwynne.]

taken place before the Bill comes into force, affects closely the interests of other communities. The clause states:

"It shall apply to the whole of British India and shall apply to all cases that may come up for decision after the passing of the Act whether the marriage in question has taken place before or after the passing of this Act."

Clause 2 goes very wide in its definition especially in its extension of the privileges of guardianship. It is as follows: Defining an Arya Samajist, it says:

"(b) is a member of the family of, or a relative dependent on, or a person under the guardianship of, any person mentioned in clause (a)."

Sub-clause (c) of the same clause states as follows:

"and includes the members of the family of, relatives dependent on, and persons under the guardianship of, such a person."

Clause 3 closely affects a very important aspect of Hindu social organisation. It is as follows:

"No marriage of an Arya Samajist shall be invalid by reason of the couple having belonged to different castes or sub-castes of Hindus or to different religions, any law or usage or customs to the contrary notwithstanding."

Thus each of the three clauses of which the Bill consists contains a principle or proposal on which there might be a diversity of view, and for these reasons the prudent course and the wise course is that the Bill should be circulated for the purpose of eliciting opinion. I therefore hope that the Honourable Member will accept that suggestion, and that the House will agree to the motion that the Bill be circulated for the purpose of eliciting opinion.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): Sir, I have always held the view that this caste system in India has been the greatest disgrace to this country.

Pandit Madan Mohan Malaviya: Not at all.

Mr. Muhammad Yamin Khan: If my Honourable friend, the Mover of the Bill, is limiting his Bill only to the Arya Samajists, that even receives my whole-hearted support. I wish he had brought in a Bill to apply to a wider circle than to the limited circle for which he is now moving this Bill, and I hope that, in the near future, there will be a Bill presented before this House with the full concurrence of all the Hindu Members, which would remove similar disabilities existing among them at the present time in regard to marriages. If this Bill comes into force, I know that it will at least mitigate the conditions under which the depressed classes are at present suffering, and this Bill seeks to do away with one disability under which they are now suffering. Sir, under the Hindu law a man of a lower class cannot marry a lady of a higher class, and if he does so, that marriage is null and void, although a man of a higher caste can marry a lady of a lower caste, though in the latter case he takes the caste of the lady, and the children who are born to them would belong to the lower caste. What my Honourable friend should do is to try to bring the children of such marriages to the caste of the

father. Of course this will create a little difference of opinion in the country. Because, supposing a Jat marries a Brahmin lady, the children will have to take either the mother's caste or the father's caste. If they take the father's caste, then probably there will arise certain difficulties in the matter of inheritance. If the case is *vice versa*, then there will be still greater difficulties in the matter of inheritance. There are some other difficulties also in the matter which require careful consideration by the law courts also because that will bring a great change in the existing law.

With this object I think the amendment moved by my Honourable friend Mr. Gwynne is very reasonable. Before this is done, we have fully and properly to consider what the Hindu community as a whole thinks about this Bill and what the Arya Samajists, who belong to different castes at present, and who still regard themselves as belonging to the different castes, think about the Bill, and what the effect of this Bill will be in their case. Of course the Bill will receive my whole-hearted support if the Arya Samajists begin to say that they belong to no caste, that they are neither Brahmans nor Vaishyas nor Khatris nor Shudras. At that time the present Bill will be quite feasible, but until that time comes, and until they agree to this, there must be certain other provisions which ought to be embodied in the Bill which has been moved by my friend. I think that, in view of these difficulties, circulation to elicit public opinion is very necessary, so that the views of Arya Samajists may be ascertained, and the inherent difficulties which will come up in the way of inheritance may be done away with and the Bill may be drafted in such a way that no such ambiguity may remain when the law is administered. With these few remarks, Sir, I support the amendment moved by Mr. Gwynne.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 22nd January, 1930.

LEGISLATIVE ASSEMBLY.

Wednesday, 22nd January, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

RESOLUTION RE STIPENDS OF THE MEMBERS OF THE CARNATIC FAMILY.

Mr. President: The House will now resume further consideration of the following Resolution moved by Mr. K. Ahmed on the 24th September, 1929:

"This Assembly recommends to the Governor General in Council that the stipends of the members of the Carnatic Family which were discontinued on account of their participation in the Khilafat movement be restored to them with retrospective effect."

Maulvi Sayyid Murtuza Saheb Bahadur (South Madras: Muhammadan): Sir, as has been pointed out by you, this Resolution was moved in the Simla Session by our friend, Mr. K. Ahmed, whom we miss here to-day. Sir, certain members of the Carnatic family took part in the Khilafat movement, because they were fully convinced of the fact that it was a constitutional movement and was sanctioned by the divines of the Muslim community; in that connection they were obliged to take to non-violent non-co-operation, as that also was sanctioned by the Jamiat-ul-ulema. After all, it cannot be gainsaid that neither the Khilafat agitation nor the non-violent non-co-operation movement was unconstitutional. It has been recognised even by the Government of India that these two movements were constitutional. As I said, a few members of the Carnatic family took part in those movements for which their stipends have been withheld. As regards those stipends I have to bring this matter to the notice of the House: that under certain treaties which were entered into between the Government and the then Nabobs of the Carnatic, even one-fifth of the revenue of the whole of Madras, including the Tamil Nad, a portion of Kerala and Andhra, was set apart towards the upkeep of the Carnatic family. Latterly it was reduced and reduced horribly. Now the members of that family get hopelessly poor and inadequate stipends. Even those stipends have been discontinued simply because a few members took part in these movements which, as I have already pointed out, were quite constitutional, and no religiously-minded Mussalman could but have taken part in those movements. Hence it was that a Resolution of this nature was moved in the Madras Council, where it was viewed sympathetically; but somehow or other nothing has come out of it. That is why this question has risen here, so that the Government of India may view the question sympathetically and see their way to ask the Government of Madras to restore those stipends, in view of the fact that those members of the family, as Mussalmans, could not have refrained from taking part in the movements which had been sanctioned not only politically but also religiously. In these circumstances I would request the Government of India to accept this Resolution and to restore the stipends which have been withheld with retrospective effect. So, I support this Resolution and expect that the House, including the Government Benches, will accord its whole-hearted support to it.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, I wish also to say a few words in support of the Resolution which was moved in September last. As we know, the Nabobs of the Carnatic belonged to a very old and distinguished family, and it was that family which immensely helped the British Government when they at first settled in India. Their state was subsequently resumed and they were offered certain stipends. They were enjoying those stipends for a long time and there was nothing against the loyalty of the descendants of that ancient family. During the days of the Khilafat movement, when the whole Islamic world was in a state of turmoil and tumult, it is not surprising that some members of that family were also moved and probably they did certain acts which were not looked upon with favour by the British Government. All those things are now gone and forgotten. Even Germany, who was the greatest enemy of the Government during the great war, is now a friend of the British Government. Turkey itself is now not on unfriendly terms with the British Government, and all traces of that bloody war are now being forgotten. So it is quite in the fitness of things that the stipends of these descendants of an ancient Muslim family, of which they were deprived during those days, should also be restored. Since the announcement of His Excellency the Viceroy, the days of distrust and bickering have passed, and must pass in India, and every one of us is anxious that a calm atmosphere should prevail throughout the whole country in order to have an amicable adjustment for the future constitution of this country. So it will also be in the fitness of things, when we want a calm atmosphere throughout the whole of India, that this poor family should also be restored their stipends and their grievances removed. With these few words I support the Resolution.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I wholeheartedly support this Resolution for, in my opinion, a fault committed by some members of the family cannot deprive them of their well-earned stipends. I have got nothing more to say except that I support the Resolution.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I wholeheartedly support the Resolution before the House. I do not like that political pensions of those who at one time owned mighty kingdoms and with whom the East India Company or the British Government came to a certain agreement at the time to give a certain pension, should be stopped and that they should be mere street beggars. The subject matter before the House is not a very difficult one for the Political Department to handle, and the sum of money involved is very trifling. So I do hope that my Honourable friend Mr. Howell, our new Foreign Secretary, whom I am glad to welcome once again in this House, will handle this matter sympathetically. I also hope that he will handle, not only this matter sympathetically, but that he will deal with similar questions in the same sympathetic spirit and will not be unusually hard on the descendants of the ex-Kings of India, whenever such similar questions crop up.

Mr. E. B. Howell (Foreign Secretary): Sir, I count it a piece of great good fortune that, on my return to the fold after an absence of three years, this should be the first occasion for me to take an active part in the proceedings of this House. It gives me great pleasure, Sir, to appear

before you in the guise of a dove with an olive branch in my mouth. I should like to say that, although perhaps I do not accept as historically correct every word that fell from the first speaker,—I do not wish to enter into these matters now,—I wish to say that I am authorised on behalf of Government to say that they are not disposed to be at all vindictive in this matter. They are ready to let bygones be bygones and to adopt a most sympathetic attitude towards the subject matter of this Resolution. I would also like to say on my own part, in view of the very kind remarks which my friend Mr. Das made just now, that I hope I will always do my best to follow the great example left to me by my distinguished predecessor Sir Denys Bray. His attitude is well known to Members of this House, and in so far as in me lies I will try my best to imitate his example.

Mr. President: The question is:

“That this Assembly recommends to the Governor General in Council that the stipends of the members of the Carnatic Family, which were discontinued on account of their participation in the Khilafat movement, be restored to them with retrospective effect.”

The motion was adopted.

RESOLUTION RE CURRENCY OFFICES.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, I beg to move the following Resolution:

“This Assembly recommends to the Governor General in Council that he may be pleased to appoint a Committee of official and non-official Members to inquire into the grievances regarding the scales of pay, Provident Fund and other service conditions of the non-gazetted staff, both menial and clerical, of the Currency Offices in India and Burma, and to suggest ways and means for their redress.”

Sir, before I proceed to dilate on this Resolution, I understand that the Finance Secretary has a suggestion to make in this connection, and it would be to the best interests of the non-gazetted staff of the Currency Offices in India and Burma that he may be allowed to make that statement. (*An Honourable Member:* “The Finance Member is going to make a statement.”).

I am sorry, Sir, I mentioned that the Finance Secretary was going to make a suggestion. I understand that the Honourable the Finance Member himself is going to make a statement, and I would request you kindly to permit him to make a statement at this stage before I proceed further with the Resolution.

Mr. President: The Honourable Member must move his Resolution.

Pandit Thakur Das Bhargava: I have already moved it. Under your orders I again move, Sir, the following Resolution:

“This Assembly recommends to the Governor General in Council that he may be pleased to appoint a Committee of official and non-official Members to inquire into the grievances regarding the scales of pay, Provident Fund and other service conditions of the non-gazetted staff, both menial and clerical, of the Currency Offices in India and Burma, and to suggest ways and means for their redress.”

After moving the Resolution, I beg to make a request to you, Sir, that the Honourable the Finance Member may be permitted to make his statement, because, after that, it will be unnecessary to proceed with this Resolution.

Mr. President: I do not quite follow what the Honourable Member says. Does he wish to make any speech on this Resolution or not?

Pandit Thakur Das Bhargava: I will make a speech if necessary, Sir, after I hear the statement.

Mr. President: The Honourable Member will not be entitled to make any speech except by way of reply to the Resolution.

Pandit Thakur Das Bhargava: I accept the situation, Sir.

The Honourable Sir George Schuster (Finance Member): Sir, I have to make not so much a statement as a suggestion, and with your permission I should like to make that suggestion if I can do so without in any way interfering with the course of the debate in case it should not lead to the withdrawal of the motion. My suggestion is based on these considerations, Sir. These matters of improvement of conditions of service are matters of very grave concern to me, and I have given this particular matter very long and careful thought and study, and it seems to me, Sir, that a debate on the floor of this House is not the best method of arriving at a full discussion of the issues. The issues are very complicated. They involve a comparison of the terms applicable to the Currency staff with the terms applicable to the other staffs, and I believe that we are likely to get at cross purposes if we debate such a matter on the floor of the House. I think that a small meeting where there could be give and take and an examination of the points in detail would be a better method of arriving at a common understanding. That is one point which I have to make, Sir.

The second point is that, taking into account certain remarks that fell from my Honourable friend Mr. Vidya Sagar Pandya yesterday, I wish to make it clear that the Government have no desire to take advantage of their present majority in the House to prevent a full and fair discussion of matters of this kind.

At the same time, I must make it quite clear that I would, in debate, have to oppose the motion for the appointment of a Committee. I also wish to make it clear that I believe that full justice has been done by the Government to this particular staff. But I am open to listen to argument on the subject, and I also desire an opportunity to explain to those who have the interests of this staff at heart exactly what the position is and what considerations have influenced the Government. My suggestion, therefore, is that, if any Members who are interested in this question so desire it, I should meet two or three of them in the Finance Department, and we could then thoroughly discuss the whole question. I believe that I can convince them that the attitude of the Government is justified. On the other hand, as I have already said, I am quite willing to listen to their arguments, and if they can convince me that I am wrong, I shall be the first to acknowledge the fact. What we want to do in these cases is to arrive at justice, having due regard on the one hand to the fair claims of Government employees, and on the other not neglecting the urgent need for avoiding growth of expenditure and extravagance in the Government service. Sir, that is my suggestion.

Mr. President: Does the Honourable Member accept the suggestion of the Government Member?

Pandit Thakur Das Bhargava: I accept the suggestion of the Honourable the Finance Member and beg leave to withdraw the Resolution.

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

RESOLUTION RE SLAUGHTER OF MILCH COWS.

Raja Raghunandan Prasad Singh (Bihar and Orissa: Landholders): Sir, I beg to move the Resolution that stands in my name and which reads thus:

"This Assembly recommends to the Governor General in Council to take suitable and effective measures to prevent throughout British India the slaughter of all milch cows and prime calves except for strictly religious purposes."

At the very outset, Sir, I must say that, in commending my Resolution to the House, I take my stand solely on economic, as distinguished from religious or humanitarian grounds. I know religion is fast yielding place to secularism on the one hand and to communalism on the other, and in legislatures one has to steer clear of it if he wants to press his point home.

Sir, the question of cow protection is not a new one. Intrepid and indefatigable patriots and workers like the late Lala Sukhbir Sinha and my esteemed friend, Seth Govind Das, have spared no pains in the past to urge the point in the other House with all the warmth and earnestness they could command, but to no purpose. Seth Govind Dasjee moved his first Resolution on the subject in the Council of State as late as September 1927, but had to withdraw his Resolution in deference to the wishes of all sections of the House to avoid discussion on the question which was already engaging the serious consideration of the Unity Conference, which happened to be then sitting in Simla. Sethjee, true to his instincts, did not let the grass grow under his feet and came up with a more or less similar Resolution in February 1929, and with his characteristic zeal and wealth of detail, tried to convince the House and the Government of the indispensable necessity of some effective action in the matter, but the Resolution was unfortunately negatived.

Sir, if with the disappointing results before me of the noble efforts made by abler men in this direction I choose to bring up the matter once again, it is because I feel that it is so urgent and its immediate solution so indispensably necessary that it has to be dinned into the ears of the Government again and again until they feel called upon to stir and apply all their resources of statesmanship to it.

Sir, when one considers that about 83 per cent. of the Indian population depend solely on agriculture, when one considers that the chief implements of agriculture in this land are and must remain the bullocks, and that good bullocks can be had from good cows only, the necessity for some effective steps for preservation of the cow becomes quite obvious. Even the Agricultural Commission has had to admit that "good bullocks are very few in India". That the cow and its progeny are indispensable for the chief industry of the country, viz., agriculture, and their preservation and improvement matters of utmost necessity, is a proposition so obviously true that it indeed takes one's breath away to find the Government anything but fully alive to a sense of its duty in this behalf.

I know, in course of the debate on Seth Govind Das's Resolution in September, 1927, it was said by the Honourable Sir Muhammad Habibullah, that Government had been fully alive to its sense of responsibility in the matter, and that it had been trying in various ways to tackle the matter of improving the breed of cattle. He said more efficient agencies had been established for gathering statistics and for popularising and encouraging the sale and use of pedigreed stock of cattle. I know

[Raja Raghunandan Prasad Singh.]

that ever since Lord Reading said to a deputation on behalf of the Cow Protection League in March, 1922, that India suffered more from the multitude of her cattle than from its fewness, and so what was wanted was not increase in the number of cattle but an improvement in their quality, this has remained the attitude and policy of the Government towards the question. But, Sir, I must say, with due deference to the Government, that it is not only a soulless but a bad policy. The Agricultural Commission itself, on whose recommendations so much in regard to this matter was made to hang by the Honourable Sir Muhammad Habibullah, has said that the improvement of cattle is a slow and difficult business. So, in view of the tardy ways of doing things that are generally adopted by the Government in matters like this, one would not be surprised if, by the time statistics are collected to satisfaction and full use of pedigreed stock is made, the cow species itself will have become virtually extinct from the country. On March 1929, in reply to a question from Seth Govind Dass in the Council of State as to the number of cows slaughtered in the country, the reply of Sir Muhammad Habibullah was that he possessed no statistics on the point. But it is not difficult to form a rough estimate from the reply given by His Excellency the Commander-in-Chief to another question by Sethjee. His Excellency said that in 1926, 8,510 tons and in 1927-28, 8,340 tons of beef were consumed by the Indian Army. 8,500 tons are equivalent to 2,38,000 maunds or thereabout. Taking each cow to be capable of supplying 30 seers of beef we come to the conclusion that 3,17,000 cows are slaughtered every year for beef supply to the Army alone. Sethjee was able to elicit some figures with regard to the quantity of dried beef exported from the country. The reply given on behalf of the Government was that in 1924-25, 2,222 hundredweights of dried beef were exported. Sethjee says in his presidential address at the All-India Cow Conference, held at Lahore in December last, that he has reasons to think the figures so supplied by the Government are wrong. He says that, according to the Collector of Customs of Burma, from Indian ports alone 4,28,598 hundredweights of dried beef reached Burma in one year. So, taking each cow to yield 8 to 10 seers of dried beef, it will be found that, for supply of dried beef to Burma alone, 23,40,144 cows were slaughtered. Add to this the number slaughtered in municipal butcheries and in notified areas. The All-India Cow Conference attempted to arrive at approximate figures and has found that 75 lakhs of cows and bullocks are slaughtered in the country annually. The total number of cows and bullocks in the country being 15 crores, one can imagine at what a horrifying rate the depletion of the stock is proceeding.

Over and above this, the cattle exported from the country are among the best of their kind, as no man in his senses would take away bad cattle. The number exported in 1924-25 was 10,195 and now it is 18,348. These figures are taken from the Report on the sea-borne trade in British India. It is also to be borne in mind that, of the cattle so exported every year, the bulk is formed by bulls. If fine bulls in such large numbers be exported from a land whose cattle wealth has so far deteriorated, one can understand what such a state of things means to it. If these bulls were to remain in the country, it can be imagined that good breeds could be raised from them. The Agricultural Commission, too, was forced to recommend that the export of cows and heifers is usually undesirable and

should be closely watched by Government. The result of this unconscious depletion is that a pair of plough cattle is supposed to till 19 acres whereas the utmost it can efficiently till is 5 to 6 acres. Sir, in view of the state of things revealed by the figures quoted by me, is it any wonder if the average out-turn of crops per acre in India is found to be 11.5 bushels whereas it is 33 in Denmark, 14 in Spain, 13.5 in France, 29.8 in Great Britain, 13.7 in Italy, 23 in Norway, 30 in the Netherlands, 28 in Sweden, 32.5 in Switzerland, 17 in Canada, 14 in the United States, 32 in Japan and 29 in Egypt? I am sure His Excellency Lord Irwin, who has all along evinced such keen interest in the improvement of agriculture in the country, and whose sincerity of purpose and solicitude for the well-being of the peasantry even his worst critics do not and cannot deny, will be able to find some practical solution of the problem.

Sir, this is so far as the effect of this rapid decline in the cattle wealth of the country on agriculture is concerned. Let us turn to its effect on the health of the people. The rate of mortality per thousand in India is 36, whereas in other countries it ranges between 9.9 to 27.8. Infant mortality is simply appalling. It has been estimated that about 20 lakhs of babies die here mostly of preventible diseases owing solely to scarcity of milk. Colonel MacTaggart, Sanitary Officer of the United Provinces, says:

"By cheapening the price of milk so as to bring it within the reach of the poorer classes, more would be effected towards reducing the infantile mortality than the presence of any number of trained *dais* would accomplish."

The rate of infant mortality in India is the highest of all in the civilised world. And no wonder, for is it not a fact that good milk is not available even at the rate of three to four seers in the rupee in big cities? In 1857 milk sold at 4 maunds (160 seers), in 1890 at 64 seers and in 1918 at 4 seers in the rupee. Since then, though the prices of wheat, gram and rice have gone down, that of milk has remained stationary. Sir B. N. Sharma, Ex-Executive Councillor of His Excellency the Viceroy who happened to be in charge of the Agricultural Department, Doctor Harold H. Mann, Director of Agriculture, Bombay Presidency, Mr. Hamilton, Director of Agriculture, Punjab, Mr. R. C. Wood, Director of Agriculture, Madras, Mr. S. Miligan, Imperial Agriculturist, Pusa, Mr. C. M. Hutchison, Imperial Agricultural Veterinologist, Pusa and Mr. C. F. Pyne, I.C.S., Chairman, Calcutta Corporation, have all testified to the havoc played by the ruthless slaughter of cows with milk supply. I will not tire the patience of the House by quoting the opinion of each and every one of them *in extenso*.

The Agricultural Commission also has had to admit, "the necessity for efforts to secure for dry cows and cows-in-calf better treatment than they now receive". The treatment, Sir, that they receive now is that good cows are imported into towns from the country side, but as soon as they go dry, they are sold away to butchers.

Sir, it is to prevent this indiscriminate slaughter of milch cows and prime calves that I have ventured to bring up my humble Resolution. It will be seen that my purpose is a restricted one, confined as it is to the prevention of the slaughter of milch cows and prime calves. I am sure, Sir, if my proposal is accepted and given effect to, there will be a better supply of milk to the poorer classes, as also for infants, and the effect of that on the health of the population will be remarkably salutary. It will not do to say that only useless cattle are slaughtered for the Army.

[Mr. Mukhtar Singh.]

It is one of the main causes of high mortality in Bombay, Calcutta and other towns. I therefore submit that, if we agree to pass this Resolution, we shall be doing a really good service to the country. Though the prohibition of the slaughter of milch cows will not solve the problem, it will certainly help it to a very great extent. With these words, I second the motion.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, in rising to oppose this Resolution, I should like to make it clear at the outset that I do so on purely economic grounds. I am glad that those are the only considerations which have actuated my Honourable friends, the Mover and the seconder. The point on which I wish to lay stress is not that the Honourable Mover's Resolution is ill-timed or that it is impracticable, but that it is unnecessary. As regards its impracticability, I have been waiting throughout both his speech and that of the Honourable Mr. Mukhtar Singh to find what measures they would suggest that the Government should take to stop the slaughter of cows and calves. I have heard nothing on that subject. I shall proceed on the assumption that the Honourable Mover is desirous of protecting the agriculturist by providing him with an adequate supply of cattle both for draught and dairying, and that he is also anxious to safeguard the interests of the consumer of dairy produce by ensuring for him a supply of cheap milk. It is on that assumption that I shall now attempt to prove that his proposal to prohibit the slaughter of milch cows and prime calves is unnecessary for the reasons which I now propose to elaborate.

In the first place, there can, I think, be little or no doubt that the vast majority of the cattle in this country which are sent to the slaughter house do not fall within the category which the Honourable Member wishes to protect. I have taken pains to find out what the relative value of a cow is in milk and of that cow when it is sent to the slaughter house. A report received from Calcutta shows that on the 16th December last, the value of a first quality Nagava cow, as a milking cow, was Rs. 160, whereas its slaughter value was only Rs. 90. For a *deshi* milch cow the corresponding figures were Rs. 100 and Rs. 60 and for a Hatus cow—I must confess that I am not familiar with the names of these breeds—the corresponding values are Rs. 45 and Rs. 25. Similarly for Bombay, I have it on excellent authority that the slaughter value of a dry milch buffalo not pregnant varies from Rs. 100 to Rs. 120, whereas the value of a buffalo which is pregnant or with a newly born calf varies from Rs. 250 to Rs. 400. Similarly the value of the best type of cow varies from Rs. 75 to Rs. 150 when pregnant or newly calved, whereas the slaughter value varies between Rs. 40 and Rs. 60. It is, I venture to think, absolutely clear from these figures that milch cows are not in ordinary circumstances sent to the slaughter house. It is unnecessary for the Governor-General in Council to take effective steps to prevent them being sent there because financial considerations act as a far more effective deterrent than any action on his part could do. Most of the animals sent to the slaughter house in this country are old, and it could hardly, I think, be the desire of the Honourable Mover and seconder of this Resolution, who have displayed so much solicitude for the cattle breeder whose profession they want to make a lucrative one, to impose on him an additional tax by preventing him from selling his old cattle when they are no longer fit for work. I admit, Sir, that it is unfortunately true that there is a certain number of

cattle in Bombay and Calcutta which are slaughtered when they are still capable of producing calves. The reason for that is, as the Honourable Mr. Mukhtar Singh pointed out, that selected cows purchased up-country at comparatively high prices are sent down to Bombay or Calcutta or other cities, are milked there as long as possible and then without being again brought into calf are sold to the butcher. It is unfortunate that this should be so, but the remedy for this state of affairs is not the prevention of their slaughter; it is to encourage people to buy them and to keep them for the dry period. The municipalities of India could make quite an appreciable contribution to the solution of this question if they were to make proper arrangements for keeping dry cows outside the municipalities for short periods on reasonable terms. The great progress in co-operative milk supply in Bengal shows what could be done. The number of societies in the neighbourhood of Calcutta in recent years has more than doubled. This is another way in which progress could be made towards the solution of this problem.

Sir, the problem of city milk supply is only one aspect of the question. The Honourable Mover of this Resolution brought forward the argument that the slaughter of cattle is depleting the cattle wealth of the country. He produced certain figures to prove his contention, but those which I have hardly bear him out. The first real cattle census in India, that of 1919-20, showed that there were 146 million bovine cattle in British India. The second census, held about five years later, between December 1924 and April 1925, showed that the number had increased to 151 millions. What evidence is there, as against these figures, that the slaughter of cattle is acting as a clog on the development of the cattle wealth of the country? There seems to be no ground for any feeling of apprehension that it has had any such deleterious effect. It is unfortunate that there are no figures available showing the number of cattle slaughtered for domestic consumption except the figures of the export trade in cattle to which the Honourable Mover also referred with some apprehension. Here again, Sir, the figures that I have hardly bear him out. For the last ten years the total amount of meat exported from India to Burma and from Burmese ports to foreign ports was some 820,000 cwt. or an average of 82,000 cwt. per annum. Experts tell me that not more than 82,000 animals could have been normally slaughtered for the export trade. A very simple sum in arithmetic will show what is the proportion between 82,000 and 151 millions. There is here no ground for any apprehension.

The true way to approach the problem, however, is from quite another angle. From one point of view, that of the Honourable Mover of this Resolution, the increase in the number of cattle, as shown by the figures of the cattle census, should be a matter for congratulation. I can hardly regard it entirely in that light. As the Royal Commission on Agriculture pointed out, what we want is not more cattle, but better cattle. They made an interesting comparison between conditions in this country and in Holland and Egypt. I may perhaps be permitted to refer to their Report. They selected Holland because it possesses the largest number of cattle in relation to the size of the country. They selected Egypt because conditions in Egypt and in certain provinces of India are very similar. What they found was that India had 67 head of cattle for 100 acres of net sown area, whereas Holland had 38 head of cattle for 100 acres of cultivated area and Egypt 25. That, Sir, shows what the Royal Commission emphasised time and again, namely, that in India there are far more cattle than the

[Sir Frank Noyce.]

land can really bear. Another very interesting comparison between conditions in India and conditions in Holland is that a Dutch cow may give anything from five to ten times as much milk as an Indian cow. There, Sir, is the crux of the question. Mere addition to the number of cows in India without an improvement in breed and an improvement in grazing facilities will not solve the milk problem. What you have to do is to improve the quality of your cows. The action proposed by my Honourable friend the Mover of this Resolution would have the effect of accentuating the difficulties of the question. It would involve a burden both upon the cultivator and on the limited grazing facilities that exist. It would penalise him as well as the useful cattle whose available stock of fodder is in inverse proportion to the number of cattle to be fed.

I turn, Sir, to the lines on which the Government of India would tackle this problem and have been doing for many years past. The Imperial Department of Agriculture has a cattle-breeding farm at Karnal. It is only 70 miles from Delhi, and I very much wish that Members of this House would take the opportunity of going over there and of seeing for themselves what the Government are doing to improve the breeds of cattle in this country. We should welcome them there if they could spare the time. That farm is run under the auspices of the Imperial Institute of Animal Husbandry and Dairying at Bangalore, where there is a much smaller farm. We have another dairy farm at Wellington and a creamery at Anand. Pusa has also its pedigree herd. The efforts which the Imperial Department of Agriculture is making are supplemented by those of Local Governments. The Royal Commission's description of what has been done both by the Government of India and by the Local Governments will be found in Chapter VII of their Report, to which I would refer Honourable Members. The Royal Commission held that neither the Government of India nor the Local Governments were doing all that they could. They realised the magnitude of this problem. They knew how much Indian agriculture was dependent on bullocks and the country on its milk supply, and they therefore suggested that the Government of India should do more than they are doing, especially in the direction of co-ordinating the efforts of Local Governments. It was for that reason that they suggested that the Imperial Council of Agricultural Research should have as one of its expert officers an adviser in animal husbandry and veterinary matters. We are doing our best to get a suitable officer to fill that appointment and hope we shall be able to do so before long. Another step which the Royal Commission recommended was the continuance of the cattle conferences which have been held for some years past and which form a very useful meeting ground for the exchange of views between experts in animal husbandry. We are going a little further than that. The Board of Agriculture has now been split up into two sections, one of which will be entirely devoted to the consideration of animal husbandry and veterinary questions. I can therefore assure the House that this most important problem has engaged, is engaging, and will continue to engage the earnest attention of the Government of India. They will do all that lies in their power to further the interests of animal husbandry and to provide expert advice and assistance in this matter and I trust that, with that assurance, the Honourable the Mover of this Resolution will agree to withdraw it.

Mr. President: Does the Honourable the Mover wish to withdraw?

Raja Raghunandan Prasad Singh: No.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I am sorry, but I am not surprised at the reply which the Honourable the Secretary of the Department of Education, Health and Lands has given on this Resolution. I also feel that it is useless to try to commend this Resolution to the House at this moment, but the Resolution having been brought before the Assembly, I feel it my duty to draw the attention of Honourable Members to a few aspects of the question. In the first place I wish to ask every Member of the House, what-
12 Noon. ever his creed, whatever the community he may belong to, to think what we all human beings owe to the cow. I suppose most Members, if not all, use cow's milk—at any rate with the tea that they take in the morning and evening

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Mahatma Gandhi takes goat's milk.

Pandit Madan Mohan Malaviya: I wonder if Dr. Suhrawardy takes goat's milk; but whether he does so or not, I wish my remarks to apply to the goat as well as to the cow. I wish Members when they take milk, whether goat's milk or cow's milk, to remember that there is such a thing as gratitude to those who confer benefits on them, and I wish them to think of the gratitude which mankind owes to the cow, even more than to the goat, though it owes it to the goat also; and I wish Members to consider whether it is right that the dear animal which helps mankind to substitute for the mother's milk, from the time that it ceases to get it, its own milk, and to live by and flourish on it, until the last days of our existence—to consider whether apart from any religious consideration, such an animal does not deserve our grateful sympathy. I know that during the days of the Ramzan, after the days fasting, my Muslim friends love nothing better in the evening than to take cow's milk, and I know that no European can fail to admit what a blessing cow's milk is, whether taken along with his tea or in other ways. I think therefore that it is the duty of every man, of every country and of every clime, to protect the cow, to protect in fact all animals which give us milk, but more especially the cow which stands at the head of the dear animals which supply milk to mankind; and I do appeal to everybody to look at this problem in this light.

Looked at in this light, the problem assumes a very much higher aspect than it wore in the remarks to which we have listened. We all know what reverence we pay to the mother because she brought us up on her breast, because she supported us by her milk; and the cow supplies her milk to us throughout our lives which the mother ceases to supply after some time. Therefore I submit in all humility and in all love, without any other religious feeling, than the feeling which should pervade us all, the common feeling of loving God's creatures, particularly those who do us good, that we should save the cow from being killed. That is the first aspect.

The second aspect of it is the economic aspect. Is there an animal living in this wide land of India to whom man is more gratefully indebted than the cow? You have heard of the milkers; you have heard of the draft cattle which the cow gives to the country. Where would India have been if the cow did not exist in India? The economic aspect of the question deserves more consideration than it has yet received either from the Government of India or from the agricultural population. Figures are easily stated and can be made to produce a certain effect; but I put two very simple questions. What has my Honourable friend opposite to say to the

[Pandit Madan Mohan Malaviya.]

statement of Chaudhuri Mukhtar Singh that milk is dearer in Bombay and in Calcutta than it is in London? Is milk available to the people of India to the same extent to which it was twenty years ago? Have the Government taken note of the heavy mortality of children in Calcutta and Bombay? Have they also noted that in Eastern Bengal, among the Muslim population, the mortality of children is even greater than among the Hindus in that part of the country? Have they ever pondered over the question as to how much of this heavy child mortality is ascribable to the want of cheap pure milk? Can there be any answer to this question that milk has become very much dearer than it was twenty years ago, and that it has become very difficult for people to get pure milk even in the larger cities?

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Why milk only? Everything is becoming dearer.

Pandit Madan Mohan Malaviya: Have the Government got any answer to give on that point? A military gentleman—I regret I do not remember his name—who gave evidence before the Royal Commission on Agriculture, stated that for meat there was a substitute in the shape of pulses, but that for milk there was no substitute. That was the evidence of an English military gentleman before the Royal Commission on Agriculture. I submit therefore that this aspect of the question deserves more consideration.

Then take the draught cattle. Has the Honourable Member any information as to the immense rise in the price of draught cattle throughout the country and of the difficulties which face the agriculturist on that account? Has he considered what a terrible waste the killing of cows involves? I will mention one simple instance. There is a *goshala* at Benares. The *brahmachari* who works it showed me a cow which was going to be sold to a butcher for four rupees. It was a small blind cow. The *brahmachari* purchased her and took her to the *goshala* at Rameshar in Benares; he told me that this cow had been with him for some years and had given three calves; two of them had become breeding bulls—one of them a small bull whom I saw fighting a very big bull in that *goshala*; and a cow which was giving a plentiful supply of milk. Now, put four rupees on one scale; and on the other, three calves, of whom two were bulls and one a cow at the time I saw them—perhaps there are three more by this time—and all the milk they have given and all the draught power and all the ploughing service which has been obtained from them. Can there be a greater, more tremendous, a more criminal waste of the great gift which God has blessed man with, than that such a cow should be sent to the slaughter house? I hope this aspect of the question at least might appeal to many Members to whom the first part of my submission may not. But looking at the question from both points of view, the humane and the economic it is a matter for serious consideration whether steps should not be taken to prevent the slaughtering of at least the cows mentioned in the Resolution. So far as I am concerned, I wish no cattle to be slaughtered, no cows, no goats, no sheep to be slaughtered. God in His bounty has given us plenty to eat, the daintiest of cereals and the most delicious of fruits, and at the same time plenty of milk to drink in addition. Gratitude to God demands that no creature of God shall destroy another creature of God either for pleasure or for profit. Let me support what I have said by the words of a great poet. Wordsworth was going through a village when he saw a well with an epitaph put upon it. His shepherd guide told him that

a knight errant was chasing a deer, and that to save its life the deer, after running a long-distance, jumped into the well and died. The knight was chastened, and repenting of the wrong he had done, he put on the epitaph which was there. Wordsworth has incorporated touching that story in a beautiful piece of poetry—the Hart Leap Well—which concludes as follows:

“One lesson, shepherd, let us two divide,
From all that nature teaches and conceals,
Ne’er to blend our pleasure or our pride
With sorrow of the meanest thing that feels.”

Mr. M. S. Aney (Berar Representative): Sir, as my Leader has just said, the reply which came from the Honourable Sir Frank Noyce was disappointing, though not quite unexpected. The Resolution which has been moved by Raja Raghunandan Prasad Singh is itself a very limited one. It does not go over the whole question of the breeding of cattle or animal husbandry, but it is limited to the consideration of the question of milk supply in India, and I believe the question could have been more sympathetically and reasonably considered by the Government. I really find that the Honourable the Mover has approached this question entirely from the point of view of the supply of pure cow’s milk in this country, but there are other considerations involved in the subject matter of the Resolution before the House. Sir, every one of us knows that cow is not merely an animal for supplying milk to the people of this country, but she is the mainstay of the chief industry on which this country lives. The manner in which our friends on the Treasury Benches look at this question is different from the way in which we look at it. They look upon cow not so much as the one object on which the chief industry of the country depends, but they look upon it as an object for their enjoyment both for the sake of food and for getting some dainty things on their tables.

Sir, the Government Member who replied to this Resolution told us that he wanted to examine this question purely from an economic point of view. But he must know as a responsible Member of the Government that the question of the cow in India is not only an economic one, but there is a deep sentiment also that has gathered round the question in this country. That being the case, though the question admits of being discussed from an economic point of view as well, there is another aspect of it to be considered, and in giving a reply on behalf of Government, he should have borne in mind both these things. When he said that the saving of useless cattle was uneconomical, he did not know what amount of injury he was doing to the sentiments of those who look upon the cow as something far more sacred. What appears to him to be a useless uneconomic thing, a thing that ought not to live, is a thing for which a Hindu, out of his regard for his religious feelings, will lay down his life. I think, therefore, that the Honourable Member who spoke on behalf of Government did not give that serious attention to this question which it really deserved. As a matter of fact, even if we consider the economic aspect of the question, what did he prove? He quoted certain figures of the cattle census and showed that the number of cattle had not decreased. It may be so. But he forgot one thing. If we look at the figures of cattle and compare them for one period with the figures for another period, we have also to take into account the facts showing the requirements of the period selected for comparison and compare the requirements of one period with the other period for which he quotes the figures. It must be remembered that the population has increased, land under cultivation has increased, and the

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requirements of the people have also therefore increased correspondingly. Unless these factors are properly taken into account, it can not be found out that the number of cattle to-day are sufficient to meet the requirements of to-day. Merely quoting figures without any discrimination cannot and will not satisfy any reasonable man who has made a study of the economic position of the country. Sir, the efforts which the Government have so far made in this direction have been characterised in this book, I mean the Report of the Royal Commission on Agriculture, as having produced no tangible effect upon cattle breeding and upon giving a good supply of bulls which are required for agricultural purposes. This Report is not a certificate to the Government for the efforts they have made. It is rather a qualified condemnation of the comparative indifference they have shown towards the proper solution of this question. It may supply Government with some arguments to oppose Resolutions of this character, but generally the attitude of the Government towards the question of animal husbandry in this country has been far from sympathetic, systematic and just. It is no certificate at all to the Government. It only shows that the Government have not taken proper steps and have not done what they should have done in this matter. In this connection I would only draw the attention of the House to the observations made at page 213 of the Agricultural Commission's Report. The Honourable Member referred to the efforts that are being made by the Government and the amount of interest they are taking in the question, but let us see what the Agricultural Commission have to say in this matter. This is what they say on page 213 of their Report:

"When the British Government began to share in the work of livestock improvement some fifteen years ago, it was not necessary for them to breed bulls."

Here it must be remembered that the attention of the Government was drawn to this question only 15 years ago although they have been in this country for over 150 years. However, let us proceed to read what they say further:

"Suitable animals were already there; what was needed in Britain was to make these valuable cattle available to small farmers, who were, in many districts unable to afford to use them. With this object the 'premium bull' system was introduced. In India, as we have seen, really good cattle, once the property of professional breeders, are disappearing from many parts of the country, and when agricultural departments began, as one or two did thirty years ago, or more, to introduce in India the 'premium bull' system, they found it impossible to purchase useful animals. Thus, in India, the expensive but essential work of building up herds of pedigree cattle, which in Britain was accomplished by private enterprise, must fall on the taxpayer."

Further on they say this:

"Since, in a number of provinces, little progress has yet been made in breeding pedigree cattle, we propose to confine our review of this branch of activity to the work done in the Punjab, the United Provinces, Bombay, the Central Provinces and Madras, where most experience has been gained."

Sir, the experiments that have hitherto been made do not show that much progress has been made in the direction of cattle breeding. That is the attention which the Government have bestowed on this important question. The whole point is this. Shall we allow these milch cows to be indiscriminately slaughtered as they are being at present?

I am not now tackling the general question of cow protection. If that had been the case, I would have taken objection to the last clause in the Resolution. As a Hindu, I cannot tolerate the existence of the last

clause in the Resolution. But the Resolution is there, and I am confining myself only to the terms of the Resolution, and I say that we should not allow milch cows to be indiscriminately slaughtered. From certain figures which have been read out by my Honourable friend, he makes an attempt to show that the cows which are generally slaughtered do not come under the category of milch cows. He tried to bring out that point by reading out to us certain valuations of slaughtered cows and other cows and so on. Sir, if milch cows are not slaughtered at all, and if Government is so sure of that then they must have some method by which they can exclude milch cows from being taken to the slaughter house. That is quite obvious from the very statement which my Honourable friend makes that milch cows are generally not slaughtered at all. If that is so, then I repeat that there must be some method by which those cattle are being excluded from being taken to the slaughter house. And then I further contend that if there is already some method like that, then it was not proper for him to have observed that no practical suggestions have been made to enable the Government to give effect to this Resolution.

Sir Frank Noyce: I pointed out that financial considerations are a great deterrent to milch cows being slaughtered, their value as milking animals being greater than when slaughtered. There is nothing secret about that.

Mr. M. S. Aney: I wanted to know definitely whether it was a fact that milch cows were not being taken to the slaughter house. If he only takes it as an inference drawn from certain valuations which he has cited, then he has not given us any fact, but he is only giving us an inference. Am I right?

Sir Frank Noyce: Quite.

Mr. M. S. Aney: This is not a matter that stands merely on inference. Merely because we find that at certain places the valuation of milch cows is something far greater than slaughter cows, it does not necessarily mean milch cows are not being taken to the slaughter house. One cannot accept that position. It requires further investigation into the matter. I have no doubt that the slaughter of these cows can be prevented and suitable measures taken. I hope that Government themselves will generally realise this much that the taking of milch cows to the slaughter house, if they are being taken at all, amounts to a very serious economic loss to the country. Even from the comparative figures of valuation which have been placed before the House, we can see that, in allowing milch cows to be slaughtered, not only does the country lose the cow, but also it is a serious economic loss to the country. For the sake of preventing that economic loss, it is up to the Government to take certain measures to prevent these cows from being slaughtered. If as they contend, these cows are not slaughtered at all, then so much the better. But whether they are being slaughtered or not is a point for investigation, not merely an inference to be drawn from the comparative valuation of the two things found in the markets of Bombay and Calcutta. That is not sufficient to arrive at the correct position in a matter of this nature. The Honourable the Mover of the Resolution has quoted certain figures which indicate that the evil against which he is making his complaint does exist and that it is not a mere imaginary evil against which he is raising his cry.

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requirements of the people have also therefore increased correspondingly. Unless these factors are properly taken into account, it can not be found out that the number of cattle to-day are sufficient to meet the requirements of to-day. Merely quoting figures without any discrimination cannot and will not satisfy any reasonable man who has made a study of the economic position of the country. Sir, the efforts which the Government have so far made in this direction have been characterised in this book, I mean the Report of the Royal Commission on Agriculture, as having produced no tangible effect upon cattle breeding and upon giving a good supply of bulls which are required for agricultural purposes. This Report is not a certificate to the Government for the efforts they have made. It is rather a qualified condemnation of the comparative indifference they have shown towards the proper solution of this question. It may supply Government with some arguments to oppose Resolutions of this character, but generally the attitude of the Government towards the question of animal husbandry in this country has been far from sympathetic, systematic and just. It is no certificate at all to the Government. It only shows that the Government have not taken proper steps and have not done what they should have done in this matter. In this connection I would only draw the attention of the House to the observations made at page 213 of the Agricultural Commission's Report. The Honourable Member referred to the efforts that are being made by the Government and the amount of interest they are taking in the question, but let us see what the Agricultural Commission have to say in this matter. This is what they say on page 213 of their Report:

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Sir, the experiments that have hitherto been made do not show that much progress has been made in the direction of cattle breeding. That is the attention which the Government have bestowed on this important question. The whole point is this. Shall we allow these milch cows to be indiscriminately slaughtered as they are being at present?

I am not now tackling the general question of cow protection. If that had been the case, I would have taken objection to the last clause in the Resolution. As a Hindu, I cannot tolerate the existence of the last

clause in the Resolution. But the Resolution is there, and I am confining myself only to the terms of the Resolution, and I say that we should not allow milch cows to be indiscriminately slaughtered. From certain figures which have been read out by my Honourable friend, he makes an attempt to show that the cows which are generally slaughtered do not come under the category of milch cows. He tried to bring out that point by reading out to us certain valuations of slaughtered cows and other cows and so on. Sir, if milch cows are not slaughtered at all, and if Government is so sure of that then they must have some method by which they can exclude milch cows from being taken to the slaughter house. That is quite obvious from the very statement which my Honourable friend makes that milch cows are generally not slaughtered at all. If that is so, then I repeat that there must be some method by which those cattle are being excluded from being taken to the slaughter house. And then I further contend that if there is already some method like that, then it was not proper for him to have observed that no practical suggestions have been made to enable the Government to give effect to this Resolution.

Sir Frank Noyce: I pointed out that financial considerations are a great deterrent to milch cows being slaughtered, their value as milking animals being greater than when slaughtered. There is nothing secret about that.

Mr. M. S. Aney: I wanted to know definitely whether it was a fact that milch cows were not being taken to the slaughter house. If he only takes it as an inference drawn from certain valuations which he has cited, then he has not given us any fact, but he is only giving us an inference. Am I right?

Sir Frank Noyce: Quite.

Mr. M. S. Aney: This is not a matter that stands merely on inference. Merely because we find that at certain places the valuation of milch cows is something far greater than slaughter cows, it does not necessarily mean milch cows are not being taken to the slaughter house. One cannot accept that position. It requires further investigation into the matter. I have no doubt that the slaughter of these cows can be prevented and suitable measures taken. I hope that Government themselves will generally realise this much that the taking of milch cows to the slaughter house, if they are being taken at all, amounts to a very serious economic loss to the country. Even from the comparative figures of valuation which have been placed before the House, we can see that, in allowing milch cows to be slaughtered, not only does the country lose the cow, but also it is a serious economic loss to the country. For the sake of preventing that economic loss, it is up to the Government to take certain measures to prevent these cows from being slaughtered. If as they contend, these cows are not slaughtered at all, then so much the better. But whether they are being slaughtered or not is a point for investigation, not merely an inference to be drawn from the comparative valuation of the two things found in the markets of Bombay and Calcutta. That is not sufficient to arrive at the correct position in a matter of this nature. The Honourable the Mover of the Resolution has quoted certain figures which indicate that the evil against which he is making his complaint does exist and that it is not a mere imaginary evil against which he is raising his cry.

[Mr. M. S. Aney.]

The third thing is this. It is only as regards the slaughter that this Resolution has tried to suggest certain remedies. But the reduction in the number of milch cows is also due to the very indiscriminate policy which the Government has adopted as regards forest grazing. Restricting the grazing area and restricting the number of cattle to be admitted to the grazing area have also seriously told upon the number of milch cows to be maintained by the cultivators and peoples living in the neighbourhood and vicinity of forest areas. How it affects them is very well known to a man in my position because I live in the close vicinity of a forest area. One of the taluqs of my district was known as the breeding ground of fine cattle for the whole of Berar. As a matter of fact I have seen with my own eyes the deplorable change that has taken place during the last twenty-five years in the matter of maintenance of cows by the cultivators. Those cultivators who were maintaining something like 20 or 25 head of cattle in addition to those that were required for the purpose of cultivation cannot now maintain even five head of cattle because they cannot get admission of their cattle to the forest grazing areas on account of the stringent rules and regulations which the Government have introduced in the matter of allowing forest grazing. It is this forest policy of Government that has also helped in the reduction of the number of milch cows and consequently told upon the supply of milk in the provinces. So, if the problem of milk supply is to be solved, the Government have to take all possible steps to prevent indiscriminate slaughter of cows as well as to alter their forest policy with a view to enable the people to maintain a larger number of cattle in a suitable and efficient state of health. Unless these steps are taken, there is no hope of the country getting a proper and adequate supply of milk. Why do we often hear the cry of adulterated or vegetable *ghee* coming into this country? Do not the Government hear of that complaint from everywhere? In the markets you do not get pure *ghee*. The only nutritive articles of food in the dietary of those who are vegetarians in India are milk and *ghee*, and when these two essential articles in the dietary of those who are mainly vegetarians are not being had in sufficient quantity, it is a national problem which the Government of India have to tackle, and it is no use trying to brush it aside on certain *a priori* grounds. That point has been touched here at one place in the Report of the Agricultural Commission. They say:

"In a country so largely vegetarian, the room for expansion of milk consumption ought to be very great. A cow producing more milk for household use ought to be of great value to the cultivator in raising his standard of living and if there is a surplus for sale, there would be an increase in his cash receipts."

These are the natural advantages which the country in general and the cultivator in particular will gain if proper arrangements are made to enable the people to maintain the requisite number of cattle in the country. In the absence of any settled policy, in the absence of a determination on the part of Government to put an end to the indiscriminate slaughter of cows or at least to put an end to the slaughter altogether of milch cows, it is difficult for the people even to get the only two articles which really form the most nutritive elements in the dietary of Indians who are vegetarians. If you care for the health and prosperity of the country, then the Government have seriously to consider this Resolution and accept it and take such steps as they immediately can to give effect to it. With these words, I support the Resolution.

Maulvi Mohammad Shafee Daoodi (Tirhut Division: Muhammadan): Sir, while opposing the motion of my Honourable friend, I should like to say in the very beginning that I have every sympathy for the preservation of milch cows and prime calves. My opposition is based on two grounds. The first is that my Honourable friend has chosen a very wrong time for moving this Resolution, and the second is that he has chosen an absolutely wrong place for moving this Resolution. When I came to the House, I thought that I might not have to face this situation. At the time when you called out the name of the Honourable the Mover, Raja Raghunandan Prasad Singh, I saw that he was hesitating to rise and your attention was next drawn to the next item in the agenda and you actually called out the Honourable Member in whose name the next motion stood. I thought that my Honourable friend had got the best of counsel and that he would not commit the mistake of moving his Resolution.

Mr. B. Das (Orissa Division: Non-Muhammadan): He belongs to no party.

Maulvi Mohammad Shafee Daoodi: There is no question of party. I am not blaming any party here. I know that during the last six years that I have been in the Assembly, several attempts of this kind have been made, sometimes by my friend and sometimes by other friends, but on all occasions better counsel prevailed and the proposers were advised not to move their Resolutions. I had anticipated the same thing on this occasion, because I knew that my friends here who form the opposition now were not a bit less anxious than those who were in their place to keep harmony between the Hindus and Musalmans at the critical juncture through which we are passing. But I find that, soon after that group has gone away, better discretion has also gone out of the House. I thought we had a very important and urgent Resolution in the name of Mr. Lalchand Navalrai about political prisoners.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): I will take the advice you gave just now and not move it.

Maulvi Mohammad Shafee Daoodi: I thought it was the most important Resolution of the day that had been tabled and he had been fortunate in getting his name in the ballot. The opposition would do its best to see that the Resolution was passed and all attention directed towards that object because that was really the prime object of the country at the moment. But I find now that we have got something else to face in this House. However fate ordained like this and we have got to meet it.

Now, Sir, as I said in the beginning my whole-hearted sympathies are for the preservation of milch cows and prime calves. There is no one with any sense in him who will try to kill a cow when she is giving milk or try to kill a calf while he or she is useful. So far as I know my country, I trust I am absolutely correct in saying that no one slaughters a cow while she is giving milk, or slaughters a calf while he or she is considered useful. But the question comes in when a milch cow does not give milk and a calf is useless for any purpose. Then the question comes what to do with it. I do not think we are at present in a position to devise means for the preservation of cows when we are not in a position to devise means for 32 crores of human beings. I do not understand

[Maulvi Mohammad Shafee Daoodi.]

how one can think of cattle and have his attention directed towards them when we are confronted with the fate of 32 crores of human beings, especially at this moment when the larger interests of the country are confronting us, and every effort has to be made to better the condition of the people while they are under foreign domination.

I find that my friend is thinking of cows who do not give milk and are a burden to their owners and who therefore consider it better to get rid of them after getting a few rupees for them. My friend comes from Bihar from which I also come. I think both of us know very well that the conditions in Bihar, so far as grazing grounds are concerned, are very deplorable, so much so that when I took up politics, my idea was that the first thing that I should do was to try to have grazing grounds in all villages to such an extent that the poor cultivators who own cattle may not feel the necessity of parting with them simply because they cannot maintain them. I thought efforts should be made towards that object in the Provincial Council and I therefore pressed upon my friends there that the first item in the preservation of cattle was to have grazing grounds all over the villages so that these poor people, who cannot now get sufficient fodder for their cattle, may have it; and that would be the most effective means of preserving the cows while they are not giving milk but are expected to give milk in the other seasons. But that effort has failed because the zamindars of Bihar have been opposed to it and they would not allow grazing grounds for cattle. They thought it would mean loss of money to them and they should not therefore lend their support to any scheme by which grazing grounds might be provided in the villages.

Raja Raghunandan Prasad Singh: I do not think the landholders were opposed to it.

Maulvi Mohammad Shafee Daoodi: That is my information, and I believe it has not yet been passed in the Council. It was opposed and was rejected. That is my information.

Mr. B. Das: Then do away with the zamindars and you will get better grazing grounds.

Maulvi Mohammad Shafee Daoodi: Therefore my submission in this case is that my friend is wrong in moving this Resolution at this stage. Whatever my friend might say, the idea behind the whole thing is, as Mr. Aney has rightly put it, the religious sentiment which my Hindu countrymen have got. I respect that sentiment. I feel that if that sentiment is so deeply rooted in the minds of my Hindu countrymen, I should respect it. But I would at the same time ask them not to impose it upon others. It is for them to do everything they can to preserve the cattle, but to ask those who do not worship the cow to bear the burden of feeding the cattle when they are not giving milk and are of no use is something not desirable. The implication of the Resolution of my friend is the one that I have just now said. It certainly means that every one in India would be compelled by some measure or other not to sell an animal, not to sell a cow or a calf when he or she is not of any use to him. That is too much to ask from men who do not worship them.

Raja Raghunandan Prasad Singh: The Resolution relates to milch cows and prime calves.

Maulvi Mohammad Shafee Daoodi: I have told you that milch cows and prime calves are not slaughtered. You do not require any Resolution for that purpose. But when the cows are not giving milk and when there is no fodder for the animal, when the man cannot keep the cow hanging on, it is only then that he sells it either for the purpose of slaughter or for any other purpose and makes the best use of it. I have said that already. Whatever my friend might say, the thing behind his back is that religious sentiment prevailing amongst the Hindus. He would like that in Hindustan this thing should become the law and that at the point of the bayonet, not by persuasion, by trying to win over the hearts of the people towards his side by showing the economic value of preserving the animal. I should say that is not the right course. The right course lies somewhere else. It is not right to ask the Legislature to enact a measure by which the cows which the Hindus consider very sacred should be preserved. Of course you have got every right to consider them sacred and you have got every right to preserve them yourselves. But you should not take the aid of law. You should not try to impose your will on others by enacting measures penalising any action which amounts to slaughtering the animal. I do not like to make the matter more bitter. I have given out my views to my friend. I would only say in the end that my friend should not have used these tactics of vote-catching in a cause like this. It is a very sacred matter and it ought to have been treated as most sacred, and it ought not to have been used for the purpose of catching votes in the next election.

Sir Darcy Lindsay (Bengal: European): Sir, my sympathies are undoubtedly with the Mover of the Resolution in his desire to preserve milch cattle for the whole country. But how this object is to be attained is not equally clear to me. My Honourable friend, Sir Frank Noyce, endeavoured to explain that it was most unlikely that milch cattle would be slaughtered. I think his point was that it was the barren cow that was no longer of any use for milking that was sent to the slaughter-house. As to whether that is quite the case, I am not entirely sure. I rather think that in big cities the milch cow is sent down from the country for milking, and when she becomes dry, owing to the heavy cost of returning her to the country, the owner finds that it pays him better to send her to the slaughter-house, and that is an aspect of the case that I would suggest to my Honourable friend to examine. If we could get the Government to assist his Department in any way towards the preservation of a perfectly good cow till it became a mother by returning the cow to grazing grounds, I think a very good object will have been served. I suggest, Sir, that the Railway Department are to some extent responsible for this not being more commonly carried out. The heavy railway freight is against the proposal that I make. My friend Mr. Aney, in referring to cattle, seems to have implied that it is the milch cow that is also largely used as a draught animal because he said it was not only in the matter of milk that these animals should be preserved but also for the general use of the country. I was always under the impression—I may be wrong—that it is not the milch cow that is used for draught purposes, for ploughing, etc.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): He did not mean that.

Sir Darcy Lindsay: As regards the price of milk in India, reference has been made to the high cost as compared with milk in other countries. I agree that the price is extraordinarily high. I think in cities—I can talk for Calcutta—we get about three seers to the rupee. In England I know the retail price is 2 s. per gallon. I am trying to find out from the Honourable Member in charge how many seers go to the gallon of milk.

Sir Frank Noyce: Ten pounds of milk to the gallon.

Sir Darcy Lindsay: That will be 5 seers. The wholesale price of milk in England is in the neighbourhood of 1s. per gallon.

Mr. Mukhtar Singh: And that is the price of guaranteed pure milk.

Sir Darcy Lindsay: I do not quite follow my Honourable friend. What is the difference?

Mr. Mukhtar Singh: In England you cannot sell adulterated milk.

Sir Darcy Lindsay: I hope you do not sell adulterated milk here. In the matter of milk supply I think every encouragement should be given. There is a great deal to be done by co-operation, by the co-operative societies. I was very interested the other day in going over an establishment in Calcutta entirely run by the co-operative society. It began in a small way and has grown up to a distribution of as much as 1,200 gallons of milk per day. Small farmers within a radius of 25 miles from Calcutta are the owners of this factory. They are the shareholders. They send in their milk which is brought in by rail. It is treated in the factory, pasteurised, and a very ready sale is found. The farmers are feeling the advantages of this good work and are using every endeavour to improve the breed of their cattle. It is in that way that the country can advance. It costs practically as much to feed a cow that is giving very little milk as a cow which is giving two or three times the quantity. The Indian cow is not a prolific milk giver due to breed and due to the absence of good grazing, and any steps that can be taken by Government and by individuals to improve the breed of the cattle and to secure a greater quantity of milk are the direction in which I consider we should move. Sir, I have nothing more to say on the point. I started by saying that I sympathise with the Mover of the Resolution and with the object he has in view, but I cannot see how the Government can move in the manner that he hopes for because it is entirely a question that rests with the owner of the animal as to whether he is going to go on feeding an animal that is of no use to him or send it to a market where he can get a return for his property.

Dr. A. Suhrawardy: Sir, I had no desire to intervene in this debate, but after listening to the speeches of the supporters of the motion, I feel that I should make a few observations to make my position clear. Two arguments have been put forward, broadly speaking, in support of the motion, the economic argument and the argument based on sentiment and gratitude. So far as the economic argument is concerned, that has been adequately dealt with by the Honourable Member who opposed the Resolution on behalf of the Government. As regards the argument based on sentiment, that argument appeals to me. But unfortunately the gentlemen who have put forward that argument have themselves weakened it by saying that they are not supporting the motion on the basis of sentiment. My Honourable friend Pandit Madan Mohan Malaviya has declared that he is not in favour of the slaughter of animals at all, and he referred to certain lines of

Wordsworth. I am in entire agreement with him, but I should wait for a comprehensive Resolution, proceeding either from the Honourable Pandit or from my friend Rai Bahadur Harbilas Sarda, which would make animal slaughter unlawful. So long as that is not before the House, I cannot really understand how I can or how any orthodox Hindu can support the Resolution of my Honourable friend Raja Raghunandan Prasad Singh, basing his support on an argument of sentiment or on the ground of the sanctity of the cow, because this Resolution, as it stands, does not prevent the slaughter of cows altogether. On the other hand, it permits the slaughter of cows for religious purposes.

As regards the argument based on gratitude, put forward by my Honourable friend Pandit Madan Mohan Malaviya, I am sorry to find that this Resolution is really based on an argument of ingratitude. After the milch cattle has been sucked dry, it is the height of ingratitude then to permit of its being sent to the slaughter-house and slaughtered. That is what it comes to. You appeal to our sentiment, you remind us of our taking cow's milk with our tea or in the month of Ramzan, and you then support a Resolution which condemns that unfortunate cow after it had been sucked dry to be driven to the slaughter-house by Hindu *goalas* to be butchered to make a Moslem holiday or a Roman holiday. I think the Honourable Pandit, although I deeply sympathise with him, has really not understood exactly, if I may say so with deep respect, the implications of this Resolution.

Pandit Madan Mohan Malaviya: I thought I made my position quite clear that I should like to save every cow, every goat and every sheep from the slaughter-house.

Dr. A. Suhrawardy: I am waiting for a comprehensive Resolution saying that no animal will be sacrificed, whether at Kalighat or anywhere else. I make the declaration on the floor of this House that I would support such a Resolution. But my objection to this Resolution is on the ground of its impracticability. No suggestion has been made as to what suitable and effective measures are to be taken to prevent the slaughter of milch cows and prime calves. Well, Sir, in replying to a remark made by my friend Maulvi Mohammad Shafee Daoodi, Mr. Lalchand Navalrai said he accepted his advice and had withdrawn or was going to withdraw the Resolution about political prisoners. I think, Sir, if he is going to do so, he does so because of the difficulty as regards the definition of "political prisoners".

Mr. Lalchand Navalrai: No, not at all.

Dr. A. Suhrawardy: That may not be the reason, but there are practical difficulties as regards definition of "milch cows" and "prime calves", and as regards "strictly religious purposes". Who is going to define, who is going to tell us on each occasion what is "strictly religious purposes"? Are the Police going to do that or any other agency? Is it the Chief Commissioner of Delhi or the Home Department that is going to determine the question whether a Mussalman can sacrifice a cow on a particular occasion for a purpose which he alleges to be religious? Let me disabuse the minds of my Honourable friends that *Bakr-id* is not the only occasion on which a cow can be sacrificed for religious purposes. That occasion may arise every day. Who is going to find out whether the purpose is a strictly religious purpose or not? Apart from this the question of the age when a cow ceases to be productive or until which a calf is considered a prime calf is not free from difficulty. Good breeding and good physique are the prime

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considerations now-a-days, and perhaps Rai Sahib Harbilas Sarda may be able to introduce a Bill for that purpose even though he may not be able to determine whether the purpose for which a cow is sacrificed is a religious purpose or not? I need not dwell upon this question further. Briefly, my reason for opposing this Resolution is based on the ground of its impracticability. With these observations, Sir, I oppose the Resolution.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadian). Sir, my Honourable friend Sir Frank Noyce made a rather long speech. I listened to it with feelings of surprise and disappointment—surprise because I was wondering whether in the end he was going to support the Resolution because all the arguments that he used were in support of the Resolution. I could summarise his speech into one single sentence quoted by him with so much approval as defining a principle which, he says, ought to govern this subject. He said that we do not want more cattle, but better cattle, and that is exactly what the Resolution wants us to do. Does he mean to say that milch cattle are not better cattle? Does he mean to say that prime calves are not better cattle? The Resolution does not want you to protect all cows and calves, whether good or bad. The Resolution only says, protect good cows, the better cows and calves, and that is the principle that my Honourable friend Sir Frank Noyce enunciated with approval. I do not want to deal with the extraneous feelings that have been imported. The Resolution is simple and goes straight to the point; it says that Government should take suitable and effective measures to prevent the slaughter of prime calves and milch cows. Is it not what my friend, Sir Frank Noyce, would ask the Government to do himself if he believes in the principle enunciated by him? If that is so, if milch cows are the better cows, if prime calves are the better calves, I have not been able to understand the reason why he wound up his speech by opposing the Resolution.

The same remark applies to the speech of my friend, Sir Darcy Lindsay. He said that he has got full sympathy with this Resolution; if he has got full sympathy, where does his objection come in? Let us all combine together and call upon the Government to accept this Resolution and suggest to the Government the ways and means as to how to bring about the end for which you and I have got so much sympathy.

As regards Maulvi Mohammad Shafee, I do not think this is an occasion when it is just or right to go behind to probe into the motives of a person bringing forward such a Resolution. The motive is clear and clean and straight; it is to prevent the slaughter of milch cows and prime calves. There is no other motive behind the Resolution as it stands to-day. When an occasion comes, if it comes at all, and when some one will bring forward a really objectionable Resolution on the subject, then it will be time enough to consider whether to oppose or support it as one thinks fit.

As for my friend, Dr. Suhrawardy, he must understand that this Resolution has not been inspired by the well-known religious sentiment of the Hindus in respect of cows. As far as I am personally concerned I give him full guarantee to do what he likes as needed for his religion, without provocation to others. The Resolution amply provides for it and says, "except for strictly religious purposes."

Dr. A. Suhrawardy: Who is to define the purpose?

Dr. B. S. Moonje: The Government are there and you can contribute all your intelligence.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): Then I see that you are prepared to give this power to Government?

Dr. B. S. Moonje: Yes, to protect prime calves and to protect milch cows; that is exactly what the Resolution says, and why I am here to support it. I have nothing more to say.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadian): Sir, I do not understand the mentality of my Hindu friends in the matter. They ask Government to stop this thing, but is it not entirely in their power to do so? Are not the *goalas* all Hindus? The right thing would be to move in that direction and to ask the *goalas* to stop selling their cows to non-Hindus. As for the question of religion, Muhammiadans are permitted and allowed to eat beef. No one, no Government can stop them from eating beef; otherwise it will be pure and sheer interference with religion.

Mr. B. Das: What about the Christian?

Khan Bahadur Sarfaraz Hussain Khan: The Christians are, I think, non-Hindus. Government has no right to do it; it will be interference with religion. Pandit Madan Mohan Malaviya said "Oh, God has given us cereals and other things; why should we kill animals?" But God himself kills animals.

Pandit Madan Mohan Malaviya: He does not; he never does; it is blasphemy to say so.

Khan Bahadur Sarfaraz Hussain Khan: Yes, he does. These are my only remarks.

Mr. Lalchand Navalrai: Sir, I had no intention of speaking on this Resolution, but I have been impelled by two or three reasons to do so. The first is that this Resolution enures to general good: it is to the advantage not only of India but of the whole world that this Resolution should be passed. The Resolution aims at stopping the slaughter of milch cows only. India, Sir, cannot live without the cow and the bullock; indeed, the whole world cannot live without these animals; and if we take any step in the direction of preserving these animals, I submit, the whole House should be unanimous in supporting this Resolution.

Sir, the second reason that has impelled me to speak is the attitude taken by Government on this Resolution. I never expected that Sir Frank Noyce would surprise me by his arguments. The attitude of the Government should be a better one on occasions like this, when we are meeting without many of the representatives of the people being in the House. I was very glad to learn only a short time ago from Sir George Schuster, who is not in his seat now but for whom I have great regard for the way in which he has been dealing with the House—at least he never becomes cheeky—that the Government were not desirous of taking advantage of the thinness of the House—I have great respect for what he said but the facts speak for themselves. We have seen since yesterday what has happened; and there have been friends here who have advised Members, as my Honourable friend, Maulvi Mohammad Shafee did now with regard to this Resolution that non-official motions should not be moved as there

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was no chance of their succeeding owing to the small number of members on this side of the House. He also remarked, and I replied to it at the time and I repeat it now, that I would follow the advice in not moving my Resolution regarding the release of political prisoners. I must assure the Honourable Members that I do not drop it because I feel that the definition of political prisoners is a difficult one, as was remarked by Dr. Suhrawardy. The definition is plain and it was given in this House when my friend the Honourable Maulvi Mohammad Shafee moved his Resolution on 26th January, 1926 for the release of the political prisoners and quoted the Encyclopædia of the laws of England, Part II, page 208, defining the same.

Mr. President: Order, order. We are not dealing with that Resolution now.

Mr. Lalchand Navalrai: I am not dealing with it, Sir. I only made a reply to that remark. I shall proceed with this Resolution. As regards this Resolution, I submit it is a great mistake to think that there would be a difficulty in enforcing this Resolution when passed, or that it would not be practicable. We must know in the first place that no definition of milch cow is needed for an Indian or even for a European. People know what a milch cow is. The question is how are we going to carry out this Resolution in practice. Everybody knows—I think Honourable Members fully know—that in every municipal town and even in every municipal local area there are officers such as inspectors in charge of these slaughter-houses, and when cows are taken there, they can see for themselves whether a cow is a milch cow or not, such as to be prevented from being slaughtered. What difficulty is there, therefore, for Government to enforce it? I submit that this is a Resolution which can give no difficulty to the Government. If the Government have a mind to accept the Resolution, then no reasons are required to convince them of the necessity of passing such a useful Resolution as this.

Sir, I was very sorry to hear a remark from the Honourable Maulvi Mohammad Shafee that the object of this Resolution is something different from the object put forward in the Resolution itself. In the first place, we have no reason to doubt the *bonâ fides* of this Resolution, and we have no right to attribute motives like that to the Honourable the Mover who has the privilege of bringing forward such a commendable Resolution as this.

Then, Sir, the Resolution is a modest one; it is very plain; it interferes with no religion. There ought to be no fear on that score at all. Those who say they are in favour of not allowing all animals to be slaughtered should take the first step of accepting this Resolution to show that they are really serious about it. Of course, a general Resolution of that kind may be brought forward, but I doubt if many Members would support it. Let us however see their *bonâ fides* by passing this Resolution, which does no harm at all.

Sir, the Resolution refers to the slaughter of milch cows and prime calves as an economical problem only; it has nothing to do with any religion and specifically does not interfere with the religion of any community. If we want cows for all the communities, it is advantageous that Members representing all the communities in this House should accept this Resolution. This Resolution in plain words says what it seeks to achieve, and

you are not to import anything else in it by mere implication. I would therefore request, without taking any more time of the House that all the Honourable Members in this House should pass this Resolution unanimously.

Colonel J. D. Crawford (Bengal: European): Many of the Members will wonder, Sir, what a man whose training has been mainly military can know about the cattle problem in India. But I have taken the trouble to go to Pusa and see for myself what steps are being taken to improve animal husbandry in this country. One of the first points that strikes me in this debate, and it is certainly a matter of regret to me, is that there is not a single practical farmer present in this House to represent the enormous number of farmers that there are throughout the countryside, who can get up and give his views on this subject. . . .

Dr. B. S. Moonje: Yes, there is Choudhry Mukhtar Singh here.

Colonel J. D. Crawford: I am glad there is one, but one Member cannot give adequate representation for such a big interest in India. It is really a matter of regret that the biggest industry in this country should be so inadequately represented in this House. Now, Sir, I am afraid of giving my sympathy to the Honourable Mover of this Resolution for fear that Dr. Moonje will at once pounce upon me and say that I must vote for it. That is not my point of view. But there is undoubtedly every necessity in this country to consider the question of an adequate milk and cattle supply to meet the requirements of this country.

Mr. Aney has, I think, very ungenerously accused the Government Members of having only one eye on the cattle question, and that on the provision of food for the table. Now, Sir, I have been to Pusa and I have discussed this matter with the Government officials there. . . .

Mr. M. S. Aney: I quoted it from the Agricultural Commission's Report.

Colonel J. D. Crawford: I may have misunderstood my Honourable friend, but I understood him to say that the Britisher looked upon this problem with the one object of providing food for the table. However, Sir, the real problem is to get in India a stamp of cattle that will be useful both for draught purposes and milk purposes, and Government are devoting their attention to that aspect of the problem. . . .

Mr. Mukhtar Singh: They are not. Their main purpose is to produce good milkers.

Colonel J. D. Crawford: They are trying to produce a combined animal that can give you milk and at the same time do the draught purposes for which cattle are undoubtedly necessary in this country. One of the difficulties with which they are faced is the fact that there is not enough grazing ground in India and that the ryot himself does not allot a portion of his land for purposes of cultivating forage for his cattle.

Now, Sir, if we are to allow our head of cattle to increase beyond our capacity to feed them, we shall certainly reduce our milk supply. That seems to be the difficulty. We have to-day got cattle for which we cannot find food; the cattle that we have to-day are eating the food that really belongs to the people, and therefore you must try and curtail your activities, and you must try and produce cattle that can give you more

[Colonel J. D. Crawford.]

milk—not more cattle to give you less milk, but you must produce fewer cattle to give more milk, that is the true aspect of the problem. Now, does the Honourable Mover, in urging the stoppage of the slaughter of milch cows and prime calves, really tackle the problem before us? I submit not. I do not believe that legislation such as that suggested is practical to start with, and if it was introduced, I do not think it would have any effect upon the problem which we are trying to deal with. We should take a much larger view of the subject. I support what Sir Darcy Lindsay said in Calcutta, that you can do something there to prevent the *goala* from selling a cow that has gone dry. That is a problem that can be dealt with adequately by the Calcutta Corporation

Dr. B. S. Moonje: Do you prevent the milkmen from practising the system of *phooka* for sterilising the cows prematurely and unnaturally and from selling such cows?

Colonel J. D. Crawford: I think you can do something in that direction. That is only one small item in the large problem we have got to face. Personally, as I said, I regret the paucity of any practical farmers in this House, and secondly I believe the problem needs to be dealt with in a far larger manner than it has been dealt with in the Resolution put forward by the Mover. With these words, Sir, I oppose the Resolution.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Sir, I have very sincere sympathy with the motives and objects underlying the Resolution moved by Raja Raghunandan Prasad Singh, and especially after the very feeling appeal which my Honourable and learned friend Pandit Malaviya made, I would have very much liked to have voted for this Resolution. But, Sir, I find some difficulty in supporting this Resolution, because in the first place, it is couched in such general terms, and secondly the Honourable Mover has not set forth any practical means for achieving the end in view. He has made his Resolution so general that it seems to me that, if it were passed and Government accepted it, it would be impossible to give effect to it. No body can deny the need of good milk supply in this country. No body can deny that there is need in this country for immense improvement in the quality of milch cows and prime calves. All these things are certainly undeniable. But then, are the methods put forward, or rather, what is asked for in this Resolution at all a suitable method for obtaining the desired improvement?

Mr. President: What is the amendment of the Honourable Member?

The Revd. J. C. Chatterjee: I am not moving any amendment. I am speaking on the Resolution. Let us look at the practical aspect of the problem. Take for the instance, the city where we are sitting to-day. If we were to look at the records of the Delhi Municipality, we would find that, from 1861, the year in which it was constituted, almost every year or every few years, the Municipality has had to consider with all seriousness the nuisance caused by stray cattle and buffaloes that roam about in the streets. I believe all Honourable Members who come to Delhi have had a very great deal of difficulty in the way of traffic and in going about in the city owing to obstruction caused by these stray cattle that go about. The Municipality have had, on many occasions, to tackle the problem, namely, how to remove these stray cattle, and on every occasion they have failed. They once caught hold of these bulls and exported them to the other side of the Jumna, making a present of them to the farmers and

cultivators living there, and told them to make use of these cattle as they were obstructing traffic in the city.

Mr. B. Das: Is it relevant to the subject matter of the Resolution?

Mr. President: The Honourable Member is relevant.

The Revd. J. C. Chatterjee: Thank you, Sir. After a very few days, those people came back with folded hands and said, for goodness sake take back these animals; we cannot get any work out of them. The result is these animals go on increasing in numbers and occasionally one finds them rushing into the shops and booths on the road side, breaking things and sometimes causing very serious injury to life and property. Finally the only method that could be found to decrease their number was to house them in the local pinjrapole to which the Municipality makes a contribution of Rs. 1,000 monthly. The Municipality made it known that any person who caught these bulls and took them to the pinjrapole would receive a reward of Rs. 5 per bull, and the Municipality itself is paying Rs. 7-8-0 per bull for its monthly maintenance to the pinjrapole. Therefore if these bulls go on increasing and if a motion of the kind contained in the Resolution were to be made law, their number might become legion and there would be great difficulty in finding fodder for them. The good citizens of Delhi would have unnecessarily to pay heavily to maintain these bulls in ease and comfort without doing any work.

Take another side of the question. For the last two or three years, we have had a serious famine and the worst effect of that famine has been that there has been a great scarcity of fodder. The number of cattle being what it is, they are miserably starving for want of fodder. No one has suffered more from this famine in the Delhi Province than the milch cows and cattle, many of which are economically useless, because fodder is not forthcoming. It has been urged that in England, the condition of cattle, of milch cows and of buffaloes is very much better than that in India. The reason for that is that useless animals there or animals that cease to be useful are somehow or other weeded out. That is the case with regard to every animal—even with fowls and birds. This is so in England because they are well looked after and their number is not allowed to increase beyond the limit where it becomes impossible to supply them with food. If the Honourable Mover had suggested some practical methods; if for instance, he had said that the export of dried meat to Burma was a very serious drain on the animals in the country, if he had been a little more moderate, or a little more practical in his demand and asked Government to prevent the export of dried meat to Burma, then he would certainly have had my vote in his favour. If he had described some practical means by which the wastage of good cows and good buffaloes could be prevented, then again one would have unhesitatingly supported his Resolution. But when he merely asks for legislation to prevent the slaughter of all animals, however one may sympathize with him, however one may feel the appeal on behalf of these dumb animals who certainly are benefactors of the human race, it is very difficult to vote for it. I believe, it would be quite impossible, by means of legislation, to prevent the slaughter of cattle nor would it be possible to make such legislation effective. Are we going to penalise slaughter of all cattle? And if such law were to be passed, would it not lead even to worse bloodshed perhaps than the slaughter of these poor animals? Therefore, Sir, I hope that the Honourable Mover of the Resolution will find it possible to put forward an amendment, or to further restrict

[The Revd. J. C. Chatterjee.]

its terms as will give this Resolution a practical shape and so make it possible for us to vote for it.

***Mr. H. P. Mody** (Bombay Millowners Association: Indian Commerce): It is a matter of very great regret that this question should have been discussed in the acrimonious and controversial way in which it has been. (Hear, hear). Constituted as the House is at the present moment, I should have thought that we on the non-official Benches at any rate, would resolutely eschew all temptation to give a religious or a communal colour to any question that comes up for our consideration. That is an obligation which is imposed upon us at all times, but I should have thought that that obligation is even more insistent at the present moment when the non-official Benches have been thinned so sadly as they are at present. Sir, the question is entirely an economic one and should be discussed entirely on its merits. I do not see where religion comes in. I do not see where the communal aspect comes in into a discussion of this question. An immense mass of literature has gathered round it in the past and the question has been debated at considerable length in the various important municipalities in India, and up to now, no practical solution has been found for it. I am therefore not surprised that the Government and a section of the House are opposed to the Resolution as it stands on purely economic grounds. I sympathise with their attitude in a sense, in that they find it impossible to accept the Resolution in the mandatory form in which the Honourable Mover has put it. I would therefore suggest for the consideration of Government whether they would not like to accept the Resolution if it is amended in a slight way. I would suggest that:

"For the words 'to take suitable and effective measures', the following be substituted: 'to take such measures as may be practicable'."

With your permission, Sir, I should like to ask the Honourable Mover whether he would accept my amendment.

Raja Raghunandan Prasad Singh: I am willing to accept the amendment.

Mr. H. P. Mody: The Honourable Mover has accepted the amendment and I therefore press it very strongly on the Government.

Mr. President: What is the amendment of the Honourable Member?

Mr. H. P. Mody: My amendment is to insert the words "such measures as may be practicable" in the place of the words, "suitable and effective measures". As the Honourable Mover has accepted my suggestion, the Resolution loses its mandatory character. I cannot conceive that the Government can have any objection to a Resolution of this sort, because if they find that particular measures for the prevention of the slaughter of milch cows and prime calves are not practicable, then they need not take those measures. My anxiety is this, that this Resolution should not be entirely got out of the way by being thrown out at this stage, because the question is one of very considerable economic importance, and if Government persist in their attitude, then what happens? The Resolution is thrown out and there is nothing else left for consideration, and the great economic grievance remains unremedied. I therefore hope that Government will accept the modified Resolution as it stands, and with your permission, I should like to ask the Honourable Member, Sir Frank Noyce, whether he is prepared to accept it.

*Speech not revised by the Honourable Member.

Mr. President: The Honourable Member will have his right of reply.

Mr. H. P. Mody: What I say, Sir, is this, that if the Government are not disposed to accept this amendment, then I am afraid they will have forfeited their right to be regarded as reasonable in this matter.

Mr. President: It is a matter of opinion.

Mr. H. P. Mody: Yes, Sir. I am merely giving my opinion, and I am afraid my opinion will be very strongly confirmed unless Government accept the point of view from which I have placed the matter before the House. My Honourable friend Sir Frank Noyce made a very well reasoned speech which went to show that the proposition could not be accepted as it stands. But when he comes to define his attitude towards the proposition as modified, if he still maintains that he cannot accept it, then I say a great deal of the force of what he said will be lost. If the Government are asked now to take whatever measures are practicable to prevent the slaughter of milch cows, how can they say that they will not even take these practical measures to prevent their slaughter? Does any man contend that milch cows and prime calves ought to be slaughtered if there are practicable ways of preventing that slaughter?

An Honourable Member: You have made no suggestion.

Mr. H. P. Mody: The question can at any rate be considered. We are not here to suggest practicable means. The effect of passing this proposition will be that Government will set about devising practicable ways. If there are no practicable ways, they will not do it. But if my Honourable friend persists in his previous attitude, what will happen is that an important question will be got out of purview by being thrown out and there will be nothing left. That is a position on which I do not think my Honourable friends can congratulate themselves, because the fact is undoubted that, so far as the main object of the proposition is concerned, it is a matter of very considerable importance that has been brought before the House. I move the amendment, Sir.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

Sardar Bahadur Honorary Captain Hira Singh, Brar (Punjab: Nominated Non-official): Sir, I feel that as a farmer I must also say something in connection with the Resolution moved by the Honourable Raja Raghunandan Prasad Singh. Sir, the Punjab used to be a famous place for good cattle, good bullocks and good horses. The Punjab Government, in my opinion, is still alive to the scarcity of good cattle. It is making all efforts to breed good cattle and it has started several cattle farms at several places in the new colonies such as Montgomery, Lyallpur and other places. But there is something wrong. The big areas of 100 rectangles or squares are allotted to the cattle breeders. But what happens? These people think that by keeping many cattle and by selling them at high

[Captain Hira Singh, Brar.]

prices they can make more money and live as rich men. Those cattle breeders have not been of any benefit to the farmers. As regards the Agricultural Department, they try to make every effort to improve the cattle breeding, but that is not done on any large scale. Good bulls are given here and there, but the heifers are not available to be given to the ordinary farmers. Of course I do not think that this Resolution has got anything to do with that. It is purely economic. Now, Sir, we see in the country the ordinary farmers possessing very poor draught animals which can hardly plough a *biga* of land throughout the whole of the day. There is no doubt that the good breed is gradually disappearing, both in respect of the draught animals and the milch cows. I see that half of the milch buffaloes are used as ploughing animals. I remember 30 years ago not a single male buffalo was seen in the ploughs. Most of them are using camels instead of bullocks because they think that the camels are little better than the male buffaloes. The result is that, unless the land is well ploughed and well tilled, no good and prosperous cultivation is possible.

As regards milk and *ghee*, everybody knows that it is a general cry in the country that we are getting more and more adulterated *ghee* and adulterated milk. In the big towns and in the cantonments I do not think anybody can get good milk unless it be from the military dairy farm or from one who maintains his own cow. It is impossible to get good milk even for a sick man. All that we get is either skimmed milk or adulterated milk or some cheap kind of milk. I know how important it is to have good milk when sick men are lying on their beds and they are prescribed seers of milk every day as their chief diet. About 30 or 40 years ago, Sir, I remember how much milk we used to have. If a passenger went to a village, he used to get as much milk as he could take. Now we all say that the deterioration of the race is due to want of good food and nourishing food like good milk. In my part of the country among the rural population they used to feed young children on cow's milk alone, and they possessed much better physiques than they possess now.

Sir, as for the draught animal, good bullocks and good milch cows are very scarce. There is no doubt there is something wrong somewhere. If the Agricultural Department extend their cattle breeding farm to every tahsil or sub-tahsil and to all districts and distribute good breeds among the cultivators, and also keep a register as they do for the horses, I think that would improve the breed of cattle. Of course it is a very big problem, but something ought to be done. There is no doubt that it is a very important question; it touches more the farmer than the citizens in towns who are simply keen on having good milk. If good breeds are preserved and are distributed, and a register kept, and an order issued that no animal will be destroyed out of that breed without the special sanction of the agricultural officers, I think that will make for improvement. As for grazing areas, Sir, as was suggested by some Honourable Members, I do not think that grazing in jungles can improve the breed more. It is the fodder, it is the grain on which the improved breed should live. I think it will be better, Sir, if some Committee is appointed and the question discussed as to how to improve the breed of cattle.

Mr. President: That is not the question; the question raised is of the prevention of the slaughter of milch cattle.

Sardar Bahadur Captain Hira Singh, Brar: About the slaughter of cows I support the Honourable Mover's Resolution that, except on religious occasions, the slaughter of cows of the improved breed should not be allowed and all good breeds should be preserved either locally or maintained by the agricultural farms. We want good bullocks of course for ploughing, and we want good cows for milk. Of course, if this question is brought before a Committee, they will reach some better conclusion. With these few remarks, I finish.

The Honourable Sir James Crerar (Home Member): I should like to take this opportunity of indicating very briefly the attitude of Government towards one or two points which have arisen in the course of this debate. I need not emphasise the fact that Government regard the subject-matter of the Resolution as one of the very greatest importance. I do not propose, and indeed it is not necessary for me, to traverse the ground which has already been covered much more adequately than I could cover it, by my Honourable friend, Sir Frank Noyce. The Resolution which has been moved is one which the Government consider, as I understand its Mover also contemplated, raises primarily and solely very important economic issues, and it is from that point of view alone and with severe regard to practical necessities and possibilities that Government have considered it. I am, therefore, disposed to agree with the view which was expressed earlier in the debate that it would be regrettable if matters which are really extraneous to the question before the House were unduly dwelt upon. As I said, the problem has been regarded by Government as a purely economic one. Far be it from me to deny due weight to the considerations of humanity which were so eloquently urged by my Honourable and learned friend the Leader of the Opposition, whom I am glad to welcome here in that capacity. Every man will doubtless give the fullest weight to those considerations, but I am also disposed to agree with the point of view which was urged in that connection that the welfare and the prosperity of the humanity of this country is the greatest and most compelling of humanitarian considerations. Nevertheless, as I have already suggested, the point of view from which I think the House will be desirous of considering this question, and the point of view to which the Government must restrict its own consideration of the question, is the economic point of view. Now, having regard to the importance of this question, I ask the House to consider this: that it would be an act of unwisdom on the part of Government and might indeed lead to charges of breach of faith if they accepted a Resolution which committed them in such vague, such general and such indeterminate terms. I am unable to see in what respect the amendment moved by my Honourable friend from Bombay really affects the substance of the Resolution. The original Resolution recommended to Government to take suitable and effective measures. The amendment proposed by my Honourable friend from Bombay, I understand, is to make a recommendation to the Government to take all such measures as may be practicable. I cannot myself distinguish in any way between the practical effect of the original Resolution and the amendment of my Honourable friend, and I hope that he will on reflection not be prepared to take the somewhat drastic view which he announced if Government were not prepared, or found themselves unable, as it is now my object to inform the House that Government find themselves unable to accept his amendment. And for this reason. If Government accept a Resolution proposed in this House in such terms as the present, they will be expected to do so with the intention of acting as fully as any practicable

[Sir James Crerar.]

interpretation of the Resolution might require them to do. There are many constructions which could be put upon the amendment proposed by my Honourable friend, many constructions which Government would probably find impossible to carry into effect; and I am most reluctant therefore to accept, on behalf of Government, a Resolution which commits them in vague and general terms. Apart from that, the course of the debate has elicited some very important points of view and some very important particular considerations. I am glad to have had the opportunity of hearing the matter discussed from the point of view of the practical farmer and one or two other practical suggestions have been made. It has been pointed out by one speaker that the question of cows which cease to be milk-bearing in the cities and which might possibly be restored to a milk-bearing condition should be considered, and it has been suggested that the question of railway freights has a bearing in this. Other similar aspects of the problem have also been raised, and to this and other similar practical points which might contribute very materially to a solution of the question in certain of its aspects the Government will be fully prepared to give the closest possible examination. But I regret that neither to the original Resolution nor to the Resolution as it is proposed to be amended can Government give its assent, in view, as I have explained before, of the very vague and very general commitments by which Government would thereby be obliged.

Mr. President: Does the Honourable Mover wish to reply?

Raja Raghunandan Prasad Singh: Yes, Sir. I have carefully listened to the speeches in opposition to my Resolution. I do not want to give a long reply, as my friends who have spoken in support have already exhaustively dealt with the points taken. It has been admitted that a good case has been made out. Figures can be pitted against figures, arguments against arguments *ad infinitum*. But one cannot disbelieve the evidence of his own senses. So long as no pure milk can be had at more than five seers to the rupee, no genuine *ghee* at more than 10 chittaks to the rupee, so long as the vast majority remains vegetarian by long habit and temperament as also from sheer necessity, so long as lakhs and lakhs of infants in this country die like so many tiny insects for want of good milk, who can deny that things are not what they should be in so far as the caretaking of milch cattle is concerned. I beg to appeal once again to those who have misunderstood me to be kind enough to reflect on the matter calmly. Mussalmans too have to depend on agriculture as much as Hindus. Infant mortality makes no exception in favour of Mussalmans or Christians. I therefore say that the Honourable Mussalman Members will be rendering a valuable service to their own community as well if they will support my humble proposal or the amendment. If the Government will be pleased to assure the Assembly that a suitable scheme will be launched to achieve the end in view, this House, I am sure, will vote for the extra expenditure, seeing the immense relief that it will bring to the ill-fed and enfeebled millions and the poor nurselings.

Regarding the practical suggestions that my Honourable friends asked for, I would suggest first the transport of milch animals to places where breeding takes place and where it will not be profitable for a *goala* to sell them at cheap prices. I ask that the *phooka* system should be made penal under the Cruelty to Animals Act. I ask for more provision for

pasture grounds in all places where it is practicable, and I ask for a change in the forest policy. These are some of my practical suggestions.

I appeal to the Government once again to take some effective action to stop, or at least to minimise, the appalling infant mortality which, as their own medical experts say, can be combatted only by cheapening good milk supply.

The Agricultural Commission in fact felt constrained to say as follows:

"The position may be summed up by stating that there is unquestionably a large unsatisfied demand for ghee; there is a relatively small unsatisfied demand for butter; there is also in all cities, an unsatisfied demand for milk at lower prices. It must therefore be inferred that consumers in general are not able to pay the prices which, in existing conditions, are required to produce the supply."

So, Sir, all that is needed is a keen imagination to visualise the pathetic state of things as also the will to put an end to it, and ways and means are bound to suggest themselves.

With these few words, I beg to leave the Resolution and the amendment in the hands of the House and I thank you, Sir, for having given me a patient hearing.

Sir Frank Noyce: Have I your permission to reply, Sir?

Mr. President: The case for the Government has been fully stated by the Honourable Leader of the House. Is there anything new which the Honourable Member wishes to say?

Sir Frank Noyce: One or two points I might be able to clear up with your permission, Sir.

Mr. President: The Leader of the House has just spoken and he had every opportunity of stating the full Government case. In that view I cannot give permission.

The original motion was:

"That this Assembly recommends to the Governor General in Council to take suitable and effective measures to prevent, throughout British India, the slaughter of all milch cows and prime calves, except for strictly religious purposes."

Since which an amendment has been moved,

"That for the words 'to take suitable and effective measures', the following be substituted: 'to take such measures as may be practicable'."

The question is that that amendment be made.

The Assembly divided:

AYES—24.

Acharya, Mr. M. K.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Das, Mr. B.
Dutt, Mr. Amar Nath.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Iswar Saran, Munshi.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.
Lahiri Chaudhury, Mr. D. K.

Lalchand Navalrai, Mr.
Malaviya, Pandit Madan Mohan.
Mody, Mr. H. P.
Moonje, Dr. B. S.
Mukherjee, Rai Bahadur S. C.
Mukhtar Singh, Mr.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Rajah, Rao Bahadur M. C.
Rang Behari Lal, Lala.
Sarda, Rai Sahib Harbilas.
Singh, Raja Raghunandan Prasad.

NOES—45.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Matin Chaudhury, Maulvi.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Alexander, Mr. W.
 Anwar-ul-Azim, Mr.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Chambers, Mr. G. W.
 Coatman, Mr. J.
 Cosgrave, Mr. W. A.
 Crawford, Colonel J. D.
 Crerar, The Honourable Sir James.
 Crosthwaite, Mr. H. S.
 Farookhi, Mr. Abdul Latif Saheb.
 Ferrers, Mr. V. M.
 French, Mr. J. C.
 Ghuznavi, Mr. A. H.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. L. B.
 Howell, Mr. E. B.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra Nath.
 Mitter, The Honourable Sir Brojendra.

Monteath, Mr. J.
 Moore, Mr. Arthur.
 Murtuza Saheb Bahadur, Maulvi Sayyid.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rainy, The Honourable Sir George.
 Row, Mr. K. Sanjiva.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarfaraz Hussain Khan, Khan Bahadur.
 Schuster, The Honourable Sir George.
 Shafee Daoodi, Maulvi Mohammad.
 Shah Nawaz, Mian Mohammad.
 Siddiqi, Mr. Abdul Qadir.
 Slater, Mr. S. H.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Tin Tut, Mr.
 Yakub, Maulvi Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Sir.

The motion was negatived.

Mr. President: The question is that the following Resolution be adopted:

"This Assembly recommends to the Governor General in Council to take suitable and effective measures to prevent, throughout British India, the slaughter of all milch cows and prime calves, except for strictly religious purposes."

The Assembly divided.

AYES—24.

Acharya, Mr. M. K.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Bhargava, Pandit Thakur Das.
 Das, Mr. B.
 Dutt, Mr. Amar Nath.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Iswar Saran, Munshi.
 Kelkar, Mr. N. C.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. D. K.

Lalchand Navalrai, Mr.
 Malaviya, Pandit Madan Mohan.
 Moonje, Dr. B. S.
 Mukherjee, Rai Bahadur S. C.
 Mukhtar Singh, Mr.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Rajah, Rao Bahadur M. C.
 Rang Behari Lal, Lala.
 Rao, Mr. G. Sarvotham.
 Sarda, Rai Sahib Harbijas.
 Singh, Raja Raghunandan Prasad.

NOES—47.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Matin Chaudhury, Maulvi.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Alexander, Mr. W.
 Anwar-ul-Azim, Mr.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Chambers, Mr. G. W.
 Chatterjee, The Revd. J. C.
 Coatman, Mr. J.
 Cosgrave, Mr. W. A.
 Crawford, Colonel J. D.
 Crerar, The Honourable Sir James.
 Crosthwaite, Mr. H. S.
 Farookhi, Mr. Abdul Latif Saheb.
 Ferrers, Mr. V. M.
 French, Mr. J. C.
 Ghuznavi, Mr. A. H.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. L. B.
 Howell, Mr. E. B.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra Nath.
 Mitter, The Honourable Sir Brojendra.

Monteath, Mr. J.
 Moore, Mr. Arthur.
 Murtuza Saheb Bahadur, Maulvi Sayyid.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rainy, The Honourable Sir George.
 Row, Mr. K. Sanjiva.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarfaraz Hussain Khan, Khan Bahadur.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir George.
 Shafee Daoodi, Maulvi Mohammad.
 Shah Nawaz, Mian Mohammad.
 Siddiqi, Mr. Abdul Qadir.
 Slater, Mr. S. H.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Tin Tut, Mr.
 Yakub, Maulvi Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Sir.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 23rd January, 1930.

LEGISLATIVE ASSEMBLY.

Thursday, 23rd January, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN.

Sir Hugh Golding Cocke, Kt., M.L.A. (Bombay: European).

STATEMENT OF BUSINESS.

The Honourable Sir James Crerar (Leader of the House): With your permission, Sir, I desire to make a statement with regard to the probable course of Government business in the week beginning Monday, January the 27th. On Monday it is proposed to move for consideration, and if that motion is accepted, to move to pass, the Bill to amend the Indian Patents and Designs Act, 1911, for certain purposes. Honourable Members will remember that this Bill was referred to a Select Committee of this House and the Report was presented to this House during the Simla Session. On Wednesday, the 29th and Thursday, the 30th, it is proposed to proceed with the Bill to define and amend the law relating to the sale of goods and the Bill to amend section 178 of the Indian Contract Act, 1872. These Bills were referred to a Select Committee of this House in the last Session and that Select Committee sat before the beginning of this Session and the Reports were laid on the first day of the Session. If time allows, both Bills will be passed. In addition, motions will be made to take into consideration and pass the Bill to amend the Transfer of Property (Amendment) Act, 1929, for a certain purpose. This is the small Bill which was introduced by the Honourable the Law Member on the first day of the Session.

THE ARYA MARRIAGE VALIDATION BILL.

Mr. President: The House will now resume further consideration of the following motion moved by Mr. Mukhtar Singh on the 21st January, 1930:

"That the Bill to finally recognize and place beyond doubt the validation of inter-marriage of Arya Samajists, be referred to a Select Committee consisting of the Honourable the Home Member, the Honourable the Law Member, Dr. B. S. Moonje, Mr. Vidya Sagar Pandya, Sardar Gulab Singh, Pandit Thakur Das Bhargava, Rai Sahib Harbilas Sarda, Mr. Fazal Ibrahim Rahimtulla, Mr. N. C. Kelkar, and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): Sir, I rise to give my cordial support to the motion of my Honourable friend Mr. Mukhtar Singh. I must tell the House at the outset that I am not an Arya Samajist and therefore my support of the measure is disinterested. I take it that this Bill is intended to apply to Arya Samajists alone. My Honourable friend Mr. Mukhtar Singh has assured me that he does not wish this Bill to apply to anybody else. It may be that there are defects in the drafting of the Bill, but I submit that these can be rectified in the Select Committee. Now, in order to determine our attitude in regard to this Bill, we have got to put to ourselves two questions. The first question is, do the Arya Samajists want it, and the second is, if they want it, is there anything in the provisions of this Bill which is so open to objection that this House will refuse to give its sanction to it? As regards the first question, Sir, I submit with great confidence that no one will be able to assert that the Arya Samajists as a whole do not want this Bill. There is unanimity of opinion as far as the Arya Samajists are concerned about the urgency and the utility of this Bill. If that be so,—and I submit it is so,—then the second question arises, are the provisions of the Bill open to any serious objection? I submit that it is not for non-Arya Samajists to thrust their own views into this matter. What the Arya Samajists say is this: if the man belongs to the Arya Samaj and if the woman belongs to the Arya Samaj, they should be free to marry irrespective of caste or creed or even nationality. I ask, Sir, can there be any objection to this? A Hindu may have objection to this kind of marriage, but he is not affected by the Bill. It is the Arya Samajist alone who is affected by it, and it is therefore for him to say whether he wants it or not.

I wish also to submit, Sir, that the question of caste, which unfortunately was introduced by some Honourable Members, is wholly irrelevant to the measure before the House. We are not called upon at this moment to pronounce our opinion as regards the utility or otherwise of the caste system. We have got nothing to do with it here. We are to deal with a body of men who are avowedly dissenters, and they come to the Legislature and ask us to give them this relief as they find the present law unsatisfactory, and they want to get rid of it. Now I ask, Sir, what is there in justice or in common sense to advance against this view? My Honourable friend, Mr. Gwynne, on behalf of Government, moved an amendment the other day that this Bill should be circulated for eliciting opinion thereon. I must confess that I do fail to see the necessity for circulation. Whose opinions do they want? Whose opinions will matter in this case? Do they want the opinion of the general body of Hindus or of Muhammadans, or of Christians who are not affected by the Bill at all?

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Sir, may I invite the Honourable Member's attention to clause 3 where the words are "different castes or sub-castes of Hindus or to different religions"?

Munshi Iswar Saran: My friend is perfectly right. But what I already said was that there might be mistakes in the drafting. Here you have an assurance which my Honourable friend will give that he intends this Bill to apply where both the parties belong to the Arya Samaj, and that

it will not apply where one of the parties belongs to any other faith. I fail to see then how any objection can be raised to this measure by a non-Arya Samajist.

Dr. A. Suhrawardy: We have not forgotten the Hindu Child Marriage Bill which, when it emerged from the Select Committee, was made applicable to the Mussalmans. It is still fresh in our memory.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): It was the Deputy President, Maulvi Muhammad Yakub, who suggested that the Child Marriage Bill should apply to everybody.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Certainly not; I repudiate that statement.

Mr. President: Order, order.

Munshi Iswar Saran: Sir, the Child Marriage Bill, some of our friends have got on their brains. In season and out of season they trot it out. What I say is this. Even if you circulate this Bill for eliciting opinions thereon, what guarantee is there that like that monster, the Child Marriage Bill, this Bill might not emerge out of the Select Committee and become another source of distraction and worry to my Honourable friends on those Benches? What they should do is to put up a good fight in the Select Committee and see that the provisions of this Bill do not injuriously affect the interests of Members on those Benches.

Dr. A. Suhrawardy: Who is there on the Select Committee to protect our interests?

Munshi Iswar Saran: Exactly. My Honourable friends forget then that it is up to them to nominate such men as will protect their interests. Quite right. It may be—I do not say so, but it may be—that the personnel of the Select Committee may not be satisfactory. If so, it is up to them to propose such names as will give them satisfaction and will give satisfaction to those whom they represent or profess to represent.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): How do we know that the Arya Samajists want it?

Munshi Iswar Saran: That is a reasonable question. After all he has put a reasonable question. (Laughter.) My friend asks how do we know that the Arya Samajists want it.

Mr. A. H. Ghuznavi: As a whole.

Munshi Iswar Saran: We know it. Is my Honourable friend in a position to assert that the Arya Samajists do not want it?

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): No one.

Munshi Iswar Saran: My Honourable friend, Dr. Moonje, is much stronger and more emphatic in his statement than I can ever pretend to be. I can only say that I do not know of any organisation of the Arya Samajists which has ever declared against this Bill. I suppose my Honourable friend over there did not do Mr. Mukhtar Singh the honour of listening to his speech when he read out the resolution passed by the Sarwadesi Sabha, to which are affiliated all Arya Samaj institutions in the country. There

[Munshi Iswar Saran.]

would be great force in the position taken by Government if they told us that there was difference of opinion amongst the Arya Samajists themselves. But I throw out the challenge; I ask my Honourable friend to mention one single instance of an organised body of Arya Samajists which has expressed an opinion hostile to this Bill.

Mr. A. H. Ghuznavi: That we can get only by asking for their opinions.

Munshi Iswar Saran: It comes to this then. Notwithstanding the unanimity we find in regard to this measure at the time it has been brought forward in this House and the assurance that is given by every one who is connected with the Arya Samaj or who has any knowledge of the Arya Samaj that there is no difference of opinion as regards this Bill, and the fact—I will not mention the name—that an official member told me in the course of a private conversation that it was true that there was no opposition to this Bill on the part of the Arya Samajists, we are asked to send round this Bill in the hope that some one may come forward and say that this Bill is not wanted.

Mr. A. H. Ghuznavi: May I know what is your reason for not sending it round for eliciting public opinion?

Munshi Iswar Saran: The question is, what is the use of doing so?

Dr. A. Suhrawardy: What is the harm?

Munshi Iswar Saran: Now there is something vague, something imaginary which keeps these gentlemen in a state of perpetual nervousness and makes them grope in the dark in order to find something which may bring comfort to their palpitating hearts. Nothing, I say, Sir, will drive fear out of these Honourable Members whom the Child Marriage Bill has thoroughly demoralised. They will fight shy of every measure of social reform. That is the real trouble, and I hope Government are not as panic-stricken as my Honourable friends over there. I must tell Government here and now that if, in spite of the knowledge they possess that this Bill has the unanimous support of the Arya Samajists, they insist on the circulation of this Bill, they expose themselves to the charge, either of being hostile to social reform or of having the same nervousness as is being displayed by my Honourable friends on that side of the House. I do venture to hope that Government will not like that it should be accused either of hostility to social reform or of undue nervousness. There is a very plain matter before us. The Arya Samajists want this reform. This reform is not open to any objection. Let the Bill be sent to the Select Committee. Let us carefully go into its provisions. I do admit and I do not make a secret of the fact, that there are very serious drafting defects in this Bill. All that can be gone into; all the mistakes can be rectified and when the Bill emerges out of the Select Committee, it will give relief which the whole body of Arya Samajists want and for which they will feel thankful to this House as well as to Government.

Maulvi Mohammad Shafee Dacodi (Tirhut Division: Muhammadan): Sir, I have again to-day, so soon, got a very painful duty to perform and it is to oppose this measure which has been brought by my Honourable friend, Mr. Mukhtar Singh for the validation of the marriages of Arya Samajists. My grounds are these. Although the words used here are that it is a Bill for the validation of marriages of Arya Samajists, still the Bill has got more implications than that. When I read the Statement of

Objects and Reasons, I was quite satisfied that they have got a full right to ask for what they have stated in that Statement. At the risk of taking some of your time, I would read it out because I find that the Statement is something different from the substantive clause which he wants to be made into law. This is what the Statement of Objects and Reasons says:

"As the Arya Samajists, who form quite an appreciable number of the Indian population, conscientiously believe that the present caste system is not in accordance with their scriptures, the Vedas, and as, according to the law as administered at present, marriages among couples belonging to different castes or sub-castes are considered invalid and there is a fear of the issue of such marriages being declared illegitimate, and as quite a large number of such marriages have taken place and more would have taken place had there been no such obstacles, it is necessary to have a law which would give relief to the Arya Samajists. Hence the above short law is proposed."

I admit, Sir, the justification of the claim made here, that is to say, that no marriage of an Arya Samajist shall be invalid by reason of the couple having belonged to different castes or sub-castes of Hindus. But when I read, Sir, the substantive clause, it goes much further than that. The third clause of the Bill runs thus:

"No marriage of an Arya Samajist shall be invalid by reason of the couple having belonged to different castes or sub-castes of Hindus"

So far all right because this deals with what the Mover states in the Statement of Objects and Reasons, but here, I do not know whether by mistake or intentionally, the words are added "or to different religions". I do not understand whence these words come, because there is nothing whatsoever to justify a claim of this sort in the Statement of Objects and Reasons. As you know, Sir, Moslems are not very politically conscious; they do not think that the Assembly is a place where their *shariat* can be invaded in a manner which may not be known to them at all unless it is given effect to. When my friends find that the Moslems are so backward in grasping the present situation, they should not have put in those words without mentioning something in the Statement of Objects and Reasons, so that our attention might have been drawn to it. Now, Sir, what I take objection to is this, that the Mover can not have those general words "different religions". He should at once make it plain that the marriage of a Moslem wife with a non-Moslem husband shall not be recognised. If he makes that amendment, if he excludes the Moslem women, I have got no objection to the Bill. They can have anything they like, but they cannot touch, Sir, the personal law of the Moslems. I am not claiming it, Sir, dogmatically. You know that the Moslems, so long as they are Moslems, cannot forget the clear injunctions of the Koran. I will read to you, Sir, the relevant passage from the Koran here. It is in Chapter II, verse. 222, Rukn. 27.

"Do not marry the *mushrik* women until they believe, and certainly a believing maid is better than a *mushrik* woman, even though she should please you; and do not give (believing women) in marriage to *mushriks* until they believe, and certainly a believing servant is better than a *mushrik* even though he should please you"

This is a clear injunction of the Koran, and there is no question of any interpretation. The aforesaid words, stated in Clause 3 of the Bill, Sir, are entirely opposed to the meaning in the verse of the Koran I have quoted, and therefore I strongly oppose these words in the clause of the Bill. If the Bill is going to Select Committee, Sir, I should say we should oppose it tooth and nail, otherwise it would mean that we have accepted the principles underlying the Bill. But if the Bill goes for circulation and for eliciting opinions, certainly every one will have a right to say what he thinks on the subject.

Pandit Hirday Nath Kunzru: Sir, on a previous occasion when a measure relating to social reform was discussed in this House, the opponents of the Bill asked us to show that the law which was to be put into force would not be in advance of public opinion and that it would be capable of being enforced by the Government.

Mr. A. H. Ghuznavi: What is that social reform Legislation you are referring to?

Pandit Hirday Nath Kunzru: The Child Marriage Restraint Act. It cannot be said, however, in the case of the present Bill that it is in advance of public opinion. It only seeks to legalise a practice that has grown up without the sanction of the law. Arya Samajists, who believe that there ought to be no castes, have taken upon themselves the risk of following their convictions, even though they may not have the sanction of the law behind them. What are you going to do in this case then? Are you going to say to these intrepid people who are prepared to suffer for their religion and their conscience that the law would step in and protect their rights, or will you leave their position as uncertain as it is to-day simply because certain people who are not Arya Samajists might put forward some objections to this Bill? I think, Sir, that as the Bill relates to Arya Samajists, and as Arya Samajists have in no uncertain terms declared themselves ready to support this measure, it is the bounden duty of the Government to see that it is passed.

Mr. A. H. Ghuznavi: What do you say to clause 3?

Pandit Hirday Nath Kunzru: If my Honourable friend will have a little patience, he will find that his point will be answered. It was asked when my Honourable friend Munshi Iswar Saran was speaking, what was there to show that the Arya Samajists were behind this Bill. Perhaps it will be news to some of my friends that the great gathering which assembled in Muttra two or three years back to celebrate the centenary of the birth of the founder of the Arya Samaj, Swami Dayanand, discussed a resolution in favour of a law validating marriages between Arya Samajists, even though they might belong to different castes or religions; and as my Honourable friend Rai Sahib Harbilas Sarda knows, this resolution was passed unanimously. It is not open to anybody, therefore, to doubt that a law like this is desired by the Arya Samajists. Even during the last few days, the newspapers have reported the proceedings of many Arya Samaj Associations in the United Provinces and the Punjab giving their whole-hearted support to the motion brought forward by Chaudhuri Mukhtar Singh.

There is, however, another objection which has been brought forward against the Bill by my Moslem friends on the score of the language of clause 3 of the Bill. If they will read the clause carefully, they will find that it refers not merely to different religions but also to different castes and sub-castes. Now, a man, when he becomes an Arya Samajist, renounces his old caste. It is obvious therefore that this law is not meant to legalise marriages between people belonging to different religions and castes and sub-castes, but only to legalise such marriages between people who, whatever their caste or religion might have been originally, have allowed themselves to be converted to the Arya Samajist faith. The drafting of the clause might be bad; this shows that there is a clear case for sending it to a Select Committee, but there is absolutely no warrant for the statement that this Bill intends to legalise marriages between people of different faiths. That, as

we know, is governed by a different law altogether. It was not necessary for Chaudhuri Mukhtar Singh to deal with a matter that has already been settled. It may be said, however, that this Bill will give an impetus to conversions. This will be a most far-fetched argument. Propaganda in favour of conversion is being carried on briskly by both Hindus and Muslims. This Bill will make no change in that practice, nor will it encourage conversions on either side. All that it seeks to do is that when men, whatever their faith may have been originally, have become Arya Samajists, their position within the pale of Arya Samajists should no longer be in doubt. This point is of considerable importance. In the case of those who were Hindus before they entered the fold of the Arya Samaj, it may be said that their rights would be governed by the Hindu law. But surely that cannot be said of people who have been converted from Christianity or Islam. Such conversions do take place. Now, what is the status of these converted people? They are outside the pale of the caste system. The Hindu law does not apply to them; then what is their legal position in regard either to property or to marriages?

I submit, Sir, that a very clear case has been made out for the further and immediate consideration of this Bill. There are drafting defects to be remedied. It might be necessary to put in certain safeguards which my friend, Chaudhuri Mukhtar Singh has failed to take into account; but I see no reason whatever for the circulation of this Bill for eliciting public opinion because the opinions of the people who matter, the people who are affected by this Bill, are already known both to Government and to the public.

The Honourable Sir James Crerar (Home Member): Sir, I desire to say only a very few words with regard in particular to what has fallen from Munshi Iswar Saran and Pandit Kunzru. I should like to emphasise, in the first place that, if this House agrees to a motion for circulation, it in no way expresses any disapproval of the principle of the Bill; nor does it imply any comment upon the views taken by its promoters. It is a motion which can be passed without any prejudice whatsoever to the principle of the Bill.

Now, if I understood my Honourable friends correctly, the two principal points which they took were these: firstly, that here was a measure which solely concerned a particular community and which has had the unanimous approval of that community; and the second point, I think, was this, that if any difficulties arise with regard to the Bill, they are of a character which can easily be remedied in Select Committee. I confess, though I see a great deal of force in many of the contentions advanced by these two Honourable gentlemen, that I am not quite convinced on either of these two points. I have no doubt whatever that the intention of the Mover of this Bill is to promote a measure which he considers has a very strong amount of support in his community. Nor am I at all disposed or concerned to question the fact that the Honourable Member has arrived at that conclusion on grounds which present themselves to him as very convincing. But I do suggest as a matter for caution that the views of a public meeting held a year or two ago are not absolutely conclusive as to the complete unanimity of a community which has branches throughout the whole of India; and I think that the House would desire to have a fuller assurance on that point, which can be more satisfactorily obtained by means of a motion for circulation.

[Sir James Crerar.]

Then I pass on to the second point, namely, that the sole difficulties which could possibly arise with regard to this Bill are such as can easily be removed in Select Committee. Now, Sir, that point does not appear to me to be satisfactorily established. The Statement of Objects and Reasons is decidedly obscure on that point; and certainly the actual terms of the Bill give ground for supposing that, if this House assented to the principle of the Bill, with the interpretation to be extracted from the Statement of Objects and Reasons and its plain and clear provisions, it might incautiously be committing itself to a principle which goes very much further and may have much wider consequences than we in the present state of affairs are fully able to appreciate. I would therefore emphasize once more that, in asking this House to agree to a motion for circulation, we are asking to place itself in a position to deal with more confidence with the measure at a later stage; and I would reiterate that it involves in no sense any attitude of hostility or of disapproval to the objects of a measure which its promoters may intend to be restricted solely to the concerns and interests of one particular community, and to have the unanimous or practically unanimous support of that community. I trust that, in view of the explanation which I have offered, the suggestion that Government is unfavourably disposed either towards general projects of social reform or to this particular project will be removed.

Pandit Hirday Nath Kunzru: Will Government give an undertaking that the opinions will be received before the next Session of the Assembly and that a day will be given for the discussion of the Bill?

The Honourable Sir James Crerar: I am afraid I could not give an assurance on that point.

***Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I support the motion that the Bill be circulated for opinion. I think the measure as it stands is a very important measure and it requires much more consideration before one can reasonably extend his support to it. In the first place, it has not been fully realised that the Arya Samaj is at present only a portion of the Hindu community. The Arya Samaj is not an entirely separate body from the Hindu community. The members of the Arya Samaj have lived and moved, married and prospered as members of the Hindu community. I have no objection,—no reasonable man will have any objection—to any set of men who are compact and well knit among themselves deciding to follow a certain course of action. Arya Samajists who declare themselves as Arya Samajists and who belong to this school of thought are perfectly entitled to ask that the Legislature should help them to regularise marriages which they perform among themselves for the benefit of those who belong to that body. But at present the Arya Samaj is not such a separate entity in Hindu society, and the measure, as it has been drafted, has not taken full note of that fact. For instance, as you will see, the provisions of the Bill are not confined to any adult man or woman who declares himself or herself to be a member of the Arya Samaj; but it says:

“ ‘Arya Samajist’ shall mean a person who is a member of any Arya Samaj, or is a member of the family of, or a relative dependent on, or a person under the guardianship of, any person mentioned in clause (a).”

*Speech not revised by the Honourable Member.

Now, Sir, that at once introduces a very large question whether a man is entitled not only to change his own social and socio-religious ideas, but also impose those ideas upon those who happen to be members of his family or to be dependents on him, or to have been under his guardianship. This is a very extensive measure and requires very careful consideration. Secondly, Sir

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-official): Just stay in an Ashram for a few days.

Pandit Madan Mohan Malaviya: Secondly, Sir, it has not been sufficiently considered that this affects the question of succession. Succession is governed by marriage. According to the Hindu law, as it stands, succession goes in a certain way. When this Bill is passed, if it is passed, the Arya Samajists will be free to marry by deviating from the custom that prevails now. They may be perfectly free to do so and they may not be hampered in doing so, but then the question will arise about succession. They are related to Hindus, who follow a different code of laws so far as succession is concerned, and the Arya Samajists follow that code of laws at present. It is necessary that, if this measure is to be passed, the question of how succession shall be regulated should be considered, because at present an Arya Samajist is free to change his faith or to adopt what he might consider to be a more liberal interpretation of the faith which he believes in; but he is certainly not entitled to say that those who are related to him by birth shall be compelled to adopt his view on account of his having changed his faith, and therefore the question of succession to property should be carefully considered in connection with this measure. I, therefore, think that it is only fair that the Bill should be circulated. I know that Arya Samaj gatherings have supported this Bill, but I wonder if the implications of this Bill have been fully considered, and I think that my Arya Samaj friends will be wise in considering these important points in all their different aspects before asking that this Bill should be taken up for consideration in this House. The circulation of the Bill will afford that opportunity to them as well as to others who are interested in this matter.

***Pandit Thakur Das Bhargava** (Ambala Division: Non-Muhammadan): Sir, I am rather surprised at the speech which Pandit Malaviyajee has just delivered in this House regarding some questions which have come up for discussion on this Bill. So far as the question of succession is concerned, we know, even at present, the Arya Samajists have never raised any objection on that score. It is true that they are Hindus, and the fact that they form the vanguard of Hindus does not take away their character of being Hindus. The only questions raised in this Bill are those of legitimacy and marriage and, as a lawyer, I know that it is the business of the State and it is the special concern of the Legislature to see that marriage and legitimacy are recognised. This Bill only claims that the legitimacy of those persons which is in doubt, or the marriage of whom may be in doubt, may be finally declared to be valid. This Bill has nothing to do with succession and other matters.

The other objection which has been raised, so far as this Bill is concerned, is that the Government or some Honourable Members are still not satisfied that the Arya Samajists want such a measure. Fortunately or unfortunately I am also not a member of the Arya Samaj, but I can

*Speech not revised by the Honourable Member.

[Pandit Thakur Das Bhargava.]

assure this House that the Arya Samajists are unanimous in demanding this Bill. This Bill does not impose any duty upon every Arya Samajist to marry in a different sect or sub-caste or in a different caste. It is only a permissive measure. Such of these who marry a husband or wife of a different caste or sub-caste want that their marriage may be declared valid and their issue declared legitimate. Now, the Resolution of the Sarva-deshik Sabha is conclusive on this point. The House will be interested to know that about 30 or 40 Arya Samajists have sent telegrams to Mr. Mukhtar Singh, and those telegrams have appeared in the public Press. The local Arya Samaj at Hissar, from which place I come, has also sent me a Resolution stating that I should support this Bill in the Assembly.

Now, Sir, everybody who is conversant with the state of things prevailing in Hindu society is sure to know, not to speak of Arya Samajists, that in the advanced sections of the Hindu community such marriages do take place. In the small community to which I belong, there have taken place some marriages between Bhargavas and non-Bhargavas, and the community as a whole is not now looking down upon such connections. Where is the community in the whole of India to-day among whom such inter-caste marriages have not taken place? In fact, such a measure, if it applied to the advanced section of Hindus, would not be out of place. Arya Samaj, as I have already submitted, represents the vanguard of Hindus, and therefore, if this measure is once adopted by the Arya Samajists, I have no doubt in my mind that, after some time, we shall want a measure for the Hindus on these very lines. I know that at present, under the Civil Marriage law, marriages between Hindus and non-Hindus are valid, but then their succession, the rights of adoption, etc. are governed by the Indian Succession Act. This is exactly the thing which is sought to be eliminated by a measure of this character. If a man wants to remain a Hindu, if he wants to remain an Arya Samajist, he clings to his succession law and to his adoption law, whereas if a man marries in some other way, then his law of succession and adoption is changed.

Now, Sir, it has been doubted by some that this Bill applies to persons who are not Arya Samajists, but I may tell them that this interpretation is wrong. To start with, the Bill says:

"Whereas it is expedient to finally recognise and place beyond doubt the validation of intermarriage of Arya Samajists", etc.

Now, "inter-marriage of", if it denotes anything at all, denotes that both the parties to the marriage would be Arya Samajists.

Now, Sir, objection has been taken to some words in clause 3 of the Bill; objection has been taken to the words "to different religions" appearing in clause 3 of the Bill, but that objection ignores the preceding words which read, "by reason of the couple having belonged to different castes or sub-castes of Hindus, or to different religions". Previous to the marriage, it is clear that they may have belonged to different religions. If a Jain, or a Sikh, or a Christian or a Muhammadan has been converted to Hinduism and has become an Arya Samajist, he belonged to a different religion once, but at the time of marriage he belongs to no religion, he belongs to no caste, except that of the Arya Samaj. Therefore, according to this interpretation, the fact that a person once belonged to a different religion does not in any way stand in the way of his marriage with a

member of the Arya Samaj. I think, Sir, the Mover of this Bill has made it absolutely clear that this Bill is limited to those persons who have faith in the Arya Samaj doctrines, and if these words are doubtful, they can certainly be amended in the Select Committee in such a way that they do not import anything which the Mover does not want to import into the Bill.

The only effect of this dilatory motion will be that this Bill will not be passed into law either in this or in the next session of the Assembly. If the Government gave an undertaking that in the next session this Bill would be passed into law, or that sufficient time would be given for the discussion of this Bill, as it did in the case of the Child Marriage Restraint Act, I think the Mover of the Bill would readily accept the suggestion for circulation also. I think, Sir, that in a Bill of this kind the circulation ought not to be very extensive. The Legislature should seek to find out the opinions of those whom this Bill affects. The opinions of those who are not affected by this Bill are really irrelevant. The dominant voice should be of those who may be affected by this Bill, and even if there are Arya Samajists who do not like this Bill, even then I would submit that the opinions of such Arya Samajists as are orthodox and who do not favour or allow any marriages to take place between different sub-castes and castes would be irrelevant. The question is whether this Legislature is going to afford a measure of protection to those who believe in the validity of marriages between those who belong to different castes. As there may be doubts regarding the legitimacy of such marriages, I think it is the duty of this Legislature to afford protection to such people as believe in such marriages. We must see which way the wind blows. Times are changing. The entire opinion about marriages and about castes is changing and it is but fair that those who do not believe in antiquated doctrines should have the protection of law in regard to such delicate matters such as legitimacy and marriage.

Now, Sir, an objection has been taken that this Bill is rather too wide in so far as it includes persons who are relatives dependent on or under the guardianship of any person mentioned in clause (a). Now, I take it, Sir, that under every law and under the law of the land, a minor child, male or female, is generally taken to have the same religion as the parent. What is wrong with this principle of law that a relative dependent on or under the guardianship of any person mentioned in clause (a) should be regarded as an Arya Samajist? Are we to understand that an Arya Samajist, because he is an Arya Samajist, ceases to be the guardian of his minor son or minor daughter? I think the definition is not too large. It may be said that the words "member of the family" may include persons who are not members of the Arya Samaj. I can understand that criticism, but then it is a small matter. The Bill will be sent to the Select Committee and this part of the case can be considered there.

Mr. B. Das (Orissa Division: Non-Muhammadan): Do you want a Brahmin to marry a non-brahmin.

Pandit Thakur Das Bhargava: I do want that a Brahmin should marry a non-Brahmin. According to the tenets of the Hindu religion, even to-day, a marriage is perfectly valid between a Brahmin husband and a woman who belongs to any of the castes other than the Brahmin caste. My friend Mr. B. Das should go to a law class and take his lessons there.

[Pandit Thakur Das Bhargava.]

As regards those cases where a woman of a higher caste marries a husband of a lower caste, the Hindu law may be doubtful, but the Hindu law is absolutely clear on the point that the husband of a higher caste can certainly marry a woman of a lower caste. But leaving that aside, any person who knows the present state of affairs in the society knows full well that, even to-day, the offspring of such marriages between different sub-castes and between different castes among the Hindus are regarded as legitimate by society, and the offspring of such marriages are also married in the same *baradari* or in a different *baradari*. This Bill does not say that such marriages or unions are invalid. Their validity is only doubtful. I do not know of any cases which have gone to the courts.

Mr. B. Das: Then why do you want this Bill?

Pandit Thakur Das Bhargava: The question why we want this Bill is one which, I am surprised, my friend Mr. B. Das has raised. The Statement of Objects and Reasons makes it absolutely clear that there are some people who doubt whether the issue will be legitimate, or whether the marriage will be valid. To place the matter beyond all doubt, a measure of this kind is needed, and the fact that Mr. B. Das does not know even this much, does conclusively show that there are people in this country who may doubt the validity of such marriages and the legitimacy of the offspring of such marriages. Considered from all these standpoints, I think it will be no use sending this Bill out for circulation. It would only mean that it would not be passed as soon as one would desire to see it passed, and I think that the interests of the Arya Samajists and the larger interests of the country require that a Bill of this nature should be placed upon the Statute-book as soon as possible, so that there may be no doubt or dispute among persons interested in such disputes or litigation. I whole-heartedly support the motion.

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): I desire to make a few observations on this important measure of legislation. Undoubtedly clause 3 gives rise to grave misgivings. As the clause stands it may be interpreted to validate a marriage between an Arya Samajist and a Muslim, and to that extent it is contrary to Muhammadan law of marriage by which the Mussalmans are governed. A Muslim woman cannot lawfully marry a non-Muslim. Even if the woman is an Arya Samajist and the husband is a Mussalman, clause 3 will validate such a marriage. Such a law will be strongly opposed both by the Muslims and the Hindus, including the Arya Samajists. The Honourable the Law Member may enlighten us on this point, but I have no manner of doubt in my mind that clause 3 will not be acceptable to the Muslim community because it may be interpreted to make valid a marriage between an Arya Samajist and a Muslim. If the Mover of this Bill agrees to delete from clause 3, line 4, the words "or to different religions", the Bill may be referred to the Select Committee at once. I confess Sir, that I do not believe in the caste system at all.

Dr. A. Suhrawardy: Does the Honourable Member believe in Muslim law?
12 Noon.

Mian Mohammad Shah Nawaz: I do believe in Muslim law.

Dr. A. Suhrawardy: But the Honourable Member is misrepresenting it.

Mian Mohammad Shah Nawaz: I am not misrepresenting it at all. I do not understand what my friend means. Well, Sir, I do not believe in the caste system. I think that the Arya Samaj is a distinct community in itself; its members say that they do not believe in the caste system, and in order to remove any doubts that there may be about the validity of their marriages, they have brought forward this Bill in this House. They say that the cloud should be removed and the marriages, if doubtful, should be declared valid. Who can refuse legislation and justice to them? If the whole Arya Samaj community says—and I believe the whole community is behind this measure—that doubts as regards the validity of our marriages should be removed, then we have no business to deny this measure to that community. As I said, I am here only to protect my own community, and if the word "religion" is deleted, I think this measure should go to the Select Committee. Sir, I do not agree with the observation of my esteemed friend Pandit Madan Mohan Malaviya, that this Bill will complicate or upset the Hindu law of succession. The Arya Samajists are, in matters of succession governed by the Hindu law. The Hindu law of succession will in no way be interfered with if both the parties to the marriage are Arya Samajists. All Arya Samajists are Hindus none the less. They are a sect of Hindu religion. Sir, I am inclined to support any legislation which would abolish the caste system throughout India particularly when Hindus desire to get rid of it.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): How would you safeguard the interests of converts to the Arya Samaj?

Mian Mohammad Shah Nawaz: That is quite a different matter. If conversion is allowed by the Hindu religion or Hindu law, then the marriage between an Arya Samajist and the person who has adopted the faith of Arya Samajist would be valid. In short the provisions of this Bill should apply only to those persons who are Arya Samajists at the time of marriage. Sir, I strongly object to the wording of clause 3 of the Bill. It is so ambiguous and gives rise to grave misapprehensions, as it allows marriage between an Arya Samajist and a non-Arya Samajist or a non-Hindu. The Honourable the Law Member may be called upon to express his opinion on this point. I believe the author of this Bill intended to restrict its application exclusively to Arya Samajists, but the language of clause 3 is extremely vague and the clause may be interpreted differently by courts of justice.

Dr. A. Suhrawardy: Sir, whatever doubts I had as to the wisdom or otherwise of the motion for referring this Bill to the Select Committee or that for its circulation for eliciting public opinion thereon have been set at rest by the speech of my Honourable friend Mian Mohammad Shah Nawaz. Though he has tried to make out a case for the reference of the Bill to the Select Committee he has, perhaps unwillingly, made out a strong case for the circulation of the Bill for eliciting public opinion thereon. He has throughout laid stress on the marriage of a Muslim woman and an Arya Samajist. He seems to be under the impression that the Muslim law forbids the marriage of a Muslim woman with an Arya Samajist. But the Muslim law is quite clear on the point. No marriage is valid between a Hindu, whether he is an Arya Samajist or Brahmo Samajist or any Samajist, and a Muslim woman or between a Muslim man and a Hindu woman. It is not the case, as my Honourable friend Mian Mohammad

[Dr. A. Suhrawardy.]

Shah Nawaz seems to think, that it is only a marriage between a male Arya Samajist and a Muslim female which is invalid under the Muslim law.

Mian Mohammad Shah Nawaz: I say that I agree with you. I was not dealing exhaustively with the law of marriage between a Muslim and a non-Muslim. I simply gave an illustration.

Dr. A. Suhrawardy: But you made out your case in such a way that it created the impression that it is only a marriage between a Muslim woman and an Arya Samajist man that is invalid under Muslim Law.

Now, I come to the strongest point in favour of the motion for circulation which has been raised in my humble opinion, not the one about difference of religion, but that pointed out by the Honourable Pandit Madan Mohan Malaviya. The definition of an Arya Samajist is so wide as to include Christians and Muhammadans within its scope. In clause 2 (b) it is said that:

"An Arya Samajist shall mean a person who is a member of the family of, or a relative dependent on, or a person under the guardianship of, any person mentioned in clause (a)."

In these days of Shuddi it is possible for some Mussalman to be reclaimed as a Hindu by the agency of an Arya Samajist whose dependents and relations may all be Muslims. So, under this definition a marriage between a Muslim man or a Muslim woman with an Arya Samajist becomes lawful. That point should not be lost sight of.

Then there are various other points on which I need not dilate just at present. The Honourable the Home Member said that there were two points made out by the Mover of the motion for referring the Bill to the Select Committee, namely, that it solely concerns a particular community and that that community is unanimous in its demand. My Honourable friend Pandit Bhargava has helped me now so far as the second point is concerned by stating that that community is not unanimous in its demand. He said there are orthodox people who are opposed to it.

Pandit Thakur Das Bhargava: I never said that. I only said that this is a permissive measure and it is not binding on those who do not believe in it.

Dr. A. Suhrawardy: The Honourable Member has at least drawn attention to the fact that there may be orthodox Arya Samajists who may not like this measure, and therefore he has made out a case for the circulation of the Bill. I am grateful to him for bringing out this point to the House. With regard to the first point, namely, that it solely concerns a particular community, the Honourable Pandit Madan Mohan Malaviya has pointed out, and I have also submitted just now, that it does not affect the Arya Samaj alone but it affects a large body of the Hindu public, of which the Arya Samaj is only a sect or a sub-sect, and it also affects the Christians and the Muslims because the definition as given in clause 2 (b) is so wide as to include them as well. With these remarks I oppose the motion for the reference of the Bill to the Select Committee and I support the motion for its circulation for eliciting public opinion thereon.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I oppose the measure. More correctly speaking, I oppose the motion that the Bill be referred to the Select Committee because I see that there is some sinister desire behind it. I am for circulating the Bill to elicit public opinion thereon. We can only know the real

facts of the case when the Bill is so circulated. I therefore oppose the motion that the Bill be referred to the Select Committee.

The Honourable Sir Brojendra Mitter (Law Member): Sir, my Honourable friend Mian Mohammad Shah Nawaz invited me to say something on the legal aspect. The observations which I wish to make will be confined to the legal aspect of the Bill. The debate this morning has clearly established the necessity for circulation. The validation of marriages of Arya Samajists is mentioned in clause 3. Does that clause contemplate that both parties should be Arya Samajists or only one party? My Honourable friend Pandit Thakur Das Bhargava said that it was obvious that both parties must be Arya Samajists because of the expression "by reason of the couple having belonged to different castes, etc." But, Sir, the clause runs like this. "No marriage of an Arya Samajist shall be invalid, etc., etc."

Dr. B. S. Moonje: The definition of an Arya Samajist is given above.

The Honourable Sir Brojendra Mitter: That surely implies that, if one of the parties to the marriage be an Arya Samajist, this clause will apply to that marriage. The definition of an Arya Samajist is given in clause 2.

Dr. B. S. Moonje: That shows who is an Arya Samajist.

The Honourable Sir Brojendra Mitter: I am not concerned with that. All I am concerned with at the moment is to point out that clause 3 certainly contemplates a marriage to which one of the parties is an Arya Samajist.

Pandit Thakur Das Bhargava: Will you call it an intermarriage of Arya Samajists?

The Honourable Sir Brojendra Mitter: The expression is, "No marriage of an Arya Samajist shall be invalid....." Therefore, whenever an Arya Samajist enters into marriage or contracts a marriage, this clause comes into operation. According to the ordinary grammatical meaning of this clause, if one of the parties be an Arya Samajist, this clause will apply. In that case the question arises, if the other party belongs to another religion, either Hindu or Muhammadan, what happens? Take the case which has been referred to in the debate, when the husband is an Arya Samajist and the wife is a Muslim. What personal law is to govern that marriage? This law which is sought to be enacted, or the Muslim law? It has been pointed out that a Muslim girl may not under the personal law of the Mussalmans marry a non-Muslim. That being so, you are affecting the Muslim law, to that extent. Then take the question which the Leader of the Opposition referred to, namely succession. Suppose the husband belongs to the *Dayabhaga* school of Hindu law and the wife is an Arya Samajist, who was, say a Christian or a Mussalman before the marriage. By what law will succession to the property of the husband be governed? The *Dayabhaga* law or any other law? Obviously the *Dayabhaga* law cannot apply because inheritance under the *Dayabhaga* law is governed by the capacity to offer spiritual benefit. The issue of such a marriage where the husband belongs to the *Dayabhaga* school of Hindu law and the wife was a non-Hindu before the marriage, the issue of that marriage cannot according to the Hindu religion offer spiritual benefit. Then, under what law will inheritance be governed? To that extent this Bill affects Hindus. I quite appreciate the motive of the author of this Bill, which is to validate intermarriages between Arya Samajists. Probably his intention was that both parties should be Arya Samajists at the time of marriage. Though they may cease to belong to other faiths or other religions, yet the question of succession remains, because after all

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the Arya Samajists are a sect of the Hindus. Now, I ask in the case I mentioned where the husband belongs to the *Dayabhaga* school and where the wife belongs to another religion, in such a case by what law is the succession to be governed? Certainly not by the *Dayabhaga* law:

Dr. B. S. Moonje: If both of them become Arya Samajists by executing a written document?

The Honourable Sir Brojendra Mitter: If Hindu law applies—and Hindu law does apply to Arya Samajists, which Hindu law? Certainly the *Dayabhaga* law cannot apply because the issue of such a marriage is not competent to offer spiritual benefit, which is the test of inheritance under the *Dayabhaga* school. No one can inherit who is not capable of offering *pinda*, and there *pinda* means spiritual benefit. This, Sir, is an attempt to legislate in haste. You are legislating for one purpose, which is a very laudable purpose, that is to validable marriages, but you are in haste omitting to provide for the consequences. For these reasons, I submit that it is essential that the Bill should be circulated for the purpose of eliciting opinion from the communities affected. In the view I take of the interpretation of clause 3, namely, that clause 3 applies if one of the parties to the marriage is an Arya Samajist, if that view is correct and that view has been taken, at any rate, by some of the Honourable Members

Dr. B. S. Moonje: That may be corrected in the Select Committee.

The Honourable Sir Brojendra Mitter: If that view is correct, then all the communities affected by this measure should have an opportunity to express their opinion on this Bill. If you say that the real intention of the clause is that both parties to the marriage should be Arya Samajists, then what are we committing ourselves to? Who is to say that? In the Select Committee a member may legitimately say, it was intended that it should apply to a marriage in which one of the parties is an Arya Samajist. What are we committing ourselves to, today?

Dr. B. S. Moonje: Intermarriage of Arya Samajists.

The Honourable Sir Brojendra Mitter: Dr. Moonje knows very well that the Preamble is not the operative part of the Act.

Dr. B. S. Moonje: I am speaking of clause 3.

The Honourable Sir Brojendra Mitter: Clause 3 says, "No marriage of an Arya Samajist . . ."

Dr. B. S. Moonje: It is "Validation of intermarriage of Arya Samajists".

The Honourable Sir Brojendra Mitter: Clause 3?

Dr. B. S. Moonje: Refer to the Short Title.

The Honourable Sir Brojendra Mitter: It is settled law that neither the Short Title nor marginal notes form part of the Act itself. The Short Title will not govern the clause. Leaving that aside, what I am submitting is this. What is it we are committing ourselves to if this Bill is sent to the Select Committee? Are we committing ourselves to a case where both parties are Arya Samajists or where one of the parties is an Arya Samajist? It is a matter of doubt. Both views have been expressed in this House. Then, we do not know what we are committing ourselves to. Sir, I submit that the Bill should not be referred to a Select Committee for valid reasons. Firstly, we do

not know the views of other communities that are affected and their opinion ought to be elicited. Secondly, the Bill is defective in that it does not provide for succession and in certain events that may be a question of very great difficulty and all communities except the Arya Samajists may be affected by it. This is pre-eminently a measure on which the opinion of the communities interested should be elicited before it is sent to a Select Committee.

Mr. M. S. Aney (Berar Representative): Sir, I, for myself, have no objection to either of the two courses, *viz.*, to the Bill being sent to the Select Committee, or being sent out for eliciting opinions thereon.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): How can both be done?

Mr. M. S. Aney: Both cannot be done. That is precisely my difficulty. Otherwise, I would have given my votes for both the motions simultaneously and the Honourable Deputy President ought to know that. There are certain difficulties which have been pointed out, but the main difficulty on which the Honourable Law Member and some of my Muslim friends have laid great emphasis is one which relates to the wording of clause 3 of this Bill. I do admit that the wording is some what unhappy so as to give out something more than what the framer of the Bill originally intended. There is no question of that. If he really wanted to confine it, as I know for certain that he really did intend to confine the clause to marriages which he considers to be inter-caste marriages among the Arya Samajists only, then the present wording of that clause requires to be modified altogether. Having put in the singular term, "No marriage of an Arya Samajist, etc.", it assumes the possibility that the other party to the marriage may even belong to any other sect or religion except the Arya Samaj. That interpretation is inevitable; but I believe that if we precisely know what the real intention of the Bill is, then it should not certainly be difficult to tackle it successfully in the Select Committee. The Honourable the Law Member has said that we do not know what the principle of the Bill is. It is true that it creates some doubt. But I beg to point out, in all humility to the Honourable Law Member, that on more than one occasion in this House when the principle of a Bill was found to be ambiguous, it could be stated very clearly by the Honourable gentleman who moved the Bill, and the House on that assurance could send it to the Select Committee and consider the Bill on its own merits. That has been done on more occasions than one. Therefore, I believe that there should be no difficulty on that score in the way of the Honourable the Law Member or others in giving their consent to the motion for reference of the Bill to the Select Committee. I believe that these precedents are known to the Honourable Members and I need not remind the Honourable Law Member and others of the occasions on which we got the principle specifically enunciated here on the floor of the House, in spite of the fact that the draft of the Bill before the House sometimes implied more than what was thus agreed to be the principle at that time.

But there is another difficulty and that I really feel is rather a serious one, *viz.*, the difficulty as regards succession, to which the Honourable the Law Member has drawn attention. The question as to what rule of succession will apply, whether the rule of *Dayabhaga* or any other rule will govern the progeny of the marriage of the kind contemplated by this Bill, is really a question which cannot be easily settled. And when we bear

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in mind the fact that when we wanted to make legal provision for marriages between two sub-sects of the Hindus we had to deny them the personal law of the Hindus and allow them to be governed by the provisions of the Indian law of succession only, it will be clearly seen by my friends, with whose laudable object in moving the Bill I have every sympathy, that the question of succession cannot be altogether separated from the question of marriages of such nature. Because the law of succession applicable to any body of persons is intimately related to certain principles of marriage inherent and prescribed in that system of law. If one abandons those principles of marriage even for very good reasons with legislative sanction, then the Legislature must simultaneously consider the question of succession or make adequate provision for difficulties arising out of the principles of succession in the Bill itself. I do not say the principle of succession according to Hindu law should be necessarily denied in all such cases. But if we do not make any adequate statutory provisions for that, legal difficulties will crop up. These difficulties cannot be satisfactorily solved without giving rise to very contentious and even expensive litigation unless there are statutory provisions already recognising in definite terms the application of the principles of inheritance and succession governing the progenies of these marriages. These are matters which have to be considered. My friend Pandit Thakur Das Bhargava has very eloquently and plausibly pleaded that the Arya Samajists being Hindus, they would be necessarily governed by Hindu law. But we know that in the case of Hindus for whom legislative provision of similar marriages had been made before, the ordinary Hindu law does not necessarily govern them as regards succession. How can it be then asserted that the present Bill will not have a similar effect on the rights of succession as regards the progeny of the marriages under this Bill? If we want them to be governed by Hindu law also as regards succession, we have to state that by a clear provision inserted in the Bill itself. Whether it will be necessary or not, is at least a point of sufficient importance requiring to be carefully threshed out by competent lawyers. These are the considerations that make me somewhat diffident in asking this House to rush through the Bill at once. As I said in the beginning, I want this Bill to be taken to the Select Committee at once, but there are other considerations which make me feel that a little more time should be bestowed on a detailed consideration of the provisions as well as the consequences that are likely to arise therefrom. In these circumstances I believe the House will give its best consideration to all the points of view and find out on what side the balance of advantage lies before voting on the motions that are before it.

Mr. K. V. Rangaswami Ayyangar (Madras: Landholders): Sir by clause 3 of the Bill it is not clear whether the conversion should be precedent to the marriage or not. It has been contended by the Mover and his party that the Bill refers only to a marriage among Arya Samajists, and whenever they marry a girl or a boy in their religion, he should be first converted to the Arya Samaj and then married. But it is not clear from the Bill whether the conversion should precede the marriage. I think it is better to make it clear before passing a Bill of this sort. Sir, the Arya Samajists are Hindus and yet they rush into the Assembly with a Bill to treat them as separate from the Hindus and enact a measure apart from the Hindu law! And yet the whole of the Arya Samaj have supported the Bill. I do not know how they have done that.

Further, there are not only difficulties of inheritance, but there are difficulties in the marriage itself. They have not defined all the bearings of marriage. What are their codes of marriage and what are their recognitions of a marriage, and do they practise polygamy and do they favour dissolution? It is not also defined who is an Arya Samajist. One may follow at heart the tenets of the Arya Samaj and at the same time he may have faith in other forms of worship and *puranas*. But without defining who is an Arya Samajist, and without defining all the bearings of their marriage customs, it is not proper to rush in with a Bill of this sort. At least I do not commend the wisdom of their having a separate law apart from the Hindu law. No doubt, Sir, it is a validating Act unlike the Child Marriage Act which is a penal measure, and they may say that it is only confined to their folds. But it has got very many difficulties behind it. The difficulties I have explained may not appeal to them, the Hindu law-giver may not appeal to them, but let me appeal to them in the name of protection. The Arya Samajists are patriots, and if anybody appeals to them that their industries or commerce should be protected, they at once support it. Sir, there are their humble sisters and daughters, and if I appeal to them in the name of protection, I do not know whether they will listen to me. Sir, in these days of competition, I appeal to them for the protection of their sisters and daughters in the face of foreign competition. I say, Sir, that our daughters and sisters are very humble in their winning ways and manners and in the name of protection even if a validating Act is to come into force, I do not know if there will be many suitors for their daughters and sisters as against foreign competition. I appeal to them in the name of protection. I do not know whether they will listen to my appeal or not. I therefore support the amendment that this should come to the Assembly after some time and not be passed into law at once.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): I find myself in this unhappy position, Sir, that I am unable to accord any support to either of the motions now before the House. Both on general and on special grounds I have got my difficulties. I cannot, speaking generally, accept the *obiter dictum* propounded by one of the sponsors of this Bill; in fact I would take great objection to it. He said that it was the business of this Legislature, nay the duty of this Legislature, to afford all possible protection to all kinds of marriages. That general statement I cannot subscribe to. It is funny to be told that all of us, non-official Members specially, come here just to do such odd work; that our most sacred duty is not to fight for Swaraj, nor to fight for getting some kind of political control over the Executive, nor to see that in some measure the burdens on the people are lessened; but that our duty is to afford protection to all kinds of marriages, good bad or indifferent, in this world. That is a dictum, I repeat, I cannot accept. I feel very strongly about this; and that is why I have been standing so many times in my seat this morning. I deplore keenly that, time after time, session after session, we waste all our energies, all our resources, Government and everybody else, on some one kind of marriage Bill or another. It was the Rai Sahib gentleman there at one time who kept us for a number of sessions busy with a measure which is now before the world for whatever it is worth, as a law. Now here is another gentleman—he is not yet a Rai Sahib—who wants to worry us with another Marriage Bill. So hereafter, every session some one or other will be tempted to come forward with one marriage Bill or another. I would not be surprised

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if in these very advanced days somebody comes forward and proposes some very civilised system of marriage between biped and a quadruped, and says that it is the duty of the Legislature to afford protection to his new race. That protection should be given, legislative protection, mark you, to every kind of marriage, is a dictum that I, in my humble capacity of a layman am unable to accept. I feel, Sir, a little nervous of what account I should give of myself when I go back to my electors, and when they put to me the question. "What have you done so far?": Am I say, "We spent about 20 days last September on some marriage Bill, and this year also we have had a marriage Bill to engage our most serious attention"? Now, this Bill will go out for circulation according to the Home Member's amendment; after circulation it will return to us and then go to a Select Committee, and the Honourable the Law Member and the Honourable Home Member and various other Members will have to spend no small part of their time on this precious Bill. Then we shall be examining clause after clause of this wonderful Bill; and then, if this be not passed the heavens will come down! With what honest face shall we go and tell the electorate that we have done all this as most essential and urgently needed for lightening the burdens on the toiling millions? My friend there seems to think that this is the real kind of work for which we are sent here, that these are the important items of legislation to which we should pay our best attention. It may appear so to faddists. Not being a faddist to-day, I cannot say that we are at all doing the right thing. On the other hand I have to state frankly that in my humble opinion we are wasting our precious time and the resources of the country. We are criminally wasting our energies in paying attention to all kinds of odd proposals, laying aside all good real business. It is, I repeat, an intensely immoral waste of time, attention and money, to consider such tenth-rate things.

I have got other difficulties too. Here are some people who claim that they belong to some kind of Samaj. I have no quarrel with them if they keep their fancies to themselves. I too started a Samaj in my own way, a Bhakta Samaj, some years ago, for I too had then my fads and fancies. But by what right can I force my fancies on others for their acceptance? I do not think that this is the place for talking about Arya Samajists either as vanguard Hindus or rear-guard Hindus, for speaking of Arya Samajism as the most ancient Hindu creed or the most modern, and their religious rites as either the best or the worst. My one main contention is that all of us are human beings; all are of one common humanity. I remember in the old days reading:

"When Adam delved and Eve span who was then the gentleman?"

We may think that all of us are the children of Adam or of Manu, or of apes, or of angels: why quarrel over these fads? Aryan and non-Aryan and all that is the manufacture of some idle busy ethnologists of old who in their half-learning—and half-learning is always more dangerous than no learning—fabricated, with the best of intentions, all kinds of rubbish, as also theories of the Aryan's original home having been in the Caucasian regions or in the Baltic or Arctic or other regions, and so on and so forth.

I find my Honourable friend, Mr. Kelkar, looking at me. Well, I had a long tussle once with the late Lokamanya Bala Gangadhar Tilak, some time before his death, about his book "The Arctic Home of the Vedas". I had my own views, and I put them before him. He was a great man, never afraid to confess if he thought he was wrong; so he admitted to me

that he was misled in writing that book by the theories of European Indologists about which he had had his suspicions. He was ready to revise his theories and admit that the Aryans did not come from anywhere outside India.

All this is by the way. Now all this talk about Aryans *versus* Dravidians and so on is, in my opinion, wicked nonsense. It is true I come from the Chingleput district; but that does not mean that I belong to a Chingleputian race. It is no more safe to say that all those that come from North Western India are a race by themselves, or that those who come from Bengal are a race by themselves and so on. The thing is that 50 or 60 years ago Professor Max Muller and others wrote all kinds of learned nonsense, and we used to read all that in those days quite optionally and in the highest College classes. But all those silly fads with an "i" dotted here or a "t" dashed there are now crammed into the heads of unsuspecting boys and girls as facts proved of Ancient Indian History. Nor does the mischief end there. Older people come here saying they are Arya Samajists, Brahmo Samajists, or Adayar Samajists and so on; they want that the Honourable the Law Member, and the Honourable the Home Member, and others should lay aside all other work and deal with validating the marriages that each Samajist takes a fancy for! Sir, I think we must have a little more sense of proportion, distinguish between those things which are really essential and those which are not; and for some time to come consign the things that are non-essential to the best place to which they can be consigned—the waste-paper basket! I wish there were amendment or motion that the Bill be sent to the waste-paper basket, which would be a much more sensible proposal than either the original motion or the amendment of the Honourable the Home Member. I always object and on principle, to marriage legislation by a heterogeneous body. There is no principle in saying that people wanting to marry outside their caste *must* be protected. If I choose to marry whom I like, I do so at my risk; and I have no right for special protection of prestige or property and things of that kind. I do not think that any such protection is at all morally justified.

Now if my friend Mr. Sarda's Bill is going to come into effect from 1st April, I would rather take all the risks and consequences of disobeying the law than beg for protection from anybody's hands. Therefore, Sir, all this seems to me to be beating about the bush. I wish we had better work to do. I think that Members of this House who have any sense of responsibility should deal with really serious business in this House, or if there is no serious business to be done, they should go home and sleep soundly. That will be doing much better work. I therefore strongly oppose the motion before the House.

An Honourable Member: Is there any more serious work than this?

Mr. M. K. Acharya: I fear, I cannot enlighten my friend better than I have tried to do.

Now, Sir, I know we cannot always get what best we desire, that the lesser of two evils has often to be chosen, and on that score I shall vote for the Honourable Home Member's amendment. But on purely logical grounds and on moral grounds too I should consider that we have already wasted an hour and forty-five minutes of our precious time, and if any further waste of time like this is indulged in, it is a matter for which we shall be answerable in another place at least, those of us who having pledged ourselves

[Mr. M. K. Acharya.]

to serve Mother India's highest call, are thus frittering away our energies. Let us beware of the answer that we shall have to give in that other place.

Mr. Mukhtar Singh: I am very thankful to the House for having given me a patient hearing and to the different criticisms made on this Bill. I am very glad, Sir, that Honourable Members here have given their very best consideration to the Bill that is now before them. There are a few objections that have been taken against my motion, and they may be divided under two different heads. The first point that has been raised is that, according to the Honourable the Home Member, it is doubtful whether the whole community of the Arya Samajists is behind the Bill. The same doubt has also been expressed by some other Members. I stated in my speech that the whole of the Arya Samaj community is behind the Bill, and my reasons were clear. I stated that in 1925 all the Arya Samajists gathered together at Muttra and they decided by a unanimous vote that such a measure was necessary. Not only that, they asked the all-India Aryan League (Sarvadeshika Sabha) to which all the provincial Arya Samaj associations are affiliated to draft this measure. The present Bill is the draft approved by the Sarvadeshik Sabha. This makes it quite clear that the whole community is behind the Bill. Not only that, I have received a number of resolutions by letters and by telegrams from the Punjab, from the United Provinces, from Guzarat, from Madras and from Bombay.

Mr. M. S. Aney: I have got two from the Central Provinces also.

Mr. Mukhtar Singh: My friend also has received resolutions from the Central Provinces. That clearly shows that the whole community is behind the Bill, and I am assured that a copy of these resolutions and telegrams have been sent to the Government also. The second point is the object in view to be achieved by this Bill.

Now, Sir, as I stated in the Statement of Objects and Reasons, there is really a very great difficulty in the way of the Arya Samajists; they have to do something which they do not believe in, and in order to remove that difficulty this Bill has been placed before this House. As my Honourable friend, Mr. Shah Nawaz, stated, if there is a real difficulty, the House should help the community. It is in that spirit that I have placed this Bill before the House. Objection was also taken on the ground that no harm would be done if the Bill was sent for circulation. If the Bill is sent for circulation, the result will be that you cannot pass it within the lifetime of this Assembly.

Mr. A. H. Ghuznavi: Why didn't you introduce it earlier?

Mr. Mukhtar Singh: I am asked why I did not introduce the Bill earlier. I sent my Bill more than two years back. It was on the ballot every time and on two occasions it was put on the agenda. It is not my fault that it did not come up earlier. This is generally the fate of all non-official Bills. When we can pass the Bill into law now, why should the House try to kill the Bill in this way?

Mr. A. H. Ghuznavi: It is too late now.

Mr. Mukhtar Singh: If the Government had given the assurance, which they could very well do, that after sending the Bill into circulation, they

would agree to refer it to Select Committee in the beginning of the next Session, and then give a few days for its discussion, I would have had no objection, but the Government have refused to give any assurance of that kind.

Mr. A. H. Ghuznavi: How do you know there will be a next Session?

Mr. Mukhtar Singh: This is a real difficulty in the way of my consenting to the circulation of the Bill. As to the objections that have been raised, I see there are no points which cannot be remedied in the Select Committee. The Bill can very well be revised, modified and altered in the Select Committee, and there will be no harm if the Bill is sent to Select Committee. I may give the assurance, if that is needed, that it was not my intention, and is not my intention, that the Bill should apply to persons other than Arya Samajists, and when that assurance is there, the Government or the House should not have any objection to referring it to the Select Committee. I thought it was quite enough to put in the Preamble the words "inter-marriage of Arya Samajists". These words clearly show that it is not intended to apply to anybody else. Certainly, as I admitted in my speech, I am not a skilful draftsman and the language has to be improved. Unfortunately in this country we have to think, write and speak in a foreign language; and if the draft does not convey the sense, it is not my fault; it is the fault of the system under which we live. The Government and the other Members should help me rather than find fault with me on that score.

Certain objections have been raised, Sir, to which I consider it my duty to reply. It pained me to find that my revered leader also opposed my motion on a ground which hardly satisfied me at all as being a valid ground on which my motion ought to be opposed. It seems that my revered leader wants that the Arya Samajists should be governed by Hindu law. If that is so, it is also my desire that they should be governed by Hindu law; and the very fact that I sent this Bill, clearly shows that Arya Samajists want to be governed by Hindu law. Why then is objection taken on that score? If that was not our desire, we could very well have gone before the Registrar under the Special Marriage Act and declared that we are Hindus and we do not want to be governed by the caste system. The result would have been that we would have at once ceased to be governed by Hindu law, and perhaps my revered leader would have no objection then.

Pandit Madan Mohan Malaviya: The matter requires consideration and adjustment.

Mr. Mukhtar Singh: If the matter requires consideration and adjustment, then the Select Committee is the proper place to do it; and that is the only thing I want. But the very fact that we do not want to take advantage of this Special Marriage Act clearly shows that the Arya Samajists do not want to sever their connection with the Hindus; rather they want to be governed by Hindu Law; and this is why they are forced to place this measure before you. No objection should therefore be taken on that score.

I was rather surprised to hear the speech of the Honourable the Law Member. He stated that there would be difficulty in governing succession, and he has told us how a couple—one belong to the *Dayabhaga* school and the other belonging to some other religion converted to Arya Samajism

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—would find difficulty as regards succession. I am afraid the Law Member did not realise that the difficulty was there when the Brahmos took advantage of the Civil Marriage Act. Hundreds of marriages had taken place amongst Brahmos who are all governed by *Dayabhaga*; if they could be governed by *Dayabhaga* law even after a declaration under the Civil Marriage Act—before its amendment took place in 1923—what is likely to be the difficulty in the case of the Arya Samajists? Mind you the Brahmos declared themselves to be non-Hindus. If in the case of those persons who declared themselves to be non-Hindus and were still governed by Hindu law there was no difficulty in interpreting the *Dayabhaga* law, I do not understand what difficulty there will be in applying the *Dayabhaga* law to the Arya Samajists.

There is another point. The Law Member, if I may be permitted to say so, has entered into a fallacy. On the one hand he tries to understand how the succession will be governed, and on the other he tries to understand the principle upon which the succession is based. He considers that the theory of *pindas* is the guiding principle in succession amongst the Hindus. It may have been that it was so; but does he not know that the Arya Samajists do not believe in the *pinda* theory? Let me ask him this. If his son becomes an Arya Samajist, certainly he cannot give any benefit to the spiritual soul; rather he will refuse to do it, and what will become of his property? Supposing this Bill does not come into effect at all, will there be any difficulty in succession? (An Honourable Member: "He does not require any spiritual benefit from his son.") My Honourable friend suggests that there is no necessity of spiritual benefit in his case; but it is not an individual question, it is a question of all those who are Hindus, whose sons are Arya Samajists who do not believe in the *pinda* theory—whether their succession will be governed by the Hindu law or by something else. If in those cases there is no difficulty in interpreting the law

The Honourable Sir Brojendra Mitter: In such cases it is the capacity to offer *pindas* that entitles a man to inherit, not his willingness.

Mr. Mukhtar Singh: But he has incapacitated himself by becoming an Arya Samajist, because he has converted himself to a faith which does not believe in that thing. And then what about the Brahmos, who do not believe in the Hindu religion at all?

The Honourable Sir Brojendra Mitter: The case of Brahmos has created great confusion and we do not want confusion to be worse confounded.

Mr. Mukhtar Singh: I see; in the case of the Brahmos the Law Member or his Government do not want to set at rest the confusion that is said to have been created; but he is afraid of any further confusion. If that confusion can be set at rest by the Calcutta High Court, I think the analogy will apply in this case also; and if the Law Member does not want that litigation should be multiplied in this country, then it can very well be safeguarded by adding a clause to this Bill that the succession of the issues of such marriages will be governed by Hindu Law, though I do not consider there is any necessity for it; but if that necessity is there, then it can very well be safeguarded by adding a clause. You are not committed to this, that there should be only three clauses in this Bill; there may be four or more if need be.

The other and a very serious objection that has been raised by my Muhammadan friends is the apprehension that it will include those cases in which the woman may be a Muhammadan. I beg to submit that, as far as I can understand the English language, I have tried to meet that objection by saying "having belonged to different castes or sub-castes of Hindus or to different religions". I thought that it meant that, before the marriage had taken place they might have belonged to any religion, but at the time of the marriage they must be Arya Samajists; and if that meaning is not conveyed by the words that I have used, certainly the language can be improved. As I have already submitted, I do not want—the Arya Samaj community does not want—to take advantage of this Bill in the form which has been suggested or apprehended by my Muhammadan friends; and if there is any apprehension of that kind still, it can very easily be guarded against. But as regards conversions, there is really a very great difficulty. There are a number of Muhammadans, Christians, Sikhs

and others who have joined the Arya Samaj. Their sons and their daughters have to be married. They are being married even to-day, but the question is about their status. They are not Hindus, because according to the opinion of some lawyers, the Hindu religion is considered not to be a proselytising religion, and therefore conversions are not recognised. But the Arya Samaj does believe in conversions; it has converted so many people. Do you want that a large number of men and women who have been converted should have no status at all? Not because the Hindu society does not want to give them any status but because the Government of the country does not want that any status should be given to them? I ask, Sir, that if a Hindu becomes a Muhammadan or a Christian and he can at once be assimilated by Christians or Muhammadans and he can at the same time inherit property without any difficulty, why should there be any hindrance in the case of those who become Arya Samajists? Rather the law of the land has gone a step further, inasmuch as according to the Punjab High Court, a Hindu who has become a Muhammadan can inherit the property of a Hindu. If that is so, Sir, why should there be any difficulty in the case of those who are converted to Arya Samaj? I consider, Sir, it will be far from my Mussalman friends to create any difficulty of that kind, because they themselves realise that they should be fair to others. If they only apprehend that an undue advantage of this measure may not be taken I shall be the last man, rather my community would be the last, to take any undue advantage of a measure like this. If an elucidation on this point is needed, that can very easily be done in the Select Committee. I am very much obliged to my Mussalman friends for having stated their own difficulties so frankly, but to suggest that there is any sinister motive behind this Bill or that the Arya Samajists want to take advantage of the Legislature in order to achieve their ends is rather too much, and I hope my Muhammadan friends will not entertain any such idea in their minds.

In conclusion, Sir, I want to say only a few words. Here is a community which does not believe in the caste system, which does not believe in the prohibition of marriages between a man of a lower caste with a woman of a higher caste. Do you want to penalise that community for that conviction? If that is their religion and they really believe that, according to the interpretation that they put on the Shastras, they should not restrict their marriages to the caste to which they belong, then why should they not be allowed to give a practical shape to their convictions? They

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have made up their mind to marry outside their own caste without caring for the consequences. They are already doing so. As I have told the House, in the year 1929, as many as 1,685 marriages have taken place. I would ask the House to consider the matter very seriously. It would have been much better if the Government had come to their help rather than that the Arya Samajists should be forced to bring in a measure of this kind; but that was not to be now when the Bill has reached a certain stage, and when it is likely to become law, why should the Government put obstacles in the way? If there are any doubts, and those doubts have to be cleared so as to place the law beyond all shadow of doubt, by all means suggest the necessary amendments and improve the Bill, but do not try to kill the Bill. With these words, Sir, I commend my motion to the House.

Mr. President: The original question was:

"That the Bill to finally recognize and place beyond doubt the validation of inter-marriage of Arya Samajists, be referred to a Select Committee consisting of the Honourable the Home Member, the Honourable the Law Member, Dr. B. S. Moonje, Mr. Vidya Sagar Pandya, Sardar Gulab Singh, Pandit Thakur Das Bhargava, Rai Sahib Harbilas Sarda, Mr. Fazal Ibrahim Rahimtulla, Mr. N. C. Kelkar, and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Since which the following amendment has been moved:

"That the Bill be circulated for the purpose of eliciting opinions thereon."

The question is that that amendment be made.

The Assembly divided:

AYES—60.

Abdul Aziz, Khan Bahadur Mian.
Abdul Matin Chaudhury, Maulvi.
Abdul Qaiyum, Nawab Sir Sahibzada.
Acharya, Mr. M. K.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Ayyangar, Mr. K. V. Rangaswami.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chambers, Mr. G. W.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James
Crosthwaite, Mr. H. S.
Das, Mr. B.
Farookhi, Mr. Abdul Latif Saheb.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghuznavi, Mr. A. H.
Gwynne, Mr. C. W.
Haji, Mr. Sarabhai Nemchand.
Hamilton, Mr. K. L. B.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Lahiri Chaudhury, Mr. D. K.
Lindsay, Sir Darcy.
Malaviya, Pandit Madan Mohan.

Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Mody, Mr. H. P.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Neogy, Mr. K. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Row, Mr. K. Sanjiva.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan
Bahadur.
Sarma, Mr. R. S.
Schuster, The Honourable Sir George.
Shafee Daoodi, Maulvi Mohammad.
Siddiqi, Mr. Abdul Qadir.
Singh, Raja Raghunandan Prasad.
Slater, Mr. S. H.
Suhrawardy, Dr. A.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

NOES—10.

Aney, Mr. M. S.
Bhargava, Pandit Thakur Das.
Kelkar, Mr. N. C.
Kunzru, Pandit Hriday Nath.
Lalchand Navalrai, Mr.

Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Pandya, Mr. Vidya Sagar.
Rao, Mr. G. Sarvotham.
Sarda, Rai Sahib Harbilas.

The motion was adopted.

THE RESERVATION OF THE COASTAL TRAFFIC OF INDIA BILL.

***Mr. Sarabhai Nemchand Haji** (Bombay Central Division: Non-Muhammadian Rural): Sir, I rise to move that the Bill to reserve the coastal traffic of India to Indian vessels, as reported by the Select Committee, be re-circulated for the purpose of obtaining further opinion thereon by the 30th April, 1930.

The reason which prompts me to make this motion is that this House at the present moment does not consist of its full normal complement. The issues raised by the Report of the Select Committee are of so great an importance that it is desirable that a full House should debate upon them. As you are aware, Sir, a full House can meet only after the by-elections and the by-elections cannot take place until after the last day allotted for non-official Bills this Session. Moreover, under the Standing Orders, a motion has to be made in regard to this Bill in this Session if the Bill is not to lapse. Under the circumstances I move the motion standing in my name.

Mr. President: The question is:

"That the Bill to reserve the coastal traffic of India to Indian vessels, as reported by the Select Committee, be re-circulated for the purpose of obtaining further opinion thereon by the 30th April, 1930."

The motion was adopted.

THE INDIAN STEAM-VESSELS (AMENDMENT) BILL.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadian Rural): Sir, I beg to move:

"That the Bill further to amend the Inland Steam Vessels Act, 1917, as reported by the Select Committee, be taken into consideration."

Sir, this measure has been before the public for about four years, and during this period it sometimes seemed as if it would encounter serious opposition from certain quarters in this House, but I am happy to be able today to ask the House to consider a unanimous report of the Select Committee on which all the various sections of this House were well represented. Sir, this measure seeks an extension of the principle of State interference in private enterprise in the public interest. It arms the executive government with authority to regulate the rates and fares chargeable by inland steam vessels by fixing maxima and minima limits. In a

*Speech not revised by the Honourable Member.

[Mr. K. C. Neogy.]

subsidiary provision it authorises the setting up of statutory Advisory Committees to safeguard the interests of the customers of the inland steam vessels services.

Sir, the principal provision is intended to prevent what has been compendiously termed "rate wars", of which my province has had a very sad experience in the past. Numerous instances are on record in which private Indian enterprise was throttled by unfair competition on the part of powerful combines which operated in the inland waters of Bengal. Sir, if this measure had been on the Statute-book years ago, we would by this time have, in my province at least, quite a number of indigenous concerns participating in the steam and motor traffic in the riparian tracts of Bengal. But, Sir, I do hope that now that we are in a position, with the concurrence of this House, to pass this very useful measure, the future will enable us to develop the indigenous industry on this line more effectively than has been possible in the past.

With these few words I commend my motion to the acceptance of the House.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I congratulate both the Government and also the Members of the European section of this House who sat in the Select Committee for the unanimity of the Report that has been presented to the House. Sir, when this Bill was taken into consideration, my Honourable friend Sir George Rainy was at the time feeling very diffident and so was also my friend Sir Walter Willson, who I regret to find is not a Member of this House any more. I am glad however that there were Messrs. Chalmers and Phillip in the Select Committee on behalf of the European Group, who with their Indian colleagues arrived at an equitable understanding and decision about minimum and maximum rates and about the Advisory Committees to control inland steamer companies.

Sir, I have only one little complaint to make. The Select Committee have left out Orissa, which has got certain steam vessel lines and large navigable waterways. Of course, the Honourable Sir George Rainy, who was at one time connected with my province, could have put in Orissa.

Mr. K. C. Neogy: The Bill does not exclude anybody.

Mr. B. Das: I expect that Orissa will be soon made a separate province and that there will be no rate war amongst the various inland steam vessel companies that would ply their vessels in the Orissa rivers.

The points that were raised by Mr. Neogy when he first moved the Bill were very pertinent and I need not go into the details again. I have however read a pamphlet which has been circulated by the Bengal National Chamber of Commerce and it publishes a letter addressed to the Secretary to the Government of India in the Commerce Department. I will only quote a paragraph to show that a rate war is still going on. This letter was addressed on the 7th September, 1929:

"Instances have been known of Bazar dealers importing portions of their stock by Indian-owned vessels being put to inconvenience by delay in allowing them space for jute consigned to the mills and presses, knowing full well that these mills and presses will not accept jute carried in Indian-owned vessels according to the terms of the agreement referred to. They are thus penalised for the 'offence' of patronising Indian companies."

This very pamphlet also contains a copy of the letter which the Managing Agents of the East Bengal River Steam Service Ltd., addressed to the Indian Mercantile Marine Committee:

"When the European companies found that this Indian Company was increasing its fleet and doing very good business and other similar companies were being started by Indians, they made an agreement with the mills restraining them from accepting jute carried on vessels owned and managed by Indians. And subsequently the Insurance companies, as if in sympathy, would not insure goods carried on our vessels at the same rate as goods carried on the European companies' vessels"

Further on it states:

"The Honourable Mr. Mackenzie of Messrs. Macneil & Co. even threatened us in so many words that, unless we sold or made over the management of this Company's business to them, they were determined to crush our Company. There are other weapons in use such as the arrangement that no rebate will be paid to shippers and consignees who have occasionally shipped their jute or coal by this Company's vessels and rate cutting."

I knew that my friend Mr. Haji was interested in Deferred Rebates for ocean-going steamers but I had no knowledge that such a state of things prevailed amongst the inland steam vessel companies as well. So, I am really grateful to my Honourable friend Sir George Rainy that he could come to an understanding and give Government support for placing on the statute a measure that will benefit the Indian Steam Companies plying in Bengal, Assam, Orissa and in various parts of India.

I may also bring it to the notice of the Honourable Sir George Rainy and the Government that it is no use our bringing forward measures like these unless Government co-operate with us to see them through. If Government could understand and appreciate the difficulties that Indian trade and commerce is passing through in the matter of inland steam vessels, navigation and inland water transport, and agree to place on the statute such a beneficial measure, they ought similarly to co-operate with non-official members of the House to place on the statute other beneficial measures and thereby the impression that has got about in the country that this Assembly is not serving any useful purpose, that impression will be removed from the minds of many. For that particular point alone, I thank my Honourable friend Sir George Rainy for taking that initiative.

The Honourable Sir George Rainy (Member for Commerce and Railways): I will not delay the House for more than a very few minutes. My Honourable friend Mr. B. Das has paid me a compliment which I in no way deserve. He expressed his gratitude to me for introducing the measure, but his gratitude is due to my Honourable friend Mr. Neogy for that, and not to me. Allusion has been made to what has been said in this House on previous occasions both by other Honourable Members and by myself. I frankly admit that at various times, the Government have had their doubts as to this Bill, and as Mr. Neogy himself admits, it is something of a novelty, and it remains to be seen how exactly the experiment would work. But Government have already accepted the principle of the Bill and they believe that the measure in the form in which it has emerged from the Select Committee is workable and that it can be administered so as to give fair play to all and to cause injustice to none. It is in that spirit that Government will attempt to administer this Bill if it is passed into law.

Mr. President: The question is:

"That the Bill further to amend the Inland Steam Vessels Act, 1917, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. K. C. Neogy: I move:

"That the Bill, as amended, be passed."

The motion was adopted.

THE MUSSALMAN WAKF VALIDATING (AMENDMENT) BILL.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Sir, I beg to move:

"That the Bill to amend the Mussalman Wakf Validating Act, 1913, be referred to a Select Committee consisting of the Honourable Sir James Crerar, the Honourable Sir Brojendra Mitter, Pandit Madan Mohan Malaviya, Dr. A. Suhrawardy, Mian Mohammad Shah Nawaz, Mr. Muhammad Ismail Khan, Maulvi Muhammad Yakub, Mr. K. C. Roy, Mr. Anwar-ul-Azim, Mr. Muhammad Yamin Khan, Maulvi Mohammad Shafee Daoodi, the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, I wish that this Bill was introduced by a lawyer who would have dealt with the subject more competently than a layman like myself. I shall presently show that it does not introduce anything new, and it only seeks to give a true interpretation of the Wakf Validating Act which was passed into law in 1913.

Mr. President: Is the Honourable Member going to take long?

Mr. A. H. Ghuznavi: No, Sir. I will only take five minutes. This Act was passed unanimously so far back as 1913. And it is only to amplify the meaning of this Act that this Bill has been introduced. I venture to hope that whether introduced by a lawyer or a layman, I shall get the unanimous support of the House. Sir, it is likely that the author being a layman, the Bill has not been drafted properly and requires modification. But it can be remedied in the Select Committee from which it will emerge in its proper form. I do hope that the House will agree with me that this Bill should be referred to the Select Committee and I hope Honourable Members would give it their unqualified support.

The motion was adopted.

THE COURT-FEES (AMENDMENT) BILL.

Rai Sahib Harbilas Sarda (Ajmer-Merwara: General): Sir, I move:

"That the Bill further to amend the Court-fees Act, 1870, for a certain purpose, be taken into consideration."

The Bill deals with a very simple and a small matter. It deals only with the court-fees payable on suits for maintenance by widows and it is applicable only to Ajmer-Merwara, though the matter the Bill deals

with is no doubt an all-India one. The reason is this: Two years ago, I sent in a Bill in identical terms with the present Bill but applicable to the whole of India. Government declined to accord previous sanction to introduce to me, probably as the revenues derived from court fees having been provincialised, it was thought that the Bill might affect provincial revenues and therefore it should be discussed and decided in the Local Councils. The Legislative Assembly is the Local Council for Ajmer-Merwara as that province is under the direct administration of the Government of India. Hence the Bill comes before this House.

The matter is a very simple one. Under the present Act, a widow suing for maintenance has to pay court fees on ten times the annual value of the maintenance. This operates as a great hardship on poor widows who have to sue for maintenance. A widow claiming Rs. 10 a month as maintenance has to pay court fees on Rs. 1,200 and then process fees to get witnesses summoned have to be paid also on Rs. 1,200. Widows who claim maintenance are poor and can hardly afford to pay such high fees. They have often to forego the right to sue for maintenance and have to live at the mercy of people who are under a legal obligation to maintain them. In cases where these widows are able to raise money to pay the High Court fees, they do so on terms which impose a very heavy, and sometimes an intolerable, burden on them. The Bill proposes to give facilities to these widows to file suits on payment of court fees on the annual value of the amount of maintenance instead of ten times the annual value. Sir, if this Bill is passed into law, it will give facilities to the widows and I do not think the provincial revenues will suffer any loss. I therefore ask that the Bill be taken into consideration.

Mr. C. W. Gwynne (Home Department: Nominated Official): Sir, I beg to move the amendment that stands in my name:

"That the Bill be referred to a Select Committee consisting of the Honourable the Home Member, the Honourable the Law Member, Rai Sahib Harbilas Sarda, Munshi Iswar Saran, and Maulvi Muhammad Yaqub and that the number of Members whose presence shall be necessary to constitute a meeting of the Select Committee shall be three."

I have only to say, in explanation of that amendment, that the attitude of Government is very friendly, that they accept the principle of the Bill and that the principle of the Bill has been accepted by the local authorities of Ajmer. But we are advised that there are a number of technical drafting errors in the Bill which have to be set right and that the best and most appropriate place in which that can be done is in Select Committee.

Mr. President: I think the Honourable the Mover has no objection?

Rai Sahib Harbilas Sarda: I have no objection, Sir, since Government accept the principle of the Bill.

Mr. President: The question is:

"That the Bill further to amend the Court-Fees Act, 1870, for a certain purpose, be referred to a Select Committee consisting of the Honourable the Home Member, the Honourable the Law Member, Rai Sahib Harbilas Sarda, Munshi Iswar Saran and Maulvi Muhammad Yaqub, and that the number of Members whose presence shall be necessary to constitute a meeting of the Select Committee shall be three."

The motion was adopted.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

Mr. President: The question is:

"That the Bill further to amend the Inland Steam Vessels Act, 1917, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. K. C. Neogy: I move:

"That the Bill, as amended, be passed."

The motion was adopted.

THE MUSSALMAN WAKF VALIDATING (AMENDMENT) BILL.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Sir, I beg to move:

"That the Bill to amend the Mussalman Wakf Validating Act, 1913, be referred to a Select Committee consisting of the Honourable Sir James Crerar, the Honourable Sir Brojendra Mitter, Pandit Madan Mohan Malaviya, Dr. A. Suhrawardy, Mian Mohammad Shah Nawaz, Mr. Muhammad Ismail Khan, Maulvi Muhammad Yakub, Mr. K. C. Roy, Mr. Anwar-ul-Azim, Mr. Muhammad Yamin Khan, Maulvi Mohammad Shafee Daoodi, the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, I wish that this Bill was introduced by a lawyer who would have dealt with the subject more competently than a layman like myself. I shall presently show that it does not introduce anything new, and it only seeks to give a true interpretation of the Wakf Validating Act also the un-
termed into law in 1913.

help and constructive criticism. I will make observations. I may say that up till now all the laws that have been made in any country in the world are made by man, and man being selfish and dominating has always allowed the woman to suffer and we find the woman always suffers. She suffers being the mother of the man, she suffers being the wife of the man and she also suffers at times when she is utterly helpless and man-made laws give her no chance of redress. There are few countries in the world where the woman had a chance to make any laws. It may be so in the Malabar territory where there is the *Maramakathiyam* system, where the woman has her social rights and status. She prevailed there from time immemorial to exact woman's rights. It might have been so in other countries in the old days. I read of the country of Amazons that Ulysses visited during his travels. I do not know whether there was any woman's Government existing when Ulysses made his entrance after the Trojan war to the island of these amazons. But as a country advances more and more in civilisation, civilisation in its higher essence always tries to conceal the fault of man and society. I want that the woman should not suffer any more. In this case the woman is punished and the man who seduces her, who leads her astray, goes unpunished. I think he should be equally punished. My friend, Dr. Moonje, asks me how do I know that the woman does not seduce the man. I will take only our social conventions, the Indian social environment. I know that in India such are the structure and environments of our social life that the woman gets little chance to seduce the man. Those who are accustomed to the

with is no doubt an all-India one. The reason is this: Two years ago, I sent in a Bill in identical terms with the present Bill but applicable to the whole of India. Government declined to accord previous sanction to introduce to me, probably as the revenues derived from court fees having been provincialised, it was thought that the Bill might affect provincial revenues and therefore it should be discussed and decided in the Local Councils. The Legislative Assembly is the Local Council for Ajmer-Merwara as that province is under the direct administration of the Government of India. Hence the Bill comes before this House.

The matter is a very simple one. Under the present Act, a widow suing for maintenance has to pay court fees on ten times the annual value of the maintenance. This operates as a great hardship on poor widows who have to sue for maintenance. A widow claiming Rs. 10 a month as maintenance has to pay court fees on Rs. 1,200 and then process fees to get witnesses summoned have to be paid also on Rs. 1,200. Widows who claim maintenance are poor and can hardly afford to pay such high fees. They have often to forego the right to sue for maintenance and have to live at the mercy of people who are under a legal obligation to maintain them. In cases where these widows are able to raise money to pay the High Court fees, they do so on terms which impose a very heavy, and sometimes an intolerable, burden on them. The Bill proposes to give facilities to these widows to file suits on payment of court fees on the annual value of the amount of maintenance instead of ten times the annual value. Sir, if this Bill is passed into law, it will give facilities to the widows and I do not think the provincial revenues will suffer any loss. I therefore ask that the Bill be taken into consideration.

C. W. Gwynne (Home Department: Nominated Official): Sir, I life. With these remarks, I stand in my name:

Mr. C. W. Gwynne (Home Department: Nominated Official): I rise to state clearly at the outset on behalf of Government that they must oppose the motion moved by my Honourable friend Mr. Das that his Bill to amend the Indian Penal Code be circulated for opinions. Having said that, may I now pay my tribute to the earnestness, the sincerity, and the chivalry of the Honourable the Mover in his championship of those unfortunate women who expose or cause to be exposed their illegitimate children? I am sure the House and all right-thinking people will agree with the Honourable the Mover in his righteous indignation on the subject of the moral depravity of certain men. But, Sir, the cause is not to be found, as the Honourable the Mover has described in his Statement of Objects and Reasons, in any man-made law or in any man-made institution. It is a question of human nature itself, and a mere amendment of the law will not provide any adequate remedy. I find no fault with the Honourable the Mover's knowledge of law, but rather with the principle on which he would proceed. While I appreciate his sincerity and optimism, I can find no basis in reason for the propositions he has put forward, and for that reason it is necessary to oppose even the circulation of this Bill for opinions, because it is open to very serious objections, patent on the face of it, with the result that circulation would serve no useful purpose. The Bill proceeds on the assumption that a man, by seducing a woman, causes her, if she has an illegitimate child, to commit an offence under section 317 of the Indian Penal Code or a similar offence, and that therefore the man is really more culpable than the woman. But the circumstances with which the Bill is concerned is the exposure of a child and

Mr. B. Das: I will move it, Sir. I beg to move:

"That the Bill further to amend the Indian Electricity Act, 1910, for certain purposes, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable Sir Bhupendra Nath Mitra, Mr. E. F. Sykes, Mr. Sarabhai N. Haji, Mr. Anwar-ul-Azim, Mr. Fazal Ibrahim Rahimtulla, Mr. K. C. Neogy and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

This is not really an amendment of the Electricity Act. I wish to amend section 37 of that Act, sub-section (2) (b), by adding the words "in any newspaper published in the area of supply, or in absence of the same, in a newspaper published in the province" after the words already existing there "regulate the publication of notices". I have given the reason in the Statement of Objects and Reasons attached to the Bill. What happens now? The Indian Electricity Act of 1910 was passed long ago. In 1920, Mr. J. W. Meares the former Electrical Adviser to Government of India compiled a set of rules which are standing rules of practice among electrical engineers all over India. These rules are followed in all the electrification schemes all over India and all electrical engineers follow them. When anybody intends to electrify a town, he has to apply for a Government licence from the Local Government. The Indian Electricity Act and the Rules are at present a Central subject under the Central Government. Each Provincial Government has got an Electrical Inspector and the Department is a reserved subject; so if we have to amend the Act, we have to come to the Government of India. Now, in certain provinces there is a semblance of provincial autonomy; sooner or later every province will have provincial autonomy. The Rules at present require the applicant for an electric licence to advertise the same in three consecutive issues of a paper approved by the Government. Sometimes the Secretary to the Government or the Electrical Inspector gives a hint that the advertisement should be inserted in a Bombay or Calcutta newspaper, though it may happen that that daily paper is not read at all by the people of the town affected—it may be that only a few people read an English edited paper from Calcutta or Bombay. So it would be in the best interests of the local authorities and of the townspeople, who are going to be affected by the application of that electric licence, that the licence should be published in a paper published in that town or in that province. It is a very simple amendment that I seek to make. Of course I cannot ask the House to amend the rules, so I have sought to amend section 37 (2) (b) in order to enable the Government to make the necessary amendments in the Act and in the Rules.

I may make one further observation. Although the Government of India are in charge of the Electricity Act, they have had no electrical adviser since they did away with the post of Mr. J. W. Meares. Neither, since his departure, have they held any conference of the different Electrical Inspectors of the various provinces to see if the Rules require any change or any alteration. During the last ten years all over India the electrical engineering industries have gone up by rapid strides; and there have been various hydro-electric developments, and even the smallest town is being electrified to-day. What has been done by the Board of Trade in England may not be quite suitable to the Indian atmosphere; and if the Honourable Member for Industries and Labour holds a conference of Electrical Inspectors of the various Governments, he can find

enough material and cases which would suggest the necessity for modification of some of these rules in order to suit changed conditions. With these observations I move my motion.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I am sorry that I cannot congratulate my friend, Mr. B. Das, on the success of his excursion on the present occasion into the field of legislation from the field of engineering. When I read this Bill and the Statement of Objects and Reasons, I failed to realise what principle my Honourable friend wanted to establish, or what was the precise reason underlying this Bill which he wants this House to enact. After I have listened to him, I think the position has somewhat clarified itself to me. What my Honourable friend really wants is a modification of the Electricity Rules and not a modification of the Act. If that is his real desire, the simplest course for him would have been to address my Department on the subject, suggesting for their consideration certain amendments to the Electricity Rules, and I can assure him that any such suggestion coming from him, or from any other responsible quarter, would have received due consideration from my Department.

My Honourable friend was not correct in stating that the Government of India, after the departure of Mr. Meares, lacks a qualified electrical adviser. We have got qualified electrical advisers employed in the Indian Stores Department: The head of that Department is a well-known expert in matters connected with electricity.

He then said that we have held no conference of Electrical Inspectors from the provinces for ten years. Well, Sir, I cannot vouch for ten years; but to the best of my recollection, we had a conference only last year where they discussed possible alterations in the Electricity Rules, which I believe are still receiving further consideration.

Now, Sir, I do not quite understand why my Honourable friend considers this particular amendment of law to be necessary. He has said that the Electrical Inspector in the Provinces or the Secretary in the Public Works Department who, I believe, works in a transferred Department in most provinces forces somebody to put his application or rather gives notice of his application in a certain paper. Now, Sir, Rule 13(3) of the Electricity Rules runs as follows:

"The advertisement shall be inserted by the applicant in at least three successive issues of the same newspaper published or circulated in the proposed area of supply."

So far as that part goes, there is no interference from anybody. Then the rest of the rule reads as follows:

"or any such newspaper as the Local Government may approve."

When I read the Statement of Objects and Reasons, I thought my Honourable friend particularly liked the last portion of it, because he was in favour of provincial autonomy.

Now, as I understand the matter, the person who applies for the licence is likely to insert his advertisement in the paper which has the greatest circulation in a particular area; and it seems to me that it would not be in the public interest to prescribe that notice of the application should be advertised only in newspapers published in the area of supply, or in the absence of the same, in a newspaper published in the province. I would

[Sir Bhupendra Nath Mitra.]

give a concrete example. Take the *Hindustan Times* of Delhi. I understand it has a wide circulation in neighbouring tracts which lie in the Punjab and the United Provinces. Now, shall we by legislation stop the advertisement of notices of licences affecting, say a town lying in the neighbourhood of Delhi, in the *Hindustan Times* and insist on its publication in a paper which is published say in Lahore or Aliabad? I think my Honourable friend's real difficulty is that he does not want stress to be put in Rule 13 (3) of the Indian Electricity Rules on the words "or circulated", and that is brought out in one of the paragraphs in his Statement of Objects and Reasons. If that is so, I can give him this assurance. I shall get my Department to address the Local Governments and inquire whether the omission of those words from the Electricity Rules is likely to lead to any objection from the point of view of the public. If there is no such objection, I will follow the procedure provided for in section 38 of the Electricity Act and have the rule amended to that extent. Well, that is the most help I can give to my Honourable friend, and I hope with that assurance he will be kind enough to withdraw his Bill. If not, I shall be under the painful necessity of opposing it.

Mr. B. Das: Sir, I am obliged to the Honourable Member for the assurance he has given me, and with that assurance, as the purpose of my Bill is served, with your permission I would like to withdraw the Bill. I would, however, like to make one or two observations. I know the Honourable Member has got Mr. Pitkeathly as the head of the Indian Stores Department to manage the Indian Stores Department and also to purchase stores, but I never knew that Mr. Pitkeathly administered the Indian Electricity Act on behalf of the Government of India or built case-law regarding the Indian Electricity Act. I thought that the Indian Stores Department had nothing to do with the administration of the Indian Electricity Act.

The Honourable Sir Bhupendra Nath Mitra: I think, Sir, I must correct one misapprehension on the part of my Honourable friend. I did not say that Mr. Pitkeathly administers the Electricity law on behalf of the Government of India. All I said was that in him the Government of India possesses an electrical expert.

Mr. President: The question is:

"That leave be given to Mr. B. Das to withdraw his Bill."

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

THE INDIAN RAILWAYS (AMENDMENT) BILL.

Mr. M. S. Aney (Berar Representative): Sir, I move for leave to introduce a Bill further to amend the Indian Railways Act, 1890. My reasons for the Bill are stated in the Statement of Objects and Reasons, and so I do not want to take further time of the House by making a speech.

Mr. President: The question is:

"That leave be given to Mr. Aney to introduce a Bill further to amend the Indian Railways Act, 1890."

The motion was adopted.

Mr. M. S. Aney: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

Mr. M. S. Aney (Berar Representative): Sir, I move for leave to introduce a Bill to provide for treating offenders under the Child Marriage Restraint Act, 1928, as first offenders and enlarging the scope of the discretionary powers under section 562 of the Code of Criminal Procedure, 1898. I have given my grounds in the Statement of Objects and Reasons, and I believe Honourable Members have read them. I therefore ask for leave to introduce this Bill without making any further speech.

Mr. President: The question is:

"That leave be given to Mr. Aney to move for leave to introduce a Bill to provide for treating offenders under the Child Marriage Restraint Act, 1928, as first offenders and enlarging the scope of the discretionary powers under section 562 of the Code of Criminal Procedure, 1898."

The motion was adopted.

Mr. M. S. Aney: Sir, I introduce the Bill.

THE INDIAN RELIGIOUS PICTURES TRADE MARKS (PREVENTION) BILL.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I beg to move for leave to introduce a Bill to penalise the use of pictures of gods and goddesses, scenes from scriptures or mythology of any religion whatsoever as marks or trade marks on any article imported to or manufactured in India. Sir, I have stated my reasons for this Bill in the Statement of Objects and Reasons, and so I don't think it is necessary for me to make a speech.

Mr. President: The question is:

"That leave be given to Mr. Das to introduce a Bill to penalise the use of pictures of gods and goddesses, scenes from scriptures or mythology of any religion whatsoever as marks or trade marks on any article imported to or manufactured in India."

The motion was adopted.

Mr. B. Das: Sir, I introduce the Bill.

Mr. President: Honourable Members will no doubt recollect that they have been summoned to be present here on Saturday, the 25th, at 11 O'Clock, when His Excellency the Viceroy will address them.

The Assembly then adjourned till Eleven of the Clock on Monday, the 27th January, 1930.

LEGISLATIVE ASSEMBLY.

Saturday, 25th January, 1930.

ADDRESS BY HIS EXCELLENCY THE VICEROY TO THE MEMBERS OF THE LEGISLATIVE ASSEMBLY.

H. E. the Viceroy: Gentlemen of the Assembly, I was unable, owing to my absence from Delhi, to greet you at the opening of your Session, but I desire now to offer you a cordial welcome to your labours and to express the hope that harmony and goodwill may attend your deliberations.

I regret that it was not possible for me to address both Houses of the Legislature this morning. That however would have involved either inconvenience to Honourable Members of the Council of State by summoning them to Delhi earlier than was justified by circumstances, or undue postponement of the opportunity of speaking in this place. I do not propose to make detailed reference to the programme of work that lies before you. Your attention this Session will be directed chiefly to the Budget, and the only preface I would wish to make to my more general observations is a brief allusion to matters that do not immediately concern the internal affairs of India.

Peace reigns on our borders. But for two of our neighbours the past year has been eventful. Nepal has suffered the loss of her distinguished Prime Minister, His Highness Sir Shumshere Jung, whose fame as a wise and progressive statesman had travelled far beyond the confines of his own country. India shares Nepal's sorrow in her bereavement, but shares also her gratification that the reins of office have fallen into the hands of so sagacious and well-tried an administrator as Sir Bhim Shumshere Jung, to whom we wish all success in the high duties which he now finds himself called upon to discharge.

It is a great satisfaction to India that Afghanistan has found a happy issue out of her recent calamities in the accession of His Majesty King Muhammad Nadir Shah. His Majesty carries with him our warmest wishes and goodwill, and I have every confidence that under his wise guidance Afghanistan will speedily enter upon a new era of prosperity, and that the ties of friendship which unite our two neighbouring countries will be maintained with ever-increasing strength and mutual trust.

The question of the future Government of Eastern Africa is now being considered by His Majesty's Government, on whom my Government have impressed the keen interest evinced in this question by all communities in India, and the importance of having due regard in their treatment of this matter to legitimate Indian feeling. I am glad to acknowledge publicly the valuable help which the Government of India have received from the Indian Legislature in this connection, and to give the assurance that it will always be our endeavour to champion the just cause of Indians overseas by all constitutional means open to us and in harmony with enlightened Indian opinion.

[H. E. the Viceroy.]

I much regret that sudden and serious illness has compelled Sir Kurma Venkata Reddi, our Agent in South Africa, to return to India. During the time he has held his post, Sir Kurma has amply justified his selection to this important office, and the House will, I am sure, join me in hoping that a speedy recovery may enable him before long to resume his work.

I must now deal with some features of the political situation, which has lately been engaging public attention.

On my return to this country from England, it was my duty to make a statement on behalf of His Majesty's Government. That statement stands as I made it, and indeed in the light of the appreciation which I had formed of the principal elements of the problem with which we all have to deal, and with a full knowledge of the weight that must necessarily attach to the considered opinion of anyone holding my present office, I should have felt that I had failed in my duty both to India and Great Britain, if I had tendered any different advice to His Majesty's Government, and when His Majesty's Government saw fit, as they did, to enjoin me to make an announcement on their behalf, I could have chosen no different language in which to make it.

The intention of my statement, of which I believe the purport to have been unmistakable, and which carried the full authority of His Majesty's Government, was to focus attention on three salient points. Firstly, while saying that obviously no British Government could prejudge the policy which it would recommend to Parliament after the report of the Statutory Commission had been considered, it re-stated in unequivocal terms the goal to which British policy in regard to India was directed. Secondly, it emphasised Sir John Simon's assertion that the facts of the situation compel us to make a constructive attempt to face the problem of the Indian States, with due regard to the Treaties which regulate their relations with the British Crown; and, lastly, it intimated the intention of His Majesty's Government to convene a Conference on these matters before they themselves prejudged them by formulation of even draft conclusions.

I have never sought to delude Indian opinion into the belief that a definition of purpose, however plainly stated, would of itself, by the enunciation of a phrase, provide a solution for the problems which have to be solved before that purpose is fully realised. The assertion of a goal, however precise its terms, is of necessity a different thing from the goal's attainment. No sensible traveller would feel that the clear definition of his destination was the same thing as the completion of his journey. But it is an assurance of direction, and in this case I believe it to be something of tangible value to India that those who demand full equality with the other self-governing units of the British Commonwealth on her behalf should know that Great Britain on her side also desires to lend her assistance to India in attaining to that position. The desire of most responsible opinion in India and that of His Majesty's Government is thus the same, and where unity of purpose is so assured we ought surely to be prepared to approach the practical difficulties with greater hopefulness. For my own part, if I am satisfied that someone with whom I have business to transact desires the same end as myself, I feel the better able to discuss any honest difference that may emerge between us, as to the means of its complete attainment, with a feeling of confidence that on the main purpose we do not differ.

Although it is true that in her external relations with other parts of the Empire India exhibits already several of the attributes of a self-governing Dominion, it is also true that Indian political opinion is not at present disposed to attach full value to these attributes of status, for the reason that their practical exercise is for the most part subject to the control or concurrence of His Majesty's Government. The demand for Dominion Status that is now made on behalf of India is based upon the general claim to be free from that control, more especially in those fields that are regarded as of predominantly domestic interest. And here, as is generally recognised, there are real difficulties internal to India, and peculiar to her circumstances and world position, that have to be faced, and in regard to which there may be sharp variation of opinion both in India and in Great Britain. The existence of these difficulties cannot be seriously disputed, and the whole object of the Conference now proposed is to afford opportunity to His Majesty's Government of examining in free consultation with Indian leaders how they may best, most rapidly, and most surely be surmounted.

The Conference which His Majesty's Government will convene is not indeed the Conference that those have demanded, who claimed that its duty should be to proceed by way of majority vote to the fashioning of an Indian Constitution which should thereafter be accepted unchanged by Parliament. It is evident that any such procedure would be impracticable and impossible of reconciliation with the constitutional responsibility that must rest both on His Majesty's Government and upon Parliament. But though the Conference cannot assume the duty that appertains to His Majesty's Government, it will be convened for the purpose hardly less important of elucidating and harmonising opinion, and so affording guidance to His Majesty's Government, on whom the responsibility must subsequently devolve of drafting proposals for the consideration of Parliament. It is thus evident that the intrinsic soundness of any particular proposals made, and the manner in which the argument for them is presented, will be more important factors in the Conference than the exact numerical representation enjoyed by any of the different sections of opinion that will participate in the proceedings.

I do not now pronounce between the alternative methods by which the British Indian Delegation to the Conference might be selected. It is safe to assume that the only desire of His Majesty's Government will be that this body should, so far as it may, be honestly and fairly representative of all opinion in India which can legitimately claim to be heard. In discussions where Central and Provincial issues must interact closely upon one another, many will no doubt be anxious that effective voice should be given to the Provincial, as well as to the All-India, point of view. There is no lack of men well equipped to deal with these several aspects of the problem, but while those who attend the Conference should clearly be men who command the full confidence of those they represent, I trust that they will also be men of wide vision, strong judgment and imbued with the single desire of utilising the occasion for the common good of all the people of India. I have as yet tendered no advice to His Majesty's Government on this matter of composition of the Conference, and before doing so I shall welcome any informal intimation of their views that Honourable Members of the Legislature, or spokesmen of different interests in the country, may be willing to place before me.

[H. E. the Viceroy.]

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The intention of my statement, of which I believe the purport to have been unmistakable, and which carried the full authority of His Majesty's Government, was to focus attention on three salient points. Firstly, while saying that obviously no British Government could prejudge the policy which it would recommend to Parliament after the report of the Statutory Commission had been considered, it re-stated in unequivocal terms the goal to which British policy in regard to India was directed. Secondly, it emphasised Sir John Simon's assertion that the facts of the situation compel us to make a constructive attempt to face the problem of the Indian States, with due regard to the Treaties which regulate their relations with the British Crown; and, lastly, it intimated the intention of His Majesty's Government to convene a Conference on these matters before they themselves prejudged them by formulation of even draft conclusions.

I have never sought to delude Indian opinion into the belief that a definition of purpose, however plainly stated, would of itself, by the enunciation of a phrase, provide a solution for the problems which have to be solved before that purpose is fully realised. The assertion of a goal, however precise its terms, is of necessity a different thing from the goal's attainment. No sensible traveller would feel that the clear definition of his destination was the same thing as the completion of his journey. But it is an assurance of direction, and in this case I believe it to be something of tangible value to India that those who demand full equality with the other self-governing units of the British Commonwealth on her behalf should know that Great Britain on her side also desires to lend her assistance to India in attaining to that position. The desire of most responsible opinion in India and that of His Majesty's Government is thus the same, and where unity of purpose is so assured we ought surely to be prepared to approach the practical difficulties with greater hopefulness. For my own part, if I am satisfied that someone with whom I have business to transact desires the same end as myself, I feel the better able to discuss any honest difference that may emerge between us, as to the means of its complete attainment, with a feeling of confidence that on the main purpose we do not differ.

Although it is true that in her external relations with other parts of the Empire India exhibits already several of the attributes of a self-governing Dominion, it is also true that Indian political opinion is not at present disposed to attach full value to these attributes of status, for the reason that their practical exercise is for the most part subject to the control or concurrence of His Majesty's Government. The demand for Dominion Status that is now made on behalf of India is based upon the general claim to be free from that control, more especially in those fields that are regarded as of predominantly domestic interest. And here, as is generally recognised, there are real difficulties internal to India, and peculiar to her circumstances and world position, that have to be faced, and in regard to which there may be sharp variation of opinion both in India and in Great Britain. The existence of these difficulties cannot be seriously disputed, and the whole object of the Conference now proposed is to afford opportunity to His Majesty's Government of examining in free consultation with Indian leaders how they may best, most rapidly, and most surely be surmounted.

The Conference which His Majesty's Government will convene is not indeed the Conference that those have demanded, who claimed that its duty should be to proceed by way of majority vote to the fashioning of an Indian Constitution which should thereafter be accepted unchanged by Parliament. It is evident that any such procedure would be impracticable and impossible of reconciliation with the constitutional responsibility that must rest both on His Majesty's Government and upon Parliament. But though the Conference cannot assume the duty that appertains to His Majesty's Government, it will be convened for the purpose hardly less important of elucidating and harmonising opinion, and so affording guidance to His Majesty's Government, on whom the responsibility must subsequently devolve of drafting proposals for the consideration of Parliament. It is thus evident that the intrinsic soundness of any particular proposals made, and the manner in which the argument for them is presented, will be more important factors in the Conference than the exact numerical representation enjoyed by any of the different sections of opinion that will participate in the proceedings.

I do not now pronounce between the alternative methods by which the British Indian Delegation to the Conference might be selected. It is safe to assume that the only desire of His Majesty's Government will be that this body should, so far as it may, be honestly and fairly representative of all opinion in India which can legitimately claim to be heard. In discussions where Central and Provincial issues must interact closely upon one another, many will no doubt be anxious that effective voice should be given to the Provincial, as well as to the All-India, point of view. There is no lack of men well equipped to deal with these several aspects of the problem, but while those who attend the Conference should clearly be men who command the full confidence of those they represent, I trust that they will also be men of wide vision, strong judgment and imbued with the single desire of utilising the occasion for the common good of all the people of India. I have as yet tendered no advice to His Majesty's Government on this matter of composition of the Conference, and before doing so I shall welcome any informal intimation of their views that Honourable Members of the Legislature, or spokesmen of different interests in the country, may be willing to place before me.

[H. E. the Viceroy.]

which her credit has been pledged. I am confident that the great preponderance of Indian opinion, which is both loyal and sane, will, when it understands its implications, condemn decisively a programme, which could only be accomplished through the subversion of the Government by law established, and which would strike a fatal blow at India's economic life. It is evident that there are already some who regard violence, whether of individuals or of mobs, as the speediest and most effective solvent of political problems. Between such persons and all who believe in ordered society based upon the sanctity of life and respect for property and other lawful rights and interests, there can be no composition and no truce. And although the very authors of the present policy deprecate, some on grounds of principle and some on grounds of expediency, resort to violence, they can hardly be so lacking in either imagination or recollection of past events in India as not to be able to picture the results in this direction which must follow, as they have always followed, from the adoption of the policy they recommend. It remains my firm desire, as it is that of His Majesty's Government, following the recently professed wish of the British House of Commons, to do everything that is possible for conciliation in order that Great Britain and India may collaborate together in finding the solution of our present difficulties. But it is no less incumbent upon me to make it plain that I shall discharge to the full the responsibility resting upon myself and upon my Government for the effective maintenance of the law's authority and for the preservation of peace and order. And in the fulfilment of this duty I do not doubt that I should have the full support of all sober citizens.

The second thing I would point out is that, in any case, the Conference will be formed. The fact that some decline to take any part in deliberations so closely affecting their country's future only throws greater responsibility upon, and I would add, gives wider opportunity to, those who are prepared to face and solve difficulties in a constructive spirit. It is certainly no reason why His Majesty's Government should be deflected from their declared intention to call representatives of India to their counsels.

I entertain no doubt but that those who will go to the Conference from British India will be men who can speak authoritatively for the several component parts of the great volume of Indian public opinion which they will represent. To all that body of opinion I would say that, if India's case is to have full weight at the Conference, it is of the utmost importance that no efforts should be spared to enable it to find expression with something like unanimity. I do not apologise for dwelling upon this imperative necessity. From the time I first came to India, now nearly four years ago, I have laboured in public and in private to use such influence as I might possess in the way of assisting British India to win true peace among her own people, and so strengthen herself immeasurably before the eyes of the world. I would accordingly hope most earnestly that the leaders of all those who will be represented at the Conference may realise that no duty to which love of their motherland may impel them can transcend in dignity or worth this call to unity, and that they may utilise wisely the interval before the Conference in training the ears of their countrymen to hear it.

LEGISLATIVE ASSEMBLY.

Monday, 27th January, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN.

Rai Bahadur Raizada Bhagat Ram, M.L.A. (Jullundur Division: Non-Muhammadian).

THE INDIAN MERCHANDISE MARKS (AMENDMENT) BILL.

APPOINTMENTS TO THE SELECT COMMITTEE.

Mr. K. O. Neogy (Dacca Division: Non-Muhammadian Rural): I beg to move that Mr. W. Alexander, Mr. M. S. Aney, Mr. Abdul Matin Chaudhury and Mr. A. H. Ghuznavi be appointed to the Select Committee on the Bill further to amend the Indian Merchandise Marks Act, 1889. This has been necessitated by the resignation of some Honourable Members of this House who were members of the Committee.

The motion was adopted.

THE INDIAN PATENTS AND DESIGNS (AMENDMENT) BILL.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I beg to move that the Bill further to amend the Indian Patents and Designs Act, 1911, for certain purposes as reported by the Select Committee, be taken into consideration.

The House will recollect, as explained in my speech of last February when I moved the motion for the appointment of a Select Committee, that the Bill represents an attempt at overhauling the present Indian Patents law, to bring it up to date, and that the amendments proposed were based partly on the revision of the English law undertaken in 1917 and partly on the experience gained in India on the working of the present Act. The Select Committee, whose Report the House will observe is unanimous, and to whom my thanks are due for their care and patience

[Sir George Rainy.]

Industrial and Commercial Congress held at Madras. The Congress passed a Resolution to the following effect:

"That it was desirable in the interests of Indian trade and industries to introduce at an early date legislation for the registration of trade marks in India, in the absence of which the Indian merchants are put to considerable hardship, both in India and abroad, and India is unable to join the International Convention for the protection of industrial property."

The Commerce Department replied to that letter, and the reply was to the following effect, that we had noted the opinion of the Federation of Indian Chambers, but we added that the question of the introduction of the system of registration of trade marks in India had been considered on no less than ten occasions, and that, on every occasion, it was found that commercial opinion was either unanimously, or in the balance, against the proposal. We stated that in these circumstances the Government of India were not prepared to reopen the matter unless a statement were placed before them indicating clearly the reasons which were held to justify it, and, in particular, the extent of the disability which India suffered by non-adherence to the International Convention for the Protection of Industrial Property and the advantages which it was believed would result from the registration of trade marks.

Unless a reply has come in very recently, I think the matter stands there. That is to say, as far as my information goes, we have not yet had the statement from the Federation of Indian Chambers which we suggested they might send to us. On the other hand, Government are bound to attach weight to the opinion expressed by the Select Committee on the Patents and Designs Bill. The matter has already been examined in the Commerce Department, but I do think it will be helpful to our examination if the Federation of Indian Chambers can see their way to give us the statement we suggested they should send, because that will enable us to focus our minds definitely on the points which the Federation considered important. I can assure the House that any representation of that kind which we may receive will be most fully examined.

Sir Purshotamdas Thakurdas: I wonder, Sir, whether the Honourable Member can tell me when the last inquiry regarding this matter was made? Was it made more than 10 years ago or was it made recently?

The Honourable Sir George Rainy: It was last under discussion in the years 1917 to 1919.

The Honourable Sir Bhupendra Nath Mitra: Sir, I wish to deal briefly with the second of the points to which my Honourable friend Sir Purshotamdas Thakurdas referred. That is the point mentioned in paragraph 2 of the Report of the Select Committee, and it refers to the desirability of tightening up the procedure in India, in regard to the examination of applications for patents, so as to bring it more in line with the procedure followed in England. Now, Sir, this matter received our consideration as soon as we received the Report of the Select Committee. We asked the Controller to examine the matter fully and let us have any specific recommendations he might consider it desirable to make. The

one main difference between the procedure in India and the procedure in England refers to the systematic search for anticipation of inventions. Section 7 of the English Patents Act makes it obligatory on the examiner to investigate whether the invention claimed in a patent application has been wholly or in part claimed or described in any specification, other than a provisional specification not followed by a complete specification, published before the date of the application, and left pursuant to any application for a patent made in the United Kingdom, within 50 years next before the date of the application. Section 5 (1) (e) of the Indian Patents and Designs Act, on the other hand, enjoins that the Controller shall examine every application to see whether the invention, as described and claimed, is *prima facie* a new manufacture or improvement.

I understand that in India, there are great practical difficulties in following the English procedure in its entirety, *i.e.*, that all specifications of a particular class published before the date of the application within fifty years next before the date of the application should be examined. In India, specifications filed prior to 1912 have not been printed, and the applicants would be put to a considerable loss of time and money in obtaining copies of specifications cited against them if the examination is to be pursued to a period of fifty years back. Even so, Sir, we have not for that reason rejected the recommendation of the Select Committee. We are still pursuing the matter in consultation with the Controller in order to determine to what extent it would be practicable to tighten the Indian procedure in the interests of the general public.

My Honourable friend Sir Purshotamdas Thakurdas was perfectly correct when he referred to the inadequacy of the establishment. As a matter of fact, we hope in the Budget for next year to get a few more examiners and also to raise the pay of the Controller himself, to the commendation of whose services by my Honourable friend I fully subscribe. When we have managed to come to definite conclusions as to the extent to which the Indian procedure can be improved, we will have to ascertain the amount of extra expenditure which this tightening of the procedure is likely to lead to; and thereafter when it is possible for us to get a grant for the extra establishment, there should be no difficulty on our part in making such improvements in the procedure as may be found to be necessary.

Mr. President: The question is:

"That the Bill further to amend the Indian Patents and Designs Act, 1911, for certain purposes, as reported by the Select Committee be taken into consideration."

The motion was adopted.

Clauses 2 to 32 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Bhupendra Nath Mitra: Sir, I am sorry there is one point to which I have not drawn attention at an earlier stage. In fact it has just caught my eye. In clause 1, sub-clause (2) it is stated that the Bill shall come into force on the 1st day of January 1930. That might have been all right when the Select Committee made its Report, but it is not

LEGISLATIVE ASSEMBLY.

Tuesday, 28th January, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

CLOSING OF THE GALLERIES OF THE LEGISLATIVE ASSEMBLY CHAMBER.

Mr. Arthur Moore (Bengal: European): May I ask, Sir, whether it is your intention, without consulting this House, to keep the galleries closed indefinitely by refusing to issue passes to visitors and thereby causing inconvenience to Members?

Mr. President: The Honourable Member must give notice.

SHORT NOTICE QUESTION AND ANSWER.

REPORT OF THE HAJ INQUIRY COMMITTEE.

Maulvi Mohammad Shafee Daoodi: (a) Will Government be pleased to state when the Report of the Haj Inquiry Committee will be published?

(b) Will the recommendations of the Haj Inquiry Committee, which are of urgent utility to the pilgrims and can be enforced by executive order, be brought into practice during the present Haj season?

(c) Are Government aware that pilgrims proceeding to Hejaz in the present Haj season are very anxious to have the benefit of the unanimous recommendations made by the Haj Inquiry Committee?

(d) Will Government be pleased to state whether they intend to bring in some legislative measure on the lines of the recommendations of the Haj Inquiry Committee during the present Session of the Legislative Assembly?

Sir Frank Noyce: (a) As the Honourable Member is presumably aware, the Report of the Haj Inquiry Committee is still in the Press. It will be published as soon as circumstances permit. Every effort will be made to ensure its early publication.

(b) I am sorry, Sir, that I am unable to give an assurance on this point. The consideration of the Report and consultation with Local Governments and others concerned must necessarily take time. On our part, we shall deal with the Committee's recommendations as expeditiously as possible.

(c) This may be so, but Government have no information. In this connection, I may, however, point out that the pilgrims can have no knowledge of the recommendations of the Committee, as its Report has not yet been published.

(d) I do not think this will be possible, but I may repeat my assurance to the Honourable Member that no avoidable delay will be allowed to occur in taking such action as may be decided by Government on the Committee's recommendations.

Maulvi Mohammad Shafee Daoodi: Is the delay due to the pilgrim conditions not being considered sufficiently important by Government?

Sir Frank Noyce: No, Sir. The delay is due to the fact that the Report has not yet been officially received by Government but is still in the Press.

Maulvi Mohammad Shafee Daoodi: Will Government, on the publication of the Report, agree to the different Haj Committees putting into practice experimentally during the current pilgrim season such of the unanimous recommendations made by the Committee as are in the best interests of the pilgrims? If so, will they instruct the Haj Committees concerned on this point?

Sir Frank Noyce: I should not like to answer the question off-hand without a detailed examination of the recommendations of the Committee, but *prima facie* there would seem to be no objection to the Protectors of Pilgrims and the Haj Committees putting into force such of the recommendations of the Committee as are within their competence. If the Honourable Member will be good enough to discuss this question with me at an early opportunity I shall be very glad to go into the matter with him.

Mr. B. Das: May I enquire, Sir, if the Government will give this House an opportunity to discuss the Haj Committee's Report?

Sir Frank Noyce: I can only promise that that will be considered.

RESOLUTION RE RECRUITMENT FOR THE INDIAN MEDICAL SERVICE.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): Sir, the Resolution which stands in my name runs as follows:

"This Assembly recommends to the Governor General in Council that he be pleased to revive the competitive examination for recruitment to the Indian Medical Service, which has been held in abeyance for the last fourteen years, and to hold it annually at a convenient centre in India and to make it obligatory for the entrants to the examination to hold a medical qualification registrable in India."

Honourable Members are aware that, until 1915, this examination for recruitment to the Indian Medical Service used to be held regularly in India, and it was one of the avenues by which the middle classes of India could enter the superior medical services. In 1915, purely as a war measure, the examination was discontinued, and the reason given, so far as I recollect, was that it was necessary to obtain quick and rapid recruitment, and therefore, as a temporary measure necessitated by the contingencies of the war, the examination was stopped. The war ended long ago

and nearly a decade has passed since the Armistice was declared and yet we find that the examination has still been held in abeyance. The present supply of Indian Medical Service men is obtained by a system of nomination entirely in the hands of a Committee which sits in England and another Committee in India controlled by the Government of India; and the closeness with which the rights of this Committee have been preserved will be apparent to Honourable Members when I mention that Government have refused, so far as my information goes, to give to the Public Service Commission the right of making or suggesting recruits for these nominations although that is an *ad hoc* Commission whose main function is to supervise the supply of candidates and make a selection from them. This system, therefore, has caused intense dissatisfaction in the country. And Honourable Members will follow my point more appreciatively when I tell them that European candidates—I am very sorry to introduce the racial element but I have to do it because the whole system is based upon racial selection—the European candidates are given special terms and also obtain a most extraordinary concession that, after six years of service, they get a handsome gratuity and can retire and do whatever they like in their own country. Besides, the established policy of the Selection Committee and the Government of India seems to be, when dealing with Indian candidates, to accept mainly British qualifications. However high an Indian may have risen in the examination instituted by Indian Universities, he has got to go to England, not for the purpose of acquiring more expert or technical knowledge but for the purpose of getting a qualification registrable in the United Kingdom, without which he may not be able to compete for this examination. Now Honourable Members can imagine the great hardships to which the middle class population of India are put. However intellectual and bright a young man may be, he has first of all to find the money to go to England. Secondly, he has to go and compete in a foreign language, the tyranny of which only those can understand who for their bread and butter purposes have to use that language from day to day. Thirdly, he has to compete with British candidates on their own grounds, very often with a few months preparation after arrival in England. But Honourable Members will be pleased to hear that Indian candidates have very creditably distinguished themselves in spite of these handicaps of travelling, expensiveness and language. But for some extraordinary reason a rule has been passed by the Secretary of State that only a certain percentage of places will be open to Indians. Only 33 per cent. are open to Indians and the rest, *viz.*, 67 per cent. have to be competed for by British candidates. The result of that naturally has been—and I am assured by those who are entitled to express an opinion on that point—that European candidates of very poor qualifications have been introduced into the service. There are in this service a number of temporary appointments held by Indians and continued from the time of the war. For no reason which may be said to be satisfactory, the Government do not confirm these temporary incumbents. Government go on keeping them from time to time dragging on a precarious existence with the sword of Damocles always hanging over their heads. Honourable Members will remember that a few questions were put in this House in the last and previous Sessions, but with the characteristic reserve with which my Honourable friend, Mr. Young, always speaks on behalf of these services, he did not give any satisfactory reply as to why these appointments had not been confirmed. They are kept temporary from year to year, and in the meanwhile new recruits come up who are made permanent. The

[Mr. M. R. Jayakar.]

Similarly I got only this morning a letter from an important medical association called the All-India Medical Association, which passed a similar resolution, but going into greater detail than the other resolution. Well, this is the state of feeling in the country. I know many of my friends outside this House will doubt my wisdom in having moved this Resolution when my countrymen are asking for complete Dominion Status, and another section goes further and asks for independence; and I can well imagine many newspapers will criticise the wisdom of a Resolution like this, moved at a time when the entire government in this country is required to be transferred to the people. But, as the Resolution was there, and as many of my medical friends desired that it should be moved, although I am not sure what the fate of the Resolution is going to be in the present state of the House, it was my duty, I thought, to move the Resolution and put before this House the case of my medical friends.

Now, the time has come, I submit, Sir, when just as in the case of other examinations like the Bar and the Indian Civil Service—I am only taking two instances—the examination should be held in India. Provision has been made for the holding of superior competitive examinations in India—as an instance, I may mention Bar examinations. It is now unnecessary for an Indian to go to England to qualify himself for the Bar, because the rule has been made that he can pass the same examination in India and get qualified for the Bar and enjoy all the privileges except becoming the Chief Justice of a High Court which in most cases is a very remote possibility. Similarly, in the Indian Civil Service examination, provision has been made, though of a very defective and partial character, under which an Indian need not go to England to qualify himself; he can get the same qualification in India. There is no reason why the same should not be done in the case of the Indian Medical Service examination, except that it is of a quasi-military character and partakes of the nature and characteristics of that hush-hush secrecy which obtains in the Military Department of this country.

Honourable Members will find that the facilities for medical education in this country have increased considerably since 1915. Let me take three tests. As regards the increase of medical colleges, Honourable Members will find, according to the figures which are available, that in 1915 when the examination was closed, we had six big colleges in India giving medical instruction; now they have increased to ten—nearly double. The number of teachers has trebled—I do not wish to weary the House with figures, I am speaking generally. The number of students remains the same in spite of the absurd restrictions which have been imposed on their admission. Government in this country says: "We shall only educate a few"; though the traditions of the country, Hindu as well as Muhammadan, have been from time immemorial that he who wants to grow wise will have the opportunity given. The British Government however say: "No, we will have restrictions put upon the number of students allowed to receive medical instruction". It is therefore creditable that in spite of these restrictions, the number of students has gone up just a little. I have no doubt that, if there had been no restrictions at all, the number would have increased tenfold. Further, improvement has been made in the facilities which are available now in India. A number of

places for acquiring medical experience, namely, house-surgeonships and house-physicianships have now been thrown open. Taking only Bombay, of which I know a little, we have four large teaching hospitals. Bombay is by no means an exception, and in other places in India we have similar facilities. In Bombay alone, a hundred places of this character exist, providing experience for the incumbents who occupy them. So much value was at one time attached to these places for acquiring experience that I remember there was a rule which provided that if an I. M. S. candidate possessed experience of this description, having acted in places like a house-surgeon or a house-physician, he received special facilities and encouragement. I do not know whether the rule exists now.

Likewise, the post-graduate courses in India, speaking only of my own University in Bombay, have considerably increased, and for the information of Honourable Members I may mention that in medicine, surgery, pathology, ophthalmics and midwifery, post-graduate courses have now been founded. We now get, on an average, nearly five to six hundred medical graduates every year, many of whom, I have not been able to find the percentage, are post-graduate students. All this supply is available in the country. I do not know whether I am going to be told by Mr. Young in his habitual way that an adequate supply is not forthcoming. That would be an absurd plea. The supply is there. The demand is there too. The total strength of the Indian Medical Service is about 620 roughly. Taking 25 to 27 years as the average length of service, we get every year 25 vacancies, speaking roughly. India turns out 500 to 600 medical graduates every year. Therefore, it is clear that there is excellent material to be had in this country which could be utilised for the purpose of filling these places. Speaking of the quality of instruction imparted in India, I have only to remind the House of what my Honourable friend Dr. Moonje said last Simla season when he was dealing with the appointment of an autocrat in medical studies. He called the attention of the House to the report of two English experts, General Megaw and Colonel Sprawson, who had borne testimony to the high quality of the medical instruction given in the Indian Universities. There is therefore no impediment in the way except the desire of the Government to keep this examination as a close preserve for British boys.

I shall now proceed to deal with the last part of my Resolution. That does not require much talking. It only provides that the Government of India should occupy a fair and just position with regard to the rights of the Indian medical profession. They must either observe the principle of reciprocity as other countries do, that is, tell the British Medical Council that, if Indian qualifications are recognised in England and Indians can go and appear for examinations or practise there, as the British can come and practise in this country, well and good; if not, they will have to submit to a test qualification in India before they will be allowed either to practise or to pass examinations in India. I do not think I am asking anything unreasonable when I say that this injustice should be removed, namely, that Indian candidates, after taking the highest medical degree in this country, have got to qualify themselves for another degree in England without which they may not be able to appear for the I. M. S. examination. It is not an examination for the benefit of the British people; it is for the purpose of being of use to the people of this country, and yet the extraordinary circumstance is that degrees of our Universities do not count; we have to submit ourselves to the humiliation of passing another degree. I can understand such a requisition of

[Mr. G. M. Young.]

to year. After 1923 and 1924, in which years, as I said, no Indians were recruited, we had a Resolution moved in this House in September 1925 by the late Dr. Lohokare. His Resolution was for the re-establishment of the competitive examination, but he proposed that it should be held both in the United Kingdom and India. At that time the reorganization of the Service was not complete; recruitment, as I said, was in an abnormal condition. The line taken by the Government spokesman at the time was that it was too early to consider the re-introduction of the examination. A distinguished officer of the Indian Medical Service, who took part in the debate, also pointed out the practical difficulties if the competitive examination were held simultaneously in England and in India. In that year, the year 1925, 11 Europeans and 10 Indians were recruited. In the following years the reorganization of the Indian Medical Service was worked out. The ratio adopted, as my Honourable friend has said, was approximately 2 Europeans to 1 Indian. The actual numbers recruited from the year 1925 up to date work out to 86 Europeans and 47 Indians.

Now, Sir, I quote these figures only to show that, under the system of selection, there has been a very considerable advance in Indianisation. It may be possibly not so great as might have been expected from the figures for the one or two years immediately preceding the war, but taking everything into consideration, it does constitute a very great advance.

There is, however, one respect in which I have always thought the situation is most unsatisfactory; that is the rule to which the Honourable the Mover has referred, by which Indian recruitment has to wait upon European recruitment. It has been the practice in the last few years not to recruit to an Indian vacancy until two recruits have been obtained in England to fill European vacancies, with a view to maintaining recruitment in the proportion of 2 to 1. Indian recruitment was made to wait upon European recruitment which during those years has been fitful and flagging. The object of that arrangement originally was to prevent the proportion of Indians becoming too great at any given time. But all the same, I readily admit that, from the Indian point of view, that system is invidious and unsatisfactory; and I am glad to say that, on a representation by the Government of India, the Secretary of State has agreed to abolish that arrangement. In future, Indians will be recruited to Indian vacancies in the recognised proportion without respect to the rate at which European candidates are forthcoming for European vacancies . . .

Lieut.-Colonel H. A. J. Gidney: What is that recognised proportion?

Mr. G. M. Young: As I have just said, the recognised proportion is 2 to 1.

Lieut.-Colonel H. A. J. Gidney: Thank you, Sir.

Mr. G. M. Young: I claim that this step does meet the principal grievance underlying the Resolution, that the recruitment of Indians to this Service has been made to wait upon the recruitment of Europeans; in other words, an Indian candidate's chance of getting into the Service has been regulated by the enthusiasm or otherwise of British candidates to go to the Service. Admittedly, Sir, this reform would not meet the literal implication of the present Resolution, which is that European recruitment should forthwith cease. To those who do accept this Resolution in

its literal sense, I would point out that such a step would go far beyond the recognised rate of Indianisation in any of the other All-India services. The Indian Medical Service is primarily a military service, but it also is a servant of the Civil Services. The two reasons for maintaining the present ratio are that a certain military reserve of European officers is required, and that, under the orders of the Secretary of State, a certain proportion of European medical practitioners is maintained to look after those Europeans who are members of the other Civil Services and their families. With regard to this actual proportion, I can only say that it is the outcome of the most careful examination and analysis. When the Government of India submitted their proposals to the Secretary of State 3½ years ago, they did not pretend that these proportions would be immutable and abiding for all time. They said that they would subject them periodically to review. If in the impending constitutional changes an advance takes place in the pace of Indianization in the other services, or if any other reason indicates that the modification of the proportion is *prima facie* desirable, the Government of India will have no hesitation in examining it afresh. The rate is merely the rate which holds good at the present time. For these reasons, Sir, I submit that the Resolution, in so far as it involves immediate and radical changes in the organization of the Service, is premature.

I will now turn, Sir, to the practical problem involved by the institution of a competitive examination in this country. If it were merely a question of securing a regular flow of Indian candidates from the Universities, there is much to be said for a system of competitive examination. But there is, as I have already pointed out, the question of European recruitment, and there is also the question of those Indian students who, after qualifying at the Indian Universities, have the means, the time, the enterprise and the ambition to proceed to Europe and study in medical institutions where, taking it as a whole, the standard of teaching is higher, the opportunities of learning are greater, and the qualifications obtained are ultimately higher. Indians will continue to do this in considerable numbers, whether their object is entry into the Indian Medical Service or into the far larger field of private practice. Would it be fair then to insist that they should come back to India to submit to an examination in competition with those who may have left their Indian Universities at exactly the same time and have spent the whole of the intervening period in studying at the same University and preparing themselves for this examination, and gaining no fresh or wider experience? I submit that a system of that kind would penalise your best source of recruitment for the Indian Medical Service. It would penalise them and it would handicap them.

Another objection to the immediate institution of a competitive examination is that it would be unfair to those temporary officers, of whom we hear so much. They have been several years in the Service. It would not be reasonable to expect them to sit down and pass an examination alongside of students who have just left the University and have been preparing for that examination. There is another point about competitive examinations which, though it does not apply to Indians in the same way as Europeans, is nevertheless worth noting. In no medical service in the United Kingdom has it been found possible to introduce a system of competitive examination since the war. The Royal Army Medical Corps, the Royal Air Force, Medical Corps, the Naval Medical Corps, and medical

Mr. M. R. Jayakar: My Resolution speaks of an exclusive examination in India only. But I am quite agreeable, having regard to the apprehended fate of my Resolution, that, if the Government of India agree to the first part of my Resolution, there should be simultaneous examination in India as well as in England.

Lieut.-Colonel H. A. J. Gidney: Thank you. I therefore wish to move an amendment to the original Resolution to the effect that the examination be held simultaneously in England and in India, and I am glad my Honourable friend has accepted it.

Mr. B. Das (Orissa Division: Non-Muhammadan): Is the Honourable Member speaking as representative of the European Group or representative of Anglo-Indians? I should like to have that made clear.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): He is speaking as Colonel Gidney.

Lieut.-Colonel H. A. J. Gidney: My Honourable friend, Mr. Das, has no reason to question me. I am not speaking as an Oorya.

Mr. M. R. Jayakar: May I know from my Honourable friend whether he has any hopes of such an amended Resolution being accepted by the Government of India? If so, I will agree; if not, I will push forward my own Resolution.

Lieut.-Colonel H. A. J. Gidney: I am not in the confidence of the Government of India. But I believe the European Group would support the Resolution if it contained a provision for simultaneous examination.

Mr. M. R. Jayakar: May I mention to my Honourable friend that, if I have the assurance from Honourable Members of the European Group that they will support the Resolution, I will accept it in the amended form rather than risk losing the entire Resolution.

Sir Darcy Lindsay (Bengal: European): I have not consulted all the Members of the Group, but from the indications given to me, the Resolution in its amended form will receive our support.

Lieut.-Colonel H. A. J. Gidney: I desire to congratulate my Honourable friend, Mr. Jayakar, on the very thorough and reasonable manner in which he has presented his Resolution. I agree with him in reopening the competitive examination and holding it in India. I have always maintained that it should not be necessary for India alone, of all the possessions of the British Empire, to be compelled to send her sons thousands of miles away to Europe to be trained for service in their own country. Admission into the I. M. S. has hitherto demanded a training and a degree in England, and, as such, has entailed great expense to parents in India to be able to send their sons to England to qualify. I have always objected to this demand for entrance into the Imperial services. But, if this Resolution is passed, it will certainly give Indians an opportunity of passing this examination in India. My Honourable friend, Mr. Jayakar, has stressed the point that Indian Universities provide ample opportunities to supply suitable candidates for entrance into the I. M. S. I am afraid, I cannot entirely agree with him, because some of the newer Universities do not offer adequate training to their students before giving them a degree.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): What about old Universities?

Lieut.-Colonel H. A. J. Gidney: I am not referring to them. There are certain Universities

Dr. B. S. Moonje: Does the Honourable Member mean to say that the old Universities cannot supply the requisite number?

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member Dr. Moonje—I mean Colonel Moonje—have patience and hear what I have to say and not interrupt me? There are certain Universities, such as, Bengal, Madras and Bombay which can supply suitable candidates in plenty and as good as can be had in any other country. There are other Universities, such as Patna, Rangoon

Mr. B. Das: I strongly protest against the inclusion of Patna.

Lieut.-Colonel H. A. J. Gidney: And in a way, the Punjab too where the training is not adequate. I believe this was the reason why the British General Medical Council demanded the appointment of an Inspector of Standards and Qualifications. However, that is not the point at issue in this Resolution. The question is whether the present system of obtaining recruits to the I. M. S., by nomination only is the best method. I agree with my Honourable friend, Mr. Jayakar, that nomination is not a good system. It certainly opens the door to nepotism and favouritism,—I would not say jobbery, because that would not be a fair term. In opposing this Resolution the Honourable Member, the Secretary to the Army Department, stated that nomination was the present system for recruitment into the R. A. M. C., and the Royal Medical Air Force. But, that is no answer to Mr. Jayakar's statement that nomination is not the best system for the I. M. S. on such an occasion and at such a discussion I would like to have seen, seated in this House, the Director General of Indian Medical Service answering this Resolution. He is more qualified to give a suitable and ample reply, for he is familiar with all the details of the matter. The system of nomination that is at present in vogue is, in my opinion, one that should certainly be stopped. The Army Secretary has given certain reasons why recruitment by nomination should continue. He stated that the I. M. S., was primarily an Army Department. He next referred to the medical needs of wives and families of European members of the services, for which reasons he said, there should be a sufficient percentage of Europeans in the I. M. S. Both these points certainly need careful consideration, but, they are not adequate enough reasons why to oppose the reopening of the competitive examination for which the Resolution asks. The Honourable the Mover was wrong when he said that, before one could enter into the I. M. S., it was a *sine qua non*, that he must possess a British medical qualification. The Honourable Member in charge of the Department has said that Indians have been accepted as permanent Members of the I. M. S., who did not possess British qualifications.

An Honourable Member: How many?

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An Honourable Member: How many?

Lieut.-Colonel H. A. J. Gidney: Not many; but it is nevertheless a fact.

An Honourable Member: One swallow does not make a Summer.

Lieut.-Colonel H. A. J. Gidney: I know that, nor does one swallow quench a thirst. The Honourable the Mover of the Resolution also stated that the standard of officers who enter the I. M. S. today is not of a good quality. I am, in a way, inclined to agree with him. Speaking as I can as a retired Member of the I. M. S., one who had to stand a competitive examination in England, having obtained my education in this country, I can state, without any fear or hesitation, that the standard of officers who enter the I. M. S. today is certainly not the same as in the days when a competitive examination was the only door of entrance into this great service. I go further and state that this, in turn, has its effect on the quality of our graduates who are not adequately trained. It was in 1922, Sir, that I presented to this House a Resolution which I called, for want of a better term my Medical Swaraj Resolution, which asked that the medical institutions in this country be examined by a proper Committee with a view to elevating their standard of teaching and training and so enabling India to supply all her medical needs. That Resolution was thrown out by this House. I am however, glad to see that Mr. Jayakar has now come forward practically to substantiate my Resolution in as much that India should supply all her medical needs from top to bottom, and I again repeat this can only be done if we have efficient professors to train and supply a good standard of men entering the I. M. S. Now the question is, in view of the inferior class of men who have entered the I. M. S. since nomination has replaced competition, will you improve or reduce the quality and standard of the I. M. S. by having a competitive examination in this country? I view this question with some considerable anxiety and concern because I believe I am more familiar than the Honourable Mover is with the standard of medical education received at certain Universities in this country. The fault does not lie so much with the students, but with the class of professors; and this brings me to my original observation that the type of officers who have come out within the past decade and are coming out into the I. M. S. today is certainly not of that standard to maintain the past high level of the I. M. S. The really first class men in England refuse to come out today among other reasons, because of the uncertainty of tenure of service, with the result that a poor class of men are coming out today, men who will be our professors of tomorrow. I felt almost inclined to say that with some exceptions only third and fourth-rate men are coming out. The I. M. S. today, especially if graduates with Indian degrees are to be accepted, wants only the best and India's first-rate is better than the third and fourth-rate from England. Therefore, I submit that we have to move very cautiously in this matter, because if you recruit an inferior class of officers, men who will in time be appointed as professors to our Colleges, you must have a poor type of graduate. What I maintain is that, if this Resolution is passed we should demand that our Colleges and Universities be elevated to such a standard as to maintain the high standard of the I. M. S. and also to supply all our medical needs.

The Honourable Mover has quoted certain figures which showed that Indians do not have a chance of getting into the Indian Medical Service but the Honourable Secretary to the Army Department has certainly shown figures that disprove the accuracy of the Honourable Mover's statement, especially within recent years. I do not know if the Honourable Army Member referred to the 1929 figures when, I believe 23 or 24

Indian candidates entered the Indian Medical Service from India. I am not sure of my figures, but the Honourable Member will correct me if I am wrong.

Mr. G. M. Young: I gave the figures for 1925—29 inclusive. They are 86 Europeans and 47 Indians. The figures for 1929 are 24 Europeans and 13 Indians.

Lieut.-Colonel H. A. J. Gidney: That goes to prove that Government are certainly anxious to increase the recruitment of Indians in the Indian Medical Service. Sir, this is the last Department of the Government of India in which racial or communal discrimination should be allowed or tolerated, and I maintain that India should be encouraged to recruit all her medical needs from her own country, not all at once but more liberally than at present and the only way in which this can be accomplished is by holding a competitive examination for the I. M. S. in India only. But at the present time India is certainly not prepared for such a radical change because, with the present inadequate training that is given in certain Universities, I would prefer to go slower, and I therefore recommend simultaneous examinations and I am glad the Honourable the Mover has accepted my amendment that these should be held simultaneously in England and India on an acceptable percentage.

Mr. President: What is the Honourable Member's amendment? It is no use saying the Honourable the Mover has accepted his amendment. I have not been any amendment yet.

Lieut.-Colonel H. A. J. Gidney: I will move an amendment to the Honourable Member's Resolution now.

Mr. President: Will the Honourable Member give me a copy of his amendment?

Lieut.-Colonel H. A. J. Gidney: I have not sent you any written amendment but if you will permit me I will give it from my seat which is this, "That simultaneous examinations be held in England and India and not exclusively in India".

Mr. President: Will the Honourable Leader of the European Group move the amendment in proper form?

Sir Darcy Lindsay: I am having it drafted at the moment.

Mr. President: Then the Honourable Member has already exceeded his time limit.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, I do not wish to traverse the ground which has been fully covered by the Army Secretary. My only reason for intervention in this debate is that I should like to say a few words with reference to the question raised by the Honourable Mover's Resolution in regard to medical qualifications registrable in India. I am very glad indeed that both the Army Secretary and Colonel Gidney have emphasised the fact that there is no hardship involved at present in this respect, that the humiliation to which the Honourable Mover referred of a candidate for the Indian Medical Service having to go to England to secure a degree in that country before he is admitted to the service does not exist, and that candidates

[Sir Frank Noyce.]

with Indian degrees have been admitted to the service. The only stipulation is that their degrees should be those of Universities which are recognised by the General Medical Council. That brings me to the point on which the Honourable Mover laid much emphasis. I should like again to reaffirm the position of the Government of India in that respect and to explain how matters now stand. The position of the Government of India is that they are as anxious that India should possess Dominion Status in this respect as is the Honourable Mover of the Resolution. It is their desire to see a statutory Medical Council established, the position of which in relation to the General Medical Council will be exactly the same as that of the Medical Councils which have been established in Australia, New Zealand and Canada. They hope shortly to be in a position to place before this House their proposals in that respect. The Bill which was originally circulated for opinion has to be redrafted in some respects. That will be undertaken at the earliest available opportunity, and we trust that, before long, the House will have an opportunity of expressing its views on this subject.

There is one point to which I should like to refer. I am not sure that there is not an impression in some quarters that the I. M. S. is in a favoured position as regards such registration as now exists by the provincial Medical Councils. I can assure the House that that is not the case and that in all provinces which have Medical Councils and in which there is compulsory registration, I. M. S. officers have to be registered on exactly the same terms as other practitioners. That I need hardly assure the House would be the case when we have an all-India Medical Council, certainly on the civil side.

That, Sir, I think disposes of the latter part of the Resolution. I can only once again emphasise that we will do our best to expedite the submission to the House of a Bill establishing an all-India Medical Council for India which will, I trust, meet with the approval not only of this House but also meet the views of the General Medical Council which has expressed its desire to be in a position to treat with an all-India Council and to hand over all responsibility in regard to the standards and qualifications necessary to ensure its recognition of Indian Medical degrees.

Sir Darcy Lindsay: Sir, I would like to move the following amendment to the Resolution moved by my Honourable friend, Mr. Jayakar:

"For the words 'at a convenient centre in India' substitute the words, 'and simultaneously in India and in England' and after the words 'entrants to the examination' insert the words 'in India'."

The Resolution would then read:

"This Assembly recommends to the Governor-General in Council that he be pleased to revive the competitive examination for recruitment to the Indian Medical Service, which has been held in abeyance for the last fourteen years, and to hold it annually and simultaneously in India and in England and to make it obligatory for the entrants to the examination in India to hold a medical qualification registrable in India."

Dr. B. S. Moonje: Sir, after listening to the speech of my Honourable friend, Mr. Young, leaving aside the verbiage, I think the only solid ground on which he has based his opposition to the Resolution is that the Secretary of State has fixed 67 per cent. for the Europeans and 93 per cent. for the Indians in the Cadre of the I. M. S. The second point on which he bases his opposition is that, fortunately or unfortunately, British young

men do not come forward to join this service, and therefore he thinks that, if open competitive examination is to be held, it cannot be held for the Indians alone, but it must be held for Britishers also, and if it is held for them also, young British doctors will not come forward in sufficient numbers and the recruitment will not therefore be possible. That is the only solid argument on which he has based his opposition to the Resolution of my Honourable friend, Mr. Jayakar. He therefore favours the system of nomination, and in support of that he has stated that nominations are taking place successfully for recruitment of candidates to the R. A. M. C. and other Army medical services. If that is so, and if the cadre of I. M. S., like that of the R. A. M. C. had not been open to Indians, I would not have cared to know whether the recruitment was done by nomination or by open examination. Why we feel that open competitive examination should be revived is because we think that Indians also should have the chance to be recruited on equal terms with the Britishers.

Now as for the system of nomination, does Mr. Young mean to say that we have not suffered under the system of nomination? The figures that I have got with me show that, from 1910 to 1915, as long as there was open competitive examination, we secured on the average for these six years about 29·8 per cent. places in the Indian Medical Service, and after the open competition was closed and the system of nomination was instituted, say from 1923 to 1928, we secured only 18 per cent. places on the average for these six years. Under the open competitive examination we were fortunate enough to get 29 per cent. of the places, whereas under the system of nomination we got only 18 per cent. It is for this reason, and because we have suffered under the system of nomination, that we have come forward with this Resolution. It does not matter to us what takes place in England, whether the British people want to come or do not want to come forward for recruitment. What we say is that, under the system of open competitive examination, we were faring better and under the system of nomination we have suffered a good deal. Therefore the statement made that, under the system of nomination, no hardship has been created to the Indians, is not correct.

I do not know whether the Honourable Member, Mr. Young, is aware why the British boys are not coming forward for recruitment. Is it a fact, as we have heard, that some of the retired medical officers go about and create an agitation, saying that the prospects of the service are not good and that therefore the British boys should not come forward for recruitment? That is our information, and we want to know if it is a fact. If it is a fact, is it right that these retired officers should go and create agitation and then come forward to us asking for improvement in the pay and prospects of this Service? I should expect an explanation on that point. Also my information is that British people are taken on short commissions and after they have finished their term of short service, they are allowed to retire on a system of ample gratuity, whereas that system of gratuity is not applicable to the temporary appointments of the Indians. That is also a point on which I should like to have an explanation, whether that information is correct or not.

It is also stated as a reason in support of the system of nomination that if the system of open competitive examination is held in India, it will be unfair to those Indian boys who go to England. Taking into consideration the few Indian boys who go to England and the large number of Indians who are in India, would it be right to say that it will be unfair to those

[Dr. B. S. Moonje.]

Indian boys who go to England? To them recruitment is open in India, and instead of going to England they can have the chance of appearing at the competitive examination in India itself, and after having been thus recruited they can take study leave and go to England for higher examinations. One of the points made by Mr. Young is that these Indian Officers who are holding temporary posts should not be made to appear for the examination. I quite agree. But why are these temporary posts kept so long? If they are found necessary for the efficient working of the Department, they ought to have been made permanent long ago. If they are not found necessary and efficient, they ought to have been asked to go out long ago, giving them the alternative of retiring on the same system of gratuity which applies to the Britishers on short commissions. Under these circumstances, I should like to have an explanation on all these points before we shall be able to understand whether the opposition of Mr. Young to my friend's Resolution is on a sound basis. With these words I support the Resolution.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Sir, the Resolution of my Honourable friend, Mr. Jayakar, asks for reversion to the old system of competitive examinations. Now the essence of a competitive examination is that it should be open, as the examination for the Indian Medical Service was before the war. If, therefore, the original Resolution or the amended Resolution is to be beneficial to the people of India, it can be so only in so far as the limit imposed on the recruitment of Indians by the Secretary of State is removed. My Honourable friend, Mr. Young, grasped this point and tried to make out that, although the Secretary of State had not removed this arbitrary limit, he had nevertheless done a great thing by agreeing that Indian recruitment in any one year should not wait upon European recruitment during that year. This change in the rule may enable the Government of India to appoint Indians more rapidly than they might otherwise have been able to do, but the Indian proportion in the Service as a whole cannot undergo any increase because of the new orders issued by the Secretary of State for India. Obviously, then, Sir, the most important point for us to consider is whether there is any justification for the limit of 33 per cent. imposed on Indian recruitment by the higher authorities.

My Honourable friend, Mr. Young, gave two reasons in support of the present position. One was that it is necessary to have a war reserve, which can be employed most economically in the civil medical departments of the Government of India, and under the various provinces. The other was that European medical officers were needed in order to treat European officers of Government and their families. I will take both these arguments in the order in which I have placed them before the House. We have been hearing for a long time, Sir, of the necessity, in the interests of economy, of employing the war reserve of the Indian Medical Service in the civil medical departments. It may be necessary, Sir, in the present circumstances to maintain a war reserve in the Indian Medical Service, but my Honourable friend Mr. Young has not used a single argument to show that this war reserve should consist of Europeans and Indians in certain proportions. You may have a war reserve and yet may widen the opportunities for the employment of Indians. It was only, Sir, in September last that we came to know that, in the war reserve of the Indian Medical Service, it

was necessary to maintain a certain proportion of Europeans. My Honourable friend, Mr. Young, in replying to a question of Mr. Haji on the 17th September 1928 said that the present proportion had been fixed partly in order "to allow for the reserve of British officers required by the Army in war". I followed up Mr. Haji's question with several supplementary questions, in reply to which my Honourable friend Mr. Young elucidated the position further. He said the war reserve of British officers in the Indian Medical Service provides a reserve for the Royal Army Medical Corps. When I asked in a later supplementary question whether the principle of having only European officers to treat British soldiers during the war had been accepted by the Secretary of State for India and the Government of India, he replied:

"I am not aware that the question has ever been raised: it is an assumption rather. British troops are at present looked after by British medical officers, and it is naturally assumed that in time of war the reserve also should be British."

India owes many advantages to the presence of British soldiers in this country. One is that the existence of a British army in this country is supposed to be a serious impediment to a demand for self-government by India. The other luxury enjoyed by India on account of the presence of British troops, Sir, is this: it has to pay almost five times as much for a European soldier as it has to pay for an Indian soldier. Now, Sir, we see that the superior appointments in the Indian Medical Service are not all open to Indians because some of the I. M. S. officers are required for the needs of the British soldiers. The retention, Sir, of British soldiers in this country is bad enough, but to make either the organisation or the officering of the Indian Medical Service in any way dependent on what is supposed to be in the interests of European soldiers is worse. During a war, Sir, conditions are exceptional; nobody gets then what he has been used to in the normal course of his life. Well, if all those who have to do anything with war have to accept the exceptional circumstances in which they are placed, why should the British soldier also not accept those circumstances? Even if the principle enunciated by my Honourable friend Mr. Young were sound, why should the British soldier be the only person, during a war, who must expect all the arrangements followed during a time of peace to be strictly adhered to during a time of war.

I will now, Sir, deal with the second argument referred to by my Honourable friend Mr. Young, namely, that it is necessary for the treatment of European officers and their families that there should be a certain proportion of European medical officers in the medical services of the country. I am not sure, Sir, that before the year 1913, in spite of the orders issued by Lord Morley in 1908 for the restriction of the cadre of the Indian Medical Service, the question of having European medical officers only to attend on British officers and their families had acquired any prominence. Although, Sir, I have been following this question for a long time, I do not remember any serious controversy on this subject or serious representations having been made about it. It was left, Sir, to the Government of India themselves, taking perhaps some sporadic and eccentric complaints which might have reached them, to propose seriously that the contentions put forward by a few people merited the consideration of the highest authorities. The Public Service Commission, Sir, took evidence regarding the medical services in 1913, but the Government of India, writing on the 17th November, 1910, that is, almost three years earlier, to the Secretary of State, with regard to the growth of an independent medical profession in this country, and to Lord Morley's orders

[Pandit Hirday Nath Kunzru.]

that the cadre of the Indian Medical Service should in no case be increased, and that endeavours should be made to reduce it, said:

"There is, however, a very decided and sharp line which indicates the limit of employment of these men (that is Indians) in the posts referred to, and that is the obligation which rests on the Government to provide medical aid to their European officers in the various services. Although it is nowhere laid down that European officers are entitled to attendance by European medical officers, it is perfectly natural that they should wish to be treated by such officers, just as it is natural that persons of other nationalities should wish to be treated by medical men of their own race. This is a matter of special importance in a country like India where Europeans are living under what are climatically very trying conditions. Still more important is it that European officers should know that they can, without unreasonable expense, procure the services of European medical officers for their families. Anything which would spread a belief that the Government were careless of the interests of their European officers in this respect would, we are convinced, have a very adverse effect upon the recruitment of the European services in this country. Nothing ought to be done therefore which would lead to such a reduction of European Civil Surgeons as would have the disastrous result referred to."

And what is the disastrous result that might have been the consequence of an increase in the proportion of Indians in the Indian Medical Service? It would have been that the European officers, rightly or wrongly believing that they were entitled to being treated by European officers, would have been dissatisfied. In private life, Sir, we know that Europeans do not select their medical officers on racial grounds. Anybody who lives in this country and who knows Europeans at all can say from his own experience that medical officers and lawyers and other technical men are chosen on the ground of their qualifications and not of their race. But when the Government of India and the responsible authorities go out of their way to buttress the irrational prejudices of a few people, can it be wondered that the members of the various services are taking advantage of this position, and insisting on the employment of Europeans, as it would lead to a reservation of a certain number of posts for their own countrymen? I do not think, Sir, therefore that the arguments used by Mr. Young in favour of the retention of the present proportion of Indians in the Indian Medical Service are at all sound. I can understand the need for maintaining a war reserve in the I. M. S. But the maintenance of the war reserve does not necessitate the employment of Europeans in such large numbers as at present.

My Honourable friend, Mr. Young, perhaps realised that his position was not a very strong one and therefore tried to make out that, whatever we might say on theoretical grounds against the proportion which had been fixed, Indians were faring much better at present than they did during the days when competitive examinations were in force. Now, Sir, according to the figures given by the Public Service Commission of 1912, at page 251 of their Report, it appears that in 1913, 33 per cent. of the successful candidates were Indians; and in 1914, it was 40 per cent. If we take the figures of recruitment for the years 1921 to 1929, we find that barely 33 per cent. of the recruits were Indians. Now, one of the main grounds for the attack on Indian officers by the European medical officers before the Islington Commission was the large increase in the percentage of successful Indian candidates in the competitive examinations in England. It was obviously thought that forty per cent. was not going to be the limit of successful Indian candidates. It was expected that their percentage would increase. In view of this fact, can the Government of India congratulate themselves by pointing out to us that, during the last nine years, the recruitment that they have maintained has enabled Indians

to get 33 per cent. of the posts? Mr. Young said "But the suspension of the competitive examination is not peculiar to the I. M. S. We have the same thing in regard to the R. A. M. C. and other medical services in England". If, Sir, in England a sufficient number of English young men are not forthcoming for service in their own country, that may be a very good reason for the abandonment of the competitive examination and its supersession by some other method of recruitment. But in India, Indians have a prior claim to appointment in the service of their own country. If Europeans are not willing to come forward to serve India, that is not our responsibility. Indian youths cannot be told that they cannot be employed in larger numbers in the service of their country because there is not a sufficiency of European candidates for the posts for which they are competing.

Just one word more, Sir, and I have done. My Honourable friend, Mr. Young, urged one last point to convince the House that the present method, after all, resulted in no unfairness to Indians. He dwelt on the high standard of medical education in England and pointed out that it would be rather hard on an Indian candidate who had proceeded to England at his own expense that he should come back to his own country to compete in the I. M. S. examination. Now, Sir, in the first place, the amendment proposed by my Honourable friend, Sir Darcy Lindsay, meets that objection. But does not the present system itself as a rule require Indians to come back to this country before they can be selected for employment in the I. M. S.? I brought a particularly bad case in this respect to the notice of the Army Secretary some time ago. An Indian with good medical qualifications applied for admission to the I. M. S. in England; he appeared before the Medical Board there, but after an examination by the Medical Board he was told that he should come to India and present himself before the Selection Board here. He was chosen by the Selection Board, but I believe, a year after his appointment, the India Office intimated that his appointment could not be sanctioned as the Medical Board in England, before whom he had appeared originally, regarded him as unfit for holding a post in the Indian Medical Service. My Honourable friend, Mr. Young, tried to have justice done to this particular young man but failed. Even, therefore, if the Resolution of Mr. Jayakar stands in the form in which it has been proposed, it is not for Mr. Young to object to it on the ground that it would require Indian medical students to come back to India before they could take part in the competitive examinations for the I. M. S.

I hope, Sir, that the institution of simultaneous examinations will amount to a judgment on the part of this House that the present racial proportions should be done away with. After all, Sir, if the declaration made by His Excellency the Viceroy about three months ago is to be carried out, Government must be prepared for a speedy abrogation of all those rules and regulations which limit the employment of Indians and which deprive them of opportunities of service in their own country. The Government of India have, in connection with one department, an excellent opportunity of showing a change in their angle of vision, and I earnestly hope that they will grasp it.

Mr. President: Does the Army Secretary wish to say anything in regard to the amendment?

Mr. G. M. Young: Yes, Sir; with your permission I should like to say a few words. With regard to the amendment proposing the substitution

[Mr. G. M. Young.]

of simultaneous competitive examinations in England and India for the original proposal of a single competitive examination in India, I have only to say two things. One is that it will alter the existing ratio of British and Indian recruitment; as my Honourable friend Pandit Hirday Nath Kunzru has just pointed out. It would be impossible for us therefore to accept either the original Resolution, or the amended Resolution, without further consideration and without waiting a little longer. As I said in my first speech, it is not impossible that altered circumstances may bring about an alteration in that ratio; but as far as that aspect of the question is concerned, I am afraid that the Government must hold that the Resolution is at the moment premature.

The other difficulty about the amendment was brought out very prominently in the debate on Dr. Lohokare's Resolution in 1925. It is the practical difficulty of holding simultaneous examinations in England and in India for recruitment to the Indian Medical Service. I am not sufficiently an expert to say, Sir, that the difficulties are insuperable, and I can promise the House that the suggestion will be very carefully examined and that the Government of India will forward it with their comments to the Secretary of State. But it is not possible for us, as I said, without further consideration, to accept the proposal.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Are 14 years not enough for Government to consider the question?

An Honourable Member: No, raise it to 16.

Mr. President: The original Resolution was:

"This Assembly recommends to the Governor General in Council that he be pleased to revive the competitive examination"

Does the Honourable Member (turning to Mr. Jayakar) wish to say anything?

Mr. M. R. Jayakar: No, Sir.

Mr. President: The original Resolution was:

"This Assembly recommends to the Governor General in Council that he be pleased to revive the competitive examination for recruitment to the Indian Medical Service, which has been held in abeyance for the last fourteen years, and to hold it annually at a convenient centre in India and to make it obligatory for the entrants to the examination to hold a medical qualification registrable in India",—

Since which the following amendment has been moved:

"For the words 'at a convenient centre in India' substitute the words 'and simultaneously in India and in England' and after the words 'entrants to the examination,' insert the words 'in India'."

The question is that that amendment be made.

The motion was adopted.

Mr. President: The question is:

"That the Resolution, as amended, be passed."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 29th January, 1930.

LEGISLATIVE ASSEMBLY.

Wednesday, 29th January, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

COST OF UNDERFRAMES AT THE TATANAGAR WORKSHOPS.

153. ***Sir Darcy Lindsay:** (a) With reference to the replies given to my starred question No. 1310 of the 28th March, 1929, and the further reply by letter of the 10th November, 1929, will Government confirm that the total capital cost of the Tatanagar Workshops, East Indian Railway amounts to Rs. 38,93,771 after crediting Rs. 2,66,574 for plant and machinery transferred or sold?

(b) Estimating an annual output of 550 underframes representing approximately Rs. 46,00,000 value, and for which it was stated the Works have been laid out, what amount of working capital will be necessary to finance this manufacture? Would 50 per cent. of the selling price be considered an unreasonably high figure? Is it proposed to debit interest thereon when arriving at overhead charges?

(c) What were the rates of recent tenders received for coaching underframes including those from the Tatanagar Workshops?

(d) Has the experience of recent tenders continued to show that the lowest tender remains at approximately Rs. 745 above the actual cost of underframes manufactured at these works?

(e) How many underframes have been completed at the Tatanagar Workshops during the year 1929 and at what average cost?

(f) On the assumption of an annual output of 550 underframes and the overhead charges to be as stated slightly over 8 per cent. of actual works cost, what would be the percentage of cost on half such output and how are the details arrived at showing interest on capital at charge, interest on working capital, percentage of depreciation and headquarter supervision? What would this represent per underframe and percentage on sale value taking same at Rs. 8,500?

(g) Is there any truth in the rumour that Government contemplate disposing of the Tatanagar Workshops and if so, will full opportunity be given to firms and companies in India to consider the position?

Mr. A. A. L. Parsons: (a) The figure of Rs. 38,93,771, mentioned by the Honourable Member, includes Rs. 3,84,000, which is an estimate of further expenditure on works now nearing completion. I should explain, however, first that there is an item of Rs. 42,916 representing expenditure in connection with the purchase which, though not included in the purchase price, should, I think, be included in the total capital cost of the Works; and secondly, that in addition to



the credit of Rs. 2,66,574, a sum of Rs. 5,26,167 was written back to revenue on the completion of the purchase, after Government had satisfied themselves by a detailed examination of the plant and machinery taken over, that this amount was certainly not less than the difference between the purchase price paid for the Peninsular Locomotive Company's Works, and the value of the property at the time it was purchased. For if the Works had been burdened with a sum which, in effect, represented compensation to the Peninsular Locomotive Company, it would have been impossible to show the real cost of manufacturing underframes.

(b) The amount which should be taken as working capital cannot be determined exactly until the end of March, 1930, when the Works will have been manufacturing for their first complete year. Meanwhile, as the Honourable Member will see from the statements I am laying on the table, an approximate figure has been taken in calculating works on cost.

(c) and (d). The firms quoted nine different rates for broad gauge coaching underframes, as minor modifications were required for different railways. I have selected representative quotations for underframes without additions or modifications, and lay on the table a statement giving the information required by the Honourable Member. He will find two columns dealing with the Tatanagar Workshops. First, the original estimate which was submitted by the shops as a quotation and was considerably above the most recent cost prices—this was not accepted by the Railway Board; and second the actual cost of underframes recently constructed.

(e) 366 broad gauge bogie underframes were completed up to the 31st December, 1929, and it is expected that 85 more broad gauge bogie underframes, 159 broad gauge four-wheeled underframes and 66 metre-gauge bogie underframes will be completed by the 31st March, 1930. It will not be possible to give figures of average cost until the year has closed.

(f) On the same basis as previously adopted, the percentage of cost, if the output were halved, would be a little over 12½ per cent. I lay on the table a statement showing the details of these calculations. The figure per underframe is Rs. 970, compared with Rs. 555, the percentage on a sale value of Rs. 8,500 would be 8·8 compared with 6·5.

(g) The answer to the first part of the question is in the negative and the second part does not arise.

Quotations for B. G. Bogie Coaching underframes for 1930-31.

—	No.	Indian Firm A.	Indian Firm B.	Lowest English.	Tatanagar (estimate).	Tatanagar (actual cost).	Remarks.
		Rs.	Rs.	Rs.	Rs.	Rs.	
Rate delivered .	46	8,230	10,286	*8,024	9,550	7,730	
„ Works .	55	8,200	10,242	*8,024	9,530	7,710	
Rate delivered .	46	8,237	10,293	9,489	9,596	7,776	
„ erected at destination.	55	8,218	10,260	9,261	9,551	7,731	

* C. & f. quotation.

Estimated cost of production of one underframe at Tatanagar on the basis of an output of 552 underframes a year.

	Rs.	Rs.
1. Prime cost—		
(i) Direct wages	250	
(ii) Materials	5,720	
		5,970
2. Factory oncost—		
(i) Indirect wages	174	
(ii) Consumable stores	244	
(iii) Water and electricity	102	
(iv) Depreciation and interest on plant	178	
		69
3. Works oncost—		
(i) Depreciation and interest on buildings less rents	240	
(ii) Interest on floating capital	100	
(iii) Water and electricity	5	
(iv) Supervision	160	
(v) Accounts and audit	49	
(vi) Administrative expenses	154	
(vii) Contingencies	14	
		722
Plus ½% per underframe to cover Headquarter supervision		37
		7,427
All incost of Production		

Note.—(1) Direct wages monthly figure has been estimated at Rs. 11,500.
(2) The output per month is 46 underframes.

Items taken in arriving at figure of 8% given by Mr. P. R. Rau in reply to part (e) of starred question No. 1310 by Sir Darcy Lindsay on 28th March, 1929.

Items.	Rs.
2 (iv)	178
3 (i)	240
(ii)	100
Headquarter supervision	37
	555
All incost of production	7,427
	555
Actual works cost	6,872
Rs. 555 is about 8% of Rs. 6,872.	

Estimated cost of production per underframe on an output of 291, 68'0" B. G. underframes a year.

	Rs.	Rs.
1. Prime cost—		
(i) Direct wages	447	
(ii) Materials	5,720	
		6,167
2. Factory oncost—		
(i) Indirect wages	252	
(ii) Consumable stores	354	
(iii) Water and electricity	194	
(iv) Depreciation and interest on plant	338	
		1,138
3. Works oncost—		
(i) Depreciation and interest on buildings less rents	454	
(ii) Interest on floating capital	135	
(iii) Water and electricity	8	
(iv) Supervision	304	
(v) Accounts and audit	92	
(vi) Administrative expenses	293	
(vii) Contingencies	22	
		1,308
		8,613
Plus $\frac{1}{2}\%$ per underframe to cover Headquarter supervision		43
All in cost of production		8,656

Note.—(1) The direct wages monthly figure has been estimated at Rs. 10,830 per mensem.
(2) The output per month is 24.25 underframes.

Items.	Rs.
2 (iv)	338
3 (i)	454
(ii)	135
Headquarter supervision	43
	970

ORDERS FOR RAILWAY BRIDGE SPANS.

154. *Sir Darcy Lindsay: (a) To what extent do the Railway Board exercise control in acceptance of tenders for railway bridge spans in the case of other than State-owned railways, but in which the Government of India have interests?

(b) What orders exceeding Rs. 1,00,000 for railway bridge spans were placed out of India by Company-worked railways, in which Government have interests during the year 1928-29, and by how much was their landed in India cost lower than locally tendered prices?

(c) What similar orders have been placed abroad up to date in the current year 1929-30 and by how much was their estimated landed in India cost lower than locally tendered prices?

(d) Were the contracts placed out of India during 1928-29 completed in each case by the delivery dates stated in the contract, and if not, how much delay occurred, and were penalties inflicted according to the terms of contract?

Mr. A. A. L. Parsons: (a) The Railway Board do not exercise control on the placing of orders. Under the terms of the contracts, the decision rests with the Boards of Company-managed railways, or their Agents.

(b), (c) and (d). I am seeing if I can obtain the information for the Honourable Member.

RAILWAY SLEEPERS.

155. *Sir Darcy Lindsay: (a) With reference to the questions commencing with starred question No. 355 asked by Pandit Nilakantha Das on the 11th September, 1929, will Government state the present policy of the Railway Board and Railway Administrations in which Government have a voice in regard to sleeper supplies and more particularly as to wooden and iron sleepers?

(b) Are Government aware that, owing to the recent falling off in the railway demand for wooden sleepers, there is a grave danger of an important and valuable local industry having to close down, particularly in places supplying the Eastern Group where, to meet the heavy overheads, a steady demand of sufficient volume is essential?

(c) Are Government aware that the industry gives employment to a large volume of labour in a part of the country where employment is difficult to find and that the closing down of the industry is likely to inflict great hardship on a poor class of people who have no other means of livelihood?

Mr. A. A. L. Parsons: (a) The policy of the Railway Board was explained in this House in a speech which I made on February 27th, 1929. Briefly, the Board consider that the interests of the railways are best served by keeping all the three industries in competition.

(b) Government are aware that the reduced demands of sleepers, due to the slowing down of the programme of new construction and to other causes, is affecting the operations of firms dealing in wooden sleepers, but this also applies to the steel and cast-iron industries.

(c) Much of the labour in connection with the wooden sleeper industry is, Government believe, imported, but undoubtedly the local inhabitants are also affected, particularly in respect of transport operations. Government regret that this should be the effect of a reduction in the demand for sleepers, but it is unavoidable, for it is impossible to place orders for more sleepers than are actually required. It is also believed that the local labour referred to by the Honourable Member has in the past been in the habit of migrating to localities where agricultural employment is available.

THE WOODEN SLEEPER INDUSTRY.

156. *Sir Darcy Lindsay: (a) Will Government be pleased to state whether due regard has been had to the importance of the wooden sleeper industry in opening out and developing large tracts of forest areas?

(b) Do Government propose to examine the position again with a view to this indigenous industry being given necessary support in a steady and sufficient volume of orders to insure that the employment of the people will continue?

Mr. A. A. L. Parsons: (a) Yes. It is with this object in view that the Railway Board have undertaken surveys for the construction of branch lines, when funds are available, in remote areas passing through tracts of forests from which sleepers will be obtained.

(b) The position is constantly under examination by the Railway Board and it is not considered that there is anything to be gained by a special examination of the position, at any rate until the demand for sleepers increases. The volume of orders must be governed by the funds available.

ROYALTIES PAYABLE ON SAL SLEEPERS.

157. ***Sir Darcy Lindsay:** What royalties are payable to the Forest Department and Indian States on sal sleepers by suppliers to the Eastern Group?

Mr. A. A. L. Parsons: The royalties vary and are governed by local circumstances, such as the expense of getting sawyers to the leased forest and the cost of transporting the sleepers to railhead. The amount of royalty charged is a matter of private negotiation between the owner of the forest and the sleeper supplier. The information asked for is not available and would be difficult to collect, as suppliers to the Eastern Group carry on operations in Bengal, Assam, the Central Provinces, Bihar and Orissa and several Feudatory States.

Sir Darcy Lindsay: Is it a fact that in some cases as much as Rs. 3 per sleeper is charged as royalty?

Mr. A. A. L. Parsons: The Railway Board have no information for that is a matter of private negotiation between the suppliers of the sleepers and the owners of the forests.

COMPARATIVE COST OF IRON AND WOODEN SLEEPERS.

158. ***Sir Darcy Lindsay:** (a) For what period have iron sleepers been in general use in India, and on what basis is a probable life of 50 years arrived at?

(b) Is the maintenance cost of iron sleepers on an increasing scale and if so, how does it compare with the maintenance cost of wooden sleepers?

Mr. A. A. L. Parsons: (a) Iron sleepers have been in general use in India for over 50 years.

The life of 50 years is based on actual experience of railways.

(b) I take the first part of the Honourable Member's question to mean whether, other things being equal, it costs more to maintain a cast-iron sleeper as its age increases. If so, the answer is in the negative. The cost of maintaining cast-iron or wooden sleepers may be taken to be identical.

Mr. E. F. Sykes: Is it not a fact that the maintenance cost depends rather on the nature of the bank than the nature of the sleeper?

Mr. A. A. L. Parsons: That is generally so, Sir.

SLEEPERS USED FOR THE RAIPUR-VIZIANAGRAM RAILWAY.

159. ***Sir Darcy Lindsay:** (a) Is it a fact that the Raipur-Vizianagram Railway extension now under construction passes through sal forests?

(b) If the answer to part (a) is in the affirmative, were special tenders invited for delivery of sal sleepers at site and how does the rate compare with the steel or iron sleeper delivered at site?

(c) Why was it decided to use steel sleepers in the Raipur-Vizianagram Railway construction? Is it not generally recognised by engineers that new lines should be laid with wooden sleepers?

(d) Has the officer-in-charge issued any report as to the suitability or otherwise of the steel sleepers imported from the continent for this new construction?

Mr. A. A. L. Parsons: (a) Yes.

(b) No special tenders were invited for delivery of sal sleepers at site, as general tenders were called for sal sleepers throughout the area which includes this site.

The rates of tenders for sal sleepers in the whole area were:

Last sleeper year		Rs. 8 per sleeper
This sleeper year		Rs. 7-8-0 per sleeper

a very few sleepers being offered at Rs. 7/7-

Steel sleepers at site cost from Rs. 10 to Rs. 11 and are a better financial proposition than sal at Rs. 7/8.

(c) Engineers consider the steel sleeper is very nearly as suitable as the wooden sleeper for new lines, except in places where bad soil is met with.

(d) The Chief Engineer, Bengal Nagpur Railway, definitely considers steel sleepers suitable for this new construction.

REPLACEMENT OF SAL SLEEPERS ON THE BENGAL NAGPUR RAILWAY.

160. ***Sir Darcy Lindsay:** (a) Will Government state the particular reasons for replacement of a large quantity of sound sal sleepers (believed to be over three lakhs) by steel sleepers on the Kharagpur-Waltair and Jarsaguda Bilaspur sections of the Bengal Nagpur Railway?

(b) At what cost were the sleepers replaced, and is it the intention to utilise these sound sleepers on other sections of the Railway, thereby reducing the volume of fresh purchases?

(c) Is it the intention of the Administration similarly to replace sound sal sleepers on the Jarsaguda-Nagpur section of the Bengal Nagpur Railway and if so at what cost?

Mr. A. A. L. Parsons: (a) The Kharagpur-Waltair and Jarsaguda-Bilaspur sections of the Bengal Nagpur Railway are being re-sleepered in conformity with a track strengthening programme which has been in progress during the last three years. Some 5½ lakhs of wooden sleepers are being replaced, out of which about 1½ lakhs are still in sound condition. The use of mixed steel and wooden sleepers is objectionable from a technical point of view.

(b) The original cost of the sal sleepers was Rs. 9 each, while the new steel sleepers cost from Rs. 10/4 to Rs. 10/12 each, depending on the type of sleeper used. All sound wooden sleepers released have been or will be used to replace unsound sleepers in other sections of the line.

(c) The strengthening programme referred to does not extend to the section Bilaspur to Nagpur.

Mr. B. Das: Is the Honourable Member aware that the relaying of the Kharagpur-Waltair section has considerably improved the permanent way and there is no more jolting on the Bengal Nagpur Railway in that section?

Mr. A. A. L. Parsons: I am very glad to know from the Honourable Member that one of the objects for which we started this relaying has been achieved.

RESOLUTION PASSED BY THE EAST AFRICAN NATIONAL CONGRESS AT NAIROBI.

161. ***Mr. B. Das:** (a) Have Government seen the resolutions passed at the East African Indian National Congress held in Nairobi on the 6th, 7th, 8th December 1929, under the presidency of Mrs. Sorojini Naidu and as was published in the *Democrat* of Nairobi of the 7th December and reproduced in the *Hindu* of Madras of the 7th January 1930?

(b) Will Government be pleased to make a general statement as to action, if any, taken by them on the subject-matter of these resolutions so far?

Sir Frank Noyce: (a) Yes.

(b) The Congress appears to have passed no less than 26 resolutions on a variety of subjects, and I fear that a statement covering all of them would take up a period of time not altogether commensurate with the interest or importance of many of the subjects. If the Honourable Member will be good enough to specify the resolutions regarding which he wants information, I shall endeavour to comply with his request as far as may be possible.

STATUS OF INDIANS IN TANGANYIKA.

162. ***Mr. B. Das:** With reference to the following resolution on Tanganyika, passed in December, 1929, at the East African Indian National Congress at Nairobi, will Government be pleased to state if the Honourable Sir Muhammad Habibullah, while he led the Indian delegation to the last session of the League of Nations at Geneva, did make any statement in the matter or did demand the guarantee of equality of status for Indians in Tanganyika? If so, will Government be pleased to make a statement on the representation made by Sir Muhammad Habibullah at Geneva?

"Whereas the mandate guarantees equality of status to all people inhabiting the Tanganyika Territory and whereas federation or closer union in any form is bound to prejudicially affect the autonomy of Tanganyika in particular the status of Indians, this Congress is strongly opposed to the inclusion of Tanganyika in any scheme of federation or closer union."

Sir Frank Noyce: The answer to the first part of the question is in the negative. The second part does not, therefore, arise.

APPOINTMENT OF A TRADE COMMISSIONER IN EAST AFRICA.

163. ***Mr. B. Das:** (a) With reference to the following resolution on the appointment of a Trade Commissioner in East Africa, passed at Nairobi in December 1929, by the East African Indian National Congress, will Government be pleased to state the reasons for the delay of that appointment?

"This Congress regrets the delay on the part of the Government of India in regard to the appointment of a Trade Commissioner in East Africa, and urges that the appointment of a non-official Indian as Trade Commissioner be expedited."

(b) What were the recommendations of the Meek Committee regarding the opening up of a Trade Commissioner's office in East Africa?

The Honourable Sir George Rainy: With your permission, Sir, I will answer questions Nos. 163 and 168 together.

As I have already informed the Honourable Member, in reply to his starred question No. 111, on the 21st January, the Trade Mission recommended the appointment of Indian Trade Commissioners at Durban, Mombasa and Alexandria. It is expected that a final decision in the matter will be reached shortly. These proposals form a part of the general scheme for the appointment of Indian Trade Commissioners abroad. The scheme is an important one involving considerable expenditure and its examination in all its aspects has necessarily taken some time.

ASSISTANCE RENDERED TO THE KENYA DEPUTATION TO LONDON.

164. ***Mr. B. Das:** Will Government be pleased to state what assistance was rendered by (a) the Government of India, and (b) the India Office to the Kenya Deputation to London led by Pandit Hirday Nath Kunzru, M. L. A. last October?

Sir Frank Noyce: No request for assistance was made by the Honourable Pandit.

Pandit Hirday Nath Kunzru: May I inform the Honourable Member that I did ask for all possible assistance from the Government of India and the Secretary of State for India?

Sir Frank Noyce: I think the Honourable Member got all the assistance he wanted. He is in a better position to say than I am, but I think he received assistance from the India Office and the Secretary of State commensurate with the importance of his mission.

Pandit Hirday Nath Kunzru: May I then ask the Honourable Member to correct his answer? He said I asked for no assistance either from the Government of India or the Secretary of State?

Does the Honourable Member realise that even now the assistance of the Secretary of State for India and the Government of India is needed? (Hear, hear.)

Sir Frank Noyce: Yes, Sir.

DISCUSSION OF THE EAST AFRICAN QUESTION IN THE LEGISLATIVE ASSEMBLY.

165. ***Mr. B. Das:** (a) Will Government be pleased to state whether they intend to allot a day in the Assembly for the discussion of (i) Sir Samuel

Willson's Report on the East African question, and (ii) the Hilton Young Commission's Report on the same? If so, when?

(b) Will Government be pleased to lay on the table a copy of the full text of the Report that the Right Honourable Srinivasa Sastri made to the Government of India on his visit to East Africa?

(c) Will Government be pleased to lay on the table all relevant correspondence with the Secretary of State for India on the Hilton Young Commission's Report and also Sir Samuel Willson's Report to enable the House to have complete material before the general debate on the East African problem?

Sir Frank Noyce: (a) Ordinarily this matter would have come up for discussion on the Resolution of which Mr. K. C. Roy has given notice. As Mr. Roy's Resolution has not obtained a place in the ballot, Government will find the time on a Government day for the discussion. It is not possible at present to say precisely when the discussion will take place.

(b) The Government of India hope to be able to comply with the Honourable Member's request shortly. The Report will be published simultaneously in England, India and East Africa, and the earliest date on which simultaneous publication could be conveniently arranged is now under discussion.

(c) I have already stated several times that the Government of India cannot consider requests for publication of correspondence until the decision of His Majesty's Government becomes known.

APPOINTMENT OF AN INDIAN TO OFFICIATE FOR SIR K. V. REDDI IN SOUTH AFRICA.

166. ***Mr. B. Das:** (a) Will Government be pleased to state why no Indian was sent to South Africa to officiate during the absence of Sir K. V. Reddi?

(b) How long will Sir K. V. Reddi stay in India? In case his stay in India is prolonged, are Government prepared to send an Indian non-official to officiate for Sir K. V. Reddi?

Sir Frank Noyce: (a) and (b). Sir K. V. Reddi has come to India on short sick leave for medical reasons and Government very much hope that he will be able to return to his post in South Africa before long. In the circumstances, the most convenient and economical course was to appoint the Secretary to the Agent to hold charge of the current duties of the post of Agent. Should Sir Kurma's absence from the Union be unexpectedly prolonged, or reasons of health compel him to decide not to rejoin his appointment, the question of sending out a successor will be taken up, and the Honourable Member may rest assured that his suggestion will be fully considered at the time.

CONSULAR OFFICES.

167. ***Mr. B. Das:** (a) Will Government be pleased to state at what state of negotiation the opening of consular offices at (i) Hamburg, (ii) New York, and (iii) Milan, stands at present?

(b) Will Government be pleased to lay on the table the complete correspondence on the subject between the High Commissioner in London and the Government of India, and will Government be pleased to state the causes of delay over these new offices?

The Honourable Sir George Rainy: (a) The Honourable Member presumably refers to the proposal to appoint Trade Commissioners at the places named in the question, and I would refer him to the reply given by me to his starred question No. 110 on the 20th January.

(b) In view of the length of the High Commissioner's letter, Government do not propose to lay a copy of it on the table, but I am sending the Honourable Member a copy for his information. The scheme is an important one, involving considerable expenditure, and its examination in all its aspects has necessarily taken some time.

APPOINTMENT OF INDIAN TRADE COMMISSIONERS IN CERTAIN COUNTRIES.

†168. ***Mr. B. Das:** (a) What are the countries in which the Meek Committee recommended the immediate establishment of Indian Trade Commissioner's offices?

(b) Will Government be pleased to state the reasons for the delay of opening such offices in East Africa, South Africa, Turkey, Russia, China and Japan?

PROVISION OF A GOODS SHED AND PLATFORM AT BURHANPUR RAILWAY STATION.

169. ***Mr. Abdul Qadir Siddiqi:** (a) Is it a fact that the merchants of Burhanpur in the Central Provinces have submitted several representations to the railway authorities complaining of the want of a goods shed and platform sufficient to accommodate the incoming and outgoing traffic at that station?

(b) Is it a fact that at Burhanpur cotton bales, cotton seeds, oil seeds and other articles are always kept on the open platform exposed to the sun and rain and liable to damage by fire?

(c) Is it a fact that this question has been under consideration for several years and that yet no action has been taken to provide an adequate goods shed and platform, as has been done at several other stations?

(d) Will Government be pleased to state why the matter is being delayed and when the necessary goods shed and platform will be constructed?

Mr. A. A. L. Parsons: (a) Yes.

(b) and (c). The Agent of the Great Indian Peninsula Railway reported last April that facilities for dealing with goods traffic at Burhanpur are now inadequate, and that it has been decided to effect the necessary improvements, at a cost of about Rs. 1,00,000 at an early date.

(d) The delay is due to this work having been at first included in the larger and more expensive scheme for remodelling the station. It is expected that the work will be taken in hand this year.

†For answer to this question, see answer to question No. 163.

ARMY CLOTHING FACTORIES.

170. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state how long the two clothing factories in Madras and in Shahjahanpur have been in existence?

(b) What is the history of the Shahjahanpur Factory?

(c) When and why did it replace the old Alipur Factory?

(d) What system of manufacture of clothing for the Army in India was followed in the Army Clothing Factory, Madras, till 1914? Has there been any change since then in the method of manufacture? If so, what is the change and who is responsible for it?

(e) What is the advantage gained by Government by the change in the system of manufacture other than financial considerations, if any? Will Government be pleased to furnish a statement of the loss or gain as the case may be derived by the change in the system? If it is a profitable concern, why is it not followed in Shahjahanpur also or fully carried out in the Madras Factory?

(f) Is it the policy of Government to endeavour to convert the Army Clothing Factory, Madras, into a "Contract Depot" and to strengthen and convert the experimental factory at Shahjahanpur into a modern factory and can this be done only at great expense to the State? What is the object underlying this policy?

(g) Why is not one uniform system of manufacture followed in the Clothing Factories at Madras and Shahjahanpur as it was before 1914?

(h) Are Government prepared to consider the desirability of allotting a greater share in the distribution of manufacture quota to the former than the latter?

Mr. G. M. Young: With your permission, Sir, I propose to answer questions Nos. 170, 171 and 172 together.

The information required by the Honourable Member is being compiled and will be communicated to him in due course.

OUTTURN OF ARMY CLOTHING FACTORIES AT MADRAS AND SHAHJAHANPUR.

†171. ***Mr. Abdul Latif Sahib Farookhi:** (a) What is the normal capacity of production of the workshop in peace times and during the Great War for any one year for the Madras Factory Workshop and for the Shahjahanpur Factory respectively and what was the method adopted to increase the output during the War?

(b) What is the highest outturn of production at the Madras and the Shahjahanpur Factories respectively in any one year from 1922 to 1924 and the ratio of cost of establishment to the production in the manufacture of clothing for the Army in India?

(c) How far has Shahjahanpur, as a manufacturing centre, been able to compete with the Madras Clothing Factory in the manufacture of special clothing for the body-guards, and bands of the Viceroy and of the provincial Governors of the three presidencies and for liveries of the Viceroy's household and of the three provincial Government Houses?

†For answer to this question, see answer to question No. 170.

(d) How far were the Madras Clothing Factory contractors able to compete in the manufacture of special clothing with the Madras Clothing Factory Workshop?

EXPENDITURE OF ARMY CLOTHING FACTORIES AT MADRAS AND SHAHJAHANPUR.

†172. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to furnish separate annual financial statements from 1925—1929 for the Madras and Shahjahanpur Factories showing the expenditure for the Madras and Shahjahanpur Factories under the following heads?

- (1) Machinery.
- (2) Furniture, plant, etc.
- (3) Clothing materials and garniture.
- (4) Electricity.
- (5) Stationery.
- (6) Requirements necessary for manufacture other than what is shown in (1), (2), (3) and (5) above.
- (7) European Civil Officers.
- (8) European Military Officers.
- (9) Indian Civil Officers.
- (10) Indian Military Officers and Non-commissioned officers.
- (11) Clerical establishment.
- (12) Mechanics and menial establishment.

(b) (i) Will Government be pleased to furnish separate annual financial statements from 1927—1929 for the Madras and the Shahjahanpur Factories showing the expenditure for production of garments for the Army in India under two main heads, namely workshop and contractors?

(ii) Will Government be pleased to furnish similar statements for the years 1922 and 1924?

BUILDING CONTRACTS IN NEW DELHI.

173. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if there was any understanding that building and other contracts in connection with the Imperial Capital be not given to contractors who were residents of Delhi?

(b) Will Government be pleased to state if there was an understanding that local Delhi labour be not employed in connection with the Imperial Capital?

(c) If the answer to part (a) be in the affirmative, how long will this understanding continue?

(d) If the reply to part (a) be in the negative, will Government be pleased to state how many contracts, and of what value, were given to the contractors who belong to Delhi?

(e) If the answer to part (d) be in the negative, are Government prepared to take into consideration the claims of the Delhi contractors in future?

†For answer to this question, see answer to question No. 170.

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). There are no such understandings.

(c) Does not arise.

(d) A very large number of contracts have gone and do go to residents of Delhi. To provide the information asked for by the Honourable Member would involve a vast amount of work in compiling statistics from the records of 18 years, and the labour would not be commensurate with the benefit derived.

(e) Does not arise.

Mr. B. Das: May I inquire when the Honourable Member wishes to abolish the Delhi Capital department, now that the work is finished?

The Honourable Sir Bhupendra Nath Mitra: There is no Delhi Capital department so far as I am aware.

Mr. B. Das: I mean the Engineering department.

The Honourable Sir Bhupendra Nath Mitra: The Engineering department, by which I presume the Honourable Member means the staff of the Chief Superintending and Divisional Engineers, cannot be abolished, as the staff will be required for the purpose of maintenance, while there will be a certain amount of construction work also to be done for the Central Government, not only in Delhi but in other areas.

Mr. B. Das: Do I take it that there is no desire to reduce the number of staff that was engaged during the period of construction of this huge Capital?

The Honourable Sir Bhupendra Nath Mitra: The staff is being reduced from year to year and is being adjusted to meet the changing requirements of the situation.

CONTRACTS FOR SUPPLIES TO ARMY CANTEENS.

174. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state whether, after the abolition of the Canteen Board, contracts relating to canteens were given out to contractors?

(b) Will Government be pleased to state whether these contractors have to fulfill certain qualifications regarding experience, etc., and whether these contractors are entitled to sub-let their contracts?

(c) In case the contractors are not entitled to sub-let, will Government be pleased to state whether one contractor can take contracts relating to several units at the same time?

(d) In case the answer to part (c) is in the affirmative, will Government be pleased to state if they have made inquiries that such contractors do not sub-let?

(e) If Government have not made such inquiries, are Government prepared to make such inquiries?

(f) Is it a fact that contractors, by sub-letting, are realising rebates at double the rates at which they are paying to units?

Mr. G. M. Young: (a) Yes.

(b) The answer to the first portion is in the affirmative and to the second in the negative.

(c) Yes.

(d) and (e). The Honourable Member is referred to the reply given on the 20th March, 1929, to part (a) of starred question No. 1166 and to starred question No. 1167.

(f) This part of the question does not arise, as the sub-letting of contracts is not permissible. I may, however, draw the attention of the Honourable Member to the reply given on the 20th March last to part (d) of starred question No. 1166.

CONTRACTS FOR FIREWOOD FOR THE ARMY.

175. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state the rates at which the contracts for the supply of firewood to units have been placed in the United Provinces districts for various stations and in the Delhi Brigade Area?

(b) In case the Delhi Brigade Area rates be higher than the United Provinces districts' rates, will Government be pleased to state the reasons for the contract being placed at the higher rates in the Delhi Brigade Area?

(c) Is it a fact that the market rates for firewood are higher at Delhi, Agra and Muttra than at Meerut, Bareilly, Jhansi and other stations in the United Provinces Districts?

Mr. G. M. Young: With your permission, Sir, I will answer questions Nos. 175 to 179 together.

The information has been called for and will be sent to the Honourable Member in due course.

CONTRACTORS IN THE DELHI BRIGADE AREA.

†176. ***Lala Rang Behari Lal:** Will Government be pleased to state if it is a fact that the names of certain contractors in the Delhi Brigade Area were removed last year from the list of the approved contractors in the Indian Army Service Corps?

CONTRACTS FOR FIREWOOD IN THE DELHI BRIGADE AREA.

†177. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if, in the Delhi Brigade Area, contracts for the supply of firewood this year were placed at the highest tender while lower tenders were ignored?

(b) If the answer to part (a) be in the affirmative, what are the reasons for this procedure?

(c) Will Government be pleased to state if they are aware of the fact that this procedure was adopted in the interest of a certain contractor to the detriment of Government and the other contractors?

†For answer to this question, see answer to question No. 175.

[29TH JAN. 1930.]

SUPPLY OF HIRED TRANSPORT IN THE DELHI BRIGADE AREA.

†178. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if, during the last ten years, contracts for the supply of hired transport were given on competitive low tender rates in the Delhi Brigade Area for units and for manœuvres?

(b) Will Government be pleased to state if this policy was followed last year?

(c) If the answer to part (b) be in the negative, will Government be pleased to state the reasons for abandoning the previous policy?

(d) Is it a fact that, last year, a condition that the contractors would have no claim for transport for troops going to practice camps and passing through the Delhi Brigade Area was added to the usual form of contract approved by the Government of India?

(e) Is it a fact that, in the Delhi Brigade Area, a tender for hired transport for troops passing through the said Area was called for last year?

(f) Will Government be pleased to state if it is a fact that this tender was issued only to a few contractors and that there was practically no competition, as the tender was not issued to all the contractors?

ISSUE OF TENDERS IN THE DELHI BRIGADE AREA.

†179. ***Lala Rang Behari Lal:** Will Government be pleased to state if they are aware of the fact that in the Delhi Brigade Area tenders are issued in a manner which avoids competition?

PAY OF THE STAFF OF THE AUDIT OFFICE, INDIAN STORES DEPARTMENT.

180. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if it is a fact that, consequent on the location of the Audit Office, Indian Stores Department, in Delhi, three-fifths of the special pay originally sanctioned for the non-gazetted staff of that office, has been withdrawn with effect from the 1st September, 1929, on the ground that it contained an element of compensatory allowance granted in view of the extra expenditure involved in the move of the office between Simla and Delhi?

(b) If the reply to part (a) be in the affirmative, was it permissible under the Fundamental Rules to sanction special pay to cover compensatory allowance of the nature referred to above?

(c) If not, was any indication whatsoever contained in the terms of appointment offered to the staff that three-fifths or any part of the special pay represented compensatory allowance which might be withdrawn at any time after the cessation of the move?

The Honourable Sir George Schuster: With your permission, Sir, I will answer questions Nos. 180 to 186 together.

The Government are obtaining certain information to enable them to reply fully to the Honourable Member's questions. A further answer will be sent to him as soon as possible.

†For answer to this question, see answer to question No. 175.

PAY OF THE STAFF OF THE AUDIT OFFICE, INDIAN STORES DEPARTMENT.

†181. ***Lala Rang Behari Lal:** Will Government be pleased to state:

(i) whether compensatory allowance counts for (a) leave salary, and (b) pension;

(ii) whether the full amount of the special pay as originally sanctioned for the Audit Office, Indian Stores Department, counted as emoluments for (a) leave salary and (b) pension;

(iii) whether in the course of about seven years during which this office has been in existence, the staff were informed of the real character of the special pay at any time before the 25th February, 1929, i.e., the date on which Government issued their Finance Department letter No. F./15-IX/R.-11/28?

PAY OF THE STAFF OF THE AUDIT OFFICE, INDIAN STORES DEPARTMENT.

†182. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if it is a practice in the Offices of the Auditor General and the Accountant General, Central Revenues, to allow a substantial increase in initial pay to the experienced hands recruited from other offices as well as to the new recruits with high academic qualifications?

(b) Is it a fact that, for the sake of efficient working of a newly organised Department, the Audit Officer, Indian Stores Department, recruited young men with high academic qualifications as well as trained hands from various Government offices spread over different provinces in India, some of which are thousands of miles away from Delhi?

(c) Is it a fact that, as there was a "special pay" attached to the posts, no increase in initial pay was given by the Audit Officer either to the experienced men from other offices, or to the fresh recruits with high academic qualifications, and that it was believed by the men concerned that the special pay offered to them was in lieu of such remuneration?

PAY OF THE STAFF OF THE AUDIT OFFICE, INDIAN STORES DEPARTMENT.

†183. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state whether it has not been their recognised policy, approved by the Secretary of State, that no change in rules or revision of pay should so operate as to adversely affect the existing Government servants in the matter of any emoluments counting for the time being towards leave salary and pension?

(b) If so, will Government be pleased to state the reasons why the policy described in part (a) above was not followed in regard to those employees of the Audit Office, Indian Stores Department who joined that office on full special pay before the 25th February, 1929, i.e., the date on which the real character of the special pay is stated to have been revealed to the staff for the first time in the history of the office?

PAY OF THE STAFF OF THE AUDIT OFFICE, INDIAN STORES DEPARTMENT.

†184. ***Lala Rang Behari Lal:** (1) Will Government be pleased to state if it is a fact that the considerations on which special pay is granted are the following:

(a) the specially arduous nature of the duties; or

†For answer to this question, see answer to question No. 180.

- (b) a specific addition to the work or responsibility; or
- (c) the unhealthiness of the locality in which the work is performed?
- (2) Will Government be pleased to state:
 - (i) which of the above considerations they had in view when they sanctioned special pay for the non-gazetted staff of the Audit Office, Indian Stores Department;
 - (ii) which of the conditions referred to above changed or ceased to exist so as to justify the withdrawal of three-fifths of the special pay from the 1st September, 1929; and
 - (iii) how the proportion of three-fifths referred to in part (ii) above was determined?

PAY OF THE STAFF OF THE AUDIT OFFICE, INDIAN STORES DEPARTMENT.

†185. ***Lala Rang Behari Lal:** (a) Is it a fact—

- (i) that one of the grounds on which the late Auditor General, Sir Frederic Gauntlett, originally recommended special pay for the non-gazetted staff of the Audit Office, Indian Stores Department, was recorded by that official to be the important and responsible nature of the work performed by the staff, and that the recommendation was accepted by Government; and
- (ii) that the retention, as a tentative measure, of two-fifths only of the special pay was recently recommended by the same official not on the ground that the nature of work is important and responsible, but on the ground that the growth of work is at present spasmodic and abnormal and that this recommendation was also accepted by Government?

(b) If the replies to parts (a) (i) and (ii) be in the affirmative, will Government be pleased to indicate the changes which the nature of work performed by the staff of the Audit Office, Indian Stores Department, has undergone so as to be considered to have lost the importance and responsibility previously ascribed to it and to have subsequently acquired the character of being merely voluminous?

(c) Is it a fact that the late Audit Officer, Indian Stores Department, Mr. P. N. Mukherji, when called upon by the Auditor General to submit his views regarding the continuance of the special pay, not only justified its retention, but also recommended the grant of a compensatory allowance if the move of the office between Simla and Delhi were to continue?

(d) Will Government be pleased to state what special investigations were made before they set aside the recommendations of the late Audit Officer and decided to withdraw three-fifths of the special pay?

PAY OF THE STAFF OF THE AUDIT OFFICE, INDIAN STORES DEPARTMENT.

†186. ***Lala Rang Behari Lal:** (a) Is it a fact that the present Audit Officer, Indian Stores Department, Mr. P. M. Rau, while forwarding memorials from his staff, praying for the continuance of special pay, omitted to make any comments regarding the justification of the special pay, and merely referred, as examples to only a few out of a large number of cases in which hardship was caused by the withdrawal of special pay?

†For answer to this question, see answer to question No. 180.

(b) Will Government be pleased to state if there was any object behind the recommendation of Mr. P. M. Rau?

(c) Is it a fact:

- (i) that the proportion which the amount of special pay withdrawn bears to the present pay drawn by the staff of the Audit Office, Indian Stores Department, is, in a very large number of cases more than 40 per cent.;
- (ii) that on the transfer of the headquarters of the Office of the Accountant General, Central Revenues, from Calcutta to Delhi, the existing incumbents, instead of being brought on to the lower scale of pay applicable to Delhi, were not only allowed to retain the higher Calcutta scale of pay, but also compensated in many other ways such as by the grant of bonuses and increases in pay; and
- (iii) that certain officers of the Northern India Salt Revenue Department were wrongly admitted to the benefit of the European Service or Special Leave Rules and that Government, in their Finance Department letter No. D.-366-R.-1/28, dated the 19th September, 1928, decided not to withdraw such privileges on the ground that, if concessions once allowed on their authority be withdrawn, it would cause hardship and serious discontent?

(d) If the replies to parts (c) (ii) and (c) (iii) be in the affirmative, will Government be pleased to state the reasons why, on the location of the Audit Office, Indian Stores Department in Delhi, the existing staff could not be accorded a similar treatment and allowed to retain full special pay, and the orders contained in the Finance Department letter No. F./15/IX/R.-11/28, dated the 25th February, 1929, be restricted to the new entrants only?

(e) Will Government be pleased to state the total number of non-gazetted officers recruited for the Audit Office, Indian Stores Department on full special pay before the orders for its reduction were passed?

REPORTS OF THE STATUTORY COMMISSION AND THE INDIAN CENTRAL COMMITTEE.

187. ***Mr. B. Das:** (a) Will Government be pleased to state whether the letter of Sir John Simon, addressed to the Governor General on the 6th February, 1928, did contain the following passage?

"We shall report to the authority by which we have been constituted just as (if the Conference is set up) the Joint Committee would, we presume, be entitled to report its conclusions to the Central Legislature. It is obvious that these should be prepared and presented simultaneously."

(b) What are the reasons that led the Government of India to change the procedure and publish the Report of the Indian Central Committee a few months ahead of the Report of the Statutory Commission?

(c) Did the Central Committee or any of the members of that Committee protest against the advanced publication of their Report?

The Honourable Sir James Crerar: (a) Yes.

(b) It was at the request of the Chairman, and in accordance with the wishes expressed by the Committee, in the 1st and 5th paragraphs of

their own Report, that the Report of the Indian Central Committee was published by the Government of India without waiting for the publication of the Report of the Statutory Commission

(c) No.

Mr. B. Das: Is it a fact that the original publications of the Government of India were destroyed and a second edition was brought out and certain passages of the Central Committee's Reports were omitted?

The Honourable Sir James Crerar: The Government of India had nothing whatever to do with the form and contents of the Reports.

Mr. B. Das: Is it a fact that the first publication of a thousand copies or more was destroyed and a second edition was brought out?

The Honourable Sir James Crerar: I have no information to that effect.

Mr. B. Das: Will the Honourable Member kindly inquire into it?

THE BOMB OUTRAGE TO THE VICEROY'S TRAIN.

188. ***Mr. B. Das:** (a) Will Government be pleased to state if the culprits who bombed the Viceregal train on the 23rd December, 1929, have been arrested?

(b) Is it a fact that bombs were thrown from both sides of the train?

(c) Were the bombs electrically operated or hand operated? Will Government be pleased to make a statement on this dastardly outrage and the result of their investigations up to date?

(d) Was the railway line guarded with the usual police forces that morning or not?

The Honourable Sir James Crerar: (a) No.

(b) No.

(c) The explosion was electrically operated. The matter is under investigation and I regret I am not in a position to make any statement at present.

(d) Yes.

PAY OF TEMPORARY INDIAN MEDICAL SERVICE OFFICERS.

189. ***Mr. M. S. Aney** (on behalf of Mr. Lalchand Navalrai): (a) Is it a fact that temporary Indian Medical Service officers get promotion only once after three years' service during their whole career, whereas permanent Indian Medical Service officers get their increase of pay after every 3rd, 6th and 8th year of service?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state reasons for such a distinction?

(c) Are Government prepared to formulate a scheme for the betterment of such temporary service?

Mr. G. M. Young: (a) The statement is correct, except that permanent officers get increased rates of pay after the third, sixth and ninth years of service, and not the eighth as stated by the Honourable Member.

(b) Temporary officers are not now retained in service after five years, unless they have been selected meanwhile for permanent commissions. During the five years they draw exactly the same rates of pay and allowances as permanent officers.

(c) The answer is in the negative. The terms offered are by no means illiberal or unattractive.

PAY OF TEMPORARY INDIAN MEDICAL SERVICE OFFICERS.

190. ***Mr. M. S. Aney** (on behalf of Mr. Lalchand Navalrai): (a) Is it a fact that, in the Indian Medical Service, a temporary Lieutenant or temporary Captain, even though senior in service in the sense of having held a temporary commission for a longer time, is considered junior to a permanent Lieutenant or Captain recruited anew?

(b) Have there been instances in which temporary commissioned officers of long service have been made to work under permanent commissioned officers having comparatively shorter service?

Mr. G. M. Young: The answer to both parts of the question is in the affirmative, as stated in my reply to Diwan Chaman Lall's starred question No. 803 on the 2nd September, 1927.

APPOINTMENT OF INDIANS TO THE INDIAN MEDICAL SERVICE.

191. ***Mr. M. S. Aney** (on behalf of Mr. Lalchand Navalrai): (a) Will Government be pleased to state the number of permanent medical commissioned officers in the Indian Medical Service at present and how many of them are Indians?

(b) What is the full strength of permanent medical officers in the Indian Medical Service?

(c) Will Government be pleased to state, with reference to the answer given by Mr. G. M. Young to starred question No. 1276 (a) by Mr. K. C. Neogy on the 27th March, 1929, as to when the full strength of the permanent officers will have been recruited? What is the ratio of Indian officers to British officers in such recruitment?

Mr. G. M. Young: (a) 616, of whom 170 are Indians.

(b) 704.

(c) It is not possible to forecast the exact time when the full strength will have been recruited.

The ratio at which recruitment is being carried on at present is one to two.

CONTRACTS FOR LOADING AND UNLOADING GOODS ON THE NORTH WESTERN RAILWAY.

192. ***Mr. M. S. Aney** (on behalf of Mr. Lalchand Navalrai): (a) Are Government aware that there was a departmental arrangement for the loading and unloading of goods and coaching traffic in the North Western Railway (Sind section) before about the year 1910?

(b) Will Government be pleased to state what was the actual expenditure incurred by the Railway per thousand maunds?

(c) Is it a fact that the former system was done away with and the loading and unloading business was given on contract?

(d) If the reply to part (c) is in the affirmative, is it a fact that the contract for Karachi Port was given to one Mr. Brice? If so, when and on what terms and at what rate per thousand maunds?

(e) Is it a fact that the contract has been allowed to continue up to now without inviting fresh tenders in the name of Mr. Brice, though he is said to be dead?

(f) Will Government be pleased to say who actually holds the afore-said contract now and on what terms and under what authority?

(g) What reason has necessitated the Government to continue the old contract to Mr. Brice for the benefit of the present holder?

(h) Do Government propose to give the contract at Karachi Port and at such other places on the North Western Railway, where a similar practice exists, by competition to the person offering the lowest rate?

Mr. A. A. L. Parsons: Information on all the points raised by the Honourable Member's question is not in the possession of Government. I am asking the Agent of the North Western Railway to supply such of this information as may be available and, on hearing from him, I will send a reply to the Honourable Member.

INCOME-TAX OF HINDU UNDIVIDED FAMILIES.

193. ***Pandit Thakur Das Bhargava:** Do Government propose to amend the Indian Income-tax Act with a view to equalise the incidence of income-tax or super-tax in regard to Hindu undivided family, and if so, by what time?

The Honourable Sir George Schuster: As I am unable to understand exactly what is meant by the expression, "To equalise the incidence of income-tax or super-tax in regard to the Hindu undivided family", I regret that I cannot give a definite answer to this question. I may inform the Honourable Member however that I have given careful attention to this matter as a result of certain points which were raised in last year's budget debate. I have satisfied myself, for example, that certain hardships which have been alleged do not arise in practice, and particularly that salaries earned by members of Hindu undivided families are not, as has been stated, added together and taxed as the income of the family, because, under the Hindu Law, as I gather, salary earned by individual exertion or skill cannot be family income, except in certain special circumstances. To place the matter beyond doubt, however, instructions have been inserted in the Income-tax Manual to the following effect:

"The income, profits and gains of a member of an undivided Hindu family are normally treated as joint family property. But where the income consists of his personal earnings and acquisitions by his own exertions, it will, unless it flows from a special education at the expense of the joint family over and above the ordinary education suitable to his position as a member of the joint family, or from the employment in business or otherwise of the joint funds, be treated as his self-acquired property and not as joint family property."

Whatever hardship may exist at present is really due to the provisions of Hindu Law, and as the House is aware, there is a Bill now before it—introduced by my Honourable friend Mr. Jayakar—to secure that gains of learning earned by a Hindu shall not be treated as belonging to the family, even in those circumstances which now make such gains family property. If that Bill becomes law, the Income-tax Department will of course apply it in assessing undivided Hindu families.

GRANT OF AMNESTY TO POLITICAL PRISONERS.

194. ***Pandit Thakur Das Bhargava:** (a) Are Government aware that the various political parties and organisations in the country, except the Indian National Congress, are very much exercised over the failure of the Government to grant an amnesty to the political prisoners and the indifference shown towards them by the Government in this matter?

(b) Will Government kindly state how many cases of sedition and other political cases have been started by Government in the whole of India after the announcement of the Viceroy on the 31st October, 1929?

(c) Is it a fact that the Government issued instructions to the various Local Governments not to start such cases with a view to bring about a calm atmosphere in the country?

The Honourable Sir James Crerar: (a) Government are aware that in some quarters there is a feeling that an amnesty should be granted to prisoners who have committed certain offences against the law with a political motive. They find it difficult, however, to appreciate how it can be expected that the Government should consider any action on these lines in the conditions that unfortunately at present prevail, namely, the existence of an active movement for the attainment of Independence, threats of civil disobedience on a large scale, and numerous inflammatory incitements addressed for the most part to young men and intended to convey to their minds ideas of violent action and revolution.

(b) According to the reports received by the Government of India, the number of such cases is nine.

(c) No, Sir. While Government have not desired to concern themselves with mere expressions of political opinion, which were not believed to be leading towards revolutionary action, their policy has been directed to checking the dangerous activities which I have mentioned in answer to part (a) of this question, and to this policy they must obviously adhere.

EXPENDITURE ON THE STATUTORY COMMISSION AND INDIAN CENTRAL COMMITTEE.

195. ***Pandit Thakur Das Bhargava:** (a) Will Government kindly state what sum of money has been spent over the Indian Central Committee of the Simon Commission and the Simon Commission, so far?

(b) Will Government kindly state what sums have been paid to each member of the Indian Central Committee and of the Simon Commission by way of remuneration, travelling allowance and other allowances?

The Honourable Sir James Crerar: The information asked for by the Honourable Member is being collected and will be supplied to him in due course.

CONTRIBUTORY PROVIDENT FUND SYSTEM FOR GOVERNMENT SERVANTS.

196. ***Mr. G. Sarvotham Rao:** (a) Will Government be pleased to state what is the present stage of the proposal to substitute a contributory provident fund system for Government servants in place of the existing pension system?

(b) Will Government be pleased to say when it is their intention to put the former system into force?

(c) Will Government be pleased to place all relevant papers and correspondence on the table?

The Honourable Sir George Schuster: (a) Local Governments and Service Associations were addressed on the subject on the 8th November, 1929, and it is expected that their replies will be received shortly.

(b) It has yet to be proved that a change in the direction proposed would be acceptable to the general body of Government servants; and it is therefore impossible to say if and when any such scheme will come into force.

(c) It would be premature at this stage to lay the papers on the table.

LATE OFFICE HOURS IN THE SECRETARIAT.

197. ***Mr. G. Sarvotham Rao:** (a) Is it a fact that, during the Viceroyalty of Lord Curzon, the rule was laid down that the prescribed office hours should be strictly adhered to and that instructions were issued to the effect that officers and clerks should not stay in office late, and it was pointed out that staying late meant either incompetence or laziness?

(b) Is it a fact that this practice is being more and more infringed till of late it has become quite common for Secretaries of Departments and other officers in the Government of India to stay late, involving trouble and inconvenience to their clerks and peons, who have to stay late till the officers leave?

(c) If the answer to the above is in the affirmative, are Government prepared to issue instructions to see that the practice of staying late in office is discontinued?

The Honourable Sir James Crerar: (a) I have not as yet been able to trace any such orders, but as very little time has been available I am having the search continued.

(b) Office hours are normally from 10-30—4-30, but at times, especially during the Sessions of the Legislature, the volume of work in the various Departments of the Government of India is so great that officers and others find it necessary to work later. I may add that the staff invariably respond with loyalty and cheerfulness to such occasional but inevitable demands, and that no complaints on this score have been made by the staff themselves.

(c) The Government of India consider that the issue of such instructions is unnecessary.

RENTS OF GOVERNMENT QUARTERS IN SIMLA AND DELHI.

198. ***Mr. G. Sarvotham Rao:** (a) Will Government be pleased to lay on the table statements showing the various classes of accommodation given to officers and subordinates of the Government of India in Simla, and the rents charged therefor, together with particulars of accommodation, locality, etc.?

(b) Will Government be pleased to lay a similar statement in respect of the bungalows and quarters allotted to Government officials in New Delhi and old Delhi?

(c) Is it a fact that the rent charged for an "A" class quarter in Phagli is about the same as that for a "C" class cottage in Bemloe Estate?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The compilation of the statements on the lines asked for by the Honourable Member would involve considerable time and labour, and as they are not likely to serve any useful public purpose, Government do not propose to undertake the compilation. If my Honourable friend wants information on any particular point, and the information can be made available readily, I shall be glad to do my best for him if he will kindly meet me in my office some day.

(c) The answer is in the negative.

NUMBER OF MEMBERS OF VARIOUS COMMUNITIES IN CERTAIN RAILWAY OFFICES.

199. ***Khan Bahadur Makhdum Syed Rajan Bakhsh Shah:** (a) Will Government please state the total number of appointments in the superior staff of the following Departments in the Indian Railways, with pay of Rs. 100 and above that, giving separately appointments for officers and subordinates of each community (Sikhs, Muhammadans, Hindus and others):

1. Inspectors of all Railway Depots.
2. Transportation and Accounts Branches.
3. Engineering Departments.
4. Running and Coaching staff.
5. Clerical staff of officers of Divisional Superintendents.
6. Audit and Accounts officers.
7. Stores Depots officers.

(b) How many subordinates are officiating as officers in each of the above branches and what is their number according to different communities?

Mr. A. A. L. Parsons: (a) I would refer the Honourable Member to Appendix "F" in Volume I and Appendix C in Volume II of the Railway Board's Report on Indian Railways for 1927-28, a copy of which is in the Library. The statistics were formulated in this form after consultation with and acceptance by, the Central Advisory Council for Railways, and Government consider that they give as much detail as is desirable or necessary for keeping a watch on the position on each railway to secure that their policy is carried out.

(b) Government have not the information and regret that they cannot undertake to call for it.

VENDORS AT RAILWAY STATIONS.

200. ***Khan Bahadur Makhdum Syed Rajan Bakhsh Shah:** What is the total number of contractors and vendors engaged on Indian railway stations and how many of them are Muslims?

Mr. A. A. L. Parsons: As there are several thousands of vendors engaged on Indian railway stations, it would require considerable time and labour to obtain the information asked for. However, if the Honourable Member can inform me of any sections of railway where the number of Muslim vendors is considered to be inadequate, I shall be happy to have the matter inquired into:

APPOINTMENT OF MUSLIMS ON SUPERIOR RAILWAY STAFFS.

201. *Khan Bahadur Makhdum Syed Rajan Bakhsh Shah: What is the proportion of Muslims in the recruitment of officers and superior staff in case of the following Railways?—

- (1) North Western Railway, Punjab.
- (2) North West Frontier Province, Baluchistan and Sindh.
- (3) Delhi.
- (4) Muzaffarnagar,
- (5) Meerut and Saharanpur.

Mr. A. A. L. Parsons: As superior officers are recruited for railways as a whole, I am afraid it is not possible to give the Honourable Member the information for which he asks. I can obtain for him, if he desires, the number of Muslims recruited to fill vacancies in the superior services on the North Western Railway as a whole in the last two years, and the proportion this number bears to the total Indians recruited.

RECRUITMENT OF SUBORDINATE STAFF FOR THE NORTH WESTERN RAILWAY.

202. *Khan Bahadur Makhdum Syed Rajan Bakhsh Shah: (a) Are Government aware that in the North Western Railway the recruitment of subordinate ministerial staff (clerical, coaching and running) is made by a Board under the control of the Divisional Superintendents of each Division?

(b) What is the number of Boards held in each Division of the North Western Railway during the last three years?

(c) What is the total number of appointments made by each Board during the last three years in each Division generally, and especially in the Multan Division?

(d) How many of these appointments were allotted to Muhammadans?

Mr. A. A. L. Parsons: I am collecting the information, which will be communicated to the Honourable Member on its receipt.

APPOINTMENT OF MUHAMMADANS TO SUPERIOR POSTS IN THE POSTS AND TELEGRAPHS DEPARTMENT.

203. *Khan Bahadur Makhdum Syed Rajan Bakhsh Shah: (a) Will Government please state the total number of the following appointments in the Indian Posts and Telegraphs Department, separately for each province?—

- (1) Postmasters.
- (2) Deputy Superintendents and Superintendents of Post Offices.
- (3) Deputy Superintendents and Superintendents of Telegraph Traffic.

(b) How many of these appointments are held by Muhammadans?

The Honourable Sir Bhupendra Nath Mitra: There is no appointment of Deputy Superintendent of Post Offices in the Posts and Telegraphs Department. Assuming that, by "Postmasters", the Honourable Member refers to gazetted Postmasters only, a statement giving the information asked for is being furnished to him separately. As the distribution of the appointments referred to is made according to Postal Circles and not according to provinces, the figures in the statement have been shown separately for each Postal Circle.

UNSTARRED QUESTIONS AND ANSWERS.

SIKH HOLIDAYS.

106. Sardar Gulab Singh: (a) Are Government aware that there are 28 bank holidays in a year, out of which 11 have been allotted to the Hindus, 7 to the Christians, 6 to the Moslems and 4 extras?

(b) Are Government aware that there is not a single Sikh holiday in the banks at all, which causes a very great inconvenience and is a severe handicap in the performance of religious functions for the Sikhs employed therein?

(c) Are Government aware that out of the numerous Sikh Gurburbs (religious festivals), the birth anniversary of Shree Guru Nanak Dev (the first Guru and the founder of the Sikhs), the birth Anniversary of Shree Guru Govind Singh (the tenth Guru and the founder of the Khalsa Panth) and the death anniversary of Shree Guru Arjan Dev (the fifth Guru and the author of the Sikh Scriptures) are regarded as the most important of all the days in a year?

(d) Are Government considering the question of sanctioning the above-mentioned three days to be observed as public holidays in the banks and all the other offices of the Government throughout India?

The Honourable Sir James Crerar: (a) The declaration of public holidays in the provinces is a matter for the Local Government concerned under the explanation to section 25 of the Negotiable Instruments Act 1881, and the number of holidays notified naturally varies in different provinces. The Honourable Member would seem to be referring to the holidays notified by the Punjab Government though his figures are not quite accurate.

(b) The Punjab Government notification prescribes holidays for the birthdays of Shree Guru Nanak and Shree Guru Gobind Singh.

(c) Government have no information, but accept the Honourable Member's assurance on the point.

(d) As already explained, the matter is one for Local Governments. The question of some increase in the number of holidays in offices under the Government of India is now under consideration, and it is hoped to issue orders in the matter shortly.

POSSESSION OF KIRPANS BY SIKHS.

107. Sardar Gulab Singh: (a) Are Government aware that the kirpan, which is a religious symbol of the Sikhs, has long been declared to mean a sword and, exempted from the Arms Act for the Sikhs by the High Court and the Punjab Government?

(b) Are Government aware of the fact that, in spite of the above provisions, the Sikhs are still being occasionally arrested for even peaceful possession of the said kirpan?

(c) Have Government considered the question of issuing a circular to all the Provincial Governments in India prohibiting such prosecutions in future?

The Honourable Sir James Crerar: (a) Government are aware that no restrictions are imposed in the Punjab on kirpans possessed or carried by Sikhs.

(b) Government have no information.

(c) The reply is in the negative.

THE KALYAN POWER HOUSE.

108. Mr. N. C. Kelkar: (a) Will Government be pleased to place on the table the estimates that were originally sanctioned by the Railway Finance Committee for the construction of the Power House newly erected at Kalyan?

(b) What was the actual expenditure, and in what respects did it exceed the estimates sanctioned by the Railway Finance Committee?

(c) In connection with the Kalyan Power House, what sort of work is yet to be completed, and how many days will it take for its completion?

(d) Will Government be pleased to state the details of the staff of officers of the Power House who are drawing above Rs. 250 *per mensem* showing the following particulars?—

(1) Name, (2) age, (3) Indian or Anglo-Indian or European, (4) starting pay, (5) qualifications, (6) promotions, (7) allowances.

(e) Was there any recruitment made from outside India for this special work? If so, did Government make inquiries in India, before making such recruitment?

Mr. A. A. L. Parsons: With your permission, Sir, I will answer this and the following question together. The information is being obtained and will be furnished to the Honourable Member on receipt.

ELECTRIFICATION OF THE GREAT INDIAN PENINSULA RAILWAY FROM BOMBAY TO POONA.

†**109. Mr. N. C. Kelkar:** (a) Will Government be pleased to give information about the total cost for the electrification of the railway line from Bombay to Poona, and give details as regards the actual cost of material for construction, supervision, charges, etc.?

(b) How much of this material was purchased in India, England, America and other European countries?

(c) Will Government give an estimate of the total savings, that can be made by electrification in the annual expenditure over this line in various departments?

(d) How many mechanical and electrical engineers, electric engine drivers are working on this line?

(e) How many of them are old hands and how many of them are newly recruited?

(f) Is there any arrangement made by the Great Indian Peninsula Railway for the training of Indians for the working of the electric trains and the maintenance of the electric works?

†For answer to this question, see answer to question No. 108.

(g) Will Government state what are the special facilities available in India, which do not exist in other countries, and which made it possible for the Great Indian Peninsula Railway to undertake electrification over such an unprecedented length as 120 miles, as stated in the opening speech of the Agent of the Railway?

THE HISTORICAL RECORDS COMMISSION.

110. Mr. N. C. Kelkar: (a) What is the constitution of the Historical Records Commission? Is it completely in the charge of the Government of India?

(b) What was the object of Government in starting the work of this Commission?

(c) What work has been completed so far by this Commission and what is the future programme of its work?

(d) What was the cost of the Persian calendars published at the instance of this Commission, and what was the amount realised by the total sales of these volumes?

(e) Are the historical records of the Mongol period in the custody of Government open to the public?

(f) Do Government charge any fee for a research student who wants to take advantage of these records?

(g) Have Government made any arrangements in Calcutta or elsewhere, to make them available to the public? If so, what is the annual expenditure incurred by Government, and for what purpose?

(h) Are the members of the Historical Records Commission paid any honorarium for the work they do?

Sir Frank Noyce: (a) A list of the members of the Indian Historical Records Commission is placed on the table. The members are appointed by the Government of India.

(b) The Honourable Member's attention is invited to the Government of India's Resolution No. 77, dated the 21st March 1919, a copy of which will be found in the Library of the House.

(c) The duties of the Commission are of a purely advisory character. It has not undertaken any definite programme.

(d) The publication of the Calendar of Persian Correspondence was decided upon before the Indian Historical Records Commission was constituted. The total cost of publishing volumes I to IV of this Calendar was approximately Rs. 7,012. The amount so far realised by sale has been about Rs. 1,698.

(e) The records are open to the public for purposes of *bona fide* historical research, subject to the rules framed by the Government of India, a copy of which has been placed in the Library of the House.

(f) No fee is charged from a research student who examines the records personally.

(g) The records are kept at Calcutta and are accessible to the public. All necessary work in this connection is done by the staff of the Imperial Record Department and no additional expenditure is incurred by Government.

(h) No.

Permanent Members of the Indian Historical Records Commission.

The Secretary to the Government of India, Department of Education, Health and Lands ..	<i>Ex-officio</i> President.
The Keeper of the Records of the Government of India ..	<i>Ex-officio</i> Secretary.
The Keeper of the Records, Bengal ..	<i>Ex-officio</i> Member.
The Curator, Madras Record Office ..	<i>Ex-officio</i> Member.
Sir Jadunath Sarkar, Kt., C.I.E., Calcutta ..	Member.
Mr. H. G. Rawlinson, M.A., I.E.S., Poona ..	Member.
Mr. H. L. O. Garrett, M.A., I.E.S., Lahore ..	Member.
Mr. G. S. Sardesai, B.A., of Bombay ..	Member.
Dr. Shafaat Ahmad Khan, M.A., D. Litt., Allahabad.	Member.

TERRITORIAL FORCES IN THE BOMBAY PRESIDENCY.

111. **Mr. N. C. Kelkar:** (a) Will Government be pleased to give figures, district by district, of the Territorial Forces in the Bombay Presidency, together with the expenditure incurred under different heads for these battalions?

(b) What is the present actual strength of the Bombay Urban Territorial Battalion and what is the expenditure incurred for the same under different heads?

(c) Are Government aware that the Poona District Territorial Force Association has mentioned in its last annual report that the arrangements for the training of a separate unit should be made in Poona, and that a new battalion should be formed under the Indian Territorial Force Act? If so, do Government propose to take any steps in this direction?

Mr. G. M. Young: (a) and (b). The following statement shows the authorized establishment and the present strength of the various Indian Territorial Force units constituted for the Bombay Presidency:

District.	Unit.	Sanctioned establishment.	Strength.
Poona (Independent) Brigade Area.	11/5th Mahratta Light Infantry	725	691
Do. do.	1st (Bombay) Battalion, University Training Corps.	663	633
Bombay District	1st Bombay (Parsi) Urban Infantry.	346	16
Do. do.	2nd (Bombay Presidency) Urban Infantry.	346	52

I am afraid that the Army accounts do not show expenditure in the form desired by the Honourable Member, and the information could not be obtained without the expenditure of an inordinate amount of time and labour.

(c) No, Sir.

AERO CLUBS IN INDIA.

112. **Mr. N. C. Kelkar:** Will Government be pleased to state how many Aero Clubs have been started in the whole of India, and how many Indians and non-Indians are trained in the art of flying at each of these clubs? What annual subsidy is granted by the Government of India to these clubs?

The Honourable Sir Bhupendra Nath Mitra: The attention of the Honourable Member is invited to the reply given in the Legislative Assembly on the 20th January, 1930, to the starred question No. 76 asked by Dr. B. S. Moonje. The number of non-Indians trained by the Flying Clubs is:

Delhi ..	11
Bombay ..	4
Bengal ..	17
Karachi ..	15

CADETS FOR THE ROYAL INDIAN MARINE.

113. **Mr. N. C. Kelkar:** (1) How many candidates from each province appeared for the entrance examination of the cadets for the Royal Indian Marine held in July last? How many of them were successful in the examination and found fit for recruitment for learning marine engineering?

(2) Were there any candidates that were not taken up, although they were fit? Is it a fact that the Government of India granted only three scholarships for the same?

(3) Are Government prepared to make arrangements for the training of candidates who, being fit, can make private financial arrangements?

(4) How many new cadets will be taken up this year for marine engineering, and when is the next entrance examination likely to take place?

(5) Did Government send the notification about this examination to the various prominent newspapers, educational institutions, universities, with instructions to send these circulars to the Head Masters of the different high schools? If so, how many circulars were sent in each province and with what effect?

The Honourable Sir George Rainy: It is understood that the Honourable Member's question refers to the examination for the grant of scholarships for the training of Indians as Marine Engineers for employment in the Mercantile Marine and not to the examination held for candidates for the Royal Indian Marine.

As regards parts (1) and (2) of the question, the position is as follows:

A competitive examination was held in July, 1929, for the grant of three State Scholarships of the value of £240 per annum, each tenable in England for the training of Indians in Marine Engineering. 44 candidates sat for the examination, and of these the first three successful candidates were, after an interview by a Selection Committee, selected for the award of the scholarships in question. The number of candidates appearing from the various provinces for the competitive examination was as follows:

(1) Madras	..	..	..	..	..	3
(2) Bombay	..	..	..	..	..	3
(3) Bengal	..	..	..	..	..	7
(4) United Provinces	..	..	..	..	..	11
(5) Punjab	..	..	..	..	..	9
(6) Central Provinces	..	..	..	..	..	1
(7) Bihar and Orissa	..	..	..	..	..	3
(8) Delhi	..	..	..	..	..	7
Total						44

(3) If any such candidate is prepared to make his own personal arrangements, Government are prepared to make inquiries whether facilities for his training can be provided.

(4) Three State scholarships will be awarded in 1930, and the next competitive examination will commence on the 7th April, 1930.

(5) Press communiqués regarding the examination were issued on both occasions and the rules and regulations were published in the *Gazette of India*. Copies of the Notifications were sent to all the Local Governments and Administrations with the request that they be published in the Local Government Gazettes and copies sent to the Universities and the Principals and Head Masters of all important institutions.

TRAINING OF CADETS FOR THE ROYAL INDIAN MARINE.

114. **Mr. N. C. Kelkar:** (a) Are Government aware that a large number of candidates who pass the entrance examination for training on the "Dufferin" are disappointed, as the number of cadets taken each year is limited?

(b) Are Government aware that in Japan arrangements for the training in the first year's course is made in ordinary schools which are situated somewhere near the sea shore? Are Government prepared to make such arrangements in places like Madras, Calcutta, Ratnagiri, etc.?

The Honourable Sir George Rainy: (a) Government are aware that the number of candidates who pass the entrance examination for the "Dufferin" exceeds the number of cadets admitted each year. The number admitted must, however, be limited, in view of the capacity of the ship, the strength of the instructional staff, and the chances of eventual employment for the cadets.

(b) So far as Government are aware, there are at present in Japan one nautical college and ten prefectural nautical schools. As regards the latter part of the question, the attention of the Honourable Member is invited to the reply given by me on the 4th March, 1929, to Mr. Gaya Prasad Singh's question No. 879.

LOCATION OF THE MEDICAL RESEARCH INSTITUTE.

115. **Mr. N. C. Kelkar:** (a) Are Government aware of the resolution passed by the Bombay Legislative Council in its last Session, expressing its opinion that the Medical Research Institute should not be situated at Dehra Dun?

(b) Will Government explain the present position in this matter?

Sir Frank Noyce: (a) Yes.

(b) The detailed estimates of cost for establishing the Institute at Dehra Dun are being worked out.

MILITARY SCHOOLS.

116. **Mr. N. C. Kelkar:** Will Government be pleased to make a statement about the opening of new military schools for the sons of those fathers who were not or are not in the military service?

Mr. G. M. Young: Government have already considered the desirability of issuing a statement on the whole subject of military education, but, in view of the fact that they have received notice of Resolutions connected with it that may come up for discussion during the present Session, they have decided to postpone the issue of a statement for the present.

PROPOSED RAILWAY FROM KOLHAPUR TO VIJAYADURGA.

117. **Mr. N. C. Kelkar:** Is it a fact that the Railway Board are proposing to make a survey for a railway line from Kolhapur to Vijayadurga or some other place on the coastal line of the Ratnagiri District? If so, has the Kolhapur State made any proposals in this matter?

Mr. A. A. L. Parsons: The reply to the first part of the question is in the negative. No proposal has so far been sent to the Railway Board by the Kolhapur Darbar.

DEFINITION OF INDIAN NATIONALS.

118. **Mr. N. C. Kelkar:** Is it a fact that Sir George Godfrey made a statement in the last International Marine Conference that all British subjects, whether Indians or Europeans, are regarded as Indian nationals? Do Government subscribe to this view?

The Honourable Sir Bhupendra Nath Mitra: The Government of India have seen the text of a speech made by Sir Geoffrey Corbett at the 13th (Maritime) Session of the International Labour Conference where the following passage occurred:

"It is enough to say that we in India hold that we are all British subjects, have a common citizenship and have a common allegiance to His Britannic Majesty; and all British subjects resident in India have equal rights, irrespective of race. Similarly every Indian in the United Kingdom has the full rights of a British citizen if he is resident there."

The Government of India have no reason to regard this view as incorrect.

REPRESENTATIVES SENT TO INTERNATIONAL CONFERENCES.

119. **Mr. N. C. Kelkar:** (1) Will Government be pleased to place on the table a copy of the rules and regulations as regards the selection of representatives for the International Conference, if any rules are framed by the League of Nations for this purpose?

(2) Will Government state what is the number of persons sent by Government for the various international conferences and world conferences during the last ten years? Will Government give the names of those persons and the expenditure incurred for them during these years?

The Honourable Sir Brojendra Mitter: (1) The League of Nations has framed no rules or regulations regarding the selection of representatives either at the Assembly of the League or at International Conferences generally or at any specific International Conference.

(2) The information is being collected and will be supplied to the Honourable Member in due course.

PROPAGATION OF INFORMATION ABOUT THE CHILD MARRIAGE RESTRAINT ACT.

120. **Mr. N. C. Kelkar:** Will Government state what arrangements have been made by Government for propaganda in the matter of the Sarda Marriage Act for educating public opinion?

The Honourable Sir James Crerar: The Honourable Member is referred to the answers given by me on the 20th instant to starred questions Nos. 57 and 58 by Mr. B. Das.

STENOGRAPHERS FOR THE INDIAN LABOUR COMMISSION.

121. **Mr. N. C. Kelkar:** (1) Will Government explain the necessity of appointing stenographers from England for the Labour Commission, in view of the fact that there are efficient Indian stenographers available in India?

(2) What are the special qualifications that were found in these stenographers that were not to be found in the stenographers in India?

(3) Were the Government of India consulted in this matter when the appointments were made in England?

The Honourable Sir Bhupendra Nath Mitra: (1) and (2). The attention of the Honourable Member is invited to the replies given by me in the Legislative Assembly on the 26th September, 1929, to the short notice question by Mr. Jamnadas M. Mehta and supplementary questions in that connection by him and Mr. Gaya Prasad Singh.

(3) No.

PROGRAMME OF THE INDIAN LABOUR COMMISSION.

122. **Mr. N. C. Kelkar:** Is it a fact that the Labour Commission is returning to England after finishing its labours in the coming Spring merely for writing an interim report?

The Honourable Sir Bhupendra Nath Mitra: The Commission propose to reassemble in London next summer *inter alia* for discussion and analysis of the material collected during the present winter, and will consider the possibility of writing an *ad interim* report.

RESPONSIBILITY FOR THE ACCIDENT TO THE PESHAWAR-LUCKNOW EXPRESS.

123. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the news published in the issue of the *Statesman* of the 11th January, 1930, page 9, under the heading "11 killed in Head-on Rail Smash—Peshawar-Lucknow Express in Loop Line Disaster"?

(b) If so, will they please state if the statement is correct?

(c) If correct, will they please state who were the officers responsible for the accident, and what steps Government are taking or are going to take in the matter?

Mr. A. A. L. Parsons: (a) Yes.

(b) The number of casualties, as finally confirmed, was 11 killed and 19 injured, one of whom subsequently died.

(c) The Senior Government Inspector of Railways, Lucknow, who held an inquiry into the circumstances of this accident, has reported that the driver of the Express train was primarily responsible for the accident and that a pointsman of Clutterbuckganj station contributed to the occurrence of the accident by leaving his post without permission and before the arrival of his relief.

It is understood that the driver is being prosecuted. It is not at present known what action is being taken as regards the pointsman.

RAILWAY RATES PAYABLE BY GLASS FACTORIES.

124. **Pandit Thakur Das Bhargava:** (a) Is it a fact that the rates charged by the East Indian Railway, both in case of the raw material used in the glass factories and their products, are lower than those charged by the Great Indian Peninsula, North Western, and other railways?

(b) Are Government aware that on account of this inequality of rates the glass factories in provinces through which the East Indian Railway passes are in a position of advantage for trade competition in glass goods as compared with glass factories in other provinces?

(c) Do Government propose to remove this inequality and to equalise rates for the above description of articles on all railways?

Mr. A. A. L. Parsons: (a) The rates charged by the East Indian Railway for some of the raw materials used in glass factories and for their products are lower than those charged on certain other railways, though not in all cases.

(b) No.

(c) The rates charged on different railways for the same commodities are not always uniform owing to financial and other conditions varying. If individual interests consider that they are unduly prejudiced by variations in rates, the matter should be represented to the railways concerned or, if necessary, to Government for investigation by the Railway Rates Advisory Committee.

PROTECTION FOR THE GLASS INDUSTRY.

125. **Pandit Thakur Das Bhargava:** (a) Is it a fact that the Indian Glass Manufacturers Association have been submitting representations to the Government of India, for some measure of protection for the Indian glass industry since 1926?

(b) If so, what action have Government taken on their representation and has the question been referred to the Tariff Board?

(c) If no action has been taken so far, will Government please state by what time they propose to decide if protection is to be extended to the glass industry?

The Honourable Sir George Rainy: The Honourable Member is referred to my answer to a similar question by Mr. S. C. Mitra No. 152, dated the 20th January 1930.

STATEMENT OF BUSINESS.

The Honourable Sir James Grerar (Leader of the House): Sir, I desire, with your permission, to make a statement as to the probable course of Government business in the week beginning February the 3rd. As Honourable Members are aware, Monday the 3rd is a gazetted holiday and there will be no sitting of the House. On Tuesday, the 4th, any business left over from this week in connection with the Sale of Goods legislation will be taken first. Thereafter the House will resume the discussion of the Resolution moved in Simla by the Honourable Sir Bhupendra Nath Mitra regarding the recommendations of the Indian Road Development Committee. On Thursday the 6th unfinished business of Tuesday the 4th will be placed first on the list. Thereafter motions will be made to take into consideration and pass the Provident Funds Amendment Bill, as passed by the Council of State, and the Bill to amend the Indian Income-Tax Act, in connection with which the Report of the Select Committee is to be laid today. The last item on the list will be the Railway Supplementary Grants.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes (Amendment of sections 2, 23, etc.).

THE INDIAN SALE OF GOODS BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move that the Bill to define and amend the law relating to the sale of goods, as reported by the Select Committee, be taken into consideration.

THE INDIAN SALE OF GOODS BILL.

At the last Simla Session I gave this House a short history of the Bill and indicated the main lines on which it had been drafted. The Bill has been received in legal and commercial circles all over India with an amount of approval and commendation which cannot but be gratifying to those responsible for it. I shall not take up the time of the House by reading all the encomiums which the Bill has evoked. By way of sample I shall place a few before the House. The Bengal Chamber of Commerce observes:

"The Committee are glad to say that, as a result of their examination of the provisions of the Bill, they are able to approve generally of these, and this being so, they do not propose to comment on the clauses in detail."

The Indian Chamber of Commerce, Calcutta, says this:

"The opinions elicited go to show that, while the Bill is of the greatest importance to the commercial community, its examination is so greatly a matter for trained legal opinion that a commercial opinion must of necessity take quite a subordinate place with regard to the Bill. My Committee, however, are satisfied that the Bill is a considerable improvement on the existing legislation and deserving of support."

The Burma Government writes:

"The Rangoon Trades Association, the Burma Indian Chamber of Commerce, the Burma Chamber of Commerce, the Chettias Trades Association, Purma, the Chinese Chamber of Commerce have all replied supporting the Bill, and it may be taken that the Bill is welcomed by the whole commercial community in Burma."

The Marwari Chamber of Commerce, Bombay, writes:

"In conclusion I am directed to convey to the Government of India my Board's great appreciation of the careful, lucid and able drafting of the Bill under consideration. The Board tender their congratulations to the draftsman and are glad to record their view that, from the point of view of the mercantile public, the proposed Bill is a great improvement upon the existing law on the subject."

Sir, many of the opinions received by us contained useful suggestions for further improving the Bill and we adopted some of them in the Select Committee. I wish in this connection to acknowledge in particular, our indebtedness to Mr. Justice Lort-Williams of Calcutta, Mr. Justice Lal Gopal Mukherji of Allahabad and Mr. Ramfry, Chief Judge of the Court of Small Causes, Calcutta, the Bengal Chamber of Commerce, Calcutta, and the Indian Chamber of Commerce, Bombay. The Report of the Select Committee deals with the important suggestions received, those which we accepted, as well as those which we were unable to accept. The most important change made in the Select Committee is the redrafting of clauses 27 and 29 and the employment of the expression "mercantile agent" which we took from the English Factors Act. These clauses deal with sales by ostensible owners. We have limited these to sales by mercantile agents to *bona fide* buyers and have also limited avoidable contracts to sections 19 and 19A of the Indian Contract Act, irrespective of any element of offence in them. The reasons are fully set out in the Report of the Select Committee.

The important suggestions which we were unable to accept are, first, the inclusion of mates' receipts in the category of documents of title; secondly, the extension of the doctrine of "market overt" to India, and thirdly, the basis of damages in the case of anticipatory breach, being the market rate on the date of repudiation. I hope the reasons which we have given in the Report of the Select Committee will be found convincing.

[Sir Brojendra Mitter.]

Sir, the Bill as it has emerged from the Select Committee is the result of untiring labour, specialised knowledge and practical experience. We steadily kept in view the sanctity of freedom of contract and the protection due to the *bond fide* trader. Sir, I hope the Bill as amended by the Select Committee, will be passed by the House without any alteration.

Sir, I move.

Mr. G. W. Chambers (Associated Chamber of Commerce: Nominated Non-Official): Sir, I should like to endorse what has fallen from the Honourable Law Member, as it must be very gratifying not only to him but to the other members of what I might call the Technical Committee that so much approval has been given to their work. It may be said, therefore, that the appointment of that Committee was a very good investment. It is not often that so many and so varied public commercial bodies, both Indian and otherwise, cannot find some criticism. They nearly always do in my humble experience, but more than one of them says they have been so satisfied that they have no comments to make. Again I think it is an excellent thing that the Select Committee was able to incorporate various useful suggestions that they had received from certain bodies. I would therefore like to support the Bill.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I rise to give my very cordial support to the motion before the House. I owe an apology to the House for my inability to sign the Select Committee's Report for reasons which the Honourable Law Member knows and understands very fully. I have no hesitation in saying that those Members of the Government of India and also the other Members who put their hands to this Bill as it is now before the House deserve very well of both the Government and the public of India. I feel that the Honourable Law Member himself will endorse it if I say that the Government of India and this House owe a debt of gratitude to my friend, Sir Dinshaw Mulla, (applause) for all the assistance that he has given and for the readiness with which he put his expert knowledge at the disposal of the Government and this House. Having been unable to avail myself of my friend Sir Dinshaw Mulla's expert knowledge at the Select Committee meeting, I troubled him yesterday, and we spent the best part of two hours together in myself trying to understand some of the points which I was not able to understand owing to my want of intimacy with the legal points.

Section 29, Sir, is one which I think is a departure from the law in India as it exists now, and I am very much gratified to learn that, on the whole, it has met with the approval of people whose opinions were sought. My own Chamber devoted the best part of several weeks to a study of the Bill and has made suggestions to the Government regarding the Bill before the House and I have heard in several quarters general appreciation for the labour and expert knowledge which have been brought to bear on this draft Bill. I am particularly gratified, Sir, that the railway receipt is now brought in as a document of title to goods, and I am sure that the Indian commercial community that has to deal in railway receipts either as principal or as agent, either as buyer or as seller,

will very much welcome this point being made clear and definite. I myself happen to be connected with a trade which handles railway receipts greatly, I mean the raw cotton trade, and I know what complications arise now owing to the railway receipt not being recognised as such. Although some of the suggestions of my Chamber have not been accepted by the Select Committee, I have no hesitation in saying that the measure now before the House is good enough to deserve their approval.

Mr. President: The question is:

"That the Bill to define and amend the law relating to the sale of goods, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2, 3 and 4 were added to the Bill.

Mr. President: The question is:

"That clause 5 stand part of the Bill."

Lala Rang Behari Lal (Delhi: General): Sir, I beg to move:

"That in sub-clause (1) of clause 5, after the words 'or for the delivery or payment by instalments', the words 'or both' be inserted."

The object of the Bill is to define and amend the present law relating to sale of goods, or in other words to make such changes as will make it more definite. Clause 5, after stating as to how a contract is made, gives definite hints as to the matters which can be provided for by the contract. It is a guide to contracting parties as to the terms that can be provided for in the contract. In the beginning when the Bill was introduced, clause 5 made no provision for partial payment or partial delivery although the law as contained in the Indian Contract Act does provide for partial payment and partial delivery. It was only after the circulation and receipt of opinions that the Select Committee decided to recognise the principle. But the language used in clause 5 leaves it doubtful, or at least does not clearly express that in one contract there can be provision for part payment and part delivery, or instalments both as regards payment and delivery of goods. Now if the phrase relating to part payment and part delivery were altogether absent, then the contracting parties could have made a contract for part payment and part delivery, but the addition of this sentence, "for the delivery or payment by instalments" and the use of the words "or both" in the preceding and subsequent sentences makes it doubtful that a contract can have provision both for part payment and part delivery.

In interpreting statutes, courts interpret the words of the statutes as they stand and do not add any words which find no place in the statute itself. The intention of the Legislature is derived from the words used, and in a case like the present, where the words "or both" are used in the preceding and subsequent sentences, it will be assumed that the Legislature did not intend that one contract might provide both for partial payment and partial delivery. This clearly is not the intention of the Legislature. Surely, the Select Committee did not intend to prohibit a contract containing provisions for part payment and part delivery. Therefore, Sir, to put it more definitely and clearly, I submit the addition of the words is essential.

Sir, I move.

The Honourable Sir Brojendra Mitter: Sir, I am sorry I have to oppose the amendment on the simple ground that it is not necessary. The clause as drafted does provide for what the Honourable Member wants, and the addition of these superfluous words, "or both" would not make the clause any the clearer. As the clause stands, both part payment and part delivery are permissible on the principle that the whole includes a part.

Mr. President: The question is:

"That in sub-clause (1) of clause 5, after the words 'or for the delivery or payment by instalments', the words 'or both' be inserted."

The motion was negatived.

Clause 5 was added to the Bill.

Clauses 6 and 7 were added to the Bill.

Mr. President: The question is:

"That clause 8 stand part of the Bill."

Lala Rang Behari Lal: Sir, I move:

"That to clause 8 of the Bill the following proviso be added:

"Provided that if only a portion of the goods contracted to be sold perishes or becomes so damaged as no longer to answer to the description in the contract, the buyer shall have the option to keep the agreement alive and enforceable to the extent of such portion, the contract relating to the portion so perished shall be avoided."

This clause is based on section 7 of the English Sale of Goods Act and provides for the case of the destruction or damage of the total quantity of the contracted goods, but apparently makes no provision for the case where a portion of the specific goods contracted for is destroyed or damaged. In face of the present provision, the whole contract would be avoided presumably, if the market is rising, by the seller. To illustrate my meaning, I would give a few examples. Suppose "A" buys from "B" 200 specific bales of long-cloth, but before performance, 50 bales are destroyed, the remaining 150 bales answer to the description in the contract; I may add that in the meantime the market has risen and there is an appreciable margin of profit. Under these circumstances the seller, taking advantage of the provisions of clause 8, refuses to give delivery and avoids the contract. Apparently the buyer has no remedy, but this is unjust and inequitable. So long as the buyer is ready to pay for and take delivery of the undestroyed portion, there seems to be no reason why he should be deprived of the benefits of his contract. Of course, the seller cannot force him to agree to take a lesser quantity than that contracted for, but, if the buyer chooses to accept a lesser quantity, he should not be allowed to refuse delivery. Section 63 of the Contract Act authorises him to remit wholly or in part the performance of the promise made to him, or to accept instead any satisfaction which he thinks fit. Now, this section is not proposed to be repealed; and although this section gives the buyer a right to remit performance of the contract, consistently with the spirit of this section, the buyer must have the option in cases of impossibility of performance of the whole contract to enforce or rescind the contract which remains capable of performance. Therefore, a provision providing for cases of partial destruction is essential.

Sir, I move.

Sir Dinshaw Mulla (Bombay: Nominated Non-Official): Sir, I oppose the amendment. The Honourable Member has no doubt made out a plausible case, but suppose that goods are sold for a lump sum, then what about the price of the rest of the goods, and, further within what time is the delivery of the rest of the goods to be made? You cannot split a contract. Moreover, clause 8 is concerned not with partial loss or partial delivery, but contemplates cases where the goods or bulk of them are destroyed, so that the goods pertaining to the contract are no longer in existence. In such cases the contract must come to an end.

The motion was negatived.

Clause 8 was added to the Bill.

Clauses 9 to 34 were added to the Bill.

Mr. President: The question is:

"That clause 35 stand part of the Bill."

Lala Rang Behari Lal: Sir, I move:

"That in clause 35, after the word 'express', the words 'or implied' be inserted."

This section apparently embodies the principle enunciated in section 93 of the Indian Contracts Act. But there is a slight change in the wording. In section 93 of the Contract Act the words used are "in the absence of any special promise", while in the present Bill the words are "apart from any express contract". Now, special promise includes or may include both an express or implied promise, but express contract excludes the idea of an implied term. This clause only deals with the application for delivery, but in a very similar case, i.e., place of delivery, in clause 36 of this Bill and section 29 of the English Act the words "express or implied" are used with the word 'contract'. There seems to be no reason why the contract, in the case of application for delivery, should be only express and not implied, especially when mercantile contracts are generally brief and leave more to implication than to express terms. Thus, in a case where, according to the course of dealings between the parties, the seller always delivered without application by the buyer and in the contract there was no such express term, there is no reason why such a term should not be implied and acted upon. I submit the absence of the word "implied" would cause hardship to the mercantile community who are in the habit of leaving those terms unmentioned which are implied from the language of the contract or course of dealings. I therefore submit that the word "implied" be inserted.

Sir, I move.

The Honourable Sir Brojendra Mitter: Sir, I oppose this amendment. The expression contained in the existing law in the Contract Act, section 93, is, "in the absence of any special promise". The Honourable Member moving the amendment says that that means an express or implied agreement. I submit, Sir, that a special promise can only mean an express agreement and not an implied agreement. Implied agreements very often import usages of trade, but a special promise cannot import usage of trade. Therefore, "special promise", in my submission, means only express agreement. We have adopted the expression "express agreement" for the sake of uniformity because "express" and "implied" are the words used

[SIR BROJENDRA MITTER.]

throughout the Bill. Then the Honourable Member said that in the English Act there is provision for an implied agreement. I am afraid the Honourable Member was thinking of English decisions and not the English Act, because the English Act is silent on the point.

Lala Rang Behari Lal: I said that the English Act refers to contract as to place of delivery, both express and implied.

The Honourable Sir Brojendra Mitter: I refer Honourable Members to Notes on Clauses annexed to the Bill. It is true there is no specific provision in the English Act corresponding to it, but the principle seems to have been well recognised in England also. It has been held that in the absence of a contrary agreement, a seller is not bound to send or carry the goods to the buyer; he may leave or place the goods at the buyer's disposal, so that the latter is able to remove them. In the opinion of Chalmers there is nothing in the wording of the English Act to displace this rule; and Halsbury is also of the same opinion. There was much discussion amongst the members of the Special Committee on the question as to whether the expression "apart from any contract" or "in the absence of a contract to the contrary" should be substituted for the expression "apart from any express contract" and clauses 5, 36 and 62 of the Bill were considered. We preferred the expression "apart from any express contract", as the rule enunciated in clause 35 had been in existence since 1872 and had been adopted in actual practice. I may go further and say that the rule existed even before the Indian Contract Act was enacted in 1872, as an old case reported in I Madras High Court Reports, page 162 will show. That has worked well in practice and we saw no reason to make a change.

Mr. President: The question is:

"That in Clause 35, after the word 'express', the words 'or implied' be inserted."

The motion was negatived.

Lala Rang Behari Lal: Sir, I move:

"That in Clause 35, after the word 'contract', the words 'or any usage of trade to the contrary' be inserted."

In the construction of mercantile contracts, trade usages play a very great part. They are always recognised and given effect to. In the case of application for delivery in different markets there are trade usages, especially in relation to forward contracts, which require that the sellers will issue delivery orders. Now the issue of delivery orders *suo moto* is incompatible with the buyer applying for delivery. In such cases, to insist that, since there is no express term in the contract the buyer must apply for delivery, otherwise he is guilty of breach, would be very hard on the buyer and would be acting against the trade custom, and since mercantile law recognises trade usages, the addition of the words in the clause should be made.

Sir, I move.

The Honourable Sir Brojendra Mitter: Sir, I am afraid the Honourable Member is under a misapprehension, because clause 62 expressly provides for usages of trade and it is not necessary to have usage of trade in every clause of this Bill. I oppose the amendment.

Mr. President: The question is:

"That in clause 35, after the word 'contract', the words 'or any usage of trade to the contrary' be inserted."

The motion was negatived.

Clause 35 was added to the Bill.

Clause 36 was added to the Bill.

Mr. President: The question is:

"That clause 37 stand part of the Bill."

Lala Rang Behari Lal: Sir, I move:

"That at the end of clause 37 (1) of the Bill, the following be added:
'and may claim damages for non-delivery of the remaining quantity'."

This clause, as it stands, conveys the idea that, in case of short tender of goods, the buyer may reject the goods as he is not bound to accept short quantity. But if he accepts them, "he shall pay for them at the contract rate", conveys the idea that the buyer accepts the goods in complete performance of the contract and forgoes his right to claim performance, or in its absence damages, for the balance. Now this clearly is not the intention of this clause and if it were it would be unjust and inequitable, because every seller in a rising market would offer short quantity, and if accepted escape liability for the balance. In these circumstances it is necessary to give recognition to the right of the buyer for damages for non-performance of a part of the contract.

Really the conduct of the seller in offering short quantity amounts to a breach of the contract, and the conduct of the buyer in accepting the goods amounts to a mitigation of damages, but this should not deprive him of his right to claim damages for the balance if he so desires.

Sir, I move.

Sir Dinshaw Mulla: Sir, I oppose the amendment. The clause as it stands runs thus:

"Where the seller delivers to the buyer a quantity of goods less than he contracted to sell, the buyer may reject them, but if the buyer accepts the goods so delivered he shall pay for them at the contract rate."

The proposed amendment is to add at the end of the clause the words "and may claim damages for non-delivery of the remaining quantity". The Honourable Member said that, unless those words were added, the seller might take advantage of a rising market and offer to the buyer a smaller quantity; but then the clause expressly provides that, in such a case, it is quite competent to the buyer to refuse to take any delivery at all, and he may sue the seller for damages for the whole. That being the case, there is no injustice involved. Moreover, this clause has been taken from the English Act of 1893. No difficulty of any kind has arisen. Such being the case, we do not consider it desirable to make any departure from it. So far as the suggestion of the Honourable Member is concerned, I submit that the answer which I have given is sufficient to meet the difficulty.

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LEGISLATIVE ASSEMBLY.

[29TH JAN. 1930.]

Mr. President: The question is:

"That at the end of clause 37 (1) of the Bill the following be added:
'and may claim damages for non-delivery of the remaining quantity'."

The motion was negatived.

Lala Rang Behari Lal: Sir, I move:

"That in sub-clause (2) of clause 37 the words 'or he may reject the whole' be omitted."

This clause is based on section 30 of the English Act. Similar provisions, though on a modified scale, exist in section 119 of the Indian Contract Act.

The objection against the deletion of these words can be that the offer of a larger quantity is a fresh offer which the buyer may or may not accept; consequently he may reject the offer and call for damages for breach of the contract.

Now this position may sound very well in law, but in certain cases it may work very great hardship and may become inequitable. Take the case of a man who is a timber merchant in Delhi and who contracts to deliver, say 15,000 logs of timber, to another merchant at Lahore, but he has to purchase those goods from Halduani Mandi. He asks his agent to despatch goods to Lahore, but on receiving the railway receipt he finds that his agent has despatched 18,000 logs, *i.e.*, 3,000 more than the contracted quantity. Now the Lahore merchant, if the clause stands as it is, would be entitled to reject the whole and put the seller to a great loss, but if the amendment is made, he is only entitled to reject 3,000, the excess quantity offered. The Contract Act, (section 119), provided that, if the excess quantity could be easily separated, the goods could not be rejected. Another instance may arise in the case of goods indented for from abroad. Suppose a bale of piece-goods of 50 pieces is ordered, and when supplied, it contains 52 pieces; under the circumstances if the bale is rejected, the seller suffers great loss. It is to safeguard such cases that I want this amendment to be made.

Sir, I move.

Sir Dinshaw Mulla: Sir, I oppose this amendment also. The clause now provides that if a seller delivers to the buyer a larger quantity of goods than he contracted to sell, the buyer may accept the goods included in the contract and reject the rest or he may reject the whole. The proposal involved is the omission of the words mentioned in the amendment. Supposing, in the case mentioned by the Honourable Member, instead of 15,000 logs, 18,000 are sent; the question may then arise whether it is competent to the buyer to select the 15,000 best logs and to reject the 3,000 worst. It is with a view to avoid difficulties of this kind that these words have been retained "or he may reject the whole".

Mr. President: The question is:

"That in sub-clause (2) of clause 37 the words 'or he may reject the whole' be omitted."

The motion was negatived.

Clause 37 was added to the Bill.

Clauses 38 to 54 were added to the Bill.

Mr. President: The question is:

"That clause 55 stand part of the Bill."

Lala Rang Behari Lal: Sir, I move:

"That in sub-clause (2) of clause 55 the words 'and the goods have not been appropriated to the contract' be omitted."

These words, if not deleted, would be a source of increasing litigation and consequently troublesome for the mercantile community. It may be said in reply that similar provisions exist in the English Act. They may exist, but in adopting them, we have to see whether they are good or bad and whether they suit our country and would be conducive to the well being of the society, or would be a source of litigation and harassment. The principles on which suits for price of goods are allowed are that, on the completion of a sale by delivery of goods, or by the passing of property in the goods, the buyer becomes a debtor and as such he is bound to pay. Thus, these suits owed in debt and not in damages.

But in cases where the goods are not even appropriated to the contract, not to say of ascertainment and passing of property the action cannot be said to be for debt. It can neither be an action for damages, as the measure of damages is the difference between contract rate and market rate. In any case, before an action for damages can be sustained, the plaintiff must show his readiness and willingness, that is, appropriation of the goods. Thus, this suit is out of the two categories of a suit for debt or for damages. Under what category it will fall I am at a loss to comprehend.

Then, Sir, the Civil Procedure Code makes no provision for a suit of this type. In addition to this objection, the retention of this clause would give unnecessary advantage to the seller over the buyer. He can, even without appropriating the goods or without in the least showing his readiness and willingness or even preparation for performance, realise the price of the goods, and subsequently fail to appropriate or deliver the goods, and in cases where, after realising big amounts, the seller becomes insolvent, the poor buyer has practically no remedy. Therefore I submit, in order to protect the interests of buyers and to keep trade at its normal, the deletion of these words is essential. Sir, I move.

Sir Dinshaw Mulla: Sir, I oppose the amendment. There is no question of any poor buyer in this case, because what the clause says is this:

"Where under a contract of sale the price is payable on a day certain irrespective of delivery and the buyer wrongfully neglects or refuses to pay such price, the seller may sue him . . ."

So, here there is an express contract between the buyer and the seller that the price has to be paid on a certain day. Not only that, but that the price has to be paid irrespective of delivery: and further "where the buyer wrongfully neglects or refuses to pay". The Honourable Member says it is neither a suit for debt nor a suit for damages. But it is clearly a suit for the price and a suit for the price is a suit for debt; it could not possibly be a suit for damages or a suit for anything else. Such being the case, I oppose the amendment.

Mr. President: The question is:

"That in sub-clause (2) of clause 55 the words 'and the goods have not been appropriated to the contract' be omitted."

The motion was negatived.

Clause 55 was added to the Bill.

Clauses 56 to 60 were added to the Bill.

Mr. President: Clause 61.

12 Noon. **Lala Rang Behari Lal:** Sir, I do not wish to move my amendment.

Clauses 61 to 66 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Brojendra Mitter: Sir, I beg to move that the Bill, as amended by the Select Committee, be passed.

The motion was adopted.

THE INDIAN CONTRACT (AMENDMENT) BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move that the Bill to amend section 178 of the Indian Contract Act, 1872, as reported by the Select Committee, be taken into consideration. This Bill is consequential on clauses 27 and 29 of the Indian Sale of Goods Bill, which has just been passed. Clauses 27 and 29 deal with sales by ostensible owners, whereas section 178 of the Indian Contract Act deals with pledges by ostensible owners, and in this Bill we have brought section 178 into line with clauses 27 and 29.

Mr. President: The question is:

"That the Bill to amend section 178 of the Indian Contract Act, 1872, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Brojendra Mitter: Sir, I beg to move that the Bill be passed. It was not amended in the Select Committee.

Mr. President: The question is:

"That the Bill to amend section 178 of the Indian Contract Act, 1872, as reported by the Select Committee, be passed."

The motion was adopted.

THE TRANSFER OF PROPERTY (AMENDMENT) BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move that the Bill to amend the Transfer of Property (Amendment) Act, 1929, for a certain purpose be taken into consideration. As I explained when I introduced the Bill, this short amendment is necessary, because there was an unwitting omission in the Transfer of Property (Amendment) Act. We provided for a case where registration of a document was effected in a Presidency town, but we omitted to provide for a case where registration was effected in a sub-registry when properties scattered over different sub-registries were embodied in the same document, and it is to provide for that omission that this Bill is necessary.

Mr. President: The question is:

"That the Bill to amend the Transfer of Property (Amendment) Act, 1929, for a certain purpose, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Brojendra Mitter: Sir, I move that the Bill be passed.

The motion was adopted.

Mr. President: We don't meet tomorrow?

The Honourable Sir James Crerar (Leader of the House): No, Sir; the business on the Agenda, having been very expeditiously transacted today, there is no business for tomorrow.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 4th February, 1930.



Mr. President: The question is:

"That in sub-clause (2) of clause 55 the words 'and the goods have not been appropriated to the contract' be omitted."

The motion was negatived.

Clause 55 was added to the Bill.

Clauses 56 to 60 were added to the Bill.

Mr. President: Clause 61.

12 Noon. **Lala Rang Behari Lal:** Sir, I do not wish to move my amendment.

Clauses 61 to 66 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Brojendra Mitter: Sir, I beg to move that the Bill, as amended by the Select Committee, be passed.

The motion was adopted.

THE INDIAN CONTRACT (AMENDMENT) BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move that the Bill to amend section 178 of the Indian Contract Act, 1872, as reported by the Select Committee, be taken into consideration. This Bill is consequential on clauses 27 and 29 of the Indian Sale of Goods Bill, which has just been passed. Clauses 27 and 29 deal with sales by ostensible owners, whereas section 178 of the Indian Contract Act deals with pledges by ostensible owners, and in this Bill we have brought section 178 into line with clauses 27 and 29.

Mr. President: The question is:

"That the Bill to amend section 178 of the Indian Contract Act, 1872, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Brojendra Mitter: Sir, I beg to move that the Bill be passed. It was not amended in the Select Committee.

Mr. President: The question is:

"That the Bill to amend section 178 of the Indian Contract Act, 1872, as reported by the Select Committee, be passed."

The motion was adopted.

THE TRANSFER OF PROPERTY (AMENDMENT) BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move that the Bill to amend the Transfer of Property (Amendment) Act, 1929, for a certain purpose be taken into consideration. As I explained when I introduced the Bill, this short amendment is necessary, because there was an unwitting omission in the Transfer of Property (Amendment) Act. We provided for a case where registration of a document was effected in a Presidency town, but we omitted to provide for a case where registration was effected in a sub-registry when properties scattered over different sub-registries were embodied in the same document, and it is to provide for that omission that this Bill is necessary.

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The motion was adopted.

Clause 2 was added to the Bill.

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The motion was adopted.

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LEGISLATIVE ASSEMBLY.

Tuesday, 4th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

INFECTED GARMENTS RETURNED BY THE ORDNANCE CLOTHING DEPARTMENT.

204. ***Mr. Abdul Latif Sahib Farookhi:** What is the remedy followed by the Ordnance Clothing Department for garments returned made up by the contractors during an epidemic season, that is when cholera or small-pox breaks out in the city? Will that remedy prove effective in the case of stained garments which may be infected by venereal diseases?

Mr. G. M. Young: The information is being obtained and will be furnished to the Honourable Member in due course.

GRANT OF A GRATUITY TO TEMPORARY COMMISSIONED MEDICAL OFFICERS.

205. ***Mr. Lalchand Navalrai:** (a) What compensation do temporary commissioned medical officers get from Government when they are thrown out of the service?

(b) Is it a fact that there is a similar temporary service in England in the Royal Army Medical Corps and Royal Navy?

(c) If the reply to part (b) is in the affirmative, is it a fact that they get a gratuity of £300 after three years' service? If not, how much do they get?

(d) Do Government propose, in view of the hardship to such Indian medical officers owing to being discharged after serving for a number of years, to provide gratuity or bonus for them on termination of their temporary commission?

(e) If the answer to part (d) be in the negative, will Government be pleased to state full reasons for not extending a reasonable concession to such temporary officers after their having done so useful a service?

Mr. G. M. Young: (a) There is no question of compensation. Temporary officers are engaged on contracts renewable yearly. The terms offered are by no means unattractive. The rates of pay and allowances are the same as in the permanent service.

(b) and (c). Government have no information of the practice in the Royal Navy. In the Royal Army Medical Corps there is a system of temporary officers whose services are liable to termination at one month's notice on either side. No gratuity is paid.

LEGISLATIVE ASSEMBLY.

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(b) and (c). Government have no information of the practice in the Royal Navy. In the Royal Army Medical Corps there is a system of temporary officers whose services are liable to termination at one month's notice on either side. No gratuity is paid.

Information to be supplied by a member of the Indian Civil Service who is a candidate for Political employ.

1. Name and profession of father . . .	1.
2. Where educated	2.
3. University honours and distinctions . . .	3.
4. Language qualifications, stating degree of proficiency and examination (if any) passed in each.	4.
5. Brief statement of how and where service has been passed.	5.
6. Whether married or single	6.
7. Names of any near relatives who have served or are serving in India.	7.
8. Names of persons, other than immediate superiors, who can testify to character and qualifications.	8.
Dated the of 19	

QUESTIONS AND ANSWERS.

Information to be supplied by his immediate superiors respecting an applicant for Political employ.

(This form should be forwarded through the Local Government, for transmission, with remarks, to the Secretary to the Government of India in the Foreign and Political Department.)

1. How long have you been acquainted with ?	1.
*2. Is he popular—	2.
(a) with his brother British officers and in society generally ?	(a)
(b) with those Natives of India with whom his duties or relations bring him into contact ?	(b)
*3. Do you consider that he shows tact in dealings with Natives of India ?	3.
4. Give a Medical Officer's opinion respecting his physique and general health.	4.
5. Is he of active habits and proficient in field sports ?	5.
6. Is he a good, bad or indifferent horseman?	6.
*7. Do you consider him to be in general ability above, up to, or under the average of his rank and service ?	7.
8. Has in any way specially distinguished himself ?	8.
*9. Add any general remarks you may have to offer in respect to his ability, character, etc.	9.

*It will be convenient if reasons are given for the replies to these questions, which should usually be answered in some detail.

Rules regulating the admission of junior military officers to the Political Department of the Government of India (vide Notifications No. 2016-Est. A., dated the 31st August, 1914, and No. 135-Est. A., dated the 25th January, 1916).

1. All applications for employment in the Political Department should be submitted officially through the proper channels, with information in the form attached. Such applications will be considered by the Government of India in the Foreign and Political Department, and each candidate will be duly informed, through the military authorities, of the result of his application. Applications should not be submitted until the applicant has passed all the prescribed examinations for admission to the Indian Army, and officers will not be appointed to the Department until they have qualified for promotion to the rank of Captain.

Officers are not ordinarily eligible for appointment to the Political Department if they are married.

2. The name of an accepted candidate for the Political Department will ordinarily be removed from the list (a) in the event of his marriage; or (b) if he should obtain any other permanent extra-regimental employ, e.g., in the Military Accounts Department; or (c) when he completes seven years' army service; or attains the age of twenty-seven years.

3. In making selections much weight will be given to linguistic attainments, especially Urdu, Hindi, Persian, in the languages specified in the margin. Pushtu, Arabic, Russian and French.

4. Officers selected for employment in the Political Department will be required to undergo a medical examination.

5. First appointments to the Political Department will ordinarily be made with effect from the 1st April in each year; and all officers, who are appointed to the Department, will be on probation for a period of not less than three years, from the date of first appointment. No officer will ordinarily be confirmed in the Department unless he is free from debt.

6. An officer, on first appointment to the Political Department will, as a general rule, be attached to a district in the United Provinces of Agra and Oudh for a period of not less than eighteen months, to undergo a course of training in revenue and judicial work similar to that prescribed for Assistant Collectors in that Province, and to acquire proficiency in Urdu. During this period he will be required to pass a departmental test, which will be identical with that prescribed for members of the Indian Civil Service in the United Provinces, except that (1) the use of books will be allowed in all subjects, except in Urdu and in Treasury and Accounts, (2) probationers will not be expected to pass the local examination in Hindi. Particular importance will be attached to a probationer's ability to speak Urdu fluently and in a manner befitting the occasion.

NOTE.—An officer who has passed the Proficiency examination in Urdu will be exempted from further examination in that language while undergoing training in the United Provinces.

7. Should an officer fail to pass the departmental examination within the period of his training, he will ordinarily revert to military duty.

8. On the expiry of the period of preliminary training, a probationer will be posted for six months to a Native State or a Frontier District for training in political or frontier work. At the end of this period, his general knowledge of Indian History and Political subjects or frontier conditions will be tested by examination, which will be both oral and in writing and include questions on the following works:

For officers under training in a Native State.

(a) Lyall's "Rise and Expansion of the British Dominion in India."

(b) The introduction to Aitchison's Treaties for Central India or Rajputana as the case may be, and

(c) The Political Department Manual.

For officers under training on the Frontier.

(a) Lyall's "Rise and Expansion of the British Dominion in India."

(b) The introduction to Aitchison's Treaties in regard to Afghanistan.

(c) Articles in the Imperial Gazetteer on the North-West Frontier Province and Baluchistan.

Candidates will also be expected to have some knowledge of standard works bearing on the country in which they are serving, i.e., in the case of:

Native States.—Tod's *Rajasthan*, Malcolm's "Central India," Sleeman's "Rambles and Recollections," Lyall's "Asiatic Studies;" and in the case of:

The Frontier.—Edward's "Year on the Punjab Frontier," Thornton's "Life of Sir Robert Sandeman," Chirol's "The Middle Eastern Question."

9. During the period of an officer's probation, reports on his work and general suitability for the Political Department will be submitted once every six months, through the proper channels, by the Collector or Political Officer under whom he is serving. Should an officer marry during this period he will ordinarily revert to military duty.

10. Nothing in these rules shall interfere in any way with the absolute discretion of the Viceroy to select any officer for the Political Department.

Information to be supplied by a candidate for Political employ.

1. Name and profession of father . . .	1.
2. Date of candidate's birth . . .	2.
3. Where educated. Length of stay at school. Highest form reached and distinctions gained there. Place in Sandhurst, entrance and final examinations. Prizes won there.	3.
4. Language qualifications stating degree of proficiency and examinations (if any) passed in each.*	4.
5. Whether qualified for promotion to the rank of Captain.†	5.
6. Brief statement of how and where army service has been passed.	6.
7. Particulars as to any active service in the field.	7.
8. Whether married or single . . .	8.
9. Whether free from debt . . .	9.
10. Names of any near relatives who have served or are serving in India.	10.
11. Names of persons other than immediate military superiors who can testify to character and qualifications.	11.

* Particulars of language examinations passed after submission of this application should be reported without delay, through the usual channel, to the Secretary to the Government of India in the Foreign and Political Department.

† Accepted candidates who have not so qualified should report to the Secretary to the Government of India in the Foreign and Political Department through the usual channel, as soon as they pass the examinations for promotion.

*Information to be supplied by the Officer Commanding
respecting Lieutenant , an applicant for Political employ.*

[This form should be forwarded through the proper channel, for transmission, with remarks, to the Military Secretary to His Excellency the Commander-in-Chief in India, by whom it will be transferred to the Secretary to the Government of India in the Foreign and Political Department.]

1. How long have you been acquainted with Lieutenant ?	1.
*2. Would you recommend him for the appointment of Adjutant ?	2.
*3. Do you consider him suited for Staff employ ?	3.
*4. Is he popular—	4.
(a) with his brother British officers, and	(a)
(b) with the Native ranks ?	(b)
5. Do you consider that he shows tact in dealing with Natives of India ?	5.
6. Give the Medical Officer's opinion respecting his physique and general health.	6.
7. Is he of active habits and proficient in field sports ?	7.
8. Is he a good, bad or indifferent horseman ?	8.
*9. Do you consider him to be in general ability above, up to, or under the average of his rank and service ?	9.
10. Has Lieutenant in any way specially distinguished himself ?	10.
*11. Add any general remarks you may have to offer in respect to his ability, character, etc	11.

*It will be convenient if reasons are given for the replies to these questions, which should usually be answered in some detail.

FACTORIES FOR THE MANUFACTURE OF ARMS AND AMMUNITION.

208. *Dr. B. S. Moonje: (1) Will Government please state if there are Government and non-official factories in India for the manufacture of rifles and sporting guns, revolvers and pistols and also for the manufacture of ammunition for these firearms?

(2) If so, will Government please state:

(a) how many Government and how many non-official factories there are; and

(b) the names and addresses of these factories?

(3) Is there any provision made for admitting non-official apprentices for training with or without remuneration in these Government factories?

(4) If the reply to part (3) be in the negative, do Government propose to make this provision?

Mr. G. M. Young: The Government of India have no information regarding private factories, but inquiries have been made and the result will be communicated to the Honourable Member in due course. As regards Government factories, the answer is:

(1) Yes, there are Government factories for the manufacture of rifles and ammunition.

(2) Two. The Rifle Factory, Ishapore, and the Ammunition Factory, Kirkee.

(3) Yes, Sir. A scheme for the vocational training of boy artisans and apprentices is already in force. They are recruited periodically through a competitive examination open to the public, and undergo a 5 years' course of training with remuneration.

(4) Does not arise.

PAY OF THE NON-GAZETTED STAFF OF THE AUDIT OFFICE, INDIAN STORES DEPARTMENT.

209. *Lala Rang Behari Lal: 1. Will Government be pleased to state the date on which the memorials from the non-gazetted staff of the Audit Office, Indian Stores Department, praying for the continuance of the special pay attached to their posts, were received in the office of the Auditor General?

2. Is it a fact:

(a) that the memorialists mentioned in part 1, despairing of any decision, addressed a second memorial to His Excellency the Viceroy praying that the orders reducing their special pay might be held in abeyance pending a decision on their former memorials?

(b) that having failed to elicit any reply the memorialists refused to accept pay until their case was decided but continued to do their duties as faithfully as before?

(c) that there was abnormal delay on the part of the late Auditor General in submitting the memorials to the Government of India?

(d) that the memorials in question were not submitted by the late Auditor General to the Government of India until after the memorialists had acted in the manner referred to in part 2 (b) above?

3. (a) Is it a fact that only two-fifths of the special pay originally sanctioned for the non-gazetted staff of the Audit Office, Indian Stores Department, has been retained subject to the condition, that, if the growth of work which is stated to be spasmodic and abnormal at present, is proved to have become regular and normal in the meantime, then two-fifths of the special pay will also be wholly and finally withdrawn from 1st September, 1931?

(b) If the reply to part 3 (a) be in the affirmative, will Government be pleased to quote another instance from the history of Government service in India in which the staff of a civil accounts office were subjected to a similar condition in the past?

4. Will Government be pleased to state whether they are aware that the Government of India orders contained in Finance Department letter No. F./15/IX/R. 11/28, dated the 25th February, 1929, have created, among the staff of the Audit Office, Indian Stores Department, a sense of uncertainty and constant anxiety about their future?

5. Will Government be pleased to lay on the table complete proceedings originating with the sanction of a special pay for the non-gazetted staff of the Audit Office, Indian Stores Department, and leading up to the issue of orders on their memorials praying for the continuance of the special pay?

The Honourable Sir George Schuster: 1. 7th June, 1929.

2. (a) The memorialists submitted a second memorial on the 31st August, 1929. The first memorial was then still under consideration.

(b) Government cannot say what the motive of the memorialists was. They acted as stated by the Honourable Member, and were immediately informed that their case was before the Government of India.

(c) No.

(d) The Finance Department had been apprised of the situation informally at an early stage. The memorialists, however, took the action to which the Honourable Member refers before the Auditor General had had sufficient time in which to consider adequately the various issues which the memorials had raised.

3. (a) The Honourable Member's version of the Government orders is sufficiently correct.

(b) So far as I know, there has never been an instance possessing similar features.

4. No. On the contrary, the assistants of the Audit Office, Indian Stores Department, reported to the late Auditor General, after the orders issued, their deep-seated loyalty and their gratitude to him for all that he had done on their behalf in the past. They asked the Auditor General to forgive them for their hasty action.

5. The answer is in the negative.

EXEMPTION OF MUSSALMANS FROM THE OPERATION OF THE CHILD MARRIAGE RESTRAINT ACT.

210. ***Khan Bahadur Makhdum Syed Rajan Bakhsh Shah:** (a) Will Government please state whether a unanimously passed Fatwa of Jamiat-ul-Ulma Hind, which is a recognised religious Muslim association in India, has been received by the Government, requesting that the Muslim community be exempted from the operations of the Sarda Marriage Act?

(b) Are Government aware that a severe agitation is prevailing in the Muslim atmosphere throughout India against the Sarda Act and that the Mussalmans are constrained to use the weapon of civil disobedience for non-compliance with the Sarda Act provisions? If so, are Government prepared to consider the question of exemption of the Muslim community from the operations of the Sarda Marriage Act? If not, how do Government propose to redress the grievances of the Mussalmans against this Act?

The Honourable Sir James Crerar: (a) Yes.

(b) Government are aware that there is considerable feeling among Muslims regarding the provisions of the Act. They trust, however, that the difficulties at present felt may be resolved on fuller discussion and consideration of the problem.

POWERS OF THE FINANCIAL COMMISSIONER OF RAILWAYS.

211. ***Pandit Hirday Nath Kunzru:** (a) Is it a fact that the Honourable the Finance Member exercises much less control over the Railway Accounts Service than over the Indian Audit and Accounts Service, and that in respect of the former the Financial Commissioner of Railways exercises even the powers which in the case of the Indian Audit and Accounts Service are exercised only by the Governor General in Council?

(b) Is it a fact that no administrative head of any other superior service has such extensive powers?

(c) If so, are Government prepared to take early action to assimilate the post of Financial Commissioner, Railways, to that of heads of other departments?

The Honourable Sir George Rainy: (a) In accordance with clause (a) of the Resolution passed by the Legislative Assembly on the 15th September, 1925, on each railway system, where accounts have been separated from audit, the accounting staff is under the orders of the Financial Commissioner of Railways for the purpose of appointments, promotions and transfers. Officers of the Railway Accounts service are railway officers on a par with officers in the superior revenue establishment of State Railways. The question whether appointments, promotions and transfers to certain of the higher posts in the Railway Accounts Department should be referred to the Railway and Finance Members is being considered.

(b) No head of a Department under the Government of India has similar powers.

(c) The Financial Commissioner of Railways is not the head of the Railway Accounts Department; that position is held by the Controller of Railway Accounts.

Pandit Hirday Nath Kunzru: Will the Honourable Member repeat his reply to part (c) which I could not hear?

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LEGISLATIVE ASSEMBLY.

[4TH FEB. 1930.]

The Honourable Sir George Rainy: The Financial Commissioner of Railways is not the head of the Railway Accounts Department; that position is held by the Controller of Railway Accounts.

Pandit Hirday Nath Kunzru: Is it a fact nevertheless that in regard to all the matters to which the Honourable Member referred in his reply the Financial Commissioner exercises much more powers than, say the Auditor General, in regard to posts in Class I of the Indian Audit Service?

The Honourable Sir George Rainy: I think that point arises in connection with a subsequent question put by the Honourable Member. It will be covered by one of the answers which I am about to give.

PROMOTIONS IN THE RAILWAY ACCOUNTS SERVICE.

212. ***Pandit Hirday Nath Kunzru:** (a) Is it a fact that in the Indian Audit and Accounts Service, all promotions to selection grade posts require the approval of the Governor General in Council and that even the postings and transfers of officers filling selection grade posts cannot be made by the Auditor General without the approval of the Finance Department?

(b) Is the approval of the same authorities obtained in the case of promotions and postings of selection grade officers of the Railway Accounts Service?

(c) If the answer to (b) be in the negative, will Government state if they propose to adopt the same procedure in the case of the Railway Accounts Service as has been in force for officers in the case of the Railway Audit Service?

(d) If Government do not propose to do so, will they state what control they propose to exercise over the Railway Accounts Service and in what manner?

The Honourable Sir George Rainy: (a) Yes, except that the Auditor General can grant any officer in Class I of the Indian Audit Department any leave that may be admissible under rule and, subject to the control of the Governor General in Council, may transfer any such officer.

(b), (c) and (d). The procedure is not at present the same for the Railway Accounts Service, but, as I have explained in my answer to the Honourable Member's previous question, the matter is under consideration.

POWERS OF THE FINANCIAL COMMISSIONER OF RAILWAYS.

213. ***Pandit Hirday Nath Kunzru:** (a) Is it a fact that the powers of all authorities in India, from the Governor General in Council downwards, have been defined?

(b) Is it a fact that, although the Railway Accounts Department has been placed under the control of the Financial Commissioner in his individual capacity, his powers in respect of this Department have been nowhere defined?

(c) Is it a fact that the result of this arrangement is that he exercises far more powers of sanctioning expenditure in the Railway Accounts Department than the Auditor General does in respect of the Indian Audit Department?

(d) Is it a fact that in some respects these powers are even more extensive than those exercised by the Governor General in Council in respect of the Indian Audit Department?

(e) If the answers to the above be in the affirmative, will Government state reasons for these differences and are they prepared to take immediate steps to remove them?

The Honourable Sir George Rainy: (a) Generally speaking this is correct.

(b) No. Under the arrangements sanctioned by the Secretary of State, the Financial Commissioner of Railways is vested with the full powers of the Government of India to sanction railway expenditure, subject to the general control of the Finance Member, to whom he has direct access. These powers have been defined in the Government of India, Finance Department Resolution No. F-102-F. of the 21st June, 1926, a copy of which is in the Library, and apply to all railway establishments, including the railway accounts establishment.

(c) Yes, but the position of the Financial Commissioner, Railways, does not correspond to that of the Auditor General; it corresponds with regard to railway expenditure more closely to that of the Finance Secretary with regard to other expenditure of the Government of India.

(d) Yes. For the Governor General in Council has larger powers to sanction expenditure on railways without reference to the Secretary of State than on other Central subjects.

(e) For the reasons why the powers of the Governor General in Council to sanction expenditure on railways are more extensive, I would refer the Honourable Member to paragraph 125 and the following paragraphs of the Acworth Committee's Report, and for the reasons why these powers are, subject to the general control of the Finance Member, exercised by the Financial Commissioner of Railways instead of the Finance Secretary, to paragraphs 58, 113 and 114 of the Report. It was on a careful consideration of these recommendations that the present duties and responsibilities of the Financial Commissioner of Railways were assigned to him.

Pandit Hirday Nath Kunzru: Is it a fact that the Acworth Committee in the paragraphs to which the Honourable Member has referred generally recommended that the Financial Commissioner should be independent of the control of the Finance Department?

The Honourable Sir George Rainy: I think the Honourable Member has raised a rather complicated question. I do not know if he quite followed my answer.

Pandit Hirday Nath Kunzru: May I assure the Honourable Member that I read the paragraphs in question this morning before I came to the House?

The Honourable Sir George Rainy: Then I am quite content to take the information from the Honourable Member.

Pandit Hirday Nath Kunzru: Is the Honourable Member aware that neither the first nor the second Assembly accepted the principles mentioned in the paragraphs to which the Honourable Member has referred in his reply?

The Honourable Sir George Rainy: I am afraid I cannot give an answer without notice.

Pandit Hirday Nath Kunzru: Is it a fact that, when the separation of Railway Accounts was given effect to in 1924, the Assembly considered that the control of the Finance Department over the Financial Commissioner would be real and not as general and, if I may say so, as illusory as the Honourable Member has represented it to be.

The Honourable Sir George Rainy: I think the opinion entertained by the Assembly at that time could only be determined from the Resolution that was then passed by the Assembly. I should hesitate to endorse what the Honourable Member has suggested as regards the views of the Assembly.

Pandit Hirday Nath Kunzru: Is it a fact that the Assembly and the Public Accounts Committee have asked for a stricter control of the Finance Department over the Financial Commissioner?

The Honourable Sir George Rainy: I am not aware of that.

Pandit Hirday Nath Kunzru: May I ask whether the Finance Department itself is controlling the Financial Commissioner now, in response to the demands of the Public Accounts Committee, more strictly than it used to do before?

The Honourable Sir George Schuster: I am afraid I cannot answer the Honourable Member with strict reference to the demands of the Public Accounts Committee, because I have not got that particular passage in my mind, but I can tell him that the Finance Department are perfectly satisfied now with the measure of control which they can exercise over the financial policy of the Railways.

Mr. M. S. Aney: May I just ask, with reference to the reply given that the Financial Commissioner of Railways is generally subject to the control of the Finance Member, whether an appeal in regard to Railway financial matters will lie to the Honourable the Finance Member or to the Honourable the Commerce Member?

The Honourable Sir George Rainy: Appeal about what?

Mr. M. S. Aney: An appeal with regard to certain financial questions on orders from the Financial Commissioner of Railways. Will that appeal lie to the Honourable the Finance Member or to the Honourable the Commerce Member?

The Honourable Sir George Rainy: I am afraid I must ask the Honourable Member to give notice of that question, because I do not follow on what subject the appeal is supposed to be lodged.

Pandit Hirday Nath Kunzru: Is it proposed also to consider this matter along with other matters referred to in my previous question?

The Honourable Sir George Rainy: No, Sir. Naturally, if the Government of India had reason to believe that the existing system was not giving satisfactory results, they would take the whole question into consideration. But I am not prepared to give any undertaking at present that the matter will be considered along with the question about promotions and transfers, to which I referred in a previous answer.

Pandit Hirday Nath Kunzru: Why is it, Sir, that the powers of the Financial Commissioner in regard to the creation of new posts or new

classes of services should be greater than, say, those enjoyed by the Secretary to the Government of India in the Finance Department? Will the Government of India say that this delegation of control to the Financial Commissioner has not led to any complication or will not lead to any complication in the future?

The Honourable Sir George Rainy: The present system under which we are working, by which very large powers to sanction expenditure are delegated to the Financial Commissioner of Railways, subject to the control of the Finance Member, was adopted by the Government of India quite deliberately and for definite reasons. I think that it is quite impossible, within the limits of an answer to a supplementary question, that I should attempt to summarise these reasons.

FUNCTIONS OF THE FINANCIAL COMMISSIONER OF RAILWAYS.

214. *Pandit Hirday Nath Kunzru: (a) Is it a fact that the Financial Commissioner, Railways, although he is a representative of the Finance Department in the Railway Department charged with the responsibility of exercising financial control on behalf of the former over railway transactions is also a Member of the Railway Board and takes part in the day to day administration of the Railway Department and is a party to all decisions, administrative, financial, etc.?

(b) Are the arrangements in the Army and Postal Departments similar?

(c) Are Government prepared to take early steps to put an end to this anomalous position and confine the role of the Financial Commissioner to that of a vigilant representative of the Finance Department?

The Honourable Sir George Rainy: (a) In accordance with the recommendations of the Acworth Committee, the Financial Commissioner of Railways is one of the officials composing the Railway Board and takes part with the Chief Commissioner and the three Members of the Board in all business which comes before the Board. Where the subject under discussion has no financial implications, he is, like the other three Members of the Board, under the orders of the Chief Commissioner who, under the Member of Council for Railways, is solely responsible for arriving at decisions on technical questions and for advising the Government of India on matters of railway policy. Where the subject has financial implications, he has the right, should he not be in agreement with the Chief Commissioner or with the Railway Department on the financial aspect, to refer the case to the Finance Member, to whom he has free access.

(b) No.

(c) It was the Government of India who recommended the adoption of these arrangements to the Secretary of State, in order to give effect to the view at which they arrived on a consideration of the Acworth Committee's Report, that the financial control over the operations of the Railway Department must be exercised not from without but from within, and by an officer who would himself be responsible for the promotion of efficiency and economic working of the administration.

Pandit Hirday Nath Kunzru: May I ask whether the adoption of a different arrangement in the case of the Army and Postal Departments has prevented co-operation between the Financial Adviser and the administrative authorities?

The Honourable Sir George Rainy: I did not wish to raise that point before. But in the rules made by the Governor General regarding the Standing Advisory Committees, it was laid down that their proceedings were strictly confidential. I quite recognise that it is impossible, in a great many cases, strictly to carry that out. But it has not been our practice, at any rate in the Commerce Department, so far as I know, to disclose the opinion of the Advisory Committee. But I can assure the Honourable Member that we have not the least desire to mislead the Standing Finance Committee on the point.

Mr. Sarabhai Nemchand Haji: Do I take it that Government are agreeable to give the Standing Finance Committee another opportunity to give its decision on this subject, now that it is in possession of this information?

The Honourable Sir George Rainy: The scheme placed before the Standing Finance Committee did not limit the appointment to officials. It made provision for the appointment of both officials and non-officials. We did not ask the Standing Finance Committee to commit itself to the approval either of the appointment of officials or the appointment of non-officials. That I understand is the position.

PAY OF OFFICE STAFF OF THE ASSAM BENGAL RAILWAY.

217. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state the basis on which the increments of the office staff are given by the Assam Bengal Railway?

(b) What method is adopted in giving increased pay to Muslims?

(c) Will Government be pleased to state whether increments are given by the authorities of the Assam Bengal Railway irrespective of the length of service, efficiency and honesty of the individual concerned?

(d) Will Government be pleased to give figures with regard to promotion only at the head office of the Company at Chittagong?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to answer this and questions Nos. 219, 222 and 223 together. Inquiries are being made from the Agent of the Assam Bengal Railway and I will communicate with the Honourable Member as soon as I get his reply.

Mr. Anwar-ul-Azim: Will the Honourable Member be prepared to place the information on the table of the House in addition to communicating it to me?

Mr. A. A. L. Parsons: I am quite prepared to put a copy in the Library.

RECRUITMENT OF MUSLIM CLERKS BY THE ASSAM BENGAL RAILWAY.

218. ***Mr. Anwar-ul-Azim:** (a) What was the number of clerks in the following offices of the Assam Bengal Railway on the 1st January, 1926, and how many of them were Muslims?

- (1) Agent's Office;
- (2) Chief Engineer's Office;
- (3) District Engineer's Office;
- (4) Assistant Engineer's Office;
- (5) Executive Engineer's Office;

- (6) Signal Engineer's Office;
- (7) Chief Auditor's Office;
- (8) Traffic Manager's Office;
- (9) District Traffic Superintendent's Office;
- (10) Superintendent, Stores Office;
- (11) Loco. Superintendent at Pahartoli, and
- (12) Chief Medical Office.

(b) How many clerks have since been recruited in the offices mentioned in part (a) and how many of them are Muslims?

Mr. A. A. L. Parsons: (a) I would refer the Honourable Member to Appendix 'F' in Volume I of the Railway Board's Report on Indian Railways for 1926-27, a copy of which is in the Library. The statistics were formulated in this form after consultation with, and acceptance by, the Central Advisory Council for Railways, and Government consider that they give as much detail as is desirable or necessary for keeping a watch on the position on each railway to secure that their policy is carried out.

(b) Government have not got the information, and regret that they cannot undertake to call for it.

APPOINTMENT OF CHIEF CLERKS IN THE ASSAM BENGAL RAILWAY.

†219. ***Mr. Anwar-ul-Azim:** Who are generally appointed Chief Clerks in the head office of the Assam Bengal Railway? What are their respective qualifications? Is there any Muslim Chief Clerk in the service of the Assam Bengal Railway? If not, why not?

APPOINTMENT OF TRAVELLING INSPECTORS OF ACCOUNTS IN THE ASSAM BENGAL RAILWAY.

220. ***Mr. Anwar-ul-Azim:** (a) What educational test or otherwise is wanted by the Assam Bengal Railway in appointing their Travelling Inspector of Accounts?

(b) What is their total strength now, and how many of them are Muslims? Is it a fact that the present holders of the appointments, who are Indian Christians, are not even matriculates?

Mr. A. A. L. Parsons: With your permission, Sir, I shall reply to this and the next question together.

I am obtaining the information required from the Assam Bengal Railway and will communicate with the Honourable Member on its receipt and I will also place copies in the Library.

DEFALCATIONS IN THE ASSAM BENGAL RAILWAY OFFICES.

†221. ***Mr. Anwar-ul-Azim:** (a) How many Auditors are there in the Assam Bengal Railway, who are Chartered Accountants?

(b) Was there a defalcation of Rs. 80,000 (rupees eighty thousand) from the Chittagong Station of the Assam Bengal Railway and Rs. 4,000 from Gauhati recently? If so, when was this discovered? Who is the

†For answer to this question, see answer to question No. 217.

‡For answer to this question, see answer to question No. 220.

authority primarily and finally responsible for not checking, such defalcation? What loss has this Company sustained by defalcations of this nature during the last ten years?

(c) In view of these losses will Government be pleased to state if they are willing to have them investigated by an expert body appointed by the Government of India?

VACANCIES ON THE STAFF OF THE ASSAM-BENGAL RAILWAY.

†222. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state whether it is a fact that the Agent of the Assam Bengal Railway, by his letter No. E. P.-116, dated the 25th October, 1929, informed all heads of departments regarding the advertisements of vacancies in a Muhammadan newspaper to enable the Muslims to get to know about the vacancies in the Railway?

(b) If the answer to part (a) be in the affirmative, how many vacancies have been filled up since, and in which of the Muslim newspapers were they advertised by virtue of that circular?

APPOINTMENT OF MUSLIMS ON THE ASSAM-BENGAL RAILWAY.

†223. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state whether the Agent of the Assam Bengal Railway issued any instructions to the heads of departments by his letter No. 22-1-A., dated the 5th July, 1926, regarding Muslim representation in the service of the Assam Bengal Railway, and if so, with what result?

APPOINTMENT OF AN ADDITIONAL ASSISTANT SECRETARY IN THE COMMERCE DEPARTMENT.

224. ***Mr. Anwar-ul-Azim:** Is it a fact that an additional Assistant Secretary has been added to the Commerce Department, and if so, with what object?

The Honourable Sir George Rainy: A temporary appointment of Assistant Secretary has been created to cope with the increased work in the Department.

FILLING OF THE VACANCY IN THE FOREIGN AND POLITICAL DEPARTMENT CREATED BY THE DEATH OF KHAN BAHADUR ENAMUL HUQ.

225. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state who has been appointed in the place of Khan Bahadur Enamul Huq in the Foreign and Political Department, who died last year?

Mr. E. B. Howell: Individual vacancies in the Political Department are not filled as they occur. The total number of vacancies each year is assessed annually and recruitment is made accordingly.

AMALGAMATION OF THE GENERAL AND RAILWAY BUDGETS.

226. ***Mr. Anwar-ul-Azim:** Is it a fact that the committee appointed to report on the desirability or otherwise of amalgamating the Railway Budget with the General Budget has been shelved? If so, why?

†For answer to this question, see answer to question No. 217.

The Honourable Sir George Rainy: Government have not heard of any proposal for amalgamating the Railway Budget with the General Budget. If, however, the Honourable Member refers to the Committee appointed to review the convention for the separation of Railway Finance, I may say that a meeting of the Committee will be called at an early date.

REMITTANCES TO THE SECRETARY OF STATE FOR INDIA.

227. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state what amount has been actually paid to the Secretary of State for India in London during this financial year to meet the commitments of this Government?

The Honourable Sir George Schuster: The total amount remitted to the Secretary of State up to the 28th January, 1930, is £24,190,000.

APPOINTMENT OF DISTRICT MEDICAL OFFICERS ON RAILWAYS.

228. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state who are eligible for appointments as District Medical Officers in the State Railways, and in Company-managed Railways? Are the L.R.C.P. and M.R.C.S. degrees of London regarded as sufficient qualifications for these appointments? How many District Medical Officers are there now in the East Indian, Eastern Bengal and Assam Bengal Railways, and how many of them are Indians, and how many of them are Muslims?

Mr. A. A. L. Parsons: A candidate for appointment as District Medical Officer on State-managed Railways must possess qualifications registrable under the Medical Act in force in Great Britain and Northern Ireland. The L.R.C.P. and M.R.C.S. degrees of London are sufficient qualifications for these appointments.

Information as regards Company-managed railways will be obtained and supplied to the Honourable Member.

The information asked for in the concluding portion of the question is as follows:

Railway.	Total No. of D. M. O.'s.	No. of Indians.	No. of Muslims.
East Indian . . .	15	10	Nil.
Eastern Bengal . . .	4	3	"
Assam Bengal . . .	2	Nil.	"

SALARIES OF TEACHERS IN THE EAST INDIAN RAILWAY INDIAN HIGH SCHOOLS.

229. ***Pandit Hirday Nath Kunzru:** Have the salaries of teachers in the East Indian Railway Indian High Schools been raised to the level of the rates prevailing in the United Provinces Government High Schools in accordance with the circular issued by the Railway Board in August last? If not, why not?

The Honourable Sir George Rainy: The Railway Board issued orders on the 5th August last to the Agent, East Indian Railway, that the revised scale of pay for teachers in Indian High Schools was to be introduced with effect from the 1st April, 1929. At the same time a further communication was promised as to the manner in which the expenditure was to be met. I regret that there has been unnecessary delay in deciding

the latter question, but final orders were issued on the 29th January. I am indebted to the Honourable Member for drawing attention to the matter.

Pandit Hirday Nath Kunzru: May I take it that, in the next Railway Budget, provision will be made for raising the salaries of these teachers from the 1st April, 1929?

The Honourable Sir George Rainy: Yes, Sir. The orders that the revised rates of pay were to have effect from 1st April, 1929, hold good.

SALARIES OF TEACHERS IN THE EAST INDIAN RAILWAY, INDIAN HIGH SCHOOLS.

230. ***Pandit Hirday Nath Kunzru:** (a) Has the Director of Public Instruction, United Provinces, recommended lower rates of pay for the East Indian Railway Indian High Schools than are in force in Government High Schools?

(b) Are the East Indian Railway authorities considering the substitution of the scale proposed by the Director of Public Instruction, for that decided on by the Railway Board?

The Honourable Sir George Rainy: (a) and (b). The information will be obtained and supplied to the Honourable Member.

Pandit Hirday Nath Kunzru: Will the Honourable Member be good enough to place it on the table of the House?

The Honourable Sir George Rainy: I cannot say off-hand what the volume of the material would be. If the statement is a short one, I have no objection to placing it on the table of the House. But if it turns out to be a lengthy document, it might be more convenient to place it in the Library.

SALARIES OF TEACHERS IN THE EAST INDIAN RAILWAY, INDIAN HIGH SCHOOLS.

231. ***Pandit Hirday Nath Kunzru:** (a) Have the Railway Board laid down that the new rates of pay should apply only to men possessing educational qualifications equivalent to those required from teachers on corresponding rates of pay in Government High Schools in the United Provinces?

(b) Are they aware that, when the salaries were last revised in the United Provinces, the Local Government made the new scales applicable to all existing teachers whatever their qualifications?

(c) Are the Railway Board prepared to reconsider their decision and allow all existing teachers to benefit by the new scales of pay?

The Honourable Sir George Rainy: (a) The orders of the Railway Board were that the new rates of pay would apply to each of the existing incumbents on the condition that he possessed educational qualifications equivalent to those laid down by the Local Governments for their teachers of corresponding rates of pay.

(b) No.

(c) Not on the information at present before the Board.

Pandit Hirday Nath Kunzru: With regard to part (b) of my question, will the Honourable Member be good enough to make inquiries on the subject?

The Honourable Sir George Rainy: Yes, Sir. I am quite sure that the Honourable Member would not have stated that things were as he alleged them to be unless he had good reasons for doing so.

Pandit Hirday Nath Kunzru: Will the Honourable Member be also good enough to make inquiries from the Governments of Bengal, Bihar and Orissa with regard to the manner in which they gave effect to increases in the salaries of their educational employees?

The Honourable Sir George Rainy: If the Honourable Member is prepared to assure me that he has reason to believe that the position in those provinces is the same as he believes it is in the United Provinces I shall make the inquiry he asks for.

Pandit Hirday Nath Kunzru: To the best of my knowledge, it is so. My inquiries show that, even in Bengal and Bihar and Orissa, there was no difference made between existing teachers, whether they possessed superior or inferior qualifications.

The Honourable Sir George Rainy: In that case, on the strength of the Honourable Member's statement, I am prepared to make further inquiries.

UNSTARRED QUESTIONS AND ANSWERS.

INDIGENOUS AND IMPORTED GLASSWARE.

126. **Pandit Thakur Das Bhargava:** (a) Will Government please state what kind of glasswares are imported from foreign countries through British India, into Kashmir, Nepal, Afghanistan, Persia, Iraq, etc., and in what quantities?

(b) Is it a fact that customs duty on these goods is refunded by Government at the time of their being imported into the above territories, and that specially reduced freight rates are charged by Indian Railways for carrying these goods from the port to the railway stations from where they are imported into the above-mentioned territories?

(c) Are Government prepared to consider the desirability of reducing railway freight rates in the case of glassware manufactured in glass factories of India, to place them in a position of equality for trade competition in this connection with the foreign firms?

The Honourable Sir George Rainy: (a) Government are not in possession of the information.

(b) In accordance with the principle that import duties are not intended to operate as transit duties, a drawback of import duties is allowed under certain conditions in respect of goods imported through British India into Kashmir, Nepal, Afghanistan and Persia. A rebate of railway freight is also allowed on goods carried over the Nushki-Duzdap Railway which have been booked from the ports of Bombay, Karachi and Calcutta for export to Persia or Afghanistan. For glassware the reduced charge thus made is higher than the special reduced rates charged on bookings by rail from stations where glass works are situated.

(c) Does not arise.

PROSECUTIONS FOR DISAFFECTION AGAINST NATIVE STATES.

127. **Pandit Thakur Das Bhargava:** (a) Will Government be pleased to state the entire procedure adopted in giving sanction to prosecutions under the Indian States (Protection against Disaffection) Act of 1922?

(b) On whose initiative is the matter started and what channels does it pass through before the final sanction of the Governor General in Council is accorded?

(c) Is the whole material for a prosecution submitted to the Law Officers of the Crown and is their opinion in writing taken before the final sanction?

(d) Who represents the Crown in these cases? Is it a fact that outside persons not in Government service and not under Government control are allowed to represent the Crown in these cases? If so, why?

(e) Who pays the cost of these prosecutions?

(f) Who selects the place where a prosecution is launched, and on what considerations?

Mr. E. B. Howell: (a), (b) and (c). On receipt through the Political Department of an application on behalf of a Ruling Prince or Chief for authority to institute proceedings under section 5 of the Act, the Governor General in Council obtains the advice of the Law Officers, which is recorded in writing after examination of the whole material before them, and if he is satisfied that there is ground for thinking that a prosecution is justified, sanction to prosecute is accorded.

(d) Where the Governor General in Council is of opinion that the case is one in which the Government of India should launch a prosecution, the services of the Public Prosecutor would ordinarily be employed. In cases in which the complaint is filed with the authority of the Governor General in Council, it is for the complainant to make his own arrangements for representation.

(e) The complainant.

(f) The complainant. The complaint must be filed in a court having jurisdiction under section 177 *et seq.* of the Code of Criminal Procedure.

PROSECUTIONS FOR DISAFFECTION AGAINST NATIVE STATES.

128. **Pandit Thakur Das Bhargava:** Will Government be pleased to furnish the information required in the following table, showing details in each of the cases instituted under the Indian States (Protection against Disaffection) Act since its coming into force?

1	2	3	4	5	6	7	8
Year of the case.	The Prince in whose interest the prosecution was launched.	The name and details of accused.	The place of publication of paper if the accused was a newspaper editor.	Government officer or other gentleman with full description who represented the Crown.	Total costs incurred in the prosecution.	Who paid the costs in the case.	Result of the case.

Mr. E. B. Howell: I give the required statement below:

Year of the case.	The Prince in whose interest the prosecution was launched.	The name and details of accused.	The place of publication of paper if the accused was a newspaper editor.	Government officer or other gentleman with full description who represented the Crown.	Total cost incurred in the prosecution.	Who paid the cost of the case.	Result of the case.
1	2	3	4	5	6	7	8
1. (a) 1927.	His Highness the Maharaja of Patiala.	Santa Singh, Editor, Printer and Publisher of the <i>Sachcha Dhan-dhora</i> .	Amritsar.	The Government Advocate and Public Prosecutor, Amritsar.	Particulars are not known but inquiries are being made and the Honourable Member will be informed.	Government.	Accused sentenced to three months simple imprisonment.
(b) 1928	Do.	Do.	Do.	The Public Prosecutor, Amritsar.	Do.	Do.	Do.
2. 1929	His Highness the Nawab of Bhopal.	Navazish Ali Khan, Editor, Printer and Publisher of the <i>Taqat</i> .	Delhi.	The Public Prosecutor, Delhi.	Rs. 1,033-2-0	Do.	Proceedings withdrawn after apology by Defendant.
3. 1929	Do.	Diwan Singh Mahtoon, Editor of the <i>Riyasat</i> .	Do.				The suit is now pending.

PROMOTION TO OFFICERS' GRADE ON THE GREAT INDIAN PENINSULA RAILWAY.

129. **Mr. N. C. Kelkar:** (a) With reference to Mr. Parsons' reply to starred question No. 781 of the 26th February, 1929, regarding promotion to officers' grade of subordinates on the Great Indian Peninsula Railway, will Government be pleased to state whether it is a fact that a subordinate junior to the five acting officers whose confirmation was under consideration has already been confirmed?

(b) If the answer to part (a) is in the affirmative, will Government be pleased to state the reasons for overlooking the claims of the senior men?

Mr. A. A. L. Parsons: I have called for certain information from the Agent, Great Indian Peninsula Railway, and will communicate with the Honourable Member when his reply is received.

PROMOTION TO OFFICERS' GRADE ON THE GREAT INDIAN PENINSULA RAILWAY.

130. **Mr. N. C. Kelkar:** (a) Will Government be pleased to state the reasons for delaying the confirmation of the four out of the five subordinates referred to in starred question No. 11, asked by Mr. Joshi on the 1st February, 1928, regarding the number of Indians and Anglo-Indians officiating in the officers' grade in certain Departments of the Great Indian Peninsula Railway?

(b) What steps do Government propose to take so that these four men may not suffer any loss in regard to seniority and position in the cadre on account of the delay in their confirmation? If none, why not?

Mr. A. A. L. Parsons: (a) The subordinates in question have been considered, along with others, for promotion to the officers' grade in vacancies that have occurred in the last two years, but have not so far been selected for promotion.

(b) I must point out that these subordinates have no title to promotion, and that no question, therefore, arises of compensation for delay in confirmation. If any of the four subordinates are selected for promotion, the position of the men selected in the cadre of the Superior Revenue Establishment will be settled at the time.

LEAVE RULES ON THE GREAT INDIAN PENINSULA RAILWAY.

131. **Mr. N. C. Kelkar:** (a) With reference to Mr. Parsons' reply to starred question No. 784 of the 26th February, 1929, regarding rules for leave salary of subordinates officiating in officers' posts, will Government be pleased to state whether it is the intention of the Government that these acting officers should get the leave they earn as officers?

(b) Are Government aware that the leave rules applicable to officers and Indian subordinates are different on the Great Indian Peninsula Railway?

Mr. A. A. L. Parsons: (a) No.

(b) Yes.

ADMISSION TO THE AUXILIARY FORCE OF INDIANS ON THE GREAT INDIAN PENINSULA RAILWAY.

132. **Mr. N. C. Kelkar:** (a) Will Government be pleased to state whether it is a fact that, in terms of the service agreement, the Anglo-Indian and European employees, both subordinates and officers, are enrolled as members of the Great Indian Peninsula Railway battalion of the Auxiliary Force, whereas this privilege is denied to the Indian employees, both subordinates and officers, of the Railway?

(b) If the answer to part (a) is in the affirmative, do Government propose to remove the racial distinction? If not, why not?

Mr. A. A. L. Parsons: (a) In the service agreement in force on the Great Indian Peninsula Railway for Anglo-Indian and European subordinate employees, there is a clause which makes membership of the Auxiliary Force, India, compulsory. There is no such clause in the agreement signed by officers or in the agreement signed by Indian subordinate employees.

(b) Government will consider whether any and, if so, what action is required.

PROMOTION TO SUPERIOR SERVICE ON RAILWAYS.

133. **Mr. N. C. Kelkar:** (a) With reference to the reply to part (c) of starred question No. 779 of the 26th February, 1929, regarding the promotion of Indian subordinates on the Great Indian Peninsula Railway, will Government be pleased to state how many men were permanently promoted each year to the Superior Service from the subordinate and Local Services of the East Indian, North Western and Eastern Bengal Railways as well as from the subordinate establishment of the Great Indian Peninsula Railway since 1925 to date?

(b) Will Government be pleased to state what procedure is followed in working up a proper share of Indian recruitment from subordinate to Superior Services, and how is the allotment of the number of vacancies made to the East Indian, North Western, Eastern Bengal and Great Indian Peninsula Railways?

Mr. A. A. L. Parsons: (a) The information asked for is given below:

Transportation (Traffic) and Commercial Departments.

Year.	Railway.	Local Service.	Subordinates.
1925-26	N. W.	1	..
1926-27	..	..	..
1927-28	E. B.	1	..
	N. W.	1	..
1928-29	E. I.	1	1
	N. W.	1	..
	E. B.	1	..
	G. I. P.	..	2
Total	..	6	3

Mechanical Engineering and Transportation (Power) Departments.

Year.	Railway.	Subordinates.
1925-26	E. I. ..	1
1926-27		..
1927-28	G. I. P. ..	1
	N. W. ..	3
1928-29	E. I. ..	2
	N. W. ..	2
	(There is no local service in these Departments.)	
Total ..		9

Indian Railway Service of Engineers.

Year.	Railway.	Local Service.	Subordinates.
1925-26	N. W. ..	2	..
1926-27		..	..
1927-28	N. W. ..	1	..
	E. I. ..	..	..
	E. B. ..	1	..
1928-29	N. W. ..	4	..
	E. I. ..	2	..
Total ..		10	..

(b) The number of vacancies to be filled each year in each of the Superior Services is first ascertained and with due regard to the regulations for recruitment to each of the services the share allotted for promotion from the subordinate services is then calculated. No separate allotment of vacancies is made for each railway, as promotion is made by strict selection of the most qualified candidate from all State-managed railways.

PROMOTION TO OFFICERS' GRADE ON THE GREAT INDIAN PENINSULA RAILWAY.

134. **Mr. N. C. Kelkar:** (a) Will Government be pleased to state what leave reserve of officers has been provided for the various Departments of the Great Indian Peninsula Railway, and what percentage does this reserve bear to the total number of officers employed in each Department?

(b) Is it a fact that 16 subordinates in the Transportation and 9 subordinates in the Commercial Departments of the Great Indian Peninsula Railway have been continuously acting as officers for a considerably long period?

(c) If the answer to part (b) is in the affirmative, will Government be pleased to say if the subordinates officiating for a period of five years and over will be absorbed in the additional leave reserve? If not, why not?

Mr. A. A. L. Parsons: (a) There are at present no leave reserve posts.

(b) The question of providing a leave reserve is under the consideration of Government.

(c) Their claims for promotion will be carefully considered.

LEAVE RULES ON THE GREAT INDIAN PENINSULA RAILWAY.

135. **Mr. N. C. Kelkar:** (a) Is it a fact that a subordinate acting as an officer on the Great Indian Peninsula Railway enjoys the same rights and privileges as are enjoyed by the permanent officers of the Railway?

(b) Are Government aware that the Indian officers who come under class "C" of the Leave Rules, are affected more adversely than the Anglo-Indian or Statutory Indian officers who come under class "B" of the Leave Rules?

(c) Is it a fact that the average leave pay system was introduced with the object of removing the hardships imposed on officiating officers, and if so will Government please issue a clear statement as to the position of these men when they proceed on leave?

Mr. A. A. L. Parsons: (a) In some, but not in all matters.

(b) Yes.

(c) The answer to the first part of this question is in the affirmative. The special arrangement introduced on the Great Indian Peninsula Railway gives subordinates who had acted continuously as officers for three years or longer the benefit, while on leave, of the pay drawn by them during the last 12 months of their officiating tenure.

OFFICERS OF THE GREAT INDIAN PENINSULA RAILWAY ADMITTED TO NON-ASIATIC DOMICILE.

136. **Mr. N. C. Kelkar:** (a) Will Government be pleased to state the number of officers in the Great Indian Peninsula Railway originally regarded as Statutory Indians but subsequently admitted to be of non-Asiatic domicile and what was the overseas pay drawn by such men with back effect?

(b) Is it a fact that some cases decided by the Railway Board as not coming under non-Asiatic domicile were subsequently admitted to this class?

(c) What means are employed by the Railway Board to verify the answers furnished to the questionnaire issued for proving non-Asiatic domicile?

Mr. A. A. L. Parsons: I am making inquiries from the Agent and will communicate with the Honourable Member on receipt of his reply.

ACTING ALLOWANCES OF CLERKS IN THE GREAT INDIAN PENINSULA RAILWAY OFFICES.

137. Mr. N. C. Kelkar: (a) Will Government be pleased to state whether it is a fact that in the Claims Branch of the Chief Traffic Manager's Office, Great Indian Peninsula Railway, clerks in the grades of Rs. 80 and Rs. 120 are denied the privilege of drawing the acting allowances while working in the places of men of higher grades, whereas this privilege is granted to the staff of the General and Rates Branches of that office?

(b) If the answer to part (a) is in the affirmative, what steps do Government propose to take in order to remove the hardship? If none, why not?

Mr. A. A. L. Parsons: I am calling for information and will communicate with the Honourable Member on its receipt.

STATE RAILWAY FINES FUND.

138. Mr. N. C. Kelkar: Will Government be pleased to state what progress has been made in connection with the scheme for the better management of the State Railway Fines Fund and when they hope to introduce it?

Mr. A. A. L. Parsons: The replies from Railway Administrations have been received and a preliminary draft of the proposed rules for the establishment of a staff Benefit Fund is now under consideration of the Government.

If it is eventually decided to constitute the Fund, it is hoped to start it from the 1st April, 1931.

LEAVE RULES OF STATE RAILWAYS.

139. Mr. N. C. Kelkar: (a) Is it a fact that, in reply to the deputation of the All-India Railwaymen's Federation, Government stated that they hoped to introduce the new leave rules for the State Railway employees in December, 1929?

(b) Is it a fact that these rules have not yet been introduced, and if so, when are they likely to be introduced?

Mr. A. A. L. Parsons: (a) No.

(b) It is hoped that they will be issued in the course of the next few months.

PERSIAN CARPETS PURCHASED FOR OFFICERS OF THE GREAT INDIAN PENINSULA RAILWAY.

140. Mr. N. C. Kelkar: Is it a fact that new Persian carpets were purchased for (a) the Chief Transportation Superintendent, and (b) the Deputy Transportation Superintendents, Great Indian Peninsula Railway, during the year 1928-29? If so, will Government be pleased to state the cost of such carpets?

Mr. A. A. L. Parsons: No Persian carpets were purchased. One Anglo-Turkey and eight Mirzapur carpets were purchased for their offices at a cost of Rs. 3,650.

ADMINISTRATION OF FINE FUNDS ON THE GREAT INDIAN PENINSULA RAILWAY.

141. Mr. N. C. Kelkar: Will Government be pleased to state the total amount of fines collected from the Indian, Anglo-Indian and European employees of the Great Indian Peninsula Railway during the year 1928-29, and the amount spent therefrom for the welfare of the Indian, Anglo-Indian and European employees of the Railway during that year?

Mr. A. A. L. Parsons: The total amount of fines collected from employees of the Great Indian Peninsula Railway during 1928-29 was Rs. 51,898, and the disbursements from the Fine Fund during that year were as follows:

						Rs.
Hospitals	..	..	..	..	..	342
Schools	..	..	..	..	..	2,335
Recreation Clubs	..	..	..	..	..	44,781
Miscellaneous	..	..	..	..	..	24,378
Total						71,836

The amount of fines collected and expenditure incurred is not recorded by communities, so I am afraid the information on this point desired by the Honourable Member is not procurable.

QUARTERS FOR CLERKS OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

142. Mr. N. C. Kelkar: Will Government be pleased to state what progress has been made in connection with the provision of quarters for the clerks of the Railway Clearing Accounts Office and when the quarters are likely to be made available to them?

Mr. A. A. L. Parsons: I would refer the Honourable Member to the reply given on the 20th January, 1930, to the Revd. J. C. Chatterjee's question No. 67.

PAY OF INSPECTORS OF POST OFFICES AND RAILWAY MAIL SERVICE.

143. Mr. N. C. Kelkar: (a) Will Government be pleased to state whether it is a fact that, as a result of the recent revision (September, 1927) of pay of Inspectors of Post Offices and Railway Mail Service, those officials who have put in more than 15 years' service as Inspectors, and others who were confirmed immediately before the revision, are drawing the same pay, viz., Rs. 160?

(b) When the Time-scale was introduced in 1919, were the Inspectors given one increment for every two years of service rendered as Inspectors?

(c) Are Government aware of the hardship and discontent amongst the Inspectors of Post Offices and Railway Mail Service, and are Government prepared to consider the question of advance increments on the same basis in exercise of powers under Fundamental Rule 27?

Mr. H. A. Sams: The attention of the Honourable Member is invited to the replies given to Mr. N. M. Joshi's similar unstarred questions Nos. 15 and 318 in the Legislative Assembly on 1st February 1928 and 11th March 1929 respectively.

PROMOTIONS IN THE INCOME-TAX DEPARTMENT, BOMBAY.

144. Mr. N. C. Kelkar: (a) What are the rules to enable the clerks of the Income-tax Department, Bombay, to rise to higher posts such as Inspectors, Examiners and Income-tax Officers?

(b) Is it a fact that many clerks who are either seniormost or experienced or well qualified were passed over and outsiders appointed whenever such high posts fell vacant? If so, why?

(c) Is it a fact that recently an Examiner with a few months service in the Income-tax Department to his credit was made an Income-tax Officer, while there were many who had passed the Income-tax Officers' examination?

(d) Is it because all those were unfit? If the answer is in the affirmative, why were they allowed to appear for the examination? Why was not permission to sit at the examination withheld as in the case of so many others?

(e) Is it a fact that the Examiner referred to in part (c) was recruited as an Examiner direct from some other Local Government Office? What are his qualifications which made him better qualified for the post than many having accountancy diplomas and working in the Income-tax Office itself? What was the nature of his work in his previous office to warrant his being given the officers' grade in a short space of time? What is his experience in accountancy?

(f) Is it a fact that knowledge of accountancy is necessary for any one to become an Examiner? Do outsiders recruited directly to such posts possess any such knowledge? If not, why were those, working in the office and possessing those qualifications, overlooked?

(g) Is it a fact that relationship and acquaintance count much in securing highly paid posts?

(h) Is it a fact that many officers are exempted from passing the prescribed Income-tax Officer's examination and subsequently confirmed? If the answer is in the affirmative, why is such a procedure adopted?

The Honourable Sir George Schuster: Parts (a) and (h). I am calling for a report, after which I will furnish a written reply to the Honourable Member.

I am also calling for a report with reference to parts (c), (d), (e) and (f), though I would suggest to the Honourable Member that, as these questions are obviously put with reference to some particular case which he has in mind, the proper course for any person who is aggrieved by any action of the Commissioner of Income-tax is to address the Central Board of Revenue.

As regards part (b), I cannot admit the implication, while as regards part (g), I wish to repudiate in the strongest possible manner the insinuation directed in this part of the question against an Indian gentleman in a high official position in whose absolute impartiality I have complete confidence. It is also obvious that it is impossible to reply to a question that relates to no specific fact.

PROFESSIONAL ACCOUNTANTS EMPLOYED BY THE INCOME-TAX DEPARTMENT, BOMBAY.

145. Mr. N. C. Kelkar: (a) How many public accountants are there practising in the Income-tax Department, Bombay? Are they required to get a licence just as lawyers by a payment of any prescribed fee?

(b) If the reply to the last question in part (a) is in the negative, have Government considered the question of framing rules to that end?

(c) Has any complaint been received by the Commissioner against any accountant? If the answer is in the affirmative, what action has been taken against that accountant?

The Honourable Sir George Schuster: (a) and (c). The Government have called for a report.

(b) As the Honourable Member is perhaps aware, the Government have in the Indian Income-tax (Amendment) Bill, 1929, which is now before a Select Committee, proposed an amendment of section 61 of the Indian Income-tax Act restricting the right of professional accountants to appear in income-tax proceedings. This amendment is still under consideration by the Select Committee.

THE SUPERINTENDENT OF ARCHÆOLOGICAL SURVEY, WESTERN CIRCLE.

146. Mr. N. C. Kelkar: (a) What is the pay of a Superintendent of the Archæological Survey and what are the maximum qualifications deemed essential for such appointment?

(b) Is it a fact that the present Superintendent of Archæology in the Western Circle is only a matriculate and has no higher qualifications?

(c) Is it a fact that, ever since his appointment to gazetted rank, he has been stationed in Poona continuously for over nine years, and that he has never applied for leave, nor has been transferred during this period?

(d) What special work has he done in the field of Archæology in India, particularly in Western India? Has he drawn any conservation notes for the various special repair works that are being carried out in the Western Circle since the year 1926?

(e) Have Government or the Director General of Archæology received any complaints against him?

(f) Does he possess expert knowledge of any ancient or modern language of the Bombay Presidency, such as Sanskrit, Maharashtri, Prakrit, old Canarese, etc.?

(g) Does he submit his tour programme to higher authorities for sanction in time and after its approval is it followed by him?

Sir Frank Noyce: (a) 1. Rs. 350—50—1,200.

2. There are no maximum qualifications for such appointments.

(b) The Honourable Member is referred to the answer given in the Assembly to Maulvi Muhammad Yakub's question No. 449 on the 12th September, 1929.

(c) Yes. He has, however, only been in charge as Superintendent for two years.

(d) 1. Conservation work.

2. No conservation notes have been received from him since 1926. The special repairs now in hand are very largely based on conservation notes drawn up before that date.

(e) Yes.

(f) No.

(g) Yes.

VACANCIES IN THE ACCOUNTS DEPARTMENT OF THE CALCUTTA GENERAL POST OFFICE.

147. **Mr. N. C. Kelkar:** (a) Is it a fact that there are three vacancies in the lowest selection grade in the Accounts Department of the Calcutta General Post Office?

(b) Is it a fact that recommendations to appoint qualified accountants to these three posts were sent by the head of the Bengal and Assam Circle to the Director General of Posts and Telegraphs six months ago?

(c) Will Government be pleased to state when the orders of the Director General on the subject are likely to be issued?

(d) Do Government propose to decide the matter at an early date?

(e) Will Government be pleased to state whether these appointments are still held by officials who have not passed the Postal Accountants' examination?

Mr. H. A. Sams: I have no information on the subject. I am making inquiries from the Postmaster General and I shall send a reply to the Honourable Member on receipt of information.

COMPLAINTS AGAINST MR. G. C. CHANDRA OF THE ARCHÆOLOGICAL DEPARTMENT.

148. **Mr. N. C. Kelkar:** (a) Is it a fact that the Director General of Archæology received complaints about:

(1) work done by one Mr. G. C. Chandra of the Archæological Department in connection with the Poona Shanwar Wada excavations and the want of technical knowledge and incapacity disclosed by him in this work;

(2) Mr. Chandra's excessive and irregular claims for halting and travelling allowances contained in his travelling allowance bills submitted by him;

(3) irregular use of the official funds at his disposal;

(4) travelling allowances due to peons not being paid, where the travelling allowances were claimed and received by the Superintendent himself; and

(5) vouchers submitted or not submitted by the Superintendent for his bills?

(b) If the answer to part (a) be in the affirmative, will Government state what inquiry has been made into these grievances, complaints and irregularities and what action has been taken thereupon?

Sir Frank Noyce: (a) and (b). Yes; anonymous complaints have been received by the Director General of Archæology. One of these contains specific allegations and is under investigation.

SHORT NOTICE QUESTIONS AND ANSWERS.

TREATMENT OF POLITICAL PRISONERS.

Mr. B. Das: (a) Has the attention of Government been drawn to a statement made by Mr. Bhagat Singh before the Lahore Magistrate, as published in the *Hindustan Times* of the 30th January, 1930, regarding a letter addressed to the Honourable the Home Member by the accused in the Lahore conspiracy case, threatening to resume hunger strike within a week in case promises given regarding special treatment to political prisoners and removal of racial distinction by the Honourable the Home Member in the Simla Session of the Assembly be not redeemed?

(b) Will Government be pleased to state what action they have taken or propose to take in pursuance of the policy enunciated by them regarding the change of Jail Rules for political prisoners?

The Honourable Sir James Crerar: (a) I have received the petition from the under-trial prisoners in the Lahore conspiracy case, referred to in the question. I must make it plain that, while a comprehensive inquiry into the present Jail Rules was undertaken by the Government of India and further enlarged in response to views expressed in this House, no assurances of the nature which the Honourable Member's question appears to suggest, were given to these prisoners by the Government of India, and that the decision regarding the changes in the Jail Rules now under consideration cannot be affected by the course of conduct they may choose to pursue.

(b) In pursuance of the inquiry above referred to, we consulted Local Governments, and thereafter held a Conference of provincial representatives on December 9th and 10th. As a result of the Conference, tentative conclusions on the more important points were reached, but a further reference to Local Governments was recommended by the Conference in regard to certain matters on which there was some divergence of view and practice. Their replies on these matters have now been received, and I am ready to confer with the party leaders at any time convenient to them, in accordance with the undertaking given by me on the 16th September last.

Mr. Lalchand Navalrai: Will Government be pleased to state when these Jail Rules are likely to be finished and when they are coming into operation?

The Honourable Sir James Crerar: I hope to have a very early opportunity of discussing the matter with the Leaders of Parties in this House and thereafter I shall take the earliest opportunity of making the necessary further communications to the Local Governments.

Mr. M. S. Aney: May I ask the Honourable Member whether any reply has been sent by the Government of India to the petition sent by Bhagat Singh and others, in which they state that the promised reforms of the jail conditions have not been yet made?

The Honourable Sir James Crerar: So far as the petition refers to questions of the treatment of these particular prisoners, the matter is for disposal by the Local Government, to whom the petition has been sent.

Mr. M. S. Aney: Am I to understand that there was no petition addressed by them to the Government of India?

The Honourable Sir James Crerar: No, Sir. I have stated that a petition was received from them.

Mr. B. Das: With reference to the reply to part (a), do I take it that the Government of India have passed no orders regarding racial discrimination in the treatment of prisoners?

The Honourable Sir James Crerar: No, Sir; no orders have yet been passed, because it was understood that, before final orders were passed, I should have an opportunity of further consultation with Leaders of Parties in this House.

DROP IN THE PRICE OF SILVER.

Sir Purshotamdas Thakurdas: (a) Has the attention of Government been drawn to the unprecedented drop in the price of silver?

(b) Is it a fact that the price of silver about 25th January last in sterling was under the lowest sterling price by about 2d. per ounce and more than Rs. 5 or 6 under the rupee price known in the last seventy years or more?

(c) Are Government aware that this drop in the price of silver seriously affects the savings of the masses of India and causes them grave anxiety?

(d) Do Government think of taking any steps to prevent further loss to the masses in their savings, and if so will Government be pleased to indicate what steps they intend to take?

(e) Does this depreciation of the savings of the masses of India give any anxiety to Government? If so, do Government feel that effective and substantial efforts to prevent further depreciation of the hard-earned savings of the masses are desirable?

The Honourable Sir George Schuster: (a) Yes.

(b) During the last seventy years the price of silver was lowest in November, 1902, when the London price fell to $21\frac{1}{8}$ pence per standard ounce and the rupee price to Rs. 56, annas 12 per 100 tolas. On 24th January, 1930, the London price was $20\frac{3}{8}$ pence per standard ounce and the rupee price Rs. 48, annas 8 per 100 tolas.

(c) Government are aware that the habit of using silver as a store of value in the form of ornaments or bullion is widespread, and that the drop in the price of silver has resulted in a large depreciation of these holdings. Though they have no direct evidence that grave anxiety is being caused to the masses of India, they realise that holders of silver must be greatly disturbed by the fall in the value of their holdings.

(d) Government are informed that the primary influences causing the drop in the price of silver during the last year were heavy sales by China and Indo-China, while sales by various countries of surplus silver no longer required for coinage were a contributory influence. The depreciation of the value of silver stores in India has, therefore, been due to factors outside the control of Government, except in so far as they have sold silver from the Currency Reserve. Government do not consider that it would be to the advantage of India to hold indefinitely the very large stock of silver which has now accumulated in the Currency Reserve, but they propose to continue to regulate their sales so that they will have the minimum effect on the price of silver.

(e) Government are naturally anxious that the savings of the people of India should not depreciate in value, but they doubt if efforts on their part can influence the value of a commodity which is determined mainly by influences working outside India. If the Honourable Member has any concrete proposals to make for suitable action which might be taken by Government, I shall be glad to listen to his suggestions, subject always to the obligation of Government to consider the interests of the country as a whole and not only those of holders of a particular class of property.

Pandit Madan Mohan Malaviya: Will the Honourable Member be pleased to state what is the amount of silver that has been sold by Government during the last two years?

The Honourable Sir George Schuster: I have from time to time given information to this House about the sales of Government silver. I am afraid I should require notice of this question as I have not got the figures with me.

Pandit Madan Mohan Malaviya: Can the Honourable Member give me rough figures? I do not want any exact figures.

The Honourable Sir George Schuster: I am afraid I cannot give any figures off-hand. I shall be pleased to look into the matter, but in giving that assurance I wish to make this point clear,—a point which I have made clear on many other occasions in this House,—that it is not in the interest of the public that Government should give up-to-date information of their operations. I will endeavour to give the Honourable Member the fullest information that I can, consistently with the public interest.

Pandit Madan Mohan Malaviya: Will the Honourable Member be pleased to give a rough idea of the amount of silver which has been sold? I do not want any detailed information.

The Honourable Sir George Schuster: I have already said that I am not going to give the Honourable Member any figures until I look up my own record. I will look up the records, and if the Honourable Member likes to ask another short notice question, I will give him information on the subject. I can however tell him this, that the total stocks of silver held by the Government now stand at 108 crores, and a year ago they stood at under 100 crores, so that, in spite of Government sales, the stocks of silver are still increasing.

Pandit Madan Mohan Malaviya: Is that due to purchases made by Government during the interval or to any other cause? If Government have been selling silver, how is it that the stock has increased? Is it due to purchases made by Government, or is there any other contributory cause?

The Honourable Sir George Schuster: The stock has increased owing to the very large return of silver rupees from circulation.

Pandit Madan Mohan Malaviya: Will the Honourable Member state whether silver has not been sold by Government largely to maintain the exchange at 1s. 6d.

The Honourable Sir George Schuster: That, Sir, has not been the primary object. The reason for selling silver is that it is a very uneconomical way in which to hold the currency reserves of Government.

Silver earns no interest; if it is sold and converted into sterling securities, they earn interest and that is to the advantage of the public.

Pandit Madan Mohan Malaviya: Government being aware of the large hoards of silver with the people, and also of the fact that China and other countries have been selling silver, do they not realise that they were contributing largely to the drop in the price of silver by selling their own silver at this juncture?

The Honourable Sir George Schuster: I have already stated in answer to my Honourable friend Sir Purshotamdas Thakurdas that Government sales of silver will be regulated so as to have the minimum effect on the price of silver.

Pandit Madan Mohan Malaviya: In view of the enormous loss inflicted by the fall in the price of silver upon the mass of the people, who hold their savings in silver, do not Government think that it is their duty to stop the sale of silver altogether at this juncture?

The Honourable Sir George Schuster: I am afraid I could not go so far as to say that. It is a question of weighing the advantages on one side against the disadvantages on the other. As I have already stated, it is a very uneconomic way in which to hold the currency reserves, to lock them up in stocks of silver which earn no interest. On the other hand I fully realise the effect of a fall in the price of silver on this country and on the large masses of people in the country. But, as I have explained in my original answer, it is not primarily the action of the Government of India which has brought about this fall. We are witnessing now a world movement as regards silver. Silver is an article which is produced on a very large scale as a by-product in the production of other metals. Therefore, contrary to the experience of what happens in connection with other metals, the total amount of production does not necessarily go down with the fall in prices. At the same time the use of silver as a medium of currency is steadily decreasing. As I have already explained, China and Indo-China have sold very large quantities of silver in the past year. At the same time practically every country is reducing the percentage of fineness of its silver currency. The British Government, for example, since 1920 has silver coinage of 50 per cent. fineness instead of 92 as previously. That means that the current demand for silver for currency is very much less than it was, and at the same time large stocks of silver have been released. It is thus really a combination of action in a great number of countries in the world that has brought about the present situation in the silver market. The action of the Government of India is only one small contributory cause to this general result.

Pandit Madan Mohan Malaviya: I am surprised that the Honourable Member should say it is a small contributory cause. May I ask the Honourable Member again to consider whether, in view of the knowledge that the Government possessed of the decreasing use of silver in other countries, it was not the duty of the Government of India to stay their hands and not sell their own silver and thereby add to the causes which were bringing about its depreciation?

Mr. Arthur Moore: May we not assume that the Government. . . .

Pandit Madan Mohan Malaviya: May I have an answer to my question before the Honourable Member puts his question?

The Honourable Sir George Schuster: My answer to the Honourable Member's question is this. After weighing up all considerations on both sides, the Government of India decided, in accordance really with the recommendations of the last Royal Commission on Currency, that it was in the public interest that silver holdings should be reduced. That decision was taken having regard to the public interests as a whole.

Pandit Madan Mohan Malaviya: My point, Sir, is this. . . .

Mr. President: Mr. Arthur Moore.

Mr. Arthur Moore: May we assume that the Government will refrain, in its own interests, from excessive sales at a moment when prices are disadvantageous?

The Honourable Sir George Schuster: The question whether the price is disadvantageous or not depends on a long view of the market prospects. It is quite possible that silver may have stabilised itself now at a new level. As that may prove to be the case I certainly could not go so far as to say that the Government would refrain from selling silver at about the present level. On the other hand, taking a shorter view, it is obviously undesirable to put out large stocks for sale on the market at a time of violently fluctuating prices, when the market is exceptionally weak and disturbed. Those are the considerations which will be weighed by the Government in determining their policy as regards the sale of silver.

Sir Purshotamdas Thakurdas: Of the three countries which have been selling silver, is it a fact that India has sold the largest quantity?

The Honourable Sir George Schuster: I am afraid that is a question which I cannot answer without notice.

Sir Purshotamdas Thakurdas: Of the three countries which have been selling silver, is it a fact that the other two countries have been selling silver in order that they may get on to a gold standard?

The Honourable Sir George Schuster: That again is a question which I cannot answer without notice.

Sir Purshotamdas Thakurdas: Is it a fact that the last Royal Commission on Currency said that, if silver was sold, it should be replaced by gold assets?

The Honourable Sir George Schuster: As far as I recollect, the Currency Commission did not actually go so far as to say that. They sketched out a programme for gradual reduction of the silver holdings, and they also sketched out a programme for gradual increase in the holdings of gold and gold securities. I informed the Honourable Member some time ago, in answer to a question, of the extent to which holdings in gold and gold securities had increased since the date of the Currency Commission's Report, and I think I was able to show that, in all the circumstances, the rate of increase had not been entirely unsatisfactory. But, when the Currency Commission reported, the stocks of silver held were something like 80 crores, and I do not think that there is anything in the Report of the Currency Commission to suggest that they ever contemplated that the holding of silver would increase in the way in which it has increased during the last three years. As far as I know, the Government have followed in spirit the recommendations of the Currency Commission because the proceeds of sale of silver have always been invested in sterling securities.

in order to suggest his postponement of any statement pending an opportunity for further discussion after His Excellency had returned. I had no reason to suppose that the President intended to make a statement when the House met as he had given me no intimation to that effect; but on receipt of His Excellency's telegram I at once telephoned to the President's house intimating that I had a very urgent matter which I wished to discuss with him personally. I was informed that he was unable to receive me and I accordingly wrote to him immediately repeating my request that I might see him at any time convenient to him before the House met. To that communication I received no reply.

Pandit Madan Mohan Malaviya: In view of the urgency of the matter, could not the Honourable the Home Member go down to the house of the President to meet him?

The Honourable Sir James Crerar: I should have been prepared to do so if the suggestion had been made to me.

Pandit Madan Mohan Malaviya: Was there a definite indication that the President would not meet the Honourable Member, or was it a matter of the Honourable Member not being able to get the President on the telephone?

The Honourable Sir James Crerar: The answer I received apparently from a domestic in the President's house was, firstly, that the President was having his dinner, and later, when I emphasised the urgency of the matter, I was informed that the President was in fact ill and in bed. I could hardly expect to convey verbally any further intimation to him in such circumstances.

Pandit Madan Mohan Malaviya: The Honourable the Home Member's statement shows that, on the first occasion a domestic servant answered, but on the second occasion he was informed that the President was ill and in bed. Were not those circumstances sufficient to enable him to understand that the message had not been communicated to the President? In view of the fact that His Excellency the Viceroy had telegraphed to the Honourable Member to communicate his message to the President, did he not think it his duty to attempt, even on the morning of the following day, to see the President?

The Honourable Sir James Crerar: After I heard that the President was in bed and recognising the urgency and importance of the matter, I immediately wrote to him a letter the purport of which is in possession of the House. To that letter, as I have already stated, I received no reply, and I think I was entitled to assume that, if the Honourable the President desired to see me, he would, having regard to the urgency of the matter which I had intimated, have so informed me.

Pandit Madan Mohan Malaviya: In view of the fact that the Honourable the President was ill, could not the Honourable the Home Member understand that it might be due to his illness that he got no reply, and when the President came to the Assembly the next morning, did the Honourable the Home Member try to see the President in the President's room before coming to the House?

The Honourable Sir James Crerar: I should have been perfectly prepared to respond to any request made by the Honourable the President in accordance with the terms of my letter.

Mr. M. A. Jinnah: In the letter to which the Honourable the Leader of the House refers, will he point out any word or words to indicate that he had received an important message from His Excellency the Viceroy and wanted to communicate that message to the President?

The Honourable Sir James Crerar: I intimated that I had a very important and urgent matter to discuss with the President, and I think I was entitled to assume that it was hardly possible that, to such a request made by the Leader of the House to the President, he should receive no reply.

Mr. M. A. Jinnah: May I know why, when the Honourable the Home Member found that he had not received a reply to his letter, he did not send a demi-official letter conveying His Excellency's message to the President?

The Honourable Sir James Crerar: I had already intimated that it was a very urgent and important matter on which I desired an interview. I considered that the communication which I desired to make to the President would most properly be made in an interview rather than in correspondence.

Mr. M. A. Jinnah: May I know why the Honourable the Home Member did not communicate the message to the President when he found that the President was not able to see him?

The Honourable Sir James Crerar: I desired to make my communication in the most satisfactory way, which was by personal discussion, and as I have already stated, I could not have expected that the President would not be able to give the interview. Having asked for an interview, I had no reason to anticipate that my request would not be complied with.

Mr. M. S. Aney: Does the Honourable Member mean to say that the Honourable the Home Member would have seen the President only if the President would send for him, otherwise not? Is that the position?

The Honourable Sir James Crerar: No, Sir, that was not my view of the position.

Pandit Madan Mohan Malaviya: Can the Honourable the Home Member explain how, because he sent a letter to President Patel and did not receive a reply, he was justified in withholding the message from His Excellency the Viceroy altogether from the President?

Mr. M. A. Jinnah: May I know why the Honourable the Home Member when he found that a personal interview was not possible, did not communicate the message from His Excellency the Viceroy to the Honourable the President? Did not His Excellency the Viceroy say that his message should be conveyed to President Patel?

The Honourable Sir James Crerar: As I have already stated, I had no reason to anticipate that my request would not be complied with.

Colonel J. D. Crawford: May I inquire from you, Sir, whether you got a telephonic message, and why you did not reply to the Honourable the Home Member's letter?

Mr. President: I expect that Honourable Members will not want me to give any answer now. I will only say that the facts about the message elicited so far are in some respects imperfect and in other respects incorrect. I do not wish to enter into a controversy at this stage; if and when the necessity arises for me to make a statement, I will do so.

The Honourable Sir James Crerar: May I say a word, Sir? It would be of great advantage to me if you could tell me in what respect my answers were incorrect.

Mr. President: I received no telephonic communication from the Honourable the Leader of the House. Does the Honourable Member want to know anything more?

The Honourable Sir James Crerar: May I ask you, Sir, to state . . .

Mr. President: The Honourable Member cannot cross-examine the Chair. If and when the occasion arises, the President will make a statement.

The Honourable Sir James Crerar: I do not propose to address anything by way of cross-examination to the Chair. I desire merely to point out that the fact that I sent a telephonic message to your house and received an answer is perfectly correct.

Mr. M. S. Aney: Sir, is there any indication in the letter which the Honourable the Home Member addressed to the Honourable the President that he had telephoned to him once or twice and that he did not receive any reply?

The Honourable Sir James Crerar: I made no statement to that effect, but my letter was very explicit and it contained a very urgent request for an interview.

Mr. M. R. Jayakar: Will the Honourable the Home Member state why, in the letter he addressed to the President, he did not specifically state that he was in possession of a very important message from His Excellency the Viceroy, and that he wanted to see the President in that connection?

The Honourable Sir James Crerar: I have already answered that question.

Mr. Arthur Moore: May I ask the Honourable the Home Member to state how, in view of the statement he has made that this was a confidential message from His Excellency, the information came into the possession of the Honourable the Leader of the Opposition?

The Honourable Sir James Crerar: I have no information to that effect, but I shall be very glad to hear it from the Honourable and learned Pandit.

Pandit Madan Mohan Malaviya: I received this information from a very reliable person at Allahabad, and I wired my question on that information, and I am glad to find that that information has been found to be correct.

Mr. M. K. Acharya: One Supplementary Question, Sir?

RESOLUTION RE REPORT OF THE INDIAN ROAD DEVELOPMENT COMMITTEE.

Mr. President: The House will now proceed to discuss the amendment of Mr. Jayakar* . . .

*Amendment moved by Mr. M. R. Jayakar on the 26th September, 1929, to the following Resolution moved by the Honourable Sir Bhupendra Nath Mitra on that date :

"This Assembly, after taking into consideration paragraphs 70 to 79 of the Report of the Indian Road Development Committee, recommends to the Governor General in Council that :

- (1) The increase in the import and excise duties on motor spirit from 4 to 6 annas per gallon, introduced by the Indian Finance Act for the current year, shall be maintained for a period of five years in the first instance;
- (2) The proceeds of the additional duty during the same period shall be allotted as a block grant for expenditure on road development to be credited to a separate road development account, the unexpended balances of which shall not lapse at the end of the financial year;
- (3) The annual grant shall be divided as follows :
 - (a) A certain proportion shall be retained by the Government of India as a reserve and such proportion will be 10 per cent. for the two years ending March, 1931, and the position shall be reviewed thereafter and the balance, if any, on 31st March, 1931, or any subsequent date of review, which is not required for the purposes approved in paragraph 75 of the Report, will be distributed among the provinces in the manner indicated in clause (b);
 - (b) Out of the remainder :
 - (i) An apportionment shall be made among the provinces in the ratio which the consumption of petrol in each province bears to the total consumption in India in the preceding calendar year;
 - (ii) The balance, representing the consumption of petrol in minor provinces and administrations and Indian States, shall be allotted as a lump sum to the Government of India.
- (4) If any part of the amount apportioned to a province in any financial year remains unexpended at the end of that year, it shall be carried over for expenditure in that province in the following year.
- (5) Grants shall be made to each province, up to the amount available for it in each year, for expenditure on schemes approved by the Governor General in Council with the advice of the Standing Committee for Roads. As an exception to this rule, the amount available for Burma may, for the present, be spent on any scheme of road development that is approved by the Local Government with the concurrence of the local legislature; but if at any future time the question of road connection with India becomes a live issue, the position shall be reconsidered.
- (6) A Standing Committee for Roads shall be constituted every year after the financial year 1929-30 consisting of one nominated official member of the Legislative Assembly, a second nominated official member, three members elected by the Council of State from their body, and six members elected by the Legislative Assembly from their body. The Member of the Governor General's Executive Council in charge of the Department that deals with roads shall be the Chairman of the Committee; and the members of the Committee who are members of the Legislative Assembly shall form its Finance Sub-Committee which will be presided over by the Chairman of the Committee if he is a member of the Legislative Assembly, and otherwise by the official member of the Committee who is a member of the Legislative Assembly.
- (7) The functions of the Standing Committee for Roads shall be :
 - (i) To consider the annual budget and accounts of the separate road development account of the Government of India;
 - (ii) To consider all proposals submitted by Local Governments to the Government of India, for which grants from the road development account are requested; provided that the function of the Standing Committee will be confined to determining whether the scheme is one for which an allotment from the Central Road Development Account should be made.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Will you not allow me to put a question, Sir?

Mr. B. Das (Orissa Division: Non-Muhammadan): Last Session, Sir . .

Mr. President: Does the Honourable Member wish to say anything on the amendment? The amendment before the House is that:

"In clause (2), after the words 'during the same period' the following be inserted :
'after deducting such amounts as may be required for grants-in-aid to users of petrol for aviation purposes according to rules issued by Government, on a scale not exceeding the additional duty on petrol actually consumed for such purposes'."

Does the Honourable Member (turning to Mr. B. Das) wish to say anything on that amendment?

Mr. B. Das: I would like to discuss the main Resolution. That was the reason why you adjourned the debate last Session, Sir.

Mr. President: The question is:

"In clause (2), after the words 'during the same period' the following be inserted :
'after deducting such amounts as may be required for grants-in-aid to users of petrol for aviation purposes according to rules issued by Government, on a scale not exceeding the additional duty on petrol actually consumed for such purposes'."

The motion was adopted.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): I move, Sir, that:

"In sub-clause (a) of clause (3), for the word 'will' wherever it occurs, the word 'shall' be substituted."

Mr. President: Which amendment is the Honourable Member referring to?

Mr. M. R. Jayakar: I am referring to amendment No. 2, Sir.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): No. 1 has not been moved yet, Sir. The one which has been adopted already is the first of the amendments of which Mr. Jayakar gave notice at Simla, and as that was before the House it was not necessary for him to give any further notice of that amendment.

Mr. M. R. Jayakar: I wish to move the amendment which is now No. 2 on the Agenda.

- (iii) To advise the Government of India generally on all questions relating to roads and traffic on roads and, in particular, on:
- any action to be taken by the Government of India on the proceedings of periodical Road Conferences;
 - central research in all matters connected with roads, road construction and maintenance;
 - statistics and intelligence, the preparation and publication of maps, and the collection and dissemination of information relating to road development, administration and finance in India—and in other countries.

All proposals for expenditure from the annual grant or its accumulated balance, shall be submitted for approval to the Finance Sub-Committee."

Mr. President: The amendment that I put to vote was the first.

The Honourable Sir Bhupendra Nath Mitra: That was the first of which notice was given at the Simla Session and about which no further notice was required.

Mr. President: That was carried.

Mr. B. Das: May I again point out, Sir

Mr. President: I cannot allow any general discussion now.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (a) of clause (3), for the word 'will', wherever it occurs, the word 'shall' be substituted."

It is merely a verbal amendment, Sir.

Mr. President: I do not exactly understand the position.

The Honourable Sir Bhupendra Nath Mitra: May I explain the position, Sir? At the Simla Session, my friend Mr. Jayakar gave notice of certain amendments. The first of those amendments was this:

"In clause (2), after the words 'during the same period' the following be inserted :
'after deducting such amounts as may be required for grants-in-aid to users of petrol for aviation purposes according to rules issued by Government, on a scale not exceeding the additional duty on petrol actually consumed for such purposes'."

Mr. President: I have put that amendment to the vote and it has been carried. It is for Mr. Jayakar now to move the second amendment which, I understand, he has moved.

Mr. M. R. Jayakar: I have already moved that amendment, Sir.

The Honourable Sir Bhupendra Nath Mitra: I am very sorry, Sir. We are apparently working on different papers.

Mr. President: The amendment which now stands as Amendment No. 1 in the name of Mr. Jayakar has been put and carried by the House. Now the Honourable Mr. Jayakar has moved his Amendment No. 2 on the paper. Does the Honourable Member in charge wish to say anything?

The Honourable Sir Bhupendra Nath Mitra: No, Sir; I accept the amendment.

Mr. President: The question is:

"In sub-clause (a) of clause (3), for the word 'will', wherever it occurs, the word 'shall' be substituted."

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (a) of clause (3), for the words 'among the provinces in the manner indicated in clause (b)' the words 'among the Governors' provinces and the Government of India in the manner provided for the remainder in sub-clause (b)' be substituted."

This is a mere verbal amendment, Sir.

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The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (b) (i) of clause (3), for the word 'provinces' the words 'Governors' provinces' be substituted, and for the words 'each province' the words 'each such province' be substituted."

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. M. R. Jayakar: I move, Sir, that:

"In sub-clause (b) (ii) of clause (3), for the words 'minor provinces and administrations', the words 'provinces other than Governors' province, administered areas' be substituted."

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. M. R. Jayakar: I move, Sir, that:

"In clause (4), for the words 'a province', the words 'a Governor's province' be substituted."

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. B. Das: Sir, I beg to move that:

"In clause (5), for the words 'Grants shall be made to each province up to the amount available for it in each year, for expenditure on schemes approved by the Governor General in Council with the advice of the Standing Committee for Roads' the following be substituted:

'Grants shall be made to each province to the full extent of the amount available for it in each year for expenditure on new road works, road reconstruction or substantial road improvements and their maintenance. Such expenditure shall be at the discretion of the Local Government; but such schemes shall be submitted to the Government of India for information, who will be entitled to see that the provincial share of the two anna petrol tax is not diverted to other purposes. The control of the Government of India shall be limited to works which they assist by contributions from their reserve or otherwise, but as regards other proposals submitted by Local Governments for information, the control of the Government of India shall be confined to considering whether the scheme is one for which expenditure out of the provincial share of the Road Fund should be incurred.'"

Sir, I hope, as the Honourable Member has accepted the amendments which my Honourable friend Mr. Jayakar moved, he will also accept the

amendments which I have tabled. Last Simla Session the Honourable Member gave us to understand that this was not a controversial subject, but he knew full well that the motion which he brought before the House was not acceptable to any of the Provincial Governments and also to some of the Members representing different provinces in this House. Sir, once again I find that the Honourable Member for Industries and Labour is fathering a proposition which is not a creation of his Department. Last year, at this time, he brought forward the Cinematograph Report, which was originally brought forward by the Home Department, and the Honourable Member gave a decent burial to it. This year he is going to wet-nurse a scheme which was fathered in the Council of State by the Honourable Sir Charles Innes, the former Member for Commerce. I cannot understand why the Honourable Member is taking up the discarded and unwanted children of the other Departments. It is probably because it is thought that, being an Indian, we will not be suspicious of him and will allow his motions to be passed without much criticism. If that be the idea of the Government Members, then I am sorry they have not understood us. They must understand that some of us are fully suspicious of this Committee's Report, although we on this side of the House know that our late lamented revered leader Lala Lajpat Rai and our Deputy Leader, Mr. Jayakar, gave full consideration to the subject. Some of us are still suspicious that the Government of India are trying, through the back door, to have control over the Provincial Governments and are going to strike at the very basis of provincial autonomy. When this proposition was fathered in the other House, some of us thought and rightly too, that this was a military proposition and that Government were going to centralise the roads of India, so that the Military Department might get control of them at a period of stress. My Honourable friend, Sir Bhupendra Nath Mitra, happens to be also in charge of the Irrigation Department. If he had read the economic history of India, he would know that between 1860 and 1870, there was a proposal from a great well-wisher—a great administrator—Sir Arthur Cotton, for having navigable channels and irrigation channels all over India. The Government of India never gave effect to that beneficial proposal. Instead the Honourable Member wants to bring forward a proposition for centralising the roads and controlling the roads in different provinces, thereby trying to control the action of the Ministers and the Legislative Councils, who are at present autonomous bodies, and who, in the changed circumstances that will be likely to come about in a year or two, may be completely autonomous. Now, my friend wants to put the Ministers under the control of half a dozen Members of this House and the other House, where the provinces are not going to be at all represented, nor even Members of each province that are in this House are going to be represented. Our basic suspicion is that this is a military proposition, and the Government want to control the roads in time of war or in time of revolution.

My friend Sir Bhupendra Nath Mitra told us last year that, while discussing the Report of the Indian Cinematograph Committee, I was as if addressing my constituency, and that I was in a dream. I am addressing the Members on the Government side. It is our misfortune to find that a certain idea gets hatched by the European Chambers of Commerce and Government give their blessing to it in private and public and then it is brought before the House. In this case, the idea is clear

[Mr. B. Das.]

that Government want to take over all the inter-provincial roads at a time of war or revolution, so that machine guns, tanks and so on may go on from Lahore to Calcutta and Cuttack. I am not going to quarrel with my Leader and Deputy Leader, who were parties to this Report. Of course, leaders are above those mean suspicions which back benchers often feel, and which they must ventilate on the floor of this House. The leaders never thought that Government would bring forward a proposition fathered by the Commerce Department that is really military policy and ought to have been brought before the House by Mr. Mackworth Young or the Commander-in-Chief. Now, if my Honourable friend had read the Report thoroughly, he would not have brought forward this Resolution, whereby the roads in the provinces would be controlled by the Government of India. He knew that every provincial Government was opposed to it. Nor is his Resolution complete. He ought to have brought in one or two more points that the Committee recommended. The Committee recommended that the Military Department should spend money in the construction of bridges and roads because it is they who cause most of the damage to the roads and add heavy weights to bridges. He ought to have brought out another clause for the development of provincial roads through the assistance of Railways. This is not the work of his own Department. It has been thrust on him by the predecessor of the Honourable Sir George Rainy, Sir Charles Innes, and my friend is wet-nursing it.

Sir, this idea of the distribution to provinces on the petrol consumption basis is a wrong principle. The Committee appointed a sub-committee, which was presided over by the Honourable Sir Arthur Froom. Mr. Mahmood Subrawardy of the other House was a member of it, and the only Member of this House, who was a member, was Kumar Gangnanand Sinha, and I do not think Kumar Gangnanand Sinha in any way could have influenced the Honourable Sir Arthur Froom and Mr. Subrawardy. Yet they recommended unanimously that the distribution of the money collected should be done on quite a different basis.

The Honourable Sir Bhupendra Nath Mitra: Is the Honourable Member in order in referring to that in connection with the particular amendment he has moved? If he did not accept the particular form of distribution which is provided for in this Resolution, it would have been open to him to move an amendment to that particular part of the Resolution.

Mr. B. Das: The Honourable Member did not bring forward the proposition before the House in such a way as to allow a full discussion. In fact, we never had a discussion on the subject.

Mr. President: The Honourable Member ought to restrict himself to the amendment.

Mr. B. Das: I will do so. Sir, provincial autonomy may be a farce. We, on this side of the House think so, and probably Honourable Members on the other side think the same. When the Honourable Member himself retires, and if by any chance he becomes a member of the local Legislative Council and accidentally also becomes a Minister, he himself will be the first man to oppose the very Resolution he has moved on the floor

of this House. He will not like to see the Central Government have any control over Ministers and dictate terms to them. Sir, this is a very important Resolution. The Honourable Member may think that he has more heads on his side than we have on ours, but he must be reasonable and take a broad hint from the Honourable Sir George Schuster, who always likes to discuss subjects on their merits. I want, therefore, the Honourable Member to discuss this question on its merits. I know the Honourable Member does not dabble in politics because that is not his subject, but he may have to dabble in politics after six months or a year and face his brothers in the country. Will his countrymen tolerate the idea that he should give two lakhs of rupees to a province without the Minister having any control over it? Can we tolerate the idea that the policy with regard to the construction of roads in the provinces should be dictated by the Military Department so that their tanks and motor cars may reach a particular place? I cannot support that policy, and I do hope that my Honourable friend will discuss the point I have raised on its merits and not be guided by the mere number of his supporters.

The Honourable Sir Bhupendra Nath Mitra: Sir, I submit, that my Honourable friend, Mr. B. Das, following his usual custom, has been wasting the time of the House by placing before them not facts but fictions. He began by saying that I was fathering something which had been forced on me by the Commerce Department, over which my Honourable colleague to my right presides, and by the other House. Now, Sir, any Member of this House, who has been kind enough to read the Report of the Indian Road Development Committee, 1927-28, will have seen that the Resolution passed in the other House was to the following effect:

"This Council recommends to the Governor General in Council to appoint a Committee, including Members of both Houses of the Central Legislature, to examine the desirability of developing the road system of India, the means by which such development could be most suitably financed, and to consider the formation of a Central Road Board for the purpose of advising in regard to, and co-ordinating the policy in respect of, road development in India."

That is the text of the Resolution passed by the Council of State.

Mr. B. Das: Is not that a Commerce Department Resolution?

The Honourable Sir Bhupendra Nath Mitra: I am not concerned with the fact whether it was a Commerce Department Resolution or not. The Resolution was unanimously adopted by the Council of State. In pursuance of that Resolution, a Committee was appointed which was presided over by my Honourable friend, Mr. Jayakar, the Deputy Leader of the Nationalist Party, and which included among its members the late Lala Lajpat Rai, the Leader of that party. It included also other Members of this House. That Committee submitted a unanimous report, and it fell on me, as Member in charge of the Department which deals with roads, to deal with that particular Report. My Honourable friend, Mr. Das, has said that in the last Session of this Assembly I refrained from bringing to its notice that, in certain matters embodied in this Resolution, there was a difference of opinion between the Members of this House and the Ministers in the provinces. I made that point perfectly clear, and if my Honourable friend at any time had cared to read pages 1637-1638 of the Legislative Assembly Debates for the 26th September, 1929, he would have found it stated clearly there.

[Mr. M. R. Jayakar.]

The view embodied in the Resolution and now put before the House represents a compromise between two opposite views which were advocated before the Committee. One view was that all important provincial roads ought to be centralised in the hands of a Road Board or an *ad hoc* Committee and taken out of the hands of the Provincial Governments. The other view was that the Committee should do nothing but find out a means of providing money for Provincial Governments from Central Revenue, but should recommend no change causing any interference with provincial autonomy. I can say for myself and also for the late Lala Lajpat Rai that we struggled hard in the Committee against centralising All-India Roads, and the Committee in its Report recommended minimum interference with provincial autonomy only to the extent necessary for the purpose of safeguarding the money. We recommended—and this Resolution carries out that recommendation—a *via media*, if I may say so, namely, that the control of the Government of India should be very limited, that the Government of India, in providing the money, should not go beyond the necessities of the occasion in exercising control over its application. What we recommended was this, that the control of the Government of India should be limited to only one single consideration, namely, that the schemes which come up from the provinces, asking aid for road development, should be analysed and tested on one important particular only, namely, whether it is a scheme of such a nature that the Government of India could sanction money on it from Central revenue. That is the only interference of the Government of India. But after the Government of India had once approved of the scheme, all questions relating to the spending of the money, *e.g.*, how to spend it, whether to spend it on roads or bridges or culverts, and how much on what particular roads, all these details of road development are left entirely in the hands of Provincial Governments. The provincial view was—and I may state to the House that that is the view which the amendment of my Honourable friend Mr. Das embodies—that the Government of India should convert themselves into a collecting agent, that the Government of India should collect this money as Central revenue and hand it over to Provincial Governments as an agent does to the principal without any say in the matter. In other words, the Government of India were to serve merely as a conduit pipe between the taxpayer and the Provincial Governments, and that they should have nothing to do by way of control or supervision over this money, but should simply collect and hand it over to the Provincial Governments.

In accepting this view, the difficulties which my Committee felt were two, firstly, that the two annas petrol tax was a source of Central revenue, and, secondly, that the Legislative Assembly, being the custodian of that revenue, it would be wrong to suggest any arrangement by which the Legislative Assembly would be denuded of their powers of supervision and control. We could not therefore accept the view of the provincial representatives, which sought to convert the Government of India and the Legislative Assembly into a mere conduit pipe. The compromise which we found satisfactory was first to maintain some control which this Legislative Assembly could exercise as the custodian of the Central revenues, and, secondly, that such supervision or control should be strictly limited to the necessities of the case. That view is embodied in the Resolution which is put before the House. I can quite understand the opposition of the Provincial Governments because their view was, as I stated to my

Honourable friends, that the business of the Government of India was only to collect this money and hand it over. That view obviously could not prevail. Constitutionally, it was wrong. Likewise, it turned this House into a collecting agent, without control or supervision over money which belonged to them and which they had to vote away.

Therefore my submission to the House is that what the Committee has recommended and what has been embodied in the present Resolution is the right view. The control, minimum though it is, is kept with a Committee on which the Assembly is represented by six Members. It will see whether a particular scheme is of such a character as to deserve support out of the central fund. The utility of this proposal, tested by another method, is also great. We recommended in our Report the holding of yearly conferences. To these conferences the provincial Ministers would come; schemes would come from the several provinces; all these schemes would be considered from one important aspect, *viz.*, as to how they fit in with one another, from the view-point of All-India Development. For instance, a scheme comes from the Central Provinces Government; another comes from the Bombay Government the neighbouring Province. The Ministers coming from these two Provincial Governments will each put forward a scheme before that Conference, and the Conference will then examine them in the light of one important consideration, namely, how these schemes fit in with one another with the ultimate view of developing the entire country. After this stage is reached, the schemes go before the Committee with the recommendations of the Conference. Our six Members on this body and the Government of India behind them will examine these schemes, without interfering with the details of the schemes. These are left entirely in the hands of the Provincial Governments. The Committee and the Government of India behind it will only interfere so far as one consideration is involved, namely, whether that scheme satisfies one test, *i.e.*, whether it is deserving of any support from the central source of revenue. Beyond that there is no interference with the Provincial Governments at all. Therefore the lurid picture which my Honourable friend Mr. Das drew that the Committee was anxious to take away as many powers as they could from the Provincial Governments is not true to facts. Speaking for myself and the late Lala Lajpat Rai, and also for several of our friends on the Committee, we were extremely watchful that the Committee did not make one single recommendation which went beyond the necessities of the occasion and caused undue interference. Therefore, my submission to the House is that the Resolution should be adopted and the amendment opposed.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I support the amendment and I will not enter into any discussion outside the merits of this matter such as may displease the Honourable Sir Bhupendra Nath Mitra. Now, Sir, considering this matter which has been arrived at by a compromise, as was said by the Honourable Mr. Jayakar, I find that these proposals, as embodied in the Resolution, would not serve the purpose and would be dilatory. Sir, in paragraph 3 (b) (i) of the Resolution it is said that:

"An apportionment shall be made among the provinces in the ratio which the consumption of petrol in each province bears to the total consumption in India in the preceding calendar year."

[Mr. Lalchand Navalrai.]

This is all right and there can be no objection to this. But then in clause 5 it is said:

"Grants shall be made to each province, up to the amount available for it in each year, for expenditure on schemes approved by the Governor General in Council with the advice of the Standing Committee for Roads."

I am taking exception to this because it will be a dilatory process and would serve no useful purpose. In the first place it is true that the Local Governments object to this course on the principle of autonomy. That is also a very legitimate objection, but apart from it, I think that to leave the expenditure in their hands when they are restricted already, to use it for the purpose of roads and for no other, would not be objectional in any way. The process of asking them to prepare their schemes,—which would be approved of by the Ministers,—and to send over the same to the Governor General and the Finance Committee, which is appointed for consideration and interference in it, would be interference leading to very great detriment, and I am afraid the purpose for which the money is being given, namely, to improve the roads and put them in order would not be easily attained.

I find, Sir, that the latter portion of clause (5) says:

"As an exception to this rule, the amount available for Burma may, for the present, be spent on any scheme of road development that is approved by the Local Government with the concurrence of the local legislature; but if at any future time the question of road connection with India becomes a live issue, the position shall be reconsidered."

I cannot understand why the whole thing should not be done like that. Why should the power be given only to Burma to spend without sanction and not to the other provinces which are administered by Governors? I would submit that the question of delay plays an important part in the consideration of this matter, and I therefore support the amendment that has been put in by the Honourable Mr. Das. Now, already the purpose of having some control of the Government of India over the Local Government in this direction will be served since the amendment provides that information of what schemes the Local Governments prepare, and how the money will be utilised, will be given to the Government of India.

Then, Sir, it was said by my Honourable friend, Mr. Jayakar, that provision is made in this Resolution only with respect to the scheme being considered on one ground only and that is contained in paragraph (7) of the Resolution, clause (ii) which says that the functions of the Standing Committee for Roads shall be:

"To consider all proposals submitted by Local Governments to the Government of India, for which grants from the road development account are requested; provided that the function of the Standing Committee will be confined to determining whether the scheme is one for which an allotment from the Central Road Development Account should be made."

That is not only one ground which has to be considered, but it is so very comprehensive that it will include many objections and many considerations on which the scheme could be thrown out. I would therefore submit that the acceptance of the amendment would be a better way of dealing with this question.

With these words I support the amendment.

Mr. President: The question is:

"That in clause (5), for the words 'Grants shall be made to each province up to the amount available for it in each year, for expenditure on schemes approved by the Governor General in Council with the advice of the Standing Committee for Roads' the following be substituted:

"Grants shall be made to each province to the full extent of the amount available for it in each year for expenditure on new road works, road reconstruction or substantial road improvements and their maintenance. Such expenditure shall be at the discretion of the Local Government; but such schemes shall be submitted to the Government of India for information, who will be entitled to see that the provincial share of the two anna petrol tax is not diverted to other purposes. The control of the Government of India shall be limited to works which they assist by contributions from their reserve or otherwise, but as regards other proposals submitted by Local Governments for information, the control of the Government of India shall be confined to considering whether the scheme is one for which expenditure out of the provincial share of the Road Fund should be incurred."

The motion was negatived.

Mr. M. R. Jayakar: I move, Sir, that:

"In clause (5), for the words 'each province' the words 'each Governor's province' be substituted."

The amendment is purely verbal.

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. President: Sir Brojendra Mitter.

(The Honourable Member was not in his seat.)

Mr. M. R. Jayakar: Sir, I move that:

"In clause (7), after the word 'Roads' the following be inserted: 'including that appointed in pursuance of the motion adopted in the Legislative Assembly on the 2nd September, 1929'."

This amendment is for the purpose of bringing into the operation of this clause the committee which had already been appointed on the 2nd September, 1929. If these words were not added, it would be excluded from the operation of this clause.

The Honourable Sir Bhupendra Nath Mitra: I accept the amendment, Sir.

The motion was adopted.

Mr. B. Das: Sir, I beg to move:

"For sub-clause (ii) of clause (7), the following be substituted: '(ii) To consider all proposals submitted by Local Governments to the Government of India in consultation with provincial representatives, and to advise the Government of India on such proposals; provided that the function of the Standing Committee as regards proposals of Local Governments for expenditure out of the provincial share of the two anna petrol tax submitted by them for information shall be confined to considering whether the scheme is one for which expenditure out of that Road Fund should be incurred'."

Mr. President: Sir Brojendra Mitter:

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): On a point of order, Sir. On previous occasions when some of the Members on the non-official side were absent, they were not allowed to move the amendments against their names later on, and I do not see why the Honourable the Law Member should now be allowed to move his amendment out of the proper time.

Mr. President: Order, order. This is merely a formal amendment, not a controversial amendment, and I think the general sense of the House is that the amendment should be moved.

Honourable Members: Yes.

The Honourable Sir Brojendra Mitter: Sir, I move that:

"In clause (6), for the word 'will' the word 'shall' be substituted."

It is purely a drafting amendment.

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (ii) of clause (7), for the words 'Local Governments' the words 'Governments of Governors' provinces' be substituted."

This is merely a verbal amendment.

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (ii) of clause (7), after the word 'Committee' the words 'and its Finance Sub-Committee' be inserted."

The object of this amendment is to supply an omission which is purely inadvertent, and that is to bring the powers and control of the Finance Sub-Committee on to the same footing as those of the Standing Committee, so that there may not be given larger powers to the Finance Sub-Committee to interfere in Provincial Governments' decision.

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"In sub-clause (ii) of clause (7), for the word 'will' the word 'shall' be substituted."

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"After sub-clause (iii) (c) of clause (7), the following new sub-clause be added:

"(d) Proposals other than those relating to Indian States on which it is desired to incur expenditure out of the portions of the annual grant referred to in clauses (3) (a) and (3) (b) (ii)."

Now, in turning to clauses (3) (a) and (3) (b) Honourable Members will find that (3) (a) refers to the reserve of 10 per cent. which remains in the hands of the Government of India, and (3) (b) relates to the balance. The object of the amendment is to put both these parts of the fund on the same footing as the bulk.

The motion was adopted.

Mr. M. R. Jayakar: Sir, I move that:

"After clause (7), for the words 'All proposals for expenditure from the annual grant or its accumulated balance shall be submitted for approval to the Finance Sub-Committee', the following new clause be substituted:

"(8) All proposals for expenditure from the annual grant or its accumulated balance shall be transmitted by the Standing Committee to its Finance Sub-Committee for approval before recording its final acceptance; and the Standing Committee shall not record its acceptance to any such proposal unless it has received the approval of the Sub-Committee."

The object of the amendment, Sir, is to give power to the Finance Sub-Committee to scrutinise and approve of the financial aspects of the proposals, and it is only when the Finance Sub-Committee has done so that they will be passed by the Standing Committee for Roads.

The motion was adopted.

Mr. B. Das: I do not wish to move my amendment*, Sir.

Mr. President: The question is:

"That the Resolution, as amended, be passed."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 5th February, 1930.

*"After clause (7), for the words 'All proposals for expenditure from the annual grant, or its accumulated balance, shall be submitted for approval to the Finance Sub-Committee' the following be substituted:

"All proposals for expenditure from the annual grant or its accumulated balance shall be submitted for approval to the Finance Sub-Committee, whose function shall be as defined in clause (7) (ii)."



LEGISLATIVE ASSEMBLY.

Wednesday, 5th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

PROSECUTIONS FOR DISAFFECTION AGAINST INDIAN STATES.

232. ***Dr. B. S. Moonje:** (a) Will Government be pleased to state the entire procedure adopted in giving sanction to prosecutions under the Indian States (Protection against Disaffection) Act of 1922?

(b) On whose initiative is the matter started and what channels does it pass through before the final sanction of the Governor General in Council is accorded?

(c) Is the whole material for a prosecution submitted to the Law Officers of the Crown and their opinion in writing taken before the final sanction?

(d) Who represents the Crown in these cases? Is it a fact that outside persons not in Government service and not under Government control are allowed to represent the Crown in these cases? If so, why?

(e) Who pays the cost of these prosecutions?

(f) Who selects the place where a prosecution is launched, and on what considerations?

Mr. E. B. Howell: (a), (b) and (c). On receipt through the Political Department of an application on behalf of a Ruling Prince or Chief for authority to institute proceedings under section 5 of the Act, the Governor General in Council obtains the advice of the Law Officers, which is recorded in writing after examination of the whole material before them, and if he is satisfied that there is ground for thinking that a prosecution is justified, sanction to prosecute is accorded.

(d) Where the Governor General in Council is of opinion that the case is one in which the Government of India should launch a prosecution, the services of the Public Prosecutor would ordinarily be employed. In cases in which the complaint is filed with the authority of the Governor General in Council, it is for the complainant to make his own arrangements for representation.

(e) The complainant.

(f) The complainant. The complaint must be filed in a Court having jurisdiction under sections 177 and following of the Code of Criminal Procedure.

Dr. B. S. Moonje: May I know, Sir, who makes the first complaint and who looks to the first complaint before the Viceroy gives his sanction?

Mr. E. B. Howell: May I ask the Honourable Member kindly to repeat his question?

Dr. B. S. Moonje: I want to know who makes the first complaint and who looks into it to see that it is *bona fide* before the Viceroy gives his sanction for prosecution?

Mr. E. B. Howell: Presumably the person who makes the first complaint is the person who feels aggrieved, and the complaint is brought to the notice of the Viceroy through the officers of the Political Department, who deal with the relations of the Government of India with the particular State from which the complaint came.

Dr. B. S. Moonje: Is it a fact that the complaint first goes to the Political Agent of the State and afterwards to the Agent to the Governor General, and then through him it goes to the Viceroy?

Mr. E. B. Howell: I imagine, Sir, that would be the normal course of procedure. I have no definite information.

Mr. B. Das: With reference to the reply to part (j) of the question, will the Honourable Member please state whether the Court where the prosecution takes place will be in the town where the paper is published or will it be in a town which the Prince suggests?

Mr. E. B. Howell: The place where the trial is held is governed by the ordinary rules of the Code of Criminal Procedure on the subject.

Dr. B. S. Moonje: Is it a fact that in similar previous cases the cases were tried in the place where the papers were published?

Mr. E. B. Howell: If the Honourable Member would mind waiting till the next question is answered, I can tell him where as many prosecutions as there have been under this Act have taken place.

Dr. B. S. Moonje: Why I ask the question now is because it arises from part (j) of my main question as to how the place was selected in this case?

Mr. E. B. Howell: Which case, Sir?

Dr. B. S. Moonje: The present case.

Mr. E. B. Howell: I am not aware to which case the Honourable Member refers.

Dr. B. S. Moonje: The case in which Mr. Diwan Singh Maftoon, Editor of the *Riyasat* is being prosecuted?

Mr. E. B. Howell: That case is still pending. It was first tried in . . .

Dr. B. S. Moonje: I want to know how the place for prosecution was selected. Is there any procedure for selecting the place for prosecution?

Mr. E. B. Howell: Well, Sir, that question does not arise out of the present question.

PROSECUTIONS FOR DISAFFECTION AGAINST INDIAN STATES.

233. ***Dr. B. S. Moonje:** Will Government be pleased to furnish the information required in the following table showing details in each of the cases instituted under the Indian States (Protection against Disaffection) Act since its coming into force:

1	2	3	4	5	6	7	8
Year of the case.	The Prince in whose interest the prosecution was launched.	The name and details of accused.	The place of publication of paper if the accused was a Newspaper Editor.	Government Officer or other Gentleman with full description who represented the Crown.	Total costs incurred in the prosecution.	Who paid the costs in the case.	Result of the case.

Mr. E. B. Howell: With the Honourable Member's permission, may I lay this on the table? It is rather a complicated thing to read out, but I will read it out if the Honourable Member wants me to do so.

Dr. B. S. Moonje: It would be better if the Honourable Member would read out his statement, because it would help us to put certain supplementary questions if necessary.

Mr. E. B. Howell: I should be sorry to disappoint the Honourable Member.

Mr. President: Is it a long statement?

Mr. E. B. Howell: Yes, Sir.

Mr. President: Is it a very long statement?

Mr. E. B. Howell: That much, Sir.

Mr. President: I think the Honourable Member might read it out.

Mr. E. B. Howell: The particulars required are as follows:

Year of the case.	The Prince in whose interest the prosecution was launched.	The name and details of accused.	The place of publication of paper if the accused was a Newspaper Editor.	Government officer or other gentleman with full description who represented the Crown.	Total costs incurred in the prosecution.	Who paid the costs in the case.	Result of the case.
1	2	3	4	5	6	7	8
1. (a) 1927.	His Highness the Maharaja of Patiala.	Santa Singh, Editor, Printer and Publisher of the <i>Sachcha Dhan-dhara</i> .	Amritsar.	The Government Advocate and Public Prosecutor, Amritsar.	Particulars are not known but enquiries are being made and the Honourable Member will be informed.	Government.	Accused sentenced to three months' simple imprisonment.
b) 1928.	Do.	Dalip Singh, Editor, Printer and Publisher of the <i>Sachcha Dhan-dhara</i> .	Do.	The Public Prosecutor, Amritsar.	Do.	Do.	Do.
2. 1929.	His Highness the Nawab of Bhopal.	Nawazish Ali Khan, Editor, Printer and Publisher of the <i>Tagat</i> .	Delhi.	The Public Prosecutor, Delhi.	Rs. 1,033-2-0	Do.	Proceedings withdrawn after apology by Defendant.
3. 1929.	Do.	Diwan Singh Maftoon, Editor of the <i>Rajratna</i> .	Do.	..	I have no details as to the total cost.	..	The suit is now pending.

Dr. B. S. Moonje: If in previous cases the places where the prosecutions were launched were the places where the papers were published, what special reasons were there for changing the place in the present case?

The Honourable Sir Brojendra Mitter: In Criminal Law, wherever a paper is published, the Court of that place has jurisdiction. Publication does not mean printing. If a paper is circulated in five different districts, then the paper is published in each of these places, and a prosecution might be launched in any of these places.

Dr. B. S. Moonje: If the two papers in the previous cases were prosecuted in the place where they were printed, why was it that, in the present case, the prosecution was launched in a different place?

Mr. E. B. Howell: What reason has the Honourable Member for saying that the prosecution was not brought in the place where the paper was published?

Dr. B. S. Moonje: I said printed.

Mr. E. B. Howell: I gather that it was in Delhi all along.

Dr. B. S. Moonje: I could not catch the Honourable Member.

Mr. E. B. Howell: I ask what reason the Honourable Member has for saying that the prosecution was in one place, while the printing of the newspaper was in another?

Dr. B. S. Moonje: So far as my information goes, the paper is printed in Delhi.

Mr. E. B. Howell: And the case is being tried in Hoshangabad.

Dr. B. S. Moonje: It is being tried in Hoshangabad?

Mr. E. B. Howell: The case is still pending. Does the Honourable Member wish to press his questions?

Dr. B. S. Moonje: I do not know if there are any special reasons for trying this case in Hoshangabad even though the paper is printed in Delhi.

Mr. E. B. Howell: I am not aware of any special reasons.

Dr. B. S. Moonje: Then I suppose it is only a matter of autocratic choice as to the place to be selected for trying the case, irrespective of the fact that the printing and publishing establishment and office of the paper be somewhere else.

The Honourable Sir Brojendra Mitter: The choice of forum always lies with the complainant.

Munshi Iswar Saran: Will the Honourable the Law Member try to understand the object of the question of my Honourable friend? It is perfectly open to the prosecutor to select his own forum, but the point is why that particular forum was selected. It is a question of policy and not of legality.

The Honourable Sir Brojendra Mitter: If a prosecution is launched in a court of competent jurisdiction, then it is perfectly in order, but why a complainant chooses place "A" instead of place "B", that is for the complainant to answer.

Mr. B. Das: Is the Honourable Member aware that, at the time of the passing of the Princes Protection Act, an assurance was given by Sir William Vincent that there would be an appeal to the High Court? In the present case of Hoshangabad, there is no appeal to a High Court.

Mr. E. B. Howell: I think an identical question has been put down for future answer.

Mr. Abdul Haye: Are the Government aware that, in the past, highly defamatory statements have been published against His Highness the Maharaja of Patiala in certain papers, especially the *Riyasat* and the *Akali*? Have the Government considered this matter, and will the Honourable Member be pleased to state why no prosecutions were launched against these papers?

Mr. President: I do not think that question arises from this.

Munshi Iswar Saran: Will the Honourable the Law Member kindly state the reason why the prosecutor in this case selected that forum? It is perfectly open to the prosecutor to select the forum he pleases, but we wish to know the reason why that particular forum was selected, and the prosecutor should give an answer to the members here who want to elicit the information.

The Honourable Sir Brojendra Mitter: I have already answered that question. It is for the complainant, who is generally the aggrieved person, to choose his forum. I understand the aggrieved person in this case is His Highness the Nawab of Bhopal. It is for him to answer that question, not for us.

Pandit Thakur Das Bhargava: Was this forum chosen with a view to

Mr. President: The Honourable Member has stated that it is the Nawab of Bhopal who is the complainant and it is not for the Government of India to answer.

Mr. Vidya Sagar Pandya: Did the Nawab of Bhopal select that forum?

Mr. President: How can the Government of India answer that question?

Mr. Abdul Haye: Did he apply to the Governor General?

Mr. E. B. Howell: I have no information. I must have notice of that question.

Pandit Hirday Nath Kunzru: When sanction for the prosecution is asked for, is the place where the complainant wishes the case to be tried also stated?

Mr. E. B. Howell: I imagine there is no general rule.

Pandit Hirday Nath Kunzru: The Honourable Member speaks on behalf of the Political Department here. Will he tell us what the practice is?

Mr. E. B. Howell: It cannot be said that there is a general practice when there have been only four cases since the Act was passed.

Pandit Hirday Nath Kunzru: What has been the practice in those four cases?

Mr. E. B. Howell: Will the Honourable Member give me notice of that question?

Pandit Hirday Nath Kunzru: With pleasure.

Mr. M. S. Aney: Was there any communication between the Nawab of Bhopal and the Political Department before this case was instituted in the Court at Hoshangabad?

Mr. E. B. Howell: I must ask for notice of that question also.

RECRUITMENT OF INDIAN TRADE COMMISSIONERS.

234. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state whether continuity of personnel is one of the grounds for confining the selection of Trade Commissioners to Government services? If so, do Government propose to take guarantees from the officers appointed as Trade Commissioners that for the remaining period of their service with Government they will not seek employment in other branches of Government where their prospects would probably be better?

(b) If not, will Government please state how else the recruitment from the services will lead to continuity?

The Honourable Sir George Rainy: (a) and (b). It is certainly desirable to secure reasonable continuity of personnel in the appointments of Trade Commissioners, and probably this result might be more easily achieved by the appointment of officials than of non-officials. Government do not think that any special measures will be necessary to ensure continuity if officials are appointed, but they will consider the suggestion made.

Mr. Sarabhai Nemchand Haji: What has led Government to believe that recruitment from among non-officials will lead to a want of continuity?

The Honourable Sir George Rainy: I have not said so. What I said was that probably continuity might be more easily secured by the appointment of officials than of non-officials.

Mr. Sarabhai Nemchand Haji: Will the Honourable Member accept my statement that probably equal continuity could be achieved by taking men from the non-official side?

Mr. President: That is a question of opinion.

RECRUITMENT OF INDIAN TRADE COMMISSIONERS.

235. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please state the difficulties in the way of the realisation of the whole scheme of Trade Commissioners in a shorter period than the one contemplated?

(b) Have Government received any protest from commercial bodies before or since the publication of the scheme under which the recruitment of Indian Trade Commissioners will be confined to the services?

The Honourable Sir George Rainy: (a) The difficulties are mainly financial.

(b) A representation has recently been received from the Indian Merchants' Chamber, Bombay, on the subject.

CARRAIGE OF MAILS TO COX'S BAZAAR.

236. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state whether it is a fact that the Postal Department is not allowing the Bengal Burma Steam Navigation Company at Chittagong to carry the mails to Cox's Bazaar?

(b) Is it a fact that the income of the Department has undergone a great diminution since a non-official agency has been carrying letters and messages to Cox's Bazaar and other islands of that area?

Mr. H. A. Sams: (a) No. Negotiations between the Bengal Burma Steam Navigation Company and the Postmaster General Bengal and Assam, on the subject are still in progress.

(b) No.

RESIDENCE IN THE POST OFFICE BY THE SUPERINTENDENT OF POST OFFICES, CHITTAGONG DIVISION.

237. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state how much money was realised by Government from the Superintendent, Post Offices, Chittagong Division, who was transferred to Sylhet, for using the office as his home, referred to by Mr. Rogers in reply to my questions during the last Simla session of the Legislative Assembly?

Mr. H. A. Sams: It is not clear to which of his questions the Honourable Member is referring. But the Postmaster General, to whom the question was sent, reports that Rs. 62 were recovered from the salary bill of a Superintendent for January 1929. If the Honourable Member will give more precise details of his question, further information will be obtained and communicated to him.

RECENT APPOINTMENTS AND PROMOTIONS IN THE SECRETARIAT.

238. ***Pandit Hirday Nath Kunzru:** (a) Will Government be pleased to state whether any posts, permanent or temporary, have been created in the Secretariat since the 31st March, 1929? If so, what are their designations and salaries?

(b) Will Government be pleased to state whether the salaries of any of the existing posts in the Secretariat have been increased since the 31st March, 1929? If so, to what extent have they been raised?

(c) If the answer to parts (a) and (b) be in the affirmative, will Government kindly state what is the additional expenditure that will be incurred in the current year?

The Honourable Sir James Crerar: Yes. The information is being collected and will be supplied to the Honourable Member in due course.

PERIOD OF OFFICE OF THE FINANCIAL COMMISSIONER OF RAILWAYS.

239. ***Pandit Hirday Nath Kunzru:** With reference to the reply given to starred question No. 461 regarding period of appointment of officers of the Finance Department, on the 15th September, 1929, will Government be pleased to state whether they have fixed the period of office of the Financial Commissioner of Railways?

The Honourable Sir George Rainy: Before arriving at a decision regarding the tenure of the Financial Commissioner of Railways, Government thought it desirable to obtain the considered opinion of the new Chief Commissioner, Mr. Russell. That opinion is now before Government, and it is hoped that a decision will be reached at an early date.

Mr. K. C. Neogy: How is it that this matter did not engage the attention of Government before this?

The Honourable Sir George Rainy: I think, Sir, that I said when I answered the Honourable Member's question last September that the omission appears to have been accidental.

Mr. K. C. Neogy: Accidents do happen on railways?

Pandit Hirday Nath Kunzru: If the omission was only accidental, why was it necessary to consult the new Chief Commissioner of Railways on a settled question of policy?

The Honourable Sir George Rainy: Because, Sir, on important matters one likes to have the opinion of one's constitutional adviser.

Pandit Hirday Nath Kunzru: In a matter of this kind will Government decide the question, or will they be guided by the opinion of the Chief Commissioner of Railways?

The Honourable Sir George Rainy: The Chief Commissioner of Railways is the adviser of Government on all important questions affecting the organisation of the railways.

Pandit Hirday Nath Kunzru: May I ask what was the point on which the opinion of the Chief Commissioner of Railways was invited? Was it with regard to the tenure of the Financial Commissioner, or was it with regard to his permanent occupation of his office?

The Honourable Sir George Rainy: As regards the tenure of the Financial Commissioner.

Mr. K. C. Neogy: Having regard to the fact that the Financial Commissioner has also some relation with the Finance Department, is the opinion of the Finance Department also being obtained in this matter?

The Honourable Sir George Rainy: Naturally the Finance Department are very closely concerned in this matter.

Mr. K. C. Neogy: Has the opinion of the Finance Department been obtained in this matter?

The Honourable Sir George Rainy: A decision has not yet been arrived at. The matter is under consideration by myself and by the Honourable the Finance Member.

Pandit Hirday Nath Kunzru: Is the Finance Member deferring his decision till he receives the opinion of the Chief Commissioner of Railways?

The Honourable Sir George Rainy: The answer I have given is the answer on behalf of the Government of India and not on behalf of a particular Department.

Pandit Hirday Nath Kunzru: Are the Government of India in this matter represented by the Railway Department or by the entire Executive Council?

The Honourable Sir George Rainy: The decision will be the decision of the Government of India, in which both the Railway and the Finance Departments will participate.

REQUISITION OF VILLAGERS TO GUARD THE RAILWAY LINE.

240. ***Pandit Hirday Nath Kunzru:** (a) Has the attention of Government been drawn to the statement published in the *Hindustan Times* of the 25th January, 1930, under the heading "H. E. the Viceroy's Safe Arrival—Villagers' Complaint"?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state if villagers were required by the executive authorities to guard the railway line at night and to perform other duties? If so, under what law was action taken?

(c) If the answer to part (b) is in the affirmative, will Government be pleased to state whether the villagers referred to in (b) were paid? If so, at what rate?

The Honourable Sir James Crerar: (a) Yes.

(b) It has been ascertained that no villagers were required to guard the railway line in the Delhi Province.

(c) The question does not arise.

Pandit Hirday Nath Kunzru: I did not say that, Sir. Did I say that it concerned the Delhi Province? The complaint referred to the action taken somewhere in the Bombay Presidency, probably when the Viceroy visited the Baroda State.

The Honourable Sir James Crerar: I understood the question referred to arrangements made in connection with the arrival of His Excellency's train at Delhi. If it refers to other matters, I should like the Honourable Member to give me notice.

Pandit Hirday Nath Kunzru: What is there in this statement to indicate that it was put with special reference to the arrival of His Excellency's train here. The statement in the *Hindustan Times*, to which I have referred, deals only with the question of guarding the railway train when His Excellency went to Baroda.

The Honourable Sir James Crerar: I understood the Honourable Member's question to refer to the arrival of the train at Delhi. If that was not his intention, I should be glad if he will give me notice of the specific particulars on which he desires information.

Pandit Hirday Nath Kunzru: The Honourable Member said his attention had been drawn to the statement which appeared in the *Hindustan Times*. If he has read that statement and not answered my question correctly, why should it be necessary for me to give notice again?

The Honourable Sir James Crerar: I have seen the article referred to, but the impression I derived from it was that it did refer specifically to the arrival of the train at Delhi.

Pandit Hirday Nath Kunzru: Would the Honourable Member mind giving me the correct information desired without any further notice?

The Honourable Sir James Crerar: The Honourable Member's question is of a general character and I should desire him to be somewhat more specific as to the particular information he required. If he will be good enough to do so, I shall endeavour to make inquiries and provide him with the information.

GRIEVANCES OF THE STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

241. ***Mr. Muhammad Rafique:** (a) Is it a fact that a committee with Mr. Mitra as its Chairman was appointed by the Railway Board to frame detailed rules for fixing the seniority in different grades of subordinate establishment of the Railway Clearing Accounts Office?

(b) Are Government aware of the fact that the work of inquiry was carried out only by the Chairman of the Committee in the absence of other members?

(c) Is it a fact that Rai Bahadur Faqir Chand was throughout present when the members of the staff presented themselves before the Chairman to place their grievances, and are Government aware that there was great discontentment among the staff for this action of the Chairman, and that as a result of this a certain section of the staff (specially North Western Railway) boycotted the Committee as their grievances were generally against Rai Bahadur Faqir Chand?

(d) Do Government propose to appoint another committee to inquire independently into the grievances of the staff? If not, why not?

Mr. A. A. L. Parsons: (a) Yes.

(b) The business entrusted to the Committee was conducted by it. The detailed investigation of representations made personally by the man on invitation to do so was made by the Chairman, as desired by the Committee at a preliminary meeting. The results of this investigation were placed before the Committee and accepted by them.

(c) Rai Bahadur Faqir Chand was present when the detailed investigations referred to were made. As far as the Chairman can ascertain, there was no discontent. Opportunity was offered to any member of the staff to see the Chairman alone and some availed themselves of it. The Committee were not boycotted.

(d) No. The Committee and the Chairman were absolutely independent of any influence.

APPOINTMENT OF MUSLIMS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

242. ***Mr. Muhammad Rafique:** Will Government be pleased to state whether there is a single Muslim in the Establishment and Procedure Sections of the Railway Clearing Accounts Office? If not, why not?

Mr. A. A. L. Parsons: Communal representation is not provided for in the rules of recruitment for each section of an office.

OPPOSITION TO THE CLEARING HOUSE EXPERIMENT AT LAHORE.

243. ***Mr. Muhammad Rafique:** (a) Will Government be pleased to state what the severe opposition was at the commencement of the Clearing House experiment at Lahore, as mentioned by Mr. Mitra in his report?

(b) Is it a fact that the staff was threatened to be bombed, and machines to be burnt down?

(c) If the reply to part (b) be in the affirmative, will Government be pleased to state what steps were taken, and whether the matter was reported to the police and if any departmental action was taken?

(d) If the reply to part (c) be in the affirmative, will Government be pleased to lay on the table a copy of the record proving these fears?

Mr. A. A. L. Parsons: (a) and (b). The opposition manifested itself in the shape of agitation in the Press, circulation of pamphlets containing wild allegations against the experiments, meetings held in the office of the Chief Auditor, North Western Railway, to dissuade the clerks from working for the experiment, and numerous anonymous letters threatening to burn the machines.

(c) The matter was not reported to the police, but precautions were taken to guard the machines by employing extra chowkidars and by allowing only reliable men to work the machines under strict supervision.

(d) If the records referred to are the pamphlets, anonymous letters and articles in the Press written four years ago, they are not available now.

RECRUITMENT OF THE STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

244. ***Mr. Muhammad Rafique:** (a) Is it a fact that according to Mr. Mitra's report 150 men were recruited in the Railway Clearing Accounts Office as a portion of nucleus staff for special, educational and other qualifications?

(b) If the answer to part (a) is in the affirmative, will Government be pleased to state how many were recruited (i) for aptitude, (ii) for outdoor work, (iii) as being men from minority communities, and (iv) for special reasons?

(c) Will Government be pleased to state what are the criteria to find out that a man has the abovementioned qualifications when he is taken direct from outside?

(d) Will Government be pleased to state what the special reasons were which led Government to take these men?

(e) Will Government be pleased to state why there is not a single Muslim among (i) 11 Officers (ii) 8 Superintendents and (iii) 18 Assistant Superintendents of the Railway Clearing Accounts Office?

Mr. A. A. L. Parsons: (a), (b), (c) and (d). Yes, this number had to be recruited from outside as all the staff required for the Clearing House experiment office were not available from existing Audit and Accounts offices, and in doing this the rules of recruitment in force at the time were observed, with due regard to the requirements of the experiment.

(e) The Honourable Member is referred to the reply to a similar unstarred question (No. 202) asked by the Honourable Member, Mr. Abdul Haye, in the September, 1929 Session of the Legislative Assembly.

RECRUITMENT OF STAFF FOR THE RATES SCHEME IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

245. ***Mr. Muhammad Rafique:** (a) What connection has Rai Bahadur Faqir Chand with the Rates Scheme?

(b) Is it one of Rai Bahadur Faqir Chand's duties to recruit men for this scheme?

(c) Will Government be pleased to state what will be the source of recruitment in this scheme? Will some examination be held as a qualification test or will recruitment depend on the choice of Rai Bahadur Faqir Chand?

Mr. A. A. L. Parsons: (a) Rai Bahadur Faqir Chand is in direct charge of the Rates Scheme.

(b) The recruitment is made under the direction of the Director, Clearing Accounts Office.

(c) Partly from the Clearing Accounts Office and partly from outside. No examination has been prescribed, as the appointments are purely temporary.

APPOINTMENT OF MUSLIMS IN THE OFFICE OF THE CONTROLLER OF RAILWAY ACCOUNTS.

246. ***Mr. Muhammad Rafique:** Will Government be pleased to state what is the procedure adopted in the competitive examinations held by the Controller, Railway Accounts? Have Muslims got to compete with Muslims or with others as well? Has any percentage been fixed for them, and if so, how many candidates were taken on communal grounds in the last examination as (i) clerks and (ii) accountants?

Mr. A. A. L. Parsons: The examination is open to all and is conducted according to rules framed with the approval of the Standing Finance Committee for Railways.

Muslims compete with numbers of other communities. No percentage has been fixed for them. Thirteen candidates, of whom four are Muslims, will be taken in as clerks on communal grounds as a result of the last examination.

No competitive examination is prescribed for accountants.

APPOINTMENT OF MUSLIMS IN THE OFFICE OF THE CONTROLLER OF RAILWAY ACCOUNTS.

247. ***Mr. Muhammad Rafique:** Will Government be pleased to state the total establishment of the Controller, Railway Accounts Office, and how many of them are Muslims?

Mr. A. A. L. Parsons: There are four officers, none of whom is at present a Muslim. Of the 46 permanent and temporary appointments, five permanent appointments are at present held by Muslims.

APPOINTMENT OF MUSLIMS IN THE OFFICE OF THE CONTROLLER OF RAILWAY ACCOUNTS:

248. ***Mr. Muhammad Rafique:** (a) Have Government always refused to give the figures about the staff of the Controller, Railway Accounts Office, on a communal basis in spite of the repeated demands made by the Members of this House, and in face of the fact that it has done so in other Departments of the Government of India? If so, why?

(b) If the answer to part (a) be in the negative, will Government be pleased to state the total strength of the staff of the Controller, Railway Accounts Office, in different grades and the number of Muslims therein?

Mr. A. A. L. Parsons: (a) and (b). The Honourable Member is referred to the answer to his question No. 247. Of the five Muslims, one is an accountant, one a stenographer, one a typist, and two are clerks.

UNSTARRED QUESTIONS AND ANSWERS.

REST HOUSES FOR RAILWAY GUARDS AT OUTSTATIONS.

149. **Mr. Muhammad Ismail Khan:** (a) Will the Honourable Member in charge of the Department of Industries and Labour kindly state if rest houses and attendants are provided for mail guards who are detained at out-stations?

(b) Is it a fact that the mail guards of S./34 line S. Division, Eastern Circle, are being detained at the out-station at Patuakhali for nearly 24 hours since the 15th June, 1929?

(c) Is it a fact that no rest house or attendant has been provided at the out-station at Patuakhali and that the mail guards have been greatly inconvenienced and put to great hardship for want of an attendant and accommodation?

(d) Are Government aware that the mail guards arranged accommodation and conveyance of articles with a local shop-keeper?

(e) Is it a fact that the Superintendent, Railway Mail Service, S. Division, refused to sanction the monthly bills of hire of the shop-keeper which have been paid by the mail guards?

(f) Are Government aware that the local shop-keeper has turned the mail guards out of his room, one of whom sent a telegram to the Superintendent, Railway Mail Service, S. Division, for immediate arrangements?

(g) Is it a fact that the amount of telegraphic charge has been ordered to be recovered from the mail guard, but no arrangement for rest house has been ordered to be made by the Superintendent?

(h) Is it a fact that the Superintendent informed the mail guards that they had no right to occupy the rest house without his previous sanction?

(i) If the answers to the above questions be in the affirmative, will Government be pleased to state what notice, if any, they intend to take, of the action of the Superintendent?

(j) Have Government considered the question of the desirability of immediately ordering the arrangement of a rest house and attendant to the mail guards, S./34 at the out-station of Patuakhali and ordering the refund of the telegraphic charge if recovered and the payment of the shop-keepers' bills from July to December?

The Honourable Sir Bhupendra Nath Mitra: The reply to part (a) of the Honourable Member's question is in the affirmative. As regards the remainder of the question, Government have no information, but inquiries are being made of the Postmaster General, Bengal and Assam Circle, and the result will be communicated to the Honourable Member in due course.

HOURS OF DUTY OF SORTERS IN THE RAILWAY MAIL SERVICE.

150. **Mr. Muhammad Ismail Khan:** (a) Will the Honourable Member in charge of the Department of Industries and Labour be pleased to state the number of hours a sorter is required to perform (i) day duty, (ii) night duty and (iii) combined day and night duty?

(b) Is it a fact that the sorters in stationary Railway Mail Service offices are required to perform night duty on alternate days which means that they have to keep awake fifteen days in a month of 30 days?

(c) Is the sick list among the officers performing night duty in the Railway Mail Service heavy as compared with those working in the Post Office or other Departments of the Government?

(d) If the answer to part (c) be in the affirmative, have Government considered the question of the desirability of obtaining expert medical opinion on the point and of reducing the night duties by introducing a third set in all stationary offices?

The Honourable Sir Bhupendra Nath Mitra: (a) The duty which a sorter is ordinarily expected to perform in a week is:

In the mail van: 36 hours day duty, 30 hours night duty; or 33 hours combined day and night duty; while in stationary mail offices the hours are 49, 35 and 42, respectively.

(b) Yes. In those Railway Mail Service stationary offices which work at night and where there are only two sets.

(c) Government understand that night duty does not involve a heavy sick list because sorters working at night get more rest.

(d) Does not arise.

STATEMENT LAID ON THE TABLE.

REPORTS ON THE DAMAGE DONE BY FLOODS IN THE NORTH WEST FRONTIER PROVINCE AND BALUCHISTAN.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, I lay on the table the information promised in reply to starred question No. 941 asked by Mr. K. C. Neogy (on behalf of Mr. B. Das) on the 25th September, 1929, regarding the reports on the damage done by floods in the North West Frontier Province and Baluchistan in 1929.

Report on the Damage done by Floods in the North West Frontier Province.

Information has now been collected regarding the damage caused by the recent floods in the North West Frontier Province and will be found summarised in the four statements attached.

2. By reason of the nature and of the widespread extent of the damage in the areas most affected, the estimates framed, except in the case of the damage done to road communications and irrigation works, are of necessity only roughly approximate and in some cases are no doubt exaggerated, as for instance in the case of damage done to lands and standing crops, more so perhaps in the Dir and Swat States where the figures given are less susceptible of check. Even so, the figures serve to present a picture true enough in its main features of the very extensive and costly damage that has been done, from the effects of which, in many cases, it will take the province some considerable time to recover. The total damage under the main heads is estimated as follows:

(a) Human life	121
	Rs.
(b) Damage to private property	93,27,154
(c) Damage to property of local bodies	57,900
(d) Damage to buildings and communications	14,12,558
(e) Irrigation works	2,10,200
Total	1,10,06,912

3. *Hazara*.—The damage done in this district was to some extent, due to the heavy rainfall itself but chiefly to the consequent floods in the Haro, Daur, Siran, Kunar and Indus Rivers. In some villages large parts of the village lands were swept away and have completely vanished. There was, so far as can be ascertained no loss of human life. In addition, roads and buildings maintained by the District Board have suffered considerably and it is estimated that some Rs. 30,250 will be needed to make good the damage. A further sum of Rs. 10,000 will probably be required for repairs to minor irrigation works in this district.

4. With regard to the loss of buildings, nearly all the houses which collapsed were built of mud and, except in a few villages where lands together with the houses on them were swept away, materials for rebuilding are in the main still available. The loss, therefore, though considerable in the aggregate, is, if taken individually, comparatively slight. Such collapses are, moreover not infrequent in the Hazara District where heavy rains occur from time to time and the loss therefore is not so serious or abnormal as the figures might at first indicate.

5. *Peshawar*.—The damage in the Peshawar District was particularly confined to:

- (1) The area of the Charsadda Tahsil bordering on the Swat River.
- (2) The areas in the Nowshera and Swabi Tahsils situated on the Kabul River below Nowshera.
- (3) Certain tracts of the Peshawar Tahsil on the banks of the Bara River, which also came down in exceptionally heavy flood.

A careful inquiry has been made into the damage caused to landowners and cultivators in these tracts. It will be observed from statement "A" that the total damage to private property is estimated at Rs. 23,21,431. The Deputy Commissioner considers that these figures are somewhat exaggerated, but that the abnormal damage caused may safely be estimated at between 15 and 20 lakhs. Much of the land which was submerged has been covered with sand and also broken up by freshly formed nullahs. Before, therefore, cultivation can again be undertaken considerable expenditure will be required.

6. The special damage due to floods and excessive rainfall to District Board works is approximately Rs. 10,000. A proportion of this will, however, be covered by annual repairs which would in many cases have to be undertaken. The district canal system suffered very heavily in the Bara area, where Rs. 8,000 will be required to repair the head works, and also in the Doaba-Sholgira canal and in the various drains recently constructed. The total damage to district canals is estimated at Rs. 20,000.

7. *Kohat*.—On the whole this district has suffered but comparatively slight damage and the loss in crops is far less than the benefit likely to accrue in dry areas. The damage to private property has been confined to the riverain tract. District Board property and minor irrigation works have, however, suffered to the extent of some Rs. 15,000.

8. *Dera Ismail Khan*.—Thanks to the timely warning given to the inhabitants of the riverain tract, the damage has not been so extensive as was at first feared. There was no loss of human life and the losses of livestock and property were comparatively slight.

9. Immediately on receipt of information that a very heavy flood was coming down the Indus, steps were taken to ensure that villages likely to be effected were evacuated in good time and that relief measures were available on the spot. The entire riverain tract was divided into six circles, each of which was placed in charge of a Revenue Officer, who was authorised to supply food and firewood to the more indigent victims of the flood. In the riverain area practically all the houses have been destroyed, but here, as in the Hazara District, the materials, are available on the spot and the work of re-building is already proceeding rapidly. The general feeling throughout the riverain tract is that the loss of houses and standing crops will be of comparatively little consequence, provided that a sufficiently liberal grant of "taccavi" for the "rabi" crop can be given, and it is hoped that the grants of "taccavi" that have been made on a generous scale will convert what might have been a calamity into a definite blessing for the district. The soil is in excellent condition for the "rabi" crop and considerable areas have been irrigated which had hitherto remained dry.

10. The protective bund at Dera Ismail Khan stood the test well, but there has been a good deal of scouring and other damage, and the bill for the repairs will be heavy. The damage to irrigation works represents chiefly the repairs which will be necessary to the Paharpur Canal and the Kot Hafiz Distributary.

11. *Malakand*.—The heaviest damage in the province, both in human life and in property, occurred in this Agency.

Heavy floods occurred in the Panjkora and Swat rivers on the 7th August. The bridges at Chutiatan and Darora were carried away and the traffic on the Chitral Road held up. The Balambat Suspension Bridge, built by the Nawab of Dir, was also carried away. At Chakdarra the Swat River rose six feet above the highest known flood level, protective bunds were breached and the road approaches to the bridge carried away, while the road from Jalawan to Chakdarra was flooded for two and a half days. The Chakdarra Levy Post was also destroyed. In the Swat area the road at Landaki has ceased to exist and heavy damage has been caused elsewhere to roads and bridges, including the bridge over the Swat river at Mingaora. Many acres of land and crops near the rivers have either entirely been carried away, or have come under mud and stones.

12. Up to the time of the flood, the promise of harvest was a good one, but nearly all the water channels have been damaged, and in places scour and a change in the course of the river have made it impossible to repair the channels. There was consequently some withering of crops due to the breakdown of the irrigation system.

13. *Relief*.—A sum of Rs. 15,000 was immediately placed at the disposal of the Deputy Commissioner, Peshawar, and steps were at once taken to provide emergent relief in the form of food, medical attendance and blankets to villagers in the affected areas. Relief funds were also opened at Peshawar and Dera Ismail Khan. An application has been made for a grant of Rs. 50,000, from the "Indian People's Famine Trust Fund" for the relief of cases of genuinely poor people who have lost their means of livelihood, and in addition an extra "taccavi" grant of Rs. 4,50,000 over and above the annual budget grant of Rs. 2,25,000 has been sanctioned by the Government of India.

" A " .
Damage to Private Property.

	Human life.	Land.	Standing crops.	Buildings.	Water Mills.	Live stock.	Grain.	Other property.	Total.	Remarks.
Hazara	..	Rs. 2,70,000	Rs. 20,000	Rs. 47,000	Rs. 86,000	Rs. 3,000	Rs. 1,400	Rs. ..	Rs. 4,36,400	
Peshawar	..	..	18,85,387	3,46,030	12,908	3,881	9,357	(a) 62,968	23,21,431	(a) (1) Household equipment 21,211
Kohat	..	..	..	7,000	..	..	..	..	7,000	(2) Ferries destroyed 2,200
Bannu	..	..	..	..	..	..	..	..	..	(3) Wells destroyed and damaged 39,557
Dera Ismail Khan	..	..	9,355	64,085	..	12,395	51,657	9,260	1,46,752	
MALAKAND.	3	7,84,000	2,15,200	43,700	4,700	440	..	..	10,48,040	
(a) Protected Area	113	18,58,800	1,80,320	2,28,900	42,300	4,311	..	(b) 4,70,000	27,84,631	(b) Roads and bridges 30,000
(b) Swat State	..	..	25,19,900	..	..	..	..	(c) 63,000	25,82,900	Logs carried away 4,40,000
(c) Dir State	5	..	..	..	..	..	..	..	..	(c) Suspension bridge at Balambat 23,000
Khyber	..	..	..	..	..	..	..	..	..	Destroyed live stock buildings and bridges 40,000
Kurram	..	..	..	..	..	..	..	..	..	
North Waziristan	..	..	..	..	..	..	..	..	..	
South Waziristan	..	..	..	..	..	..	..	..	..	
Total	121	29,12,800	48,39,162	7,37,615	1,45,908	24,027	62,414	6,05,228	93,27,154	

STATEMENT LAID ON THE TABLE.

" B " .

Damage done to Local Bodies' Property.

	Rs.
District Board, Kohat	10,000
District Board, Hazara	30,250
District Board, Peshawar	10,000
Local Bodies, Dera Ismail Khan	6,750
Total	57,000

" C " .

Damage done to Buildings and Communications in the North-West Frontier Province.

Peshawar District.	41—Civil Works Central.	29-A.—Frontier Watch and Ward.	Total.
<i>Peshawar Sub-District.</i>	Rs.	Rs.	Rs.
Buildings	14,952	14,400	29,352
Communications	3,56,459	1,63,600	5,19,459
<i>Hazara Sub-District.</i>			
Buildings	20,500	..	20,500
Communications	4,57,000	..	4,57,000
<i>Kohat District.</i>			
Buildings	..	..	..
Communications	20,550	46,930	67,480
<i>Waziristan District.</i>			
Buildings	35,000	7,500	42,500
Communications	1,01,080	1,75,187	2,76,267
Grand Total	10,05,541	4,07,017	14,12,558

" D " .

DAMAGE DONE TO IRRIGATION WORKS.

Major Works in charge of Irrigation Department.

	Rs.
Swabi-Division	9,000
Malakand Division	71,000
Lower Swat Canal	40,000
Loss on crops about	50,000

Minor Works in charge of Deputy Commissioners.

Peshawar Canals	20,000
Hazara Irrigation Works	10,000
Dera Ismail Khan Irrigation Works	5,200
Kohat Irrigation Works	5,000
Total	2,10,200

Statement showing damages done to buildings at Jhatpat—contd.

V. SCHOOL BUILDING.

1. *Boarding House*.—Rebuilding west side room, and portion of south and back walls. All are in a state of collapse.
2. Rebuilding compound wall.
3. *School*.—Making plinth protection all round the school building.

VI. LEVY BUILDINGS.

1. *Levy Unes*.—Mangers require rebuilding.
2. *Levy Muharrir quarters*.—Rebuilding portion of a wall.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTION 552.)

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, I beg to move that the Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of section 552), be referred to a Select Committee consisting of the Honourable the Law Member, Mian Mohammad Shah Nawaz, Mr. M. S. Aney, Mr. Abdul Haye, Mr. Rang Bihari Lal, Mr. Mukhtar Singh, Mr. Lalchand Navalrai, Raizada Bhagat Ram and the Mover and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

Sir, the present section 552 runs thus:

"Upon complaint made to a Presidency Magistrate or District Magistrate on oath of the abduction or unlawful detention of a woman, or of a female child under the age of fourteen years, for any unlawful purpose, he may make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, parent, guardian or other person having the lawful charge of such child, and may compel compliance with such order, using such force as may be necessary."

It would appear that abduction or unlawful detention by themselves will not bring the case of a female child or woman under the present law. To attract the provisions of this section it must further be proved that such abduction or unlawful detention was for some unlawful purpose. Moreover, the Courts empowered in this section are the Presidency Magistrate or the District Magistrate. Further, the cases of such women and female children are only provided for who have got a husband, parent, guardian or some other person having the lawful charge of such child. Then, again, the procedure adopted in this section is only to pass an *ex parte* order and set the persons in respect of whom these provisions are enforced at liberty. The present Bill is more extended in its scope and would empower not only the Presidency Magistrate or the District Magistrate with such powers, but Sub-Divisional Magistrates as well as Magistrates of first class especially empowered in this behalf. The persons who would come under the Bill are children under the age of 18 years and all persons, be they males or females. Thirdly, the words "for any unlawful purpose" are sought to be deleted, and, fourthly, the procedure which this Bill provides is quite different from the procedure which we find in the present section 552. The Bill provides that, as soon as such a complaint is made and an order is passed by the Magistrate concerned, he will send for the person for whose liberty he is out to make an order, and after hearing that person or any other person whom he desires to hear, the ultimate order shall be made by the Magistrate. As a perusal of this section will show, at present there

is no provision for orphans. This Bill makes a provision for those persons also who have neither a husband, parent, nor any other person to look after them.

These are the main changes which the second section of the present Bill seeks to make in the present law. The present Bill is divided into two parts. Clause 2 deals with the substitution of section 552, and a further provision under section 552A is sought to be made. As regards section 552A, I would even at this stage submit that the purpose of that amendment is rather broad-based and, in the opinions that have been received that part of the Bill has been adversely criticised. I can give this undertaking, even at this stage, that if the Select Committee propose to delete that portion, I would agree to such a deletion, not because such provisions are unnecessary, but on the ground that the Government should bring in another measure, perhaps much more broad-based than the present one, and which may apply to the whole of India. At present there are provincial Acts which deal with a part of the subject covered by the present Bill; so far as they go they may be salutary, but they do not aim at the eradication of the evils which this Bill seeks to remedy. I have gone through these opinions that have been received on part II of the Bill, and I feel that the provisions of part II as they stand at present, are rather wide. I cannot however refrain from submitting to the House that those provisions can be so remodelled that the objectionable portion can be taken away and the rest can become part of the law. But if the Select Committee should decide that this subject is one for which a special law is necessary in the nature of a Children's Protection Act, I would even agree to such a course. Thus the opinions that have been received on this Bill are to be considered so far as clause 2 is concerned.

Now, Sir, so far as the principle of the Bill is concerned, I may deal with it shortly. I know that no person can take any exception to the principle of the Bill. The principle of the Bill, shortly stated, is this, that all unlawful detentions, all improper detentions, are such for which the law should provide a speedy remedy. Unlawful detention is by itself an evil and it is the business of the Legislature or the State to see that there is a handy and prompt remedy for such unlawful detentions. Whatever may be the purpose of the detention—the purpose is absolutely immaterial—detention by itself, if it is improper or unlawful, is an evil which ought to be remedied. Now, Sir, the principle is embodied in the *Habeas Corpus* Act of 1816, and a perusal of 56 George III Chapter 100, section 1, shows that the words there are, "any person confined or restrained of his liberty". So that I need not dilate on the principle involved. No Englishman will be true to the best traditions of his country if he wants to question even this principle. The whole of British constitutional history has been spun out on the basis of this principle. This principle has been recognised in the Criminal Procedure Code in three sections. Section 491 deals with this principle, and the High Courts are authorised to set persons at liberty in cases of improper or illegal detentions. Then section 100, where such a detention amounts to an offence, also provides a remedy. Barring these two sections, section 552 is the only section which provides a restricted remedy in cases of this nature. As I have pointed out, the persons in respect of whom such proceedings can be taken are restricted only to females under the age of 16 and women. Secondly, the Courts which are empowered are restricted and, thirdly, detention must be for an unlawful purpose. These are the

[Pandit Thakur Das Bhargava.]

restrictions. The question arises why these restrictions should be there. The reply that has been given so far is that, as section 491 provides for a summary remedy by the High Court, such a provision as the present one is unnecessary. The criticism received from the High Court of Calcutta is to this effect, that such provisions ought not to be made as give the subordinate Courts powers of this description. In the words of the opinion, "it will be an unwarranted interference with the liberty of the subject". I beg to submit before this House that, looking at it from a different angle, this is exactly the reason why there should be a change in the law. In a poor country like India where the average income of an Indian is Rs. 0-1-6, where railway connections do not exist for each and every village, and where it might happen that a case might occur hundreds of miles away from the High Court, does the existence of section 491 afford any the least protection to a poor man? My humble suggestion is that, if the Presidency Magistrates and District Magistrates are competent to decide cases under section 304 of the Indian Penal Code and other sections, is the administration of a provision like that of section 552 so exceptionally difficult that they cannot be entrusted with powers under this section? These powers under section 491 may be powers in the interests of the rich people and in the interests of those who can reach the High Court. In the High Court the Court language is English and the law is so technical that, unless you engage counsel and pay them fees, it is beyond the reach of an ordinary man and of a poor man to be properly heard. If you want that the protection of the *Habeas Corpus* provisions be real and genuine in the case of poor Indians, it is absolutely necessary that it must be within the easy reach of every person to have recourse to the provisions contained in section 552, as amended by this Bill. I would therefore submit that, if it be conceded that the poor man needs protection, and I claim, Sir, that the poor man is entitled to greater protection, it would follow that, if there is a provision in section 491, there ought to be a provision in section 552 that the Sub-Divisional Magistrates and the Magistrates of the first class be specially empowered with the power of setting persons at liberty. In the case of second class or third class Magistrates there may be some reason for withholding such powers from them. I do not think it is too much to wish that in every taluqa, there should be a first class Magistrate specially empowered under this section, so that every person living in a particular taluqa may be able to avail himself of these provisions. It is very good to have these powers vested in courts on paper and to say to the world that Indians enjoy so much liberty, but in point of fact it will be interesting to inquire as to how many applications have been made by poor people by going to the High Courts. In my experience of about 20 years, I can submit that I have not known any ordinary village man taking advantage of this section. I submit that these provisions relating to the personnel of the magistracy—Presidency Magistrate and District Magistrate—should be enlarged, and there is a consensus of opinion in these opinions received on this Bill, nay almost all of them opine, that there should be a change in the law so far as the personnel is concerned.

Now, Sir, coming to the second part, as regards the question of unlawful purpose, I would submit that the opinions received are diverse. Some of the opinions are very clear in saying that these words should be

deleted. Others say that, having regard to the past history of this section, it is necessary to keep these words. When I made a motion in this House for the circulation of this Bill, I referred to a case reported as 16 Calcutta, page 487. With your permission, Sir, I will refer to that case again. In that case a Hindu girl of 14 years was taken to a Mission and subsequently her husband and mother applied to the District Magistrate under this section. The District Magistrate held that, in so far as the detention of the girl was against her will, it constituted unlawful detention, and as the purpose of that detention was conversion it was an unlawful purpose also. The District Magistrate consequently held that, as the case came within the ambit of section 552, the girl should be made over to the husband and the mother. Then the case went up to the High Court and the learned Judges of that Court held that the words "unlawful purpose" meant "immoral purpose", and as conversion could not be said to be an immoral purpose, the District Magistrate was not right in applying the provisions of section 552. It is true that the learned Judges did not in their discretion think it right to restore that girl to the missionaries again. Yet the interpretation of this section was that the words "unlawful purpose" would not cover a case of this nature. Now, Sir, in cases of this character where a Hindu girl is taken away by Christian missionaries or girls of any one religion are taken away by missionaries of different religions, generally religious hatred and fanaticism are excited, which lead to communal conflicts. Further, I do not think anybody would assert that boys and girls under the age of 18 should be forced to change their religion, or that even if they agree they should be allowed to change their religion before they arrive at an age of maturity or majority. I would therefore submit that these words, "unlawful purpose" have a meaning and, if the House will excuse me the expression, a sinister meaning. They impose a greater burden on the prosecution than it should be the policy of law to impose. Take the case of a brothel. A girl is found in a brothel, and as soon as the arm of the law reaches that girl and wants to set her at liberty, the defence of the prostitute mother comes in to the effect that she wants to adopt that girl, and then the District Magistrate or the Presidency Magistrate will have to decide whether this detention is for the purpose of adoption or for any other purpose. Instances can be multiplied in which unlawful detention for an alleged lawful purpose would certainly defeat the ends of law. The very words "unlawful detention" possess a meaning which is transparently clear. Unlawful detention as held by the Calcutta High Court clearly means detention against the will of the person detained or the will of those who are the guardians of that child. These words "for any unlawful purpose" should not be kept any longer in this section; and as a matter of fact, unless and until this provision of section 552 applies to cases in which the facts found do not constitute an offence, this provision clearly overlaps the provisions of section 100. The only difference between these two sections is that, whereas section 100 contemplates cases in which unlawful detention amounts to an offence, section 552 contemplates cases in which unlawful detention does not amount to an offence. Therefore, these words "unlawful purpose", which restrict the scope of section 552, detract from the value of this section as a giver of liberty to the person abducted or unlawfully detained.

Now, Sir, as regards the persons who can be protected by this section, the age of 14 was raised to 16 by Act XVIII of 1924, or perhaps 1923. As

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the House knows, the Age of Consent Committee have made a suggestion in paragraph 422 of their Report, recommendation No. 37, that this age should be increased to 18. Moreover, a perusal of the opinions would make it quite apparent that the general tenor of the opinions is that this age should be raised. Exception has been, however, taken that this section should not include the case of boys and men. In regard to this, I would refer the House to the recent kidnapping scare of boys which took place in Bombay and some time back in Lahore. It is not rare that even boys are abducted or unlawfully detained. As regards men I do not know whether the experience of many of the Members here would warrant their inclusion in this section. But any person conversant with the conditions of rural life will have to admit that cases occur in which tenants or persons belonging to the depressed classes are impressed into service and are unlawfully detained by big landlords and those interested in taking forcible labour from them.

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

It is exactly these persons who cannot go to the High Court and it is for them that this amendment should be allowed.

Now, Sir, I come to the fourth change which I seek to make in this section, that is, relating to orphans. Nobody in this House would deny that this section does not provide for the case of orphans. In many cases a question of this nature has arisen and the Courts have been found quite impotent to dispose of persons who have neither husband, parent, guardian or other persons having lawful charge. Now with regard to orphans, may I humbly inquire from Government whether any section exists in the Criminal Procedure Code which affords them protection? Are they not exactly the persons who should be protected by Government? What provision is there in the Criminal Procedure Code, under which the orphan can be made over to a society or for the matter of that to any person, because no person can be said to have been in lawful charge of such a child? The foundlings, the waifs and the parentless young children should be given every protection by every right-minded man and by every Government which calls itself civilised or responsible. In fact it is unfortunate that we Indians are in this plight. Every child is an asset of priceless value to every State, and there is no Government or State in the whole world which has not made provisions for persons born or found as orphans in their territories except perhaps this Government. Now, Sir, in the opinions received I find that almost all of them favour the idea that there should be a provision in the law for the protection of orphans. I myself have found some difficulty in some cases when the question of making over of orphans came before the Courts. The Courts were helpless, and by providing a change in the existing law, I want to make provision for orphans.

Now, Sir, as regards procedure, you will be pleased to see that the wording of the present section does not contemplate any sort of inquiry before any order of setting a person at liberty is made. It is absolutely necessary that some sort of inquiry should be made and no order passed without an inquiry. The first person who has a right to be heard and in whose welfare it is absolutely necessary that an inquiry should be made,

is the person who is sought to be set at liberty. The person who sets such an unfortunate being at liberty must be brought face to face with the liberator and occasion should be afforded to find out what is the best asylum for that unfortunate being. If need be, other persons should also be examined, and after that has been done, the ultimate order should be passed. I have provided for that in my Bill.

Now, Sir, exception has been taken to the fact that the words "on oath" do not appear in this Bill. So far as that point is concerned, I am sorry for the omission. At the time when this Bill was drafted, it did not occur to me that these words were omitted and I am disposed to agree with those whose opinion is that these words should appear.

So far as the first part of the Bill is concerned, I have submitted before you, in brief, the reasons why the present law should be amended. I have only one more remark to make in this connection. At present there are many societies and institutions existing in this country which have been very highly spoken of by the public and even by officials. I know of some institutions which have been visited by Governors and other big officials also and they have been very highly spoken of. Is there any big city where an orphanage does not exist? There is no reason why advantage should not be taken of such orphanages and why such waifs and foundlings and such unfortunate children, in respect of whom these provisions are intended, should not be made over to those institutions. There is the further provision in this Bill to the effect that bonds should be taken from those societies or institutions to produce such children if they are required by any Court at any time before they attain majority. This is to secure obedience to the final orders of the guardianship Court before a child attains majority and to issue that institutions which might at one time have been doing very good work and are subsequently found wanting, may be ordered to produce the children.

Now, Sir, as regards part two of this Bill, as I have already indicated, if two small amendments are made in this Bill, the greater part of the criticism which has been made against this Bill falls away. The magistracy who ought to exercise power in regard to section 552A, should be the same as in the substituted section 552, and the operative part of the section should apply to those minor children who have got no guardian, parent or husband, etc. With these two minor changes I think section 552A, will certainly answer the requirements which the adverse body of opinion, which has been received, have in view.

I submit, Sir, that if I am right in the enunciation of the principles which I have submitted before you, this House should accept the reference to the Select Committee. It would not do to say that such and such an opinion received from this Government or that Government is against this Bill. I know that some Governments give their opinions against this Bill. But there is a specific reason for it. In Calcutta there is a Child Protection Act and they do not require this law there. In other places the opinions received have been affected by the fact that this Bill contained two parts and many do not like part two to appear in this Bill. In their opinion it is a better subject for the Protection of Children Act rather than for the Criminal Procedure Code (Amendment)

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Association and the Childrens' Aid Society generally favour this Bill. I would, therefore, submit, Sir, that so far as the opinions go, they generally favour the first part of the Bill and they go against the second part on account of these provisions being sought to be incorporated in the Code of Criminal Procedure and not in a separate Act. The solution for this lies in the hands of the Government. Let the Government bring forward another Bill containing the provisions of section 552A, and I shall be quite content. As regards section 552, as I have already submitted, I think a strong case is made out for reference to Select Committee. I know that it is likely that the Government will oppose the reference of the first part also to the Select Committee, but in doing so the Government will be going, at least in respect of the five or six matters regarding which a change in law is necessary, against the almost unanimous opinions that we have received. I feel, Sir, that the House is not full, and we would certainly have carried the day if the House was full in regard to a measure of this character, as it deals with the liberty of the subject in general and with the protection to be given to orphans and poor people in particular. I would therefore appeal to the Government to give the first part of this Bill the consideration which it deserves, and I hope that they will see their way to accept this portion at least.

Mr. C. W. Gwynne (Home Department: Nominated Official): Sir, I rise, on behalf of Government, to oppose the motion before the House that this Bill be referred to a Select Committee. The House will perhaps recollect that when a motion for circulation was agreed to on the 20th of February, 1929, about a year ago, Mr. Shillidy, on behalf of Government, while accepting it, suggested several reasons why the provisions of the Bill might not meet with a favourable reception, and that anticipation has been abundantly fulfilled. On that occasion the motion was merely for circulation, and the acceptance of such a motion in no way committed the House to the acceptance of any principle. But the present motion, Sir, is of a very different character, and if it is adopted, it means, by the convention which governs these matters, that the principle of the Bill meets with acceptance by the Assembly. I am afraid that Government cannot be a party to such acceptance. The opinions which the Honourable the Mover has quoted in support of his own point of view, justify from my point of view an entirely different conclusion. But I do not for a moment suggest that there is not a good deal to be said, at any rate, for a portion of the Bill, and the Honourable the Mover, in so far as he desires to afford a larger measure of protection to orphans and minors, will have the general approbation of the House, because it is a beneficent and a humanitarian object. But our objection is that the means he has chosen to secure that object are not in any way suitable, and the measure of support which has been accorded to his Bill is not to its more vital principles. There is, I agree with him, a fair degree of support for the proposals that Sub-Divisional Magistrates and first class Magistrates should be empowered under this section as well as District Magistrates, with a view to rapidity of action in emergent cases, and also that the age should be raised from 16 to 18 years. As regards the first proposal, namely, the empowering of Sub-Divisional Magistrates, my own experience as a District Magistrate is that such extension is unnecessary. Very few applications are in fact filed under this section, and those which are submitted, come to nothing and tend,—

that is my own experience—to be frivolous and vexatious. Genuine cases can always be dealt with under section 100 of the Criminal Procedure Code, under which any Presidency Magistrate, Sub-Divisional Magistrates and Magistrates of the first class specially empowered, who have reason to believe that any person is confined under such circumstances that the confinement amounts to an offence, may issue a search warrant and the person, if found, shall be immediately taken before the Magistrate, who shall make such order as in the circumstances of the case seems proper. This section thus gives wide powers, ample powers, for any first class Magistrate to exercise in regard to what is *ipso facto* a criminal matter.

Now, Sir, as regards the question of raising the age, at any rate, as far as girls are concerned, the matter is already under consideration with Local Governments in reference to one of the recommendations of the Age of Consent Committee. Local Governments have been consulted, and the matter in due course will come again before the Government of India. Now, these two matters, which the Honourable Member describes as part one, and which do receive some support, are of far less importance and relevance to the general principle and framework of the Bill than the second portion of his proposed amendment to section 552 and his new section 552A. It is this portion of the Bill which contains the Honourable the Mover's substantive proposals and which must be examined with particular attention. It does not seem to me to be sufficient to say, as the Honourable the Mover has declared, that because opposition has been raised to that portion of his Bill, that portion of the Bill may be entirely withdrawn. We have to deal with the Bill as it stands now before the House.

I do not wish to weary the House with an elaborate discussion of details, though from the point of view of detail the Bill is open to objections,—the Honourable Member himself has suggested one or two points in which amendments might be made,—but I wish to confine myself to stating our main grounds of objection to proceeding with a Bill of this nature and in this form. The Bill itself touches a very wide subject and one which, in the opinion of most authorities consulted, requires a different kind of treatment. Our objections are that, in the first place, the Bill may give very wide powers to Magistrates who are possibly inexperienced and who would find considerable difficulty in solving some of the problems which are likely to arise, particularly in connection with the new section 552A, where the Magistrates may deal not only with a witness or an accused person, but with any person who happens to come before the Court below a certain age. He then may make a suitable order regarding the commitment of that child, to an orphanage or society with due regard to its age, religion and so on; but all those matters will in practice create very real problems for the Magistrate who has to deal with them.

Our second objection is that the Bill involves an extension of the powers exercised by criminal Courts beyond what they should appropriately undertake. The existing sections of the Criminal Procedure Code, sections 100, 491 and 552 as they stand already confer on the criminal Courts adequate powers for speedy action in emergent cases, which are the only occasions on which criminal Courts should deal with such matters.

Thirdly, we have a root objection to the Bill in the form in which it stands, and the Honourable the Mover has already anticipated that in suggesting that he is prepared to drop this portion of the Bill on an assurance

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from Government that another Bill will be introduced in its place. I, Sir, am concerned with the Bill which is before the House and I must state clearly that our root objection is that this Bill in effect would import into the Criminal Procedure Code a measure which is really concerned with child protection. Now, however laudable and desirable measures of that nature may be in themselves—and I am sure that every one will appreciate the object of the Honourable the Mover—yet it is not appropriate that they should find a place in an enactment relating to the procedure of the Courts and the technical machinery of our criminal administration. And in these contentions I find very general support from the opinions which have been submitted to the Assembly. I will not weary the House with a lengthy citation of these opinions. The Honourable the Mover himself has referred to many of them, but I would refer to them very briefly in a manner which will indicate a somewhat different perspective from that of the Honourable the Mover and because I wish to make it clear that our opposition is based on advice received from very different sources. Nearly all the Local Governments are definitely opposed to the Bill. The Chief Commissioner of Delhi criticises its details and thinks that separate legislation will be more appropriate. The Chief Commissioner of the North-West Frontier Province considers that the Bill is dangerously wide in its scope and that the proposed amendment is unnecessary. The United Provinces think that no amendment is called for. Baluchistan and Coorg, if any action is to be taken, are in favour of a separate enactment. The Central Provinces are opposed to the Bill. The Honourable the Mover said in his speech that the Central Provinces Government were inclined to support it, but what is actually said is that the Governor in Council agrees with the majority of the opinions received, which are opposed to the principle of the Bill, and the Central Provinces Government are particularly opposed to the new clauses. The Government of Bengal are also opposed to the amendment. The Honourable the Mover has referred to the criticism made by that Government that there is ample remedy in the civil law, and has said that he cannot understand it, but the statement of the Government of Bengal refers to remedies provided by the civil law in cases of detention without criminal intent. The Criminal Procedure Code applies to cases where there is criminal intent. The Bihar and Orissa Government refer to the portion of the Bill to which I have taken exception as undesirable. The Burma Government are again opposed to the Bill. The Madras Government are opposed to the amendments on the ground that the Bill goes very far and that it represents a new departure in legislation and gives too much power and discretion to Magistrates. The Punjab Government are of opinion that the existing law is satisfactory and that no change is required. Turning to the Bombay Government, the Honourable the Mover claims that he gets very substantial support from that Government. I admit that the Bombay Government are prepared to accept the proposals to give jurisdiction to Sub-Divisional Magistrates and selected first class Magistrates. They consider, however, that the new section obviously goes far beyond the Mover's purpose and would be dangerous in practice.

That is a fairly complete summary of the objections taken by Local Governments, but I would like to refer for a moment to the opinions of the High Courts on this matter as the opinions of high judicial officers must

obviously possess very great weight on a subject of this kind. The High Court of Allahabad are opposed. The Calcutta High Court are of opinion that the new section is objectionable on the ground that it confers too wide powers on Magistrates. The High Court of Bihar and Orissa are opposed to the section on the ground that it gives Magistrates too wide powers and might be exercised arbitrarily and without evidence. The Burma High Court, while agreeing with the principle of the Bill and thinking that the object of the Mover is commendable, consider that Central legislation is undesirable, and that provincial legislation is more appropriate, and that the provisions of the Bill itself are open to objection. The Judges of the Madras High Court are unanimously opposed to the amendment. The Bombay High Court are opposed to this new section. Even the Bombay Vakils' Association is of opinion that the subject requires separate legislation.

Finally, I would refer to the opinions, neither judicial nor executive, of societies and organisations not concerned with the administration of law and justice but with the practical problems, the solution of which the Honourable the Mover, to his credit, has so much at heart. The Country League of Cawnpore, while strongly in favour of measures which will effectively protect orphans, waifs and foundlings, is of opinion that legislation should be undertaken in a more direct way and not by attempting to change a Code which deals with matters of procedure. The European Association, Bengal, is opposed to the Bill. It points out that nothing would be easier under new section 552A than to contrive that a child should be summoned in a case in a criminal Court and that the Magistrate would find himself in a very delicate position. The Bombay Presidency Women's Council does not favour the provisions of the Bill on the ground that cases which the Honourable the Mover has in view would be more appropriately dealt with under a Children's Act. The Children's Aid Society, Bombay, considers that the new section should not be enacted. It would be possible to cite many more opinions to the same effect, but I think, Sir, that I have said quite enough to show to the House that this is a Bill which should not be referred to Select Committee in view of the very definite objections which are felt by the Government of India, and which have received the strongest confirmation from nearly all the authorities consulted, whether executive or judicial. I therefore ask the House to reject this motion.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Sir, although I compliment the Honourable the Mover on the very laudable motives that have prompted him to promote this measure of legislation, it seems to me that it is very difficult to accord support, especially to section 552A, wherein he tries to provide for the custody of persons whose liberty he wishes to restore and especially that of orphans and children. He provides that a person or a child who is to be set at liberty should, in the discretion of the Magistrate, be committed to the care of a person or of a society or of an orphanage. Then, again, he also provides in section 552A, or desires to provide in that section, that children involved in criminal cases should also be committed to the care of orphanages and societies and suitable persons. He has referred to the excellent work done by various orphanages, and he opines that there are orphanages in large towns all over the country which are competent to take care of these children and which can be trusted to produce them whenever they are summoned by the Court which committed them to the care of these orphanages. Sir, I have no pretensions to any legal

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knowledge. My only excuse for taking part in this debate is this, that I have had a good deal to do with the looking after of orphans and waifs and strays, not only of any particular religion or belonging to any particular society, but I have for several years, on behalf of the Delhi Municipality, conducted annual and periodical inspections of orphanages in this city belonging to all communities. It may well be argued that an orphanage or a properly constituted society is the right and natural agency to take care of waifs and strays, or of children concerned in criminal cases, but one's practical experience does not warrant that view in a great many cases. I gladly bear testimony to the excellent work done by various societies in this direction. Such good societies exist in many places and especially in large towns. I understand in places like Poona and Calcutta excellent societies are in existence. I would also bear testimony to the good work of some orphanages that are looking after children in this city. But when I think of the condition of a large number of orphanages that I have not once, but several times, visited I sometimes wonder whether the remedy that is suggested by the Honourable the Mover will not be very much worse than the disease, and whether those very children that he desires to protect or provide for will not be subjected at least in some cases, to a worse form of tyranny and to a confinement which may be more tyrannical than the one from which he wishes to release them. In this city itself there are orphanages about which every one must have read most ugly reports. These orphanages have been concerned in criminal proceedings, which do not reflect any credit on them. Only the other day, the members of the Municipal Committee of Delhi or, at any rate certain prominent members were shown certain police reports about an orphanage in this very town where the children are kept under the very worst form of tyranny and are very much worse off than any children in a jail would be.

Mr. B. Das (Orissa Division: Non-Muhammadan): What do the Municipal Councillors do? Why did they not visit these orphanages?

The Revd. J. C. Chatterjee: They do visit them, but the difficulty is that these orphanages have a wonderful organisation on paper, and for certain reasons they have powerful supporters, and it is impossible, in view of communal prejudices, to bring any direct action against these orphanages.

Now, Sir, what I am trying to say is this, that by giving the power to Magistrates to confine children or orphans in these orphanages, we are putting a very heavy responsibility on inexperienced Magistrates and perhaps may defeat the purpose which the Honourable the Mover wants to achieve. Take, for instance, the case of a child that is concerned in a criminal case, or the case of an orphan who is to be disposed off by the Magistrate by sending him to an orphanage. Now, the average Magistrate is a busy person and he may or may not have the local knowledge that is necessary of the inner working of any particular orphanage. He looks at the organisation, as given on paper, and he commits the child to a certain orphanage. Now, I know from my own experience that there are certain orphanages here that to a very great extent starve the children and keep them in virtual imprisonment. In one or two cases I have seen an armed guard placed on the door and the children are not allowed to go out. Now, it may be said that these children can always be sent for by the Magistrate, who will require a bond to be executed. If

a child is concerned in a criminal case and he is confined to a certain orphanage, that child may be produced in a court of law when required, but what is there to prevent the greatest pressure, or even coercion being brought to bear on that child? He may be made to say exactly the things which he did not do, or give tutored evidence.

Then, again, the Honourable the Mover himself referred to the difficult case of a child who was received in a missionary orphanage for the purpose of conversion. I do not want to enter into the details of this aspect of the case at all, but the instance quoted shows that most of these orphanages and societies have a very strong religious leaning and bias. It is also known, at any rate in this city orphanages belonging to different religious persuasions or even different sections of the same community are always trying to steal the orphans belonging to each other. All these cases will show that the religious protection which the Honourable the Mover desires to provide may be not only nullified but even entirely destroyed by the committal of minors to the care of orphanages.

After all, I believe, that in a country like India where so many religious persuasions and so many faiths and so many communities, exist, the proper agency to run these orphanages is the State. In my opinion the right people whose duty it is to look after the orphans and the waifs and the strays should be the State. Till such time as a sufficient number of well run orphanages are available, it seems to me that it would be very dangerous to give powers to a Magistrate, or to make it obligatory for him in any way to confide these children to the care of any particular orphanage.

I entirely agree with the opinion expressed by certain High Courts and by some Provincial Governments that the proper method of dealing with these cases, especially in the case of orphans and children, is a carefully drawn up Child Protection Act. That is what we require, and I do not see any provision made in the Bill in the direction. What the Honourable the Mover desires to do would have been done much better in the Provincial Councils, who are better suited to provide for conditions prevailing in each province. Moreover, it is only the provincial Legislatures who are competent to say whether they have got orphanages and societies competent to take care of such people. My submission is that such a Bill should be promoted in the provincial Legislatures, and at all events, what is required is a Children's Protection Act and not a Bill of such very general and wide nature as has been brought forward by the Honourable the Mover.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): I just want to say this. We have had enough of my Honourable friend Pandit Thakur Das Bhargava's mountain in labour and it is high time we got the mouse out. I therefore move that the question be now put.

Pandit Thakur Das Bhargava: Sir, in reply to the two speeches which have been made in opposition to this motion, I have to thank the Honourable Members who have spoken in appreciation of my motives. Sir, I had enough appreciation when the motion to circulate the Bill was adopted by this House. I do not want any appreciation of the motives that actuated me in bringing forward this measure, not that I do not appreciate the kind-heartedness of those who have given the appreciation.

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but what I want is a bigger thing. I requested the Government to consider this Bill on its merits, and I am sorry to say that I feel disappointed in the replies that have been given. Much breath has been lost on Part two of the Bill, in respect of which I already submitted that, if the Select Committee so desired, I was willing to drop it, not because it was unnecessary, but because it may better form the subject of a separate Children's Protection Act. Now, it is no use lashing a dead horse. All these criticisms have been concentrated upon Part two of the Bill. Now the arguments that I submitted while moving the motion have not been met. The only argument or better expression of opinion in regard to those points was that which I got from the Honourable Member who spoke on behalf of the Government, when, he referred to his own experience as a District Magistrate, and said that such applications were generally frivolous

Mr. C. W. Gwynne: Not that all applications are vexatious or frivolous, but that such applications filed before me have been of that nature.

Pandit Thakur Das Bhargava: His experience warrants him in the statement that such applications are frivolous. But I do not think this advances his case. Anyhow his statement that section 100 is quite sufficient for such cases is one which cannot be accepted, for the simple reason that there is a section 552 also in the Criminal Procedure Code. As I submitted already, these two sections provide for different contingencies. Section 100 is applicable to cases in which unlawful detention or confinement amounts to an offence. Section 552 applies to cases in which abduction or unlawful detention does not amount to an offence. Abduction, as many Honourable Members are perhaps not aware, is by itself no offence under the Indian Penal Code. It is abduction with some purpose, unlawful purpose of course, which is an offence. The reasons that I gave, I do not want to repeat now. I would submit that the Government seem to have been affected by the reasons that I gave, and in so far as they have not even attempted a reply to those reasons, I take it that they want to take advantage of their numbers and they want to defeat this motion by sheer numerical force.

Coming to the second speaker, I sympathise with him in his sad experience of these institutions, but this argument cannot hold water. If there are bad orphanages, if the Magistrate is inexperienced, the remedy lies not in having no orphanages at all or not empowering the magistracy—the remedy lies in having good orphanages and in improving the magistracy. It is a poor argument that our magistrates are inexperienced and therefore they cannot be empowered. As I submitted already, why do they empower them in all other particulars, in much more serious matters? This power of making over a child to an orphanage is discretionary. It does not bind the Magistrate to make an order of this nature, and therefore, unless and until the Magistrate is satisfied that such and such an orphanage or association is working well, he may not make an order making over the child to the orphanage.

The Revd. J. C. Chatterjee: May I ask, in case the Magistrate is not able to find in any particular town any orphanage which satisfies him, what is he to do?

Pandit Thakur Das Bhargava: I am glad that my Honourable friend has put that question to me. He and I are at one in this matter. He

suggested that it was the duty of the State to provide for such orphanages and I already submitted that no State could absolve itself from such responsibilities until and unless it took care of every foundling or stray child. So that it seems to me that my Honourable friend, the Revd. Chatterjee's objection to this Bill is that there are not many orphanages. But he ignores the fact which I mentioned in the last part of my speech, that if there is a single orphanage, and if a single orphan could be protected in this way, we should have this Bill. This Bill does not impose any duty upon any Magistrate to hand over every child to any orphanage, good, bad or indifferent. On the contrary, this Bill gives discretion to the Magistrate.

Under these circumstances, I leave the matter entirely in the hands of the House. But I would make this appeal to the House. The provision in the Bill, so far as the second part goes, may or may not be considered; it may be deleted. But in so far as the first part of the Bill is concerned, it makes provision for protection of orphans and it empowers the Sub-Divisional Magistrates and the Magistrates of first class with powers which can be utilised for the better protection of the poorer classes of people who cannot afford to go to High Courts. In so far as that first part is concerned, this Bill is decidedly an improvement upon section 552. If the House agrees in these two main facts, I think it will agree with me in referring this matter to the Select Committee.

Mr. Deputy President: The question is:

"That the Bill further to amend the Code of Criminal Procedure, 1898, (Amendment of section 552), be referred to a Select Committee consisting of the Honourable the Law Member, Mian Mohammad Shah Nawaz, Mr. Abdul Haye, Lala Rang Behari Lal, Mr. Mukhtar Singh, Mr. Lalchand Navalrai, Mr. M. S. Aney, Raizada Bhagat Ram, and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four."

The motion was negatived.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

(AMENDMENT OF SECTIONS 205 AND 540A.)

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadian): Sir, I move that the Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of sections 205 and 540A), be referred to a Select Committee consisting of the Honourable the Home Member, Mian Muhammad Shah Nawaz, Mr. Abdul Haye, Mr. Lalchand Navalrai, Mr. Rang Behari Lal, Mr. Mukhtar Singh, Raizada Bhagat Ram, Mr. M. S. Aney, and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

Sir, section 205 of the Criminal Procedure Code runs thus:

"(1) Whenever a Magistrate issues a summons, he may if he sees reason so to do, dispense with the personal attendance of the accused, and permit him to appear by his pleader.

(2) But the Magistrate inquiring into or trying the case may in his discretion, at any stage of the proceedings, direct the personal attendance of the accused, and, if necessary, enforce such attendance in manner hereinbefore provided."

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acquitted and discharged people was 1,70,438, whereas the number of convicted persons was 78,724. Taking India as a whole, the number of accused acquitted or discharged in the year 1926 was 10,86,894 and the number of convicted persons, 11,14,159. So that in a majority of cases, when you find that ultimately the accused is acquitted, I do not know what reason there is that the law should insist that the accused must be present at all costs. Barring this aside, I would quote as an illustration one or two cases in which this provision works as a great hardship. Suppose there is a riot case in which there are 20 accused. They are charged. Under section 256 they are allowed to consider which witnesses they want further to cross-examine, and the hearing is adjourned for two or three days, after which they must come up before the Court and put in their presence. The accused in this instance come from a village say 30 or 40 miles from the headquarters. Now these 20 accused must remain at the headquarters for the two or three days and spend at the headquarters, say a rupee a day. Now, Sir, those who mix with these people cannot fail to realise the great hardship which is inflicted on these people in a case of this nature, many of whom are likely to be acquitted when the judgment is pronounced. Now take another case. Two of the accused are in jail and 18 are on bail. One of them falls sick and the Superintendent cannot allow him to go to the Court. The case cannot be proceeded and therefore all the 18 accused come every day to the Court and go back disappointed. Even excluding this special reference to section 256, it happens that in every criminal case there are a number of hearings; interrogatories are sent and so on, and the replies are not received. Evidence is given in respect of a particular accused which does not affect the co-accused. Instances of this sort can be multiplied in which an accused person need not be present in the Court and should not appear if he has to consult his own interests. I would, therefore, submit, Sir, that in cases in which summonses are originally issued, there is no knowing what turn the case will take subsequently. It happens that when a person comes into Court, he presents the case to the Court in an exaggerated way, so that warrants may be issued to start with. At that stage of the case the Court has not heard both sides and the accused is not there, and it is likely that when the facts are exaggerated the Court may issue a warrant. As soon as the accused comes on the scene, he satisfies the Court that the case is not serious. But the original sin of the issue of a warrant comes in the way of the accused and he cannot claim dispensation on any particular hearing. Thus, Sir, in many cases a great hardship is inflicted. On reference to the provisions of section 205, I submit he must be a bold lawyer who will be able to say that any person except the Magistrate has got the power to dispense with the presence of the accused. But, Sir, those who administer the law are moved by humane considerations and they interpret the law in a different way.

Now, Sir, I would refer you to Section 353 of the Code of Criminal Procedure. The heading is "Of the mode of taking and recording evidence in Inquiries and Trials", and the section reads:

"Except as otherwise expressly provided, all evidence taken under Chapters XVIII, XX, XXI, XXII, and XXIII, shall be taken in the presence of the accused, or when his personal attendance is dispensed with, in the presence of his pleader."

So that the dispensation of personal attendance can only have reference to section 205, but the Courts have construed this provision as giving them power for dispensing with personal attendance. I can quote several authorities in which, in spite of the provisions of section 205 being there, the Courts have interpreted section 353, which deals with the mode of taking evidence, into a provision which gives them power to dispense with the presence of the accused. Now, Sir, the first authority which I would quote is 24 Indian Cases, page 947. It was a case under section 494. Bailable warrants were issued in the first instance; the High Court discharged the bail bonds and directed the Magistrate to substitute summons for warrant, and thus in a tortuous way, in a way which is to say the least not straightforward and direct, they wanted to evade the provisions of section 205. Similarly in another case—a Bombay case reported in 15 Indian Cases, p. 96, reference was made to section 353, and the High Court held that section 353 conferred powers by implication on Magistrates, and that it was absurd to think that there was any power which that section conferred on a Magistrate which it did not confer also on the High Court. Again, Sir, the Madras High Court also construed from this analogy that, if a Magistrate has got powers, the High Court must have those powers. In a case reported in 66 Indian Cases, p. 330, Mr. Justice Kumaraswami Sastri held, considering the merits of the case, that in the interests of justice, the presence of the accused should be dispensed with. Again, the Calcutta High Court also, in a case reported in 23 Indian Cases, p. 489, held that they could dispense with, or even a Magistrate could dispense with, the attendance of the accused in cases in which warrants were issued in the first instance, where the Magistrate, after careful inquiry and after preliminary investigation, thought fit to issue a warrant. I could quote other cases in this connection, but I think my purpose is served by reference to these cases. It follows therefore that humane considerations, the interests of justice, and the compelling necessities of the case warrant the incorporation of an express provision in the law.

Now, Sir, when we come to the provisions of section 540A, which really is in the nature of an exception to the general rule, you will find that only in a very restricted number of cases this provision in section 540A applies. In the first place, the case must be one in which there are more than two accused. Suppose there is one accused, then this section would not apply, and his presence could not be dispensed with. Under the provisions of section 540A—and this is a point which I specially request the House to consider—unless and until the accused is present in Court, the Court is powerless. The words used are:

"When the accused is incapable of remaining before the Court, and if the Superintendent of the jail reports that the accused is suffering from plague, the Court is powerless and the case must be adjourned."

Only in one contingency, when the accused is there, the Court can order that the accused's presence may be dispensed with. It happens—and it is not a rare case—that a person is unable to come before the Court; as he has to come from a distance where there are no medical men and as he cannot produce a certificate he must come at the cost of his health and at great inconvenience. After he has come, and after the Court has satisfied itself that the man cannot remain there, the Court can dispense with his presence. After that, Sir, even if he recovers after a day or two,

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the Court has to make a special order calling on him to appear. Then, too, Sir, he must be a man who can afford to pay a counsel and must be represented by a counsel. Lately, Sir, Government brought in a Bill for amending the law in relation to hunger strikers, in which a very drastic change was sought to be made in the Criminal Procedure Code, whereby, in the absence of the accused also, the case could go on. When the necessities of the case force the Government to have recourse to a Bill like that, may I submit that the necessities of the case should at least actuate the Government to accept this motion and consider the Bill on its merits, on the ground that if an accused on account of certain difficulties cannot afford to be present on a certain hearing, the Courts should be empowered to give him relief.

Now, Sir, if you compare these provisions with the provisions relating to bail, you will find that disease, infirmity, old age are the considerations which, under the new provisions of section 497, can be considered as circumstances favouring the grant of bail, but these considerations which, even in capital cases can secure bail for the accused persons, cannot according to the present law secure for him dispensation from presence on a particular hearing. The objection usually urged against this change is that rich people will be able to secure such dispensation by corrupt means. Now, Sir, an objection of this sort, if I may venture to say so, is based upon inexperience. If the Courts are corrupt, they have subtle ways of doing things; they will acquit the accused rather than make an inconvenient or lenient order in his favour; and if they are corrupt, the best way is to improve the magistracy and not to run away from doing the right thing. It has been recently held that the period during which an accused remains in the judicial lock-up cannot be taken into consideration at the time of awarding sentence against him. Thus presence at the trial cannot be punitive and undue insistence for the presence of accused at every hearing is not reasonable. The Court may however insist that the accused should be there to receive his sentence. It is the business of the accused person himself to see that he is present at the hearings. Presence to hear judgment can be secured by taking a heavy bond. Generally speaking, this change in the provisions will only affect those who are bailed out in cases in which summonses are not usually issued, and as the provisions of sections 204 and 90 of the Criminal Procedure Code will indicate, in cases in which warrants are issued in the first instance, the Courts are competent to issue summonses and *vice versa*. So that this change, if effected, will only straighten the law. It will merely validate what is being done by some Courts even today, but not under the law. Moreover, Sir, this will not be a new change. As I have already submitted, the previous Codes of 1861 and 1872 had provisions of a like nature, and the law will become more humane if my suggestions are accepted. Sir, you have to consider the whole case from the standpoint of the accused, and the privilege which an accused enjoys is one of the criteria for judging whether the law is fair or not. After all, this Bill does not give any right to the accused. It invests discretion in the Court, which can award imprisonment, or acquit him, or do whatever it likes with an accused person. It will give complete discretion to the Court to allow him dispensation from being present for a hearing or two. I therefore submit, Sir, that the exemption from attendance should not be based upon the original sin of a summons or warrant having been issued, but should be based upon the

humane necessity of the absence of the accused. It should not be regarded as an inherent right of the accused, but it should be regarded as one of the discretionary powers of the Court which can make proper orders in certain cases. In the interests of the speedy disposal of justice and convenience of the accused, it is necessary that these two sections, sections 205 and 540A, should be amended in the manner I have suggested. It may be said, Sir, that the words "need not attend" in section 540A are a bit too wide. I have indicated in the illustrations I have submitted that there may be cases in which really the presence of an accused person is unnecessary, and the Court may also, for reasons to be recorded, regard his presence to be unnecessary. In such cases these words are not too wide, but even if they are wide, the Select Committee can consider this point and ultimately decide whether these words should remain or some other words should be substituted.

Now, Sir, I know there will be one more objection urged against this Bill. It will be urged that the very wording of the form of warrant negatives such an exemption. As between a summons and a warrant, Sir, as you know, the difference is, that whereas a summons requires an accused to appear, the warrant gives an order to the police to bring him before the Court. Now, section 205, as it stands, relates to cases in which the accused is to appear for the first time as well as in the subsequent stages of the case, and the fact that the summons was first issued will determine in future whether the accused can be granted any exemption; so that the accused is prejudged and his fate is decided, so far as he is concerned, before he comes before the Court. I quite see, Sir, the force in the objection that a warrant is in the nature of an order to bring the accused to the Court, but there are bailable warrants also; in fact, this objection can also be considered in the Select Committee. I do not know of any other serious objection, otherwise I would have tried to meet it as well, and I think that, so far as the humane considerations go, there ought to be a change in the law. I may refer here to the law in Great Britain. It will be found in Halsbury's Vol. IX, at page 351. The foot-note at page 351 runs as follows:

"In case of an indictment which is found in the King's Bench Division or has been removed there or to the Civil Side of the assizes, if the charge is one of treason or felony, the defendant must appear personally in Court to plead, unless he has obtained the permission of the Court to plead by a Solicitor (Crown Office Rules, 1906, r. 121). If the charge is one of misdemeanour, or if the defendant on a charge of treason or felony has obtained leave to plead by a Solicitor, the defendant may enter a written plea (Short and Mellor, Practice of the Crown Office, 2nd edn. 100). As to prisoners standing in the dock, see *R. v. Horne Took* (1794), 25 State, Tr. 1, 12. A defendant in misdemeanour who is conducting his own defence may, after arraignment, by special permission of the Court leave the dock and take a seat at the table of the Court. After he has once pleaded, his presence is not indispensably necessary."

From what I have read just now, I understand that such a dispensation can be granted by Courts in Great Britain, but I am not sure on the point, and I expect an elucidation on the point from persons who know better. Whatever be the state in Great Britain, I submit, Sir, that in India when you are considering the case of poor people who have to attend headquarters for criminal cases, it is absolutely necessary that they should not be harassed by insisting on their presence for days together in warrant cases. Really one has to put himself in the position of a poor innocent man who is accused in a criminal case, and then finds that even the ultimate acquittal will not bring him any relief. He may be ruined before the

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case is decided, and it may happen that his absence at the bed of a dying child or a parent will always embitter the rest of his life for having gone to attend a case in which he is ultimately acquitted. I therefore move, Sir, that the Bill be referred to a Select Committee consisting of the persons I have named.

Mr. C. W. Gwynne (Home Department: Nominated Official): Sir, I regret that I am again compelled to oppose, on behalf of Government, the motion moved by my Honourable friend, Pandit Thakur Das Bhargava. I will endeavour to avoid the charge which he brought against us in connection with his last Bill that we wasted breath on that occasion, and I shall try to be as brief as I possibly can. I would like to remind the House that the Honourable the Mover himself was of opinion, so recently as August last, that the next stage after introduction in the case of this Bill should be circulation for eliciting opinions. He himself gave notice of such a motion. If I may say so, that notice was a correct and proper notice in the case of a Bill which affects the administration of criminal law. The Honourable the Mover then recognised that it is only right that the Local Governments, who are so intimately concerned with this subject, should have an opportunity of expressing their views and offering their criticisms and suggestions. My Honourable friend held that view as I say, up till August last, and I suggest that that is the view which should more appropriately be held today. Now, however, he asks the House to dispense with that stage of consultation and pass at once to the stage which implies acceptance of the principle of the Bill. Why has he suddenly become an apostle of haste? I would ask him whether there is any adequate reason for attempting to put on the Statute-book, in a hurry, a piece of legislation which cannot in any conceivable quarter be regarded as a matter of urgency. In the view of the Government, there is no justification for the omission of a stage which is particularly necessary in a Bill of this character on which the opinions of Local Governments, Courts and Judicial officers would be extremely valuable.

To turn for a moment to the provisions of the Bill. I will avoid altogether discussion of details. I have not the capacity for research, which the Honourable the Mover has shown in the matter of statistics, rulings and previous legislation. Nor do I wish to discuss the basis of the difference between the two kinds of cases. Whatever it may be, I am quite sure that it is better than the basis of differentiation suggested by the Honourable the Mover—the probability of a large number of cases resulting in acquittals. Now the provisions of the Bill are designed to give a very wide, and I think unwise, extension of the occasions on which the personal attendance of persons accused in criminal cases may be dispensed with, and to increase still further the opportunities for perhaps unnecessary and inconvenient adjournment. The Honourable the Mover, according to his Statement of Objects and Reasons, in his solicitude to provide for the non-attendance of the diseased and the aged, has proposed amendments which enjoin no such limitation, and their effect would be that any man, especially a man of means charged with an offence in which a warrant could normally issue in the first instance, would make every endeavour to avoid the unpleasantness and the publicity of personal attendance, or to secure an adjournment of the case and postponement of its decision. It is easy to see that the procedure would lead to very grave delay in the disposal of cases.

There is no question of corruption, as the Honourable the Mover seemed to think. If the Magistrate considers, on representations made, that there is ground for adjournment, under the Honourable the Mover's proposals he would have no option but to grant it. There is no question of the Court being corrupt. These provisions would not only lead to delay, but would seem to imply a complete disregard of the convenience and rights of the complainant, who is at least as deserving of as much consideration as my Honourable friend would show to the accused, and for whose convenience alone he seems to have regard. The well-to-do criminal or the well-to-do accused would find it easy to avoid appearance and postpone the conclusion of the trial. The Bill would thus place him in an advantageous position, and would virtually put him in such a position that he could control the procedure of the Courts. It would emphasize a distinction not known in the law between the rich and the poor and, as I have said before, completely ignores the unfortunate complainant who is anxious for his complaint to be heard without delay and expense. I am quite sure that the House will not wish to hear any further on this point. I oppose the motion for reference to Select Committee because the principle of the Bill cannot be accepted without prior consultation and because its provisions, as they stand, are open to grave objection.

(Pandit Thakur Das Bhargava rose in his place.)

Mr. Deputy President: How long will the Honourable Member take?

Pandit Thakur Das Bhargava: I will not take long. I will take about ten minutes.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

Pandit Thakur Das Bhargava: Sir, I am reminded of a story in which a wolf was drinking water up-stream.

Mr. President: Has that anything to do with this Bill?

Pandit Thakur Das Bhargava: Yes, Sir. When he saw a lamb who was taking water down-stream, the wolf accused it of spoiling the water. The poor lamb replied that, as the wolf was taking water which did not flow from the place where the lamb was taking water, there was no good reason why the wolf should accuse it. "But, then", the wolf replied, "if you have not spoilt the water, your father did!" That seems to be the position taken up by the Government in regard to this Bill. Instead of meeting the arguments which I advanced, they have brought forward arguments which cannot hold water. After all, the reply is that, if there was a motion to circulate this Bill for eliciting public opinion, Government would have agreed to such a motion, and, as I happened to table a motion in the Simla Session for circulation, I was not justified in now tabling a motion for reference to the Select Committee. May I submit that the original motion in regard to this Bill which I proposed to make on the 20th February, 1929, was for reference to Select Committee, as would appear from a foot-note on page 1027 of Vol. I of Assembly Debates

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for 1929. When I came to know that the Government did not agree to that motion, I thought that the motion for circulation might be made in the Simla Session. However before making the present motion, I took pains to find out the attitude of the Government and I was informed that the Government were not agreeable even to a motion for circulation. Anyhow, I do not know what restrained the Government themselves from tabling a motion to that effect. In regard to other Bills they have tabled such motions, but in regard to this Bill they have not tabled any such motion. If the Government did really want circulation, it was up to them to make a motion of this kind. In fact, the truth appears to be that the Government feel quite strong and feel that they will be able to defeat this motion, and therefore they have not thought it wise even to table a motion for circulation.

Coming to the merits of the Bill, I had thought that this time some good arguments would be advanced and it would be shown why the Government oppose this Bill. Only two arguments have been advanced, one of them being that such a change in the law would lead to delay. Now, a reference to the Bill, in so far as it relates to section 540A, would show that that change is only designed to effect a speedy trial of cases. The substituted section says that, when an accused person need not attend or cannot attend, the case can proceed on and the Court can dispense with his presence. If that provision is worth anything, it only brings about a speedy trial of cases and the question of delay does not arise. The second point that has been sought to be made out is that the Bill does not consider the case from the point of view of the complainant. Now, Sir, in the majority of cases, the complainant will be the Crown. In all cognizable cases the complainant is the Crown, and the Court, which is the repository of all justice, will weigh the scale between opposing parties and determine if the application of a particular accused is justified. In the law as it existed in 1861 and 1872 and previous to 1898, these provisions were there. And even now, as I submitted, the Courts have interpreted the other sections of the Criminal Procedure Code in this way, that practically they have usurped those powers which did not belong to them under the provisions of Section 552. I only wanted that the interpretation of the law should be straight and just.

The argument that rich persons will take advantage of this law cannot hold water. My complaint was that poor persons were harassed owing to the absence of a provision like this. Instead of meeting that now, the complaint is made that rich people will try to absent themselves and thus defeat the law. In fact this argument comes to this, that the rich people will be able to corrupt the judges and get exemptions. I already met this argument, and the reply is absolutely clear. See that good men are there, that the Magistrate is competent and not corrupt. But it is no use having provisions in the Criminal Procedure Code which make for such conditions that the human necessity of the absence of accused cannot even be considered by Courts. Therefore, I feel that, in relation to this Bill, the Government regard not argument but number as the deciding factor. I would appeal to every Honourable Member of the House to consider the provisions of this Bill dispassionately and see for himself whether these provisions should be incorporated in the Criminal Procedure Code.

Mr. President: The question is:

"That the Bill further to amend the Code of Criminal Procedure, 1898 (Amendment of sections 205 and 540A), be referred to a Select Committee consisting of the Honourable the Law Member, Mian Mohammad Shah Nawaz, Mr. Abdul Haye, Lala Rang Behari Lal, Mr. Mukhtar Singh, Mr. Lalchand Navalrai, Mr. M. S. Aney, Raizada Phagat Ram, and the Mover; and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four."

The motion was negatived.

THE INDIAN RELIGIOUS PICTURES TRADE MARKS (PREVENTION) BILL.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I beg to move that the Bill to penalise the use of pictures of gods and goddesses, scenes from scriptures or mythology of any religion whatsoever as marks or trade marks on any article imported to or manufactured in India, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable Sir George Rainy, Sir Hugh Cocke, Rai Sahib Harbilas Sarda, Mr. N. C. Kelkar, Mr. K. C. Neogy, Mr. Fazal Ibrahim Rahimtulla, Sir Purshotamdas Thakurdas, and the Mover, with instructions to report on or before the 28th February, 1930, or as soon as possible thereafter and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.

Sir, my Honourable friend, Mr. Neogy, has a Bill before the House which is the Indian Merchandise Marks Bill which intends to purify commerce in the country. My Bill is rather a supplement to Mr. Neogy's Bill. I also want in a way to purify trade and commerce in the country, and I do not want trade and commerce in the country to take advantage of religious pictures and use them at a disadvantage to those who belong to that particular religion.

Mr. President: Why not take circulation and be satisfied?

Mr. B. Das: I will accept the motion for circulation. But before doing so, I wish to make a few observations. My own views, I have summarised in the Statement of Objects and Reasons. If I read it, my own views will be laid before the House.

"Many articles imported from foreign countries or manufactured in British India bear on them the stamp or picture of Hindu gods and goddesses, scenes from scriptures or mythology, as marks or trade marks. It is repugnant to religious sentiments that they should be so used and profaned by coming into contact with every day humdrum commercial life. Respect for Hindu sentiments demands that the pictures of gods and goddesses and the scenes from scriptures and mythology should not be used as marks or trade marks on any article sold in the market. In like manner, it is proposed to provide that pictures from life of Buddha, the Koran, the Bible should not be used as marks or trade marks on any article sold in the market. The object of this Bill is to penalise all such imports and manufactures so as to prevent the abuse that has grown up within recent years. Commercialisation of religious sentiments is anti-Indian in tradition, and culture and sentiment."

Sir, there is extensive vandalism going on committed by the trades people all over. My charges apply equally to imported goods as well as

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to goods manufactured in India, and my charge of vandalism against the Indian manufacturers is the greater because they being themselves Indians, understand Indian sentiments and the Indian feeling of the Hindu community and other communities, who do not like to see pictures of their gods and scriptures degenerated and commercialised as trade marks. I have got here certain pictures which I have collected from piece-goods, foreign imported piece-goods, which show that these are not the real pictures of the gods and goddesses whom they mean to represent. As a Hindu, I abhor to see God Krishna or any other god being caricatured in the pictures imported from abroad and used as commercial advertisement. I will place those pictures on the table* of the House so that Honourable Members may have an idea what they are like. The trading community in India have also used these pictures in their calendars as a source of advertisement for their profession and trade. At times we find certain pictures which are certainly not of the gods and goddesses, but pictures fit to adorn the night clubs of London or Parisian Saloons. Such pictures of gods and goddesses have certainly a great demoralising effect on the masses of the people. I want that trade and commerce should not tamper with our religion and with the morality of the people. I will pass on the pictures I have to the House, and Honourable Members will see how atrocious they are. It is very disgusting to see the pictures of Radha and Krishna in improper positions of cinema and theatres. 'Cinema actors' and actresses' photos—with their lustful and lewd faces—are passed off as pictures of Lord Krishna and Radha. Any human being, not to say a Hindu, will abhor seeing it.

An Honourable Member: They might do so on the stage.

Mr. B. Das: I am not discussing here whether such scenes should not be enacted on the stage. In fact I think my Honourable friend, Mr. Neogy, might bring in a Bill penalising such scriptural scenes being enacted on the stage by loose men and women, so that the Honourable the Home Member might have an opportunity of expressing his views in the House on that question. I am now concerned with such pictures being used as trade marks and for commercial purposes, and which have a most demoralising effect on the people. I already said that I welcome the proposition of the Honourable Sir George Rainy to circulate the Bill. But I would like to hear his views in the matter before I accept the motion for circulation, for if I accept his motion, it would mean the guillotine for the Bill during the next Session and I could proceed with the Bill only if I am returned at the next general election.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I desire to move the amendment which stands in my name: "That the Bill be circulated for the purpose of eliciting opinions thereon". I do not wish to take much of the time of this House on this question, but there are three or four points to which I think I am bound to allude. It seems to me that the Honourable the Mover has undertaken the task of initiating legislation on this subject somewhat light-heartedly, and without endeavouring to estimate the difficulties he might encounter, or considering the justification which he ought to give for his proposal.

*The pictures were laid on the table of the House.

The first point I wish to take is this. In the opinion of the Honourable the Mover the application to articles which are bought or sold in India of marks or trade marks representing mythological subjects—pictures of gods and goddesses and other pictures with religious association—is repugnant to Hindu sentiment. Now, the point I would like to put to him and the House is this. If in fact the application of these pictures in that way were repugnant to the sentiment of the majority of the buyers of these goods, is it conceivable that manufacturers and merchants would apply these marks so freely? Is not the natural inference rather this, that these particular marks and pictures attract customers rather than repel them? I think that is a very real and solid point, which sooner or later the Honourable Member will have to meet, if he decides to proceed with his Bill.

The second point that I wish to take is this. Has the Honourable 3 P.M. Member considered how, if his Bill became law, it would be possible to enforce it? That is a question which came prominently to notice in connection with my Honourable friend Mr. Neogy's Bill for amending the Indian Merchandise Marks Act. It is practically impossible, as things are in India today, to make a prohibition of that sort effective at the time of sale, and I am afraid that, if the Bill were passed into law, it might to a large extent be a dead letter. You might of course prevent the importation at the customs of goods to which certain marks, or trade marks, were applied; again you could conceivably—I do not know whether that is what my Honourable friend contemplates—have at every factory in India some sort of establishment which would check all goods before they left the factory and see that the marks thought to be objectionable were not applied. That might be possible, though it would be a considerable burden on the industry. But, even supposing we had all these precautions, if in fact it assists the sale of goods to have these marks applied, what is to prevent the merchant or middleman, after the goods have been imported and after the goods have been manufactured and have left the factory, from applying these marks later on? I think these are very real difficulties and it is precisely because they demand close examination that it seems to me necessary that the Bill should be circulated before the House comes to a determination about it.

My third and last point, Mr. President, is this. I quite realise the difficulties which private Members in this House have about the drafting of their Bills and I only mention this point because I want to be quite clear as to what the Honourable Member proposes. The operative clause in his Bill, clause 2, reads like this:

"Any person from whom a customs duty is levied in any place in British India for importing any article, or the manufacture in India of any articles . . ."

That apparently reads: "Any person from whom a customs duty is levied for the manufacture in India of any article . . .". I am not aware that customs duties are levied for the manufacture of any articles in India at present, but the point I wish to get at is this. Is it definitely the Honourable Member's intention and the intention of his Bill that this prohibition should be applied both to imported goods and to goods manufactured in India?

Mr. B. Das: Yes, that is so.

The Honourable Sir George Rainy: I am grateful to the Honourable Member. It was necessary to raise the point because, if the House decides to circulate the Bill, the Local Governments and others would have been unable to express an opinion if they had regard merely to the terms of the clause as it stands which seemed to me ambiguous and very difficult to construe indeed.

I do not think it is necessary, Sir, that I should take up the time of the House longer.

Mr. B. Das: Sir, I beg to withdraw the motion for reference to Select Committee and I accept the motion for circulation.

Mr. President: It is for the House to accept.

Mr. W. Alexander (Madras: European): Sir, when this Bill first came into my hands, I had considerable doubt as to whether the Honourable the Mover really intended to include the words: "It extends to the whole of India". And after waiting for his explanation, I am left guessing and wondering still. For this reason. In the course of a long business experience, and seeing the use of these pictures of gods and goddesses as trade marks, I can only say that, so far as regards the Madras Presidency, it does not apply at all, and that there is no repugnance, as stated in the Bill, to the use of those marks on the part of the people of that Presidency. In fact it is quite the other way. One has only to go into the bazars and see how those pictures are used in an ornamental way on the walls of shops and houses; and instead of the attitude towards them being one of repugnance, it is really that of admiration, respect, and I might almost say, veneration.

Then there is another aspect which I think requires elucidation. I do not know if the Honourable Member, in trying to stop the use of those tickets by this Bill, remembers that certain marks have been used over a long term of years and have become quite valuable,—owing very largely to the fact that they are usually identified with a reliable and good quality of cloth, or whatever it is,—say colour and general workmanship. They are owned by Indians as well as by other traders. Does the Honourable Member propose to compensate the owners for the loss they would incur through the cancellation of their right to use them? And if he does propose to compensate them, is he aware that the huge amount involved in doing that is a matter which no Government could possibly consider for a moment?

There is another point I would like to make, and this rather concerns the Honourable the Mover himself. I do not know if he is of a very religious turn of mind, but I think, we may assume from the fact that he has put forward this Bill, that he has considerable leanings in that direction. Now, I would like to point out that in this Bill he proposes to uproot very old custom and usage. I would ask him to consider that, in doing that, he may possibly get on to very dangerous ground. The Honourable Member may not be superstitious, but he and I have been friends for some years past, and I do not like to think of his possibly being harassed and worried by hosts of angry gods and goddesses disturbing his peace of mind for the rest of his natural existence, and, for all we know, perhaps far beyond that. I would therefore appeal to this House to vote solidly against this measure. Sir, I oppose the motion.

Mr. President: The original motion was:

"That the Bill to penalise the use of pictures of gods and goddesses, scenes from scriptures or mythology of any religion whatsoever as marks or trade marks on any article imported to or manufactured in India, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable Sir George Rainy, Sir Hugh Cocke, Rai Sahib Harbilas Sarda, Mr. N. C. Kelkar, Mr. K. C. Neogy, Mr. Fazl Ibrahim Rahimtulla, Sir Purshotamdas Thakurdas and the Mover, with instructions to report on or before the 28th February, 1930, or as soon as possible thereafter, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five;"

Since which the following amendment has been moved:

"That the Bill be circulated for the purpose of eliciting opinions thereon."

The question is that that amendment be made.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 6th February, 1930.



[Sir George Schuster.]

relating to dangerous drugs and to increase and render uniform throughout British India the penalties for offences relating to such operations.

THE PROVIDENT FUNDS (AMENDMENT) BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move that the Bill further to amend the Provident Funds Act, 1925, for certain purposes, as passed by the Council of State, be taken into consideration.

This is a very short Bill which was fully discussed and debated in the Council of State. Its objects are clearly stated in the Objects and Reasons to the Bill and I do not propose to take the time of the House with any further explanation of its purpose. Sir, I move.

The motion was adopted.

Clauses 2, 3 and 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir George Schuster: Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move that the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes (amendment of sections 2, 23, etc.), as reported by the second Select Committee, be taken into consideration.

The main object of this Bill has been under consideration for six years. Different projects of legislation, including the original draft of the present Bill as it stands, have been circulated by one method or another a number of times and commercial opinion has thus had repeated opportunities of expressing itself on the provisions of the Bill. The subject was also considered by the Taxation Inquiry Committee. Two Select Committees have sat upon the Bill. I think, Sir, therefore, that the Government cannot be accused of undue precipitance in bringing forward this legislation, and I hope that the Bill, as now amended by the second Select Committee, will meet with the approval of this House.

The main object of the Bill is to prevent the avoidance of income-tax and super-tax by the formation or multiplication of companies or firms as a means of reducing the rate of tax payable by the individuals who are interested in these companies or firms. The Bill aims only at the improper use of this practice. It is a Bill which has sometimes been referred to as the Bogus Companies Bill. That in itself is a misleading term. It refers to companies which are formed for a certain purpose and which are

utilised for a certain purpose. In order to come within the provisions of this Bill, Companies or firms must be in the control of one or a very small number of persons; but not only that, they must be used definitely for the purpose of avoiding tax. I want to make that clear. There is no intention in this Bill of penalising any company which happens to be controlled by one or by a small number of persons, unless it is used for the particular object of avoiding tax. The provisions of the Bill have, as I have already explained, been very fully considered by the two Select Committees, and I should like to take this occasion of expressing my thanks to the Members of the Select Committees for the care which they have given to this subject and for the assistance which they have given to me in drafting its provisions. I think, Sir, that the objects of the Bill are so clearly apparent from the clauses of the Bill and that the work done by the second Select Committee is so clearly explained in its Report, that it is not necessary for me at this stage to say anything further on the subject. If points are raised in the course of the debate, I should be very pleased to give further explanations. Sir, I move.

Mr. M. S. Aney (Berar Representative): Sir, I wish to state that I did not intend to move the amendment* that stands in my name, but I want to make one observation for which I think this is the proper occasion, and that is in connection with the presentation of the Report of the Select Committee on this Bill. It was unfortunate that, when the last meeting of the Select Committee was held, I could not be present owing to a previous engagement which I had made on that day. When the Report was being circulated to the Members for their signatures, it was sent to me, but somehow or other the man who brought the Report to me for my signature, whether he had instructions or not I could not say, said he could not wait even for ten minutes to enable me to go through it. I do not know why it should be so. I asked him to leave the Report with me so that I might go through it, consider it and then append my signature to it, but he said he had no time and I said, "All right, you can go". I was told that some time afterwards he came to me, but I could not see him, and I was surprised to find that the Report had been presented here although I wanted to go through it and put in my signature. After the Report was presented, I read it and did not find anything in any portion of the Report to which I should take objection, but what surprised me was that the arrangement for circulating the Report of the Select Committee should be of such a nature that members of the Select Committee could not have time enough to go through it, consider it and make any suggestions they might want to make. That is the complaint I have to make, and I thought I could make it on the day of the presentation of the Select Committee's Report, but I found that the Standing Orders did not permit it as it is laid down that no debate can be raised at the time when the Report is presented by the Member in charge to this House. That is why I have brought this little point to the notice of the Honourable Member in charge in connection with this Report, and also with a view to impress further that hereafter the arrangements for the circulation of Reports of Select Committees should be of a more satisfactory nature. I have nothing to say on the merits of the Report. I support the motion of the Honourable Member.

*"That the Bill, as reported by the Select Committee, be recommitted to the same Select Committee."

[Sir George Schuster.]

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*"That the Bill, as reported by the Select Committee, be recommitted to the same Select Committee."

Sir Hugh Cocke (Bombay: European): I sympathise with the Honourable Member, Mr. Aney, that he was not able to be present at the last meeting of the Select Committee and that he was not able to retain the Report of the Select Committee long enough for him to read it, but I am glad to hear that, having read it now, he is quite satisfied with the work of the other members of the Committee. I was a member of the first Select Committee on this Bill, and we found it a very difficult one to phrase satisfactorily. We made an attempt, and since then a further attempt has been made, and I think undoubted improvements have been made in the Bill. The Honourable the Finance Member, in his remarks just now, referred particularly to the fact that this Bill was not aimed at a genuine company; it was only aimed at companies which were out to hold up profits in order to avoid taxation. I just want to say one word on that point, because it has been one of the most difficult matters which the Select Committee have had to deal with, namely, the question of using phraseology which would make it perfectly clear that this Bill was not aimed at a genuine company. The opening words of clause 4(2) are:

"Where the Income-tax officer is satisfied that a company is under the control of not more than five of its members and that its profits and gains are allowed to accumulate beyond its reasonable needs, existing and contingent, having regard to the maintenance and development of its business without being distributed . . . etc. . . ."

Those words, Sir, "having regard to the maintenance and development of its business", that have been put in are very important, and the explanation of the Select Committee is equally important. The Select Committee's Report on clause 4 says:

"The first insertion we have made expands the words relating to the 'reasonable needs existing and contingent' of the business, and are designed to place it beyond doubt that accumulations made by a company as a matter of sound financial practice or in order to make provision for the development of its genuine business, shall not come within the scope of the sub-section."

Now, Sir, every one who is at all connected with business knows that companies do come into existence, in connection with which it becomes essential to hold up profits for perhaps a number of years, and there are companies which have had to do that, and might have to do it again, so that it was very essential that it should be made perfectly clear in this Bill that these companies should not be interfered with in their legitimate holding up of profits in connection with the development of their business. I think that has been made clear in this Bill, and as long as it is understood by income-tax officials throughout the country that they are not expected, under this Bill, to attempt to assess such profits, or rather not to deal with companies in the way the Bill provides, where those companies are genuine development companies, I think no harm will come from this particular feature of the Bill.

The Honourable Sir George Schuster: Sir, with reference to the amendment moved. . . .

Mr. President: No amendment has been moved.

Mr. M. S. Aney: I did not move it.

The Honourable Sir George Schuster: With reference to the amendment standing in the name of the Honourable Member, Mr. Aney, I should only like to say that I hope that, when he next serves on a Select Committee

with which I am concerned, we shall have the benefit of his presence at our meetings and of the critical examination which he always gives in such a determined way to the provisions of any Government measure.

As regards the remarks of my Honourable friend, Sir Hugh Cocke, I have no hesitation at all in associating myself with what he has said. I intended to make it quite clear that this Bill, if it is passed into law, will not be used to interfere with genuine business operations, and I shall do my best to see that suitable instructions are issued to that effect.

Mr. President: The question is:

"That the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes (amendment of sections 2, 23, etc.), as reported by the second Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2 to 11 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Schuster: Sir, I beg to move that the Bill, as amended, be passed.

The motion was adopted.

DEMANDS FOR SUPPLEMENTARY GRANTS IN RESPECT OF RAILWAYS.

Expenditure from Revenue.

WORKING EXPENSES—ADMINISTRATION.

Mr. A. A. L. Parsons (Financial Commissioner, Railways): Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 18,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1930, in respect of 'Working Expenses—Administration'."

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I desire to draw the attention of this House to the initiation of a new procedure that has been made by my Honourable friend, Mr. Parsons, in connection with this Supplementary Demand. Honourable Members will find that in the Statement of these Supplementary Grants, it is stated that the Standing Finance Committee for Railways has agreed to this particular Demand being granted. In the past the invariable practice has been to circulate the proceedings of the Committee bearing on these grants. On the present occasion, what I find is that the proceedings of the meeting of the Standing Finance Committee for Railways, dated the 27th September, 1929, have been stitched on to these Supplementary Demands Grants; and on going through that paper, I find that it has absolutely no bearing upon the Demands which we are expected to consider today. I do not know whether my Honourable friend intends to be more and more independent of the control of this House, as I understand he is getting more and more independent of the control of the Governor General in Council.

Sir, I find that one of the reasons assigned in justification of this excess expenditure in this particular grant is that there has been a slight increase

[Mr. K. C. Neogy.]

in publicity expenses—I suppose (because of increased activities of the Publicity Department in Europe and America; but we in this House certainly can claim to have the benefit of the publicity activities of the Railway Department in trying to understand these Demands for Grants. My Honourable friend, Mr. Parsons, not merely did not care to circulate the proceedings of the Standing Finance Committee, but he thinks that this demand is so very reasonable that he need not even say one word in its support.

There is one other point, Sir, to which I wanted to draw your particular attention, and that is that there is one outstanding point of order in connection with these Supplementary Demands. If I may refer you, Sir, to your own observations made in connection with Supplementary Demands for Railway Grants on the 16th of March last year, you will see that you said on that occasion that, if these amounts represented monies that had already been spent, then these should more appropriately come up in the shape of Demands for Excess Grants and not as Demands for Supplementary Grants, and that, when in reply to that observation of yours it was pointed out that the practice had been in the past to undertake expenditure of this nature with the approval of the Standing Finance Committee, you were pleased to observe as follows:

“I think the Honourable Member will agree with me when I say that if money has been spent already in excess of the grant voted by this Assembly, the Government can only come by way of a motion for excess grant. That is, as I understand, the right Parliamentary procedure. However, as the Honourable Member points out that this practice has been in vogue for the last few years, I do not wish to raise any objection at this stage, but will see that the procedure is regularised in future.”

I do not know, Sir, whether it is your pleasure that this Supplementary Demand should be allowed to be brought up like this, if this particular amount or any portion of it has already been spent without the sanction of this House.

Mr. A. A. L. Parsons: Sir, I am very glad that Mr. Neogy has raised his first point, for it enables me to make an explanation to the House. There is no intention whatsoever on the part even of a supposedly independent Financial Commissioner of Railways to alter the previous procedure. What occurred was this, I called a meeting of the Standing Finance Committee for Railways on the 4th instant, with the intention of passing one or two of these Supplementary Grants. I may say that they had agreed to the Supplementary Grant on which we are now speaking at a meeting held in December last in Calcutta, though by an oversight that agreement was not recorded in the proceedings of the meeting. I therefore got it confirmed at the meeting held yesterday. I called originally for a meeting on the 4th instant, so as to enable me to get the usual documents before the House, describing the proceedings of the Standing Finance Committee, before these motions were moved today; but the House sat rather later than was expected and several members of the Committee represented to me that it would be inconvenient to them to hold a meeting at that time. Therefore, to meet their convenience, I held a meeting on the morning of the 5th February. Actually at that meeting the only papers laid before the Standing Finance Committee were the papers which are already in the hands of Members of this House, and the only comments made by the Members of the Standing Finance Committee were that they approved of the proposals for these grants. But if there is any suspicion that, in

bringing forward these motions now, I am attempting in any way to alter the ordinary procedure, I should prefer, with your permission, Sir, to withdraw the motions and bring them forward again on another day, if that would be in order. Actually I explained to the only Honourable Member who has put down a motion with regard to these Grants exactly what had occurred and showed him the Report of the Standing Finance Committee.

My friend, Mr. Neogy, then raised a question with regard to our publicity expenses. I may explain that the Railway Board are extremely keen to get extra traffic from a growth of the travelling habit among Indians and they are considering constantly the development of that side of the activities of the Central Publicity Office. I shall be quite prepared to have a memorandum drawn up by the Chief Publicity Officer showing exactly what we have done in that direction and to lay copies of it in the Library of the House and also, as is indeed my intention already, to place it before the Standing Finance Committee for Railways. I think that will meet Mr. Neogy's point.

Mr. K. C. Neogy: I beg my Honourable friend's pardon: I was complaining of the want of publicity of the proceedings of the Standing Finance Committee for Railways.

Mr. A. A. L. Parsons: I am sorry I did not catch the Honourable Member properly. I hope I have satisfied him that there was no intention not to publish the proceedings of the Committee.

As regards the point whether a supplementary grant or an excess grant should be asked for for this expenditure, it is never very easy, when you are dealing with Railway expenses, to say exactly whether the money has already been spent or not. With regard to the portion of the Rs. 18 lakhs odd which is really due to our opening more new lines, I can say with absolute confidence that that money has not yet been spent; that is to say, that though the staff has been employed on these lines, we have not so far exceeded the grant we had when the Budget was passed. I could not say the same with the same amount of definiteness about the expenditure on the Central Publicity Office; but I think it may be assumed that the amount provided for the Central Publicity Office in the Budget has been sufficient up till now, and that if we had not to incur expenditure for two more months, we should not want more money. That deals with all the points, I think, raised by my Honourable friend.

Mr. President: The question is:

“That a supplementary sum not exceeding Rs. 18,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1930, in respect of ‘Working Expenses—Administration’.”

The motion was adopted.

WORKING EXPENSES—REPAIRS AND MAINTENANCE AND OPERATION.

Mr. A. A. L. Parsons: Sir, I beg to move:

“That a supplementary sum not exceeding Rs. 1,39,85,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1930, in respect of ‘Working Expenses; Repairs and Maintenance and Operation’.”

[Mr. A. A. L. Parsons.]

I have explained the reasons for this Supplementary Grant, I hope in sufficient detail, in the Statement which has been circulated to Honourable Members.

The motion was adopted.

APPROPRIATION FROM THE DEPRECIATION FUND.

Mr. A. A. L. Parsons: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 1,00,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1930, in respect of 'Appropriation from the Depreciation Fund'."

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, before these motions are passed, I should like to ask my Honourable friend, Mr. Parsons, a few questions. I do not want to make a speech, because a week hence we will be discussing the Railway Budget once again, when we will have sufficient time to go into details. However, I would ask my friend one question. How is it that his Department did not anticipate this huge expenditure of one crore when framing the Budget last year? Everybody knows that the Government of India are in financial difficulty, verging almost on bankruptcy, and one crore is a very big sum and it might affect the ways and means Budget of the Honourable the Finance Member.

The next question that I wish to ask is this. In the Notes relating to this Supplementary Grant it is written that 18½ lakhs are due to the adoption on the Company-managed railways of the procedure in force on State-managed railways for accounting for credits for material returned to stock from replacement and renewal works. I would like to know whether the old materials that are returned to the store are charged at their original value, or are entered at the depreciated market value of the day on which it is credited to the account of those Company-managed railways. I am very severe in my criticism about the Company-managed railways as they are often reluctant to utilise their appropriations from the Depreciation Fund because, under the contract, they always enjoy the benefit of the surplus profit share if they can show a large balance in the Depreciation Fund. For that reason I should like to know if Company-managed railways do not always underrate their estimates and gain large surplus profits.

Mr. A. A. L. Parsons: Sir, the first point raised by Mr. Das was, how was it that we did not anticipate this large expenditure at the time the Budget estimates for this year were framed. Actually, as I hope the explanation in the book of Supplementary Demands shows, this does not represent extra expenditure except to the extent of 25 lakhs. The balance represents purely book adjustments.

Now, in regard to the sum of 57 lakhs which have to be credited to Capital and debited to Depreciation Fund, the position is as follows. I had no information myself that this adjustment had to be made until some time this month, although I believe it was brought to the notice of my office some time in November last. There is no doubt that these adjustments could have been made before partly in this year, partly in the

previous year and partly in the year before. But there was some misunderstanding in the minds of the authorities of the East Indian Railway as to what should be done. I do not think, therefore, that it can be said there has been a failure here to anticipate expenditure; the failure has been to bring to account certain transactions on the Railways quite as rapidly as should have been done.

With regard to the 18½ lakhs due to the adoption on the Company-managed railways of the procedure for dealing with certain credits on State-managed railways, I shall endeavour to explain the point briefly. The change only relates to the Government accounts of these railways. It does not affect the Companies accounts at all, and it does not in any way whatsoever affect their surplus profits. We need not, therefore, be afraid that in this matter there has been laxity of control over or by Company-managed railways. We could not actually make provision for this particular change in the Budget, because at that time there was no decision to change our procedure. The old procedure was not in accordance with correct rules of accounting, and when it was brought to our notice, we decided to amend it.

The last item of 25 lakhs represents expenditure which, at the time the Budget for 1929-30 was framed, we expected to incur last year, I can only say that this is probably the most difficult point in making railway estimates that I have to deal with. It is almost impossible to say whether you are going to get, shall we say, the delivery of a large batch of locomotives on the 31st March in one year or on the 1st of April in the next year. All you can do when you frame your budget estimates is to make the best estimate you can.

Mr. President (to Mr. B. Das): Are you satisfied?

Mr. B. Das: Yes, Sir.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 1,00,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1930, in respect of 'Appropriation from the Depreciation Fund'."

The motion was adopted.

STRATEGIC LINES—WORKING EXPENSES AND MISCELLANEOUS.

Mr. A. A. L. Parsons: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 7,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending 31st March, 1930, in respect of 'Strategic Lines—Working Expenses and Miscellaneous'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 8th February, 1930.

LEGISLATIVE ASSEMBLY.

Saturday, 8th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

REQUISITION OF VILLAGERS TO GUARD THE RAILWAY LINE.

249. ***Pandit Thakur Das Bhargava:** (a) Will Government be pleased to state if it is true that many village people were made to stand along the railway line between Delhi and Tughlaqabad and at other places during the recent tour of His Excellency the Viceroy for the purpose of watching the line or some other purpose?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state whether the services of these people were requisitioned through the police or through some non-official agency?

(c) Were these village people impressed into service by way of *begar* or did they come voluntarily on payment of remuneration?

(d) If any remuneration was paid what was the amount *per head* and what was the total cost?

(e) Will Government be pleased to state the hours during which these persons were on duty at the various places?

The Honourable Sir James Crerar: (a) I can only deal with that part of the Honourable Member's question which is specific, and I have ascertained that the allegation to which it refers is without foundation.

(b) to (e). The questions do not arise.

ENGAGEMENT OF SCOTLAND YARD POLICE FOR INDIA.

250. ***Pandit Thakur Das Bhargava:** (a) Is it true that Scotland Yard policemen have been imported in connection with the recent bomb outrages in India?

(b) If so, how many persons have been so engaged and on what pay and for what period?

(c) Are Government aware that the importation of a foreign agency is resented by the services concerned?

The Honourable Sir James Crerar: (a) It is entirely untrue.

(b) and (c). Do not arise.

SUPPLY OF ELECTRICITY TO THE DELHI MUNICIPALITY.

251. ***Pandit Thakur Das Bhargava:** (a) Are Government aware of the dispute about the rate at which electricity is supplied to the Delhi Municipality and its citizens by the Delhi Traction and Lighting Company?

(b) Is it a fact that there is a glaring disparity between the rates at which the said Company buys electricity from the Government and supplies the same to the Delhi Municipality and its citizens?

(c) Will Government kindly quote both the rates?

(d) Is it a fact that the Delhi Municipality have requested the Government not to enter into any fresh agreement or to sell the electricity generating plant to any person including the Delhi Traction and Electricity Company before consulting them or considering their offer?

(e) What reply if any, have Government given to the Delhi Municipality?

(f) If none so far has been given, what reply do Government propose to give?

Sir Frank Noyce: The necessary information has been called for and will be supplied to the Honourable Member on receipt.

SALE BY GOVERNMENT OF PLANT AND ELECTRICITY TO THE DELHI TRACTION AND LIGHTING COMPANY.

252. ***Pandit Thakur Das Bhargava:** (a) Do Government contemplate the sale of its electricity generating plant to the Delhi Traction and Lighting Company and are any negotiations in progress in respect of such sale?

(b) Have Government entered into any fresh agreement with regard to the sale of electricity to the Delhi Traction and Lighting Company?

(c) If so, will Government kindly lay on the table a copy of such agreement?

(d) Are Government aware that the popular belief is that the Government wants to benefit the Delhi Traction and Electricity Company whose capital is mainly European at the expense of the citizens of Delhi?

(e) Are Government prepared to consider the advisability of having a Joint Electricity Board on the lines of the Joint Water Board for Old Delhi and New Delhi?

The Honourable Sir Bhupendra Nath Mitra: (a) No, Sir. A committee has, however, been appointed by Government to report on a proposal recently received from the Company asking for a revised agreement for the sale of electricity. The Committee's Report has not yet been received.

(b) The reply is in the negative.

(c) Does not arise.

(d) The reply is in the negative.

(e) I am not prepared to make any definite statement on this suggestion at present, but it will receive due consideration.

SALE OF SILVER FROM THE PAPER CURRENCY RESERVE.

253. ***Mr. N. C. Kelkar:** (a) Will Government be pleased to state precisely the statutory powers under which they have sold silver from the Paper Currency Reserve?

(b) Is it a fact that by the sale of silver undertaken by Government a certain portion of the notes in circulation was left without a corresponding liquid reserve?

(c) Will Government be pleased to state whether there was any loss arising from the sale of silver and if so, whether it has been charged to the revenues of India? If it has not been, has it been included in the suspense account, and if so, how long do Government intend to keep it in the suspense account?

(d) What was the reason that prompted Government to stop disclosing the details about the reserve in the form of securities in the annual report of the Controller of Currency since 1925-26?

(e) Are Government satisfied that the amount of Reserve mentioned in the latest Paper Currency Statement (December 31, 1929) is satisfactory and that it is actually represented by as much bullion or securities?

The Honourable Sir George Schuster: (a) The constitution of the Paper Currency Reserve is at present regulated by the provisions of section 19 of the Indian Paper Currency Act (X of 1923). Subject to the restrictions laid down therein, Government, as the chief currency authority, have full power to vary the form in which the Reserve is held.

(b) The result of the sale of rupees as silver is that the backing to the note issue corresponding to the amount of rupees sold ceases to be rupees held at their nominal value and is converted into gold securities representing the bullion value of the rupees sold, supplemented by Treasury Bills for the difference between the nominal value and the bullion value. The intrinsic value of the backing, independent of the Treasury Bills, remains the same, but in a sense it becomes more liquid and it has the additional advantage of earning interest.

(c) In one sense there is of course a nominal loss, which arises because rupees are held at their face value, but the real value of the Reserve is not affected by the sale of silver. This nominal loss has not been charged to revenue but remains in suspense. The question of its final adjustment is under the consideration of Government.

(d) The published records show all that Government is required to publish under section 27 of the Indian Paper Currency Act. The publication of additional details was discontinued because it was considered not to be in the public interest that they should be disclosed. The practice now followed is in accord with that of the Bank of England and of central banking authorities in other countries.

(e) As regards the first part of the question, the Government consider that the assets held in the Paper Currency Reserve, combined with those in the Gold Standard Reserve, to represent a satisfactory reserve, although, as I have made clear on other occasions, they think it desirable that part of the large holding of silver rupees should gradually be converted into gold or gold securities. I do not understand the significance of the second part of this question. Of course the Government are satisfied that their returns are correct.

Mr. N. C. Kelkar: With regard to (d) will the Honourable Member give a somewhat clearer idea as to what sort of public interests are served by not giving the information?

The Honourable Sir George Schuster: It is not desirable that the public should always be informed of the exact transactions in Government securities. That has been adopted as the practice by central banks in all countries.

Mr. N. C. Kelkar: Has there been a change in the practice? Were the details given before and stopped now, or has it been a continuous practice not to give the details?

The Honourable Sir George Schuster: The change was made in the form of the return, I think, in 1925, and since then the same practice has been followed. There has been no recent change.

Mr. N. C. Kelkar: What was the reason for the change in practice in 1925?

The Honourable Sir George Schuster: I have already given the reason that it was considered not to be in the public interest to continue to publish the details.

THE CASH ON DELIVERY SYSTEM.

254. ***Colonel J. D. Crawford:** (a) Will Government be pleased to state the value of India's outgoing business on the C. O. D. system?

(b) What are the countries with which such business is done?

Mr. H. A. Sams: (a) The value of C. O. D. parcels sent from India to foreign countries during 1928-29 was Rs. 8,71,015.

(b) Great Britain and Northern Ireland, the Irish Free State, the Straits Settlements, Federated Malay States and Johore.

INDIANISATION OF SUPERIOR STAFF IN ORDNANCE FACTORIES.

255. ***Mr. K. C. Neogy:** (a) Will Government be pleased to state what steps have been taken to Indianise the gazetted and the superior non-gazetted staff in the ordnance factories?

(b) How many Indians are working in the ordnance factories as (i) Works Managers, (ii) Works Inspection Officers, (iii) Assistant Works Managers, (iv) Foremen, and (v) Assistant Foremen?

(c) What is the standard of qualifications laid down by Government for the appointments mentioned in part (b)?

(d) Is it a fact that the posts of Assistant Works Managers are not advertised in the Indian papers?

Mr. G. M. Young: (a) Owing to the dearth of Indian candidates with the necessary technical and practical qualifications for the appointments referred to by the Honourable Member, the Government of India selected and appointed an Indian gentleman in 1926 as an Assistant Works Manager under training for a period of five years to acquire the necessary qualifications. This gentleman is still under training.

A system of apprenticeship training has also been in force in the ordnance factories for some time. After five years' training, the apprentice is appointed as a supervisor or a journeyman, and is given further practical experience to qualify him for the higher non-gazetted appointments.

(b) (i), (ii) and (iii). None.

(iv) One.

(v) Seven.

(c) I will furnish the Honourable Member separately with a statement giving these qualifications.

(d) No, Sir. Whenever there is any chance of securing a suitable candidate in India, the vacancy is advertised in the Indian newspapers.

Mr. K. C. Neogy: Is it the idea to defer appointing a second apprentice till the Indian gentleman mentioned by the Honourable Member has completed his five years' training?

Mr. G. M. Young: I must ask for notice of that question.

INDIANISATION OF SUPERIOR STAFF IN ORDNANCE FACTORIES.

256. ***Mr. K. C. Neogy:** (a) Is it a fact that the post of (i) a Chemist Assistant Manager for the Cordite Factory and (ii) a Metallurgist Assistant Manager in the Metal and Steel Factory was advertised only in England in the recent past?

(b) What qualifications were looked for in these two cases? Did Government endeavour to ascertain whether there was any suitable Indian to fill in these appointments?

(c) Have departmental and warrant officers of the Indian Army Ordnance Corps been appointed as Assistant Works Managers, permanent and officiating, in these factories?

(d) What was the standard of technical and general education of these men?

Mr. G. M. Young: (a) Yes.

(b) A statement showing the qualifications required will be furnished to the Honourable Member separately. From this statement it will be apparent to the Honourable Member that there was no likelihood of an Indian with the requisite qualifications being forthcoming in this country. The posts were advertised in the United Kingdom where Indians with the necessary qualifications could have applied.

(c) A few departmental and warrant officers of the Indian Army Ordnance Corps employed in the factories have risen to the rank of Assistant Works Manager, but none have been appointed Assistant Works Manager direct from the Indian Army Ordnance Corps. The system of employing Indian Army Ordnance Corps men in factories is dying out and their places are being taken by civilians.

(d) The men possessed first class certificates of education and up-to-date practical knowledge of the work. They had passed the whole of their service in the class of work for which they were required and were considered suitable in every way for the particular posts to which they were appointed.

INDIANISATION OF SUPERIOR STAFF IN INDIAN ORDNANCE AND CLOTHING FACTORIES.

257. ***Mr. K. C. Neogy:** (a) Will Government be pleased to state how many military departmental officers have been appointed as Assistant Works Manager in the Ordnance and Clothing Factory after retirement, on the age limit?

(b) Will Government be pleased to state the technical and general qualifications possessed by the Assistant Superintendents who were appointed just after the war? What are the present appointments held by these officers? Was no Indian available with the same or similar qualifications as these officers?

Mr. G. M. Young: (a) Two.

(b) Five civilian Assistant Superintendents were recruited just after the war, one of whom has since died. A statement showing their qualifications will be sent to the Honourable Member. Two of these men are now employed as Works Inspection Officers, one as a Works Manager, and one as Civil Engineer Adviser to the Director of Ordnance Factories and Manufacture, which is equivalent to a Works Manager's post.

At the time that these appointments were made, the posts were reserved for military officers and military officers were actually selected to fill them. Before they could take up the appointments, however, they were demobilised, and so they were taken on as civilians. The question of appointing Indians did not therefore arise, but in any case it is unlikely that Indians with the requisite qualifications would have been forthcoming.

RIVER EMBANKMENTS.

258. ***Mr. E. F. Sykes:** (a) Are Government aware that one of their Secretaries made the following statement in the Council of State on the 19th September, 1929 (Council of State Debates, 11, 4, 120)?

"If these embankments are placed close to the ordinary trough the almost certain result is that the bed of the river will silt up."

(b) Was the Secretary speaking on behalf of Government or in his private capacity?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The passage referred to by the Honourable Member is a quotation from a note on the subject of double embankments by the Consulting Engineer to the Government of India, and the question whether the Secretary was speaking on behalf of Government or in his private capacity does not arise.

Mr. B. Das: Will the Honourable gentleman inquire from his Consulting Engineer about the fallacy of the argument in that particular sentence quoted?

The Honourable Sir Bhupendra Nath Mitra: Well, Sir, that expresses the opinion of the Consulting Engineer, who, so far as I am aware, is considered to be an expert in this particular subject.

Mr. B. Das: Is the Honourable gentleman aware that with embankments on both sides of a river the velocity of the water increases and thereby no silt is deposited?

The Honourable Sir Bhupendra Nath Mitra: I am quite prepared to accept the statement of my Honourable friend, Mr. B. Das, but the opinion expressed and quoted by my Honourable friend, Mr. Sykes, is that of another engineer, and this is probably a case in which two experts differ.

UNSTARRED QUESTIONS AND ANSWERS.

THE STATISTICAL ABSTRACT OF BRITISH INDIA.

151. **Sir Hugh Cocke:** (a) Will Government be pleased to state whether the Statistical Abstract of British India up to 1927-28, and up to 1928-29 have yet been issued, and if so, whether copies will be supplied to the Library? If they have not been issued when is this likely to take place?

(b) Will Government be pleased to state whether it is not possible to speed up the issue of statistical information such as that contained in the Abstract?

The Honourable Sir George Rainy: (a) The Statistical Abstract relating to the year 1927-28 is now in the press for final printing, and should be ready for issue by the end of the current month. The issue for the year 1928-29 is in preparation. Copies of these publications will be placed in the Library as soon as they are ready.

(b) The time taken to compile the Abstract has been reduced, since the first two issues were published, from about 2 years and 4 months to about 1 year and 4 months, but the Abstract for the year 1927-28 has been unfortunately delayed by exceptional circumstances. The compilation depends upon the receipt of statistics from a number of Departments under each of the Local Governments, as well as Departments of the Central Government, and if one set of figures is behind hand, the whole publication is held up. Government do not think that it is practicable to reduce the time required for compilation to less than sixteen months, but they will take any steps which are found possible in this direction.

ADMISSION TO GOVERNMENT SERVICES OF CANDIDATES WITH DEFECTIVE EYESIGHT.

152. **Mr. K. C. Neogy:** (1) Will Government refer to my question asked on the 11th February, 1929, regarding the admission to the Indian Audit and Accounts, and other Service examinations of men with eyesight corrected by glasses (No. 503, Page 649, Vol. 1, No. 9, Legislative Assembly Debates) and to their reply that the standard laid down for the guidance of medical officers allows the admission of officers whose vision can be brought with the aid of glasses to a reasonable degree of normality?

(2) Will Government refer also to the case of the candidate who was told in letter No. D-3368/29-E., dated the 2nd November, 1929, from the Secretary, Public Service Commission, that it is for the Medical Board to decide whether a certain physical disability of a candidate is, or is not, a disqualification for entry into Government service and that the Public Service Commission is not prepared to dispute the ruling of the Medical Board?

(3) Is it a fact that this candidate was passed as medically fit and allowed to compete for the Indian Civil Service examination held in January, 1927, when he stood nineteenth, but has in subsequent years been rejected for the Indian Civil Service and even the Indian Audit and Accounts Service examination presumably on account of defective sight?

(4) Are Government aware that this is not the only case in which a candidate with shortsight is declared medically fit by one Board and rejected by a different Board?

(5) Will Government be pleased to state the number of candidates rejected for the Indian Civil Service and Indian Audit and Accounts Service examinations, in the last year, merely on account of defective eyesight where such eyesight can be remedied by the use of glasses?

(6) In view of the replies referred to in parts (1) and (2) above, are Government aware that there is an impression among some of the medical

boards that the regulations for the medical examination of candidates laid down for their guidance on the subject leave them no discretion in the matter of passing candidates as physically fit, even though they are satisfied that the shortsight can be removed by glasses and will not interfere with the efficient performance of their duties?

(7) Do Government propose to consider the desirability of issuing explicit instructions to medical boards so as to make it clear to them that they have some discretion in the matter?

(8) Are Government prepared to consider also the desirability of relaxing the stringency of the existing rules and practice as regards the vision test, at least with regard to the Indian Audit and Accounts Service?

The Honourable Sir James Crerar: (1), (2) and (3). The candidate referred to appeared at the Indian Civil Service examination in January, 1927. He was subsequently rejected by the Medical Board, which examined him for the Indian Audit and Accounts Service examination held in December, 1927, on account of enlarged spleen and defective vision. The Government of India are not aware of the reasons for his rejection at any of the subsequent examinations for which he may have applied, as applications of candidates who are ineligible, or pronounced to be medically unfit, are not sent up by Local Governments.

(4) The Government of India have no information to this effect.

(5) As already explained, Local Governments are not required to forward the applications of rejected candidates to the Public Service Commission and I am, therefore, unable to supply the Honourable Member with the information he requires.

(6) and (7). The regulations lay down a minimum standard of vision required, (i) without glasses, and (ii) after correction with glasses, for the guidance of the Medical Board. The regulations are not rigid, and direct that, in cases of serious abnormality, the opinion of an ophthalmic specialist should be obtained. The instructions are quite explicit in this sense and the Government of India do not see any reason for the issue of further instructions.

(8) In view of the above, Government do not consider that there are sufficient grounds for modifying the existing rules.

RESOLUTION *RE* RELATIONS BETWEEN RAILWAYS AND INLAND STEAMER SERVICES IN EASTERN BENGAL.

Mr. K. G. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I beg to move:

"This Assembly recommends to the Governor General in Council to appoint a committee of official and non-official Members of this House to inquire into the relations between the Eastern Bengal and Assam Bengal Railways, on the one hand, and the inland steamer services in Bengal on the other, and report particularly as to whether, and in what manner, the interests of the Railways are affected by their co-operation or competition, as the case may be, with the said steamer services."

Sir, those who are acquainted with the Eastern districts of Bengal and the province of Assam, and those who have studied the railway map of North-Eastern India, will realise the great importance that the waterways of this part of the country play in its transport organisation. More than

one majestic stream, with numerous tributaries, carry the water from the hills to the Bay of Bengal traversing the deltaic area of Eastern and lower Bengal. In a sense there is a wide belt of water that practically separates the Eastern districts of Bengal and Assam from the rest of India, and from this it will be apparent as to what importance the water transport of the country occupies in relation to the railways that, together with the steamer services, supply the transport facilities.

Sir, the steamer services which are at present owned and controlled by private organisations, supply the link between the two State-owned railways, namely, the Eastern Bengal and the Assam Bengal Railways. But although there must be some amount of co-operation for the benefit of both the steamers and the railways, the railways are more dependent on the steamers than the steamers are on the railways because, apart from the feeder services that the steamers supply to the railways, they have the run of an all-river route to Calcutta from all the important riparian marts of Bengal, which enables the steamers to compete very successfully with the railways, particularly in regard to the goods traffic. Now, it will surprise not a few Honourable Members to know that the railways at one time actually did own and manage their own fleet of steamers and they were absolutely independent of the private enterprise on which they depend at the present moment.

The Eastern Bengal Railway came into existence as a guaranteed company about 70 years back and it was taken over by the State in 1884. Shortly after that a few steamers, owned and controlled by the railway, were disposed of and some of the services transferred to the private concerns that were running competing services in the rivers of Eastern Bengal in those days. Thus, we find that in December, 1884 some of the services were given up by the Railway and were taken over by the private concerns, who were, till then, a powerful competitor of the railways themselves. This process of gradual handing over of the fleet belonging to the railways continued till 1895, when the process was completed, and since that time the State Railways have been absolutely dependent on the help and co-operation that they manage to get from the private-owned steamer companies.

Now, why was this done? I inquired from the Honourable Member in charge by a few questions as to why it is that these steamer services, at one time owned and controlled by the State Railways, were discontinued in favour of private parties operating in the inland waters of Bengal? The reply that I got was that the railway steamer services were unremunerative and, secondly, that they were unpopular and really not required, as private enterprise was already rendering a satisfactory service.

Unfortunately, Sir, the Railway Department has never been very communicative in this House in reply to questions. They did not care to tell us as to why it was that the railway steamer services were found to be unremunerative and also why they were found to be comparatively unpopular. Sir, the reason is that in those days there was a severe rate-cutting competition going on between the private-owned steamers and the railway steamers, with the result that, whereas the State enterprise could not go beyond a certain point in reducing their rates in order to fight this competition, the private steamer companies practically recognised no limit to their unfair practice, and this resulted naturally in a loss to the State

[Mr. K. C. Neogy.]

undertaking. It is not surprising also that, while the rates were made cheaper and cheaper so far as the private-owned steamers were concerned, the public at large did, as a matter of fact, prefer to patronise the cheaper private services than the State service. This really was at the bottom of the fact why the railway steamer services were found to be unremunerative and also comparatively unpopular. Personal testimony is even yet borne to the facilities that were offered to the public in those days by the private steamer concerns. I am told that payment of fares was almost a sort of superfluity in certain cases. Not only that, but even refreshments and other kinds of entertainment were provided for the travelling public.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Silk handkerchiefs!

Mr. K. C. Neogy: Yes, as my Honourable friend, Mr. Ghuznavi, says, silk handkerchiefs were also presented to those who chose to travel by the private-owned steamer services. And, naturally enough, having regard to human weaknesses, the State service was found to be comparatively unpopular. In those early days the principles of fixation of maxima and minima rates had not yet been clearly recognised, and there was also reluctance on the part of Government to compete with private enterprise. As a matter of fact, while the Government committed themselves practically to parting with their steamers as early as 1885, the minima rates, so far as the railways were concerned had yet to come. It was as a result of a well known Resolution of Government, dated December, 1887 that minima rates came to be imposed so as to protect the railways from such cut-throat competition. The principle of minima rates was absolutely unknown in the days when this kind of competition had to be faced by the State Railways in waterways. I do not know if similar circumstances were to happen today whether the Government would take power by legislation to put down such a rate war in the waterways of Bengal. This withdrawal of the State enterprise from the rivers of Bengal was followed by understandings, contracts and agreements between the railways on the one hand and the steamers on the other. There were, however, constant bickerings between the two parties, the railways complaining that they were not being fairly treated, that the terms of agreement were not being adhered to, that the steamers were trying to filch away their traffic—the exact expression which I find used by a responsible railway officer is that steamers have been “filching away the traffic that ought rightly to belong to the railways”—and that the penalties that were contemplated in the agreements were not being imposed owing to reluctance on the part of railways to a certain extent and owing to certain other causes. When we come to the year 1905, we find that no less a body than the Bengal Chamber of Commerce itself made a complaint against the way in which the steamer companies were behaving, and the Chamber made certain suggestions to the railway authorities which were interpreted by them to mean that the railways should provide steamers of their own for the river carriage; that is to say, at that particular moment the Bengal Chamber of Commerce was prepared to support the idea of the railways reviving their own steamer services instead of depending entirely on private enterprise. But nothing came of this representation. So far with regard to the Eastern Bengal Railway.

Coming to the Assam Bengal Railway, we find that this railway came into existence, I think, sometime in 1892 or 1893, and ever since it came into existence it has suffered almost all along its length owing to the fact that it has to face very keen competition from the steamer services. This is a fact which is referred to in an official publication called, “A Monograph of Indian Railway Rates”, where, in Appendix I, it is stated that the Assam Bengal Railway is subject to competition of water transport almost throughout the whole length of this system and this accounts for the low rates that were in operation in this railway from the very first, traces of which still remain, although the relations have somewhat improved between the steamer companies and the railway. Now, Sir, this brings us to a very important question. As Honourable Members know, the Assam Bengal Railway has cost the Indian taxpayer, in capital charges something like 20 crores of rupees. But, apart from that, it has cost the Indian taxpayer in losses up-to-date to the extent of about 10 crores of rupees, that is to say, about 50 per cent. of the total capital has had to be found by the Indian taxpayer for meeting the losses of this railway, and it is stated on this official authority that the major portion of the trouble of this Railway, if not its whole trouble, is due to the fact that it has to encounter keen competition from these private-owned steamer companies. Now, Sir, I would leave it to my Honourable friend, the Member in charge, to make the calculations and tell us as to how much of these 10 crores of rupees, that had to be found by the Indian taxpayer for meeting the losses of this railway, has gone into the pockets of the shareholders of the two powerful combines that are operating in the waterways of Eastern Bengal and Assam.

So far as the Eastern Bengal Railway is concerned, it is undoubtedly true that it is more fortunately placed so far as finances go, than the Assam Bengal Railway; but yet, as the Honourable Members know, the finances of this railway have not been in a very satisfactory condition for some time, and the percentage of net earnings to the total capital outlay has been at a very low figure for some years, although it is showing signs of revival.

Now, let us turn to the opinion of a responsible railway official of the Eastern Bengal Railway as to what the effect of the steamer competition has been on the financial fortunes of this State-owned Railway which has cost the Indian taxpayer in capital charges to the extent of about 40 crores of rupees. This is what is stated:

“The history of these steamer services is well worth reciting showing as it does how from a very small beginning the steamer services have gradually appropriated to themselves traffic originally carried by the steamer *cum* railway route and the extent to which they have trespassed into spheres where once the railway had command of most of the traffic emanating from Eastern Bengal and Assam.”

It can therefore be very easily imagined as to how far the financial results of the working of this railway, disappointing as they are, have been influenced by this factor.

Now, Sir, with regard to the relations that subsist between the Eastern Bengal Railway and the steamer companies, it is stated as follows:

“While outwardly cordial, our relations with the steamer companies have not always been such as to produce a good understanding, our policy being one savouring more of concession than an equitable division of traffic, doubtlessly the outcome of a desire to show that we have no intention of crippling private enterprise. While the Railway has shown every desire to work fairly and amicably and with a view to the general good, the same can hardly be said of the steamer companies whose policy throughout has savoured of filching—unscrupulous it may seem, but desirable in the interests of the shareholders if they are to obtain a steady dividend.”

[Mr. K. C. Neogy.]

These are not my words, but they are the words of a very responsible railway official. That official goes on to observe:

"The steamer companies not being barred from showing undue preference, can and do guarantee space to large despatchers in a way that the railway cannot do There is no doubt that this affects the railway traffic adversely."

The again the railway officers go on complaining about the system of rebates, secret, as well as open rebates, that are granted by the steamer companies and which, these officers say, place the railway at a disadvantage.

Then again they refer to the block rates, a pernicious system, about which so much was stated in the Acworth Committee's Report. The block rates imposed by the steamer companies are characterised by these railway officials "as a bit of sharp practice". I am quoting the exact words used by them.

Now, Sir, they further complain that the steamer companies can quote any rates without regard to maxima and minima and are not obliged to give the notice that the railways are bound to give before making any changes in their rates; and the steamer companies can further give consignors free use of warehouses, free passes and other concessions which railways cannot do. These are some of the factors that handicap the Eastern Bengal Railway administration.

Now, Sir, at one time the Assam Bengal Railway wanted to have its own steamer service and that proposal was turned down. At another time the Eastern Bengal Railway authorities also were strongly of opinion that, if they were permitted to run their own steamer service, they could show a very decent profit on the additional capital outlay and they would be able to furnish a much more satisfactory service than the private owners are doing at the present moment; but all these proposals were, I understand, turned down by the authorities. With regard to this disinclination of Government to permit the Eastern Bengal Railway to have its own steamer service, I find in an opinion expressed by a responsible railway official that the Eastern Bengal Railway thought that:

"It was difficult to believe that the Government would really face a fight with the steamer companies. If it did and was prepared to spend money the Eastern Bengal Railway could, in my opinion, fight the steamer companies by itself and still show a profit on the working."

Sir, I have no desire to take up any more time of the House. This House was more than once likened by the Honourable Member and his predecessors in office to a shareholders' meeting when we were discussing the Railway Budget, because he said that the Members of this House represent the Indian taxpayers who own this great State-worked undertaking, the Indian Railways, and he compared himself to the Managing Director of the firm. Sir, taking advantage of that imagery, I invite the Managing Director on behalf of the shareholders to have a special inquiry made into the allegations that I have made and to associate a few representatives of the shareholders themselves in such an inquiry. I do not think that such a request would be considered unreasonable in any business concern and that the Honourable Member would readily concede this request.

The Honourable Sir George Rainy (Member for Commerce and Railways): I do not intend to-day, Sir, to take up much of the time of the House on this Resolution. I should like to congratulate my Honourable friend, the Mover, on the temperate and lucid manner in which he has presented his case. It is quite true, as he said at the end of his speech, that to a large extent the Members of this House in relation to the Indian Railways may be regarded as representatives of the shareholders, and if they are of opinion that conditions have come into existence as regards a section of the Indian Railways, which place them in a position of unfair disadvantage, then clearly that is a matter which the representatives of the shareholders would be entitled to investigate. I do not know, that if such a committee as is suggested were appointed, it would be necessary to explore in great detail all that happened in 1885 or in 1895, or even what was said by the Bengal Chamber of Commerce in the year 1905. I think that practically that committee, although no doubt it would look into the older history of this subject, would devote most of its attention to present day conditions and consider whether there were reasons for any particular action on the part of the Legislature or Government to influence the extent of co-operation with or competition between the railways on the one side and the inland steamship companies on the other. I do not wish to commit myself today or to commit Government to any view as to whether or not a committee ought to be appointed, because I think I shall be able to satisfy the House that, whatever opinion individual Members may entertain on this subject, the appointment of a committee at this stage would be premature, and I should like to give my reasons.

During the last few months the Agent of the Eastern Bengal Railway, Mr. Maffin, has been devoting special attention to this question of the relations between the Railway of which he is in charge and the steamship companies. He has submitted a report to the Railway Board on the subject, in which he has mentioned a number of points which in his opinion are not satisfactory and where, in his opinion, some re-adjustment of the relations between the Railway and the steamship companies is desirable, and he proposes, having completed his own examination of the subject, to approach the steamship companies and to discuss this question with them. That seems to me to be a proper and business-like way of attacking the subject. The first step to be taken is that there should be discussion between the Railway and the steamship companies. When that discussion is complete, and when the Agent has reported the results to the Railway Board, then the whole matter will be considered by Government, and they will then consider whether any further action is necessary or whether the suggestion made by the Honourable Member should be adopted. But the position, being what it is, it is very difficult for me to express any opinion on these questions at present because I have only heard what can be said from the railway side of the case and we have still to hear what the steamship companies will say to it. Because, while as Railway Member I am bound to fight like a lion on behalf of the Railways, yet Honourable Members must remember that I am inextricably linked with my Siamese twin, the Commerce Member, who is the particular guardian of private enterprise. Therefore, I must be careful before I commit myself to an opinion on this subject, and I must add that there is a third interest to be considered,—not perhaps so frequently mentioned in this House as it might be,—and that is the interest of the general public. Now, it is quite true that the railways may very often feel that, owing to the action, let us say, of a steamship company, they are being cut off from remunerative

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traffic and are not making as much a success of it as they would like to do. On the other hand, over a large part of India, as regards all heavy goods traffic at any rate, the railways are practically exempt from competition. I do not know that it is a bad thing that in one part of India at any rate, the railways should have to carry on under competitive conditions, which ought at any rate to keep them from going to sleep.

It is for the reasons I have given, Mr. President, that Government do not feel that they can accept at this stage the Honourable the Mover's Resolution. But I can assure him that the matter is already under consideration and will be considered further and that Government are not insensible to the important considerations he has advanced. I hope, Sir, that under these circumstances, my Honourable friend will not consider it necessary to press his Resolution today.

Mr. K. C. Neogi: Sir, I also desire to congratulate the Honourable Member on his very temperate and conciliatory speech on this Resolution. (Laughter). I certainly recognise his difficulties, but I do think that the points that I have mentioned in my speech will not be lost sight of either by himself or by the Agent of the Eastern Bengal Railway when he makes inquiries into all the various factors that are connected with the question.

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muhammadan Rural): What about the interests of the inland steamship companies?

Mr. K. C. Neogy: My Honourable friend, Mr. Haji, asks what about the inland steamship companies. The Honourable Member in charge mentioned only two parties to the Resolution, or rather three, the railways, the steamer companies and the public at large, and my Honourable friend, Mr. Haji, very pertinently raises the question of the indigenous steamer services. It is a pity, Sir, that my Honourable friend, Mr. Haji, had not the opportunity of elaborating this particular point. But I think I understand what exactly he has in mind, because it is a well-known fact that these steamer concerns have entered into certain agreements with different parties from whom they get their goods traffic, and have thereby practically succeeded in keeping out other rivals from the field. Now when this question is being investigated, I do hope that the Honourable Member in his character as Commerce Member will not lose sight of this particular fact, and that he will freely admit representatives of all parties concerned and allow the Indian steamship companies to come and lay their case before him. Sir, the Honourable Member did not exactly give the House an idea as to how long it will take for the Railway Department to complete their inquiries. I do not know whether, when the Railway Budget comes before us, it will be possible for the Honourable Member to make some sort of a statement bearing on the question. Whether that is possible or not, I would earnestly request him to give greater publicity to what happens between the steamship companies and others, than has been the case in the past. I do not think the secret conclaves and consultations are likely to inspire public confidence. Sir, with these words I beg leave to withdraw my Resolution.

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

RESOLUTION RE THE PRESENT SYSTEM OF EDUCATION IN INDIA.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Sir, I move my Resolution. The Resolution runs thus:

"This Assembly recommends to the Governor General in Council to take early steps for appointing a committee of inquiry for examining the present system of education in India with the object of ascertaining the causes of the defective character training of the system as emphasised and brought to public notice by the Indian Sandhurst Committee, and of reforming the system by recommending measures for the removal of these defects in the system, so as to enable the educational institutions to provide a steady flow of really first class material for recruitment as Army officers."

Sir, in view of the several amendments that have been tabled, I feel that perhaps the meaning of the Resolution has not been fully and properly apprehended. The Resolution is a simple one and has been put in simple language and the issue is put in a straightforward manner. There are only three points in the Resolution. The first point is that the present educational system is defective. The Indian Sandhurst Committee has pronounced the opinion that the present educational system is defective in that it does not produce amongst the boys who go through that system a desire for taking their due share in the defence of India; neither does it develop power of leadership the spirit of initiative and the general aptitude for dealing with and controlling men. That is the first point. The second point which the Sandhurst Committee emphasises is that, unless this system is reformed, there will not be a steady flow of really good material for recruitment as officers for the Army. The third point which the Sandhurst Committee emphasises is that the whole system should be examined and the defects removed. These are the three points which the Indian Sandhurst Committee has emphasised, and these are exactly the three points which this Resolution of mine wants to put before the House. There is no other matter. It is a straight point and we expect a straight reply from the Government. There seems to be some misunderstanding about the meaning of the words, "the character training of our educational system". The words as used in the Report or as quoted in my Resolution do not mean that Indian boys are inherently deficient in military character, much less in general moral character. It has to be borne in mind that the Resolution as well as the Report of the Indian Sandhurst Committee, where they refer to the defective character training, do not at all imply that there is inherent deficiency of character in the Indian boys, but refer pointedly, clearly and only to that defect in the present educational system. What they, in one word, say is that the educational system is defective. They only emphasise the deficiencies in the present system of education. It is not, as some of my Honourable friends suppose, that they have impugned the character of the Indian boys as inherently defective. That is an important point that has to be borne in mind, and if that is borne in mind, perhaps some of the amendments may be needless. I am as proud of the character of my boys as some of my friends, who feel that there is at least some inference from this Resolution to the effect that the Indian boys are deficient in character. That is not the case. The Indian Sandhurst Committee does not say so. The Resolution does not say so. Who says so, I shall refer to later on. The Indian Sandhurst Committee says that the boys who go to England after having been selected in India are at a disadvantage

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in competing with British boys. An authoritative witness before the Indian Sandhurst Committee has said:

"It must be recognised that the system of education in India differs so widely from that in England that Indian boys are at a disadvantage in complying with the test such as is required for entrance into the Sandhurst."

In what respect do the Indian boys find themselves at a disadvantage? The Report says:

"... and consequently the Indian boy in present circumstances is handicapped in competition with British boys of equal age, especially in a sphere where physical considerations and general aptitude for dealing with and controlling men are of equal importance with purely intellectual attainments." (Page 14.)

The Report further says that this is due to the defect in the Indian system of education, which does not make provision for military training, military drill rifle practice, organised games and physical training as is made in the British System of Education in England. After thus referring to the defective character-training in the Indian system of education, and having also told in what respects Indian boys are handicapped when they go to England, the Committee goes further and says:

"It follows that material reforms will be required in the matter of educational organisation and methods before Indian Schools and Colleges can hope to produce a regular flow of Indian boys fitted in every way to hold the King's Commission." (Page 14.)

This is exactly what my Resolution intends to make provision for. The Committee as asked for in the Resolution, if appointed, will make inquiries, suggest reforms, and recommend a scheme of action to the Government.

As for our present schools, the Sandhurst Committee does not however speak of them with despair. The Committee says:

"We believe that, if the importance of the matter is brought to the notice of the educational authorities and their co-operation is enlisted, much can be done, even in the existing schools, in the direction of eliminating the weak points mentioned above, and we feel that it will enable a steady flow of first class material for recruitment as Army officers." (Page 27.)

Here is a point which should be properly understood, and taken to heart. The Committee itself has never said that there is any inherent defect in the Indian boys, but the defect is inherent in the system of education through which the boys have to go for passing the examinations. The Sandhurst Committee admits that, if certain defects present in the educational system can be remedied, the existing schools themselves will be able to provide a steady flow of really good material for recruitment as Army officers. But who is to move for remedying these defects? The Committee says that, "The main responsibility must rest on the educational authorities and experts", and expresses the opinion that, "It is imperative that the Government should give a clear lead in emphasising the paramount national importance of reforming the educational system of India in the directions we have indicated". (Page 28). The Committee has rightly said that the importance of the matter should be brought to bear upon the Government and that it is the duty of the Government to give a clear lead in the matter. Now, what do we find? The Indian Sandhurst Committee's Report has been with the Government for some years now, and practically nothing has been done in this respect by the Government. I should like to know definitely what lead the Government have given to the educational authorities

and experts in the matter as suggested by the Indian Sandhurst Committee. They have done nothing of the kind. It is this that has impelled me to bring this Resolution before this House. If the Government desired that really the educational system, which has been found to be defective, should be improved, I should have expected the Government to move of itself in the matter, in the first instance instead of a non-official like myself, but having waited in vain so long for the lead that we expected the Government would give, and having despaired I have moved this Resolution, and I hope that Government will see the need of it, will see the relevance of it, will see the justice of it, and will see the imperative need of it, and will come forward, taking courage in both hands to accept it and to give a lead to the educational authorities and to the country in the matter of reforming the educational system under which our boys have to go and compete with British boys for Sandhurst under a handicap.

I said in the beginning that there have been some misgivings in the minds of my friends about the meaning of this Resolution. The Resolution does not intend to find fault with the character of our Indian boys; the Resolution clearly says—and the Indian Sandhurst Committee also clearly emphasised—that the defect does not lie inherent in the character of the Indian boys, but lies inherent in the educational system. It is no surprise to me, it is no news to the House, that the system is really so defective. The system which had been conceived not in a very commendable spirit could not be expected to bear a fruit other than what we all here condemn. I think it would be right at this stage to remind my Honourable friends how the present educational system was conceived about a hundred years ago. Lord Macaulay, in one of his letters to his father, said:

"The effect of this education on Hindus is prodigious. No Hindu who has received an English education ever remains sincerely attached to his religion. Some continue to profess it as a matter of policy, but many profess themselves to be atheists and some have embraced Christianity."

I should have thought that, if that were so, the twenty-two crores of Hindus would immediately have embraced Christianity and given an eternal lease of life to this foreign Christian Government. "It is my firm belief", he further says, "that if our plans of education are followed up, there will not be a single idolator among the respectable classes in Bengal thirty years hence." Fortunately it is not so. Having analysed, in the words of Lord Macaulay, the desire, the ideal, the ambition with which the present system of education has been conceived, an impartial Committee like the one presided over by General Sir Andrew Skeen goes into the details of that educational system and finds it defective. Is it surprising that that Committee should come to that conclusion?

"Boye ped babhool ke am kahante hoye."

"If you sow the seed of a Babool, a thorny tree, could you expect that a mango should come out of it?"

It is an impossibility. Having sown that seed, and having seen what fruit the seed bears, our friends, well-wishers, the Members of the British bureaucracy come and tell us to our face, with good grace, in a patronising mood, "You should not be in a hurry, you should be a little patient, and consult your better interests first, and you would feel that there is still need of British guidance". An Honourable friend of ours, whose towering personality we are missing, who has left India, but whose

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place is now occupied by my Honourable friend, Mr. Howell, gave a speech on the 23rd December last and told us the essence of his experience of life service in India. And what did he say? The occasion was a farewell dinner given by the Chelmsford Club at Maiden's Hotel. Our friend of the bureaucracy, Sir Denys Bray, in a patronising mood says:

"There is one practical lesson my long work at the Foreign Office has seared across my brain."

What is that one lesson which he has learnt throughout his long official career in India? Sir Denys Bray says:

"In the idea of complete independence as India's goal, there is in theory no doubt something most attractive even to a man like myself, but until," (please listen) "but until the time has come when a lamb and a lion will lie down together and the lion never opens its jaws except to recite the virtues of the Kellogg Pact to the admiring lamb, complete independence is a mirage, a treacherous luring of India."

He went on to say that, "India is therefore still in need of the generous and adventurous youths of England in her service". To my friends I say that neither the spirit nor the letter of my Resolution, nor of the Indian Sandhurst Committee's Report was to imply or to declare from the housetops that the character of Indian boys is deficient and should be improved. I had never had that intention; it is not the fact, and even the Indian Sandhurst Committee does not say so. With the experience of the last two examinations held in India, I stand convinced that, in spite of such defects in the educational system, our boys have been coming forward in larger and larger numbers to compete for vacancies fixed for Indians in the military colleges of England; but the 12 NOON. seats being few and the number of boys applying being larger than the numbers required, they could not all be taken. Therefore, good boys have to be refused; I feel it, I feel the pang of it that good boys have to be refused. But even under the present defective educational system, the inherent military character of the boys prevails. And why? My friend, Sir Denys Bray, said that we have become lambs and there are people in this world who are tigers and lions. I do not know which is more savage as between the tiger and the lion. (*An Honourable Member*: "The tiger".) I shall leave it to the Zoological experts to decide which is the more savage of the two. My friend, Sir Denys Bray, said, "The people who reside in India are lambs and therefore we, the progeny of the British lion, young boys, should be brought out to India to save the Indian lambs from the tigers." He has not said which country it is that the tigers and the lions inhabit; he has merely said that British boys are to be in the service of India to protect the Indian lambs, and that those British boys are adventurous and generous boys because they will leave their homes and come out to India to defend the Indian lambs as against the lions and the tigers who will devour them. If that is so, I ask those British people who are so generous as to send their boys to India, to be a little more generous and in a fit of generosity accept this Resolution of mine and say "Yes; in the system of education which our grandfathers brought into existence in India, they were not perhaps inspired with the same generous impulses by which we today their grandsons are inspired; we today are prepared to make amends for whatever mistakes were made in the past and we want to improve the

present educational system under which Indian boys are to be trained, so that", (in the words of my patronising friend, Sir Denys Bray), "Indian boys may not remain lambs but become tigers and lions; so that two equal people on the face of the earth may remain friends and not merely one be the food of the other." That, Sir, is the object of my Resolution. I want to make tigers of Indian lambs and I hope the generosity of my friend over there would impel him to accept the Resolution and make a beginning in the direction of improving the educational system of India and of helping me in metamorphosing lambs into tigers.

Sir, there is an amendment in which it is suggested that, instead of a committee, a conference should be invited. (Laughter.) I have no objection to a conference being invited if the Honourable Member thinks that it will serve the purpose; but I can assure him that it will not serve the purpose; and why? Because this question has not been looked into from this point of view either by the Educational Ministers or by the Directors of Public Instruction, or by the British Government; none of them has looked at this question of improving the present educational system of India from this point of view, and therefore a conference will be of no use; it would serve no purpose

Mr. President: The Honourable Member is not entitled to refer to amendments which have not been moved.

Dr. B. S. Moonje: I am proving the imperative need of a committee—it is for that purpose that I am referring to it. This much of argument ought to be enough to prove to the gentleman, who has given notice of the amendment and to the Government that there is really need for a committee, which should go and apply a fresh informed mind and analyse and examine the present system of education and come to some conclusions on which their recommendations to the Government would be based to enable the Government to give a proper lead to the educational authorities and to the people at large. It is in this spirit that I move the Resolution. I have done.

Mr. President: I think we will have the amendments first. Mr. Acharya.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Thank you, Sir. I move:

"That in place of the original Resolution the following be substituted:

"This Assembly recommends to the Governor General in Council that he do appoint a mixed committee of officials and non-officials:

- (a) to examine the present system of public instruction in India in the light of modern educational ideals and in relation to the economic conditions and needs of modern India;
- (b) to report how far the system is really a man-making system, and tends to train young men for active professions in life;
- (c) to report upon the causes leading to the defective character training among Indian youths emphasised by the Indian Sandhurst Committee; and
- (d) to recommend the measures that should be adopted in order to produce educated Indian youths qualified for recruitment and training as officers in the Indian Army."

Before proceeding further with the amendment I wish to convey my homage to Dr. Moonje for the very clear and very forcible manner in which he has placed the Resolution before the House. I agree with

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him in most of what he has said; and when I sent in my amendment, it was not that I had any doubt as to what the Resolution meant, but because I thought it did not go far enough, and if there is any possibility of the present system of education being changed, I thought it might be examined not only from the standpoint of recruitment to the Army but from the even more essential standpoint of the training properly of the men and women of India carrying on the nation's life and the nation's life work. I am glad that Dr. Moonje has referred to one of the great champions of English education in India, Lord Macaulay. I have of course my admiration for Lord Macaulay—for the style in which he wrote—and I have great admiration for his plain speaking, and I wish that present-day politicians were as plain-speaking as Lord Macaulay was. However, that may be, Sir, the system of Lord Macaulay has undergone several changes; and I in my own humble way, having been connected with education for many years in my life, have felt that the system obtaining in India is hardly education; and that is why I said, "the present system of public instruction"—there is very little of education in it. A lot of things are crammed into our heads—good, bad and indifferent—the bad and indifferent predominating over the good; and it is unfortunate that we have been made to learn all these things without any reference to the practical needs of life. I know there have been Commissions after Macaulay's time; I know there have been some changes; I know there have been more Universities established; I know there have been various kinds of attempts made.—the dotting of the "i's" here and crossing of the "t's" there,—my friend Mr. Chatterjee must know them all; but in spite of all the dotting of the "i's" and the crossing of the "t's", the system of education has remained the same. It is a system which I may really call a machine-making system; and, for God's sake, we cry out, let us have a few more men and a few less machines, and I agree with every word that Dr. Moonje has so vehemently and so forcefully put forward. We do not want always to be lambs,—in my humble opinion a lamb is a much better animal

Dr. B. S. Moonje: Lamb is an article of food for lions and tigers.

Mr. M. K. Acharya: It is really a nobler animal, which never dies even when it is eaten up, for in my humble opinion nothing dies in this world. So whether the lamb is a better animal

Mr. M. S. Aney (Berar Representative): The juxtaposition of the two is not the same.

Mr. M. K. Acharya: I wish we had more Indians with all the virtues and the innocence of the lamb and all the valour of the lion combined, not to eat but to protect, not to destroy but to create. That is India's ideal, and I want this ideal to be re-stated by India, because India is to educate the world. It is coming on, sooner than most of us imagine. Sir, I am aware that very many things have happened during the past few years; we have had many heroes of Sabarmati and heroes of Saroda, I wish some of them were in the Gallery today. But with all these rapid changes tending only to denationalise us we have not had the benefit

of a man-making system of education in this country. It is not merely man-making education that we want in the technical sense of the term, but we want a system of education which will produce men for the higher and larger work of shaping the destinies of India, for educating the civilized world. That is our great mission as a nation. We have to civilize the world, educate the world; we have to draw out the God in man and enthrone him above the beasts of prey within. That is the great work we have to accomplish in life, and the lamb, therefore, is higher, nobler than the fiercer lion; it is the higher aspect of humanity presiding over the lower aspect, that is always crying out for more food, more prey, more destruction.

Therefore, Sir, I would suggest that, if at all there is going to be an inquiry,—I have got my own doubts whether even this mild request will be complied with by the powers that be; for probably between Mr. Mackworth Young and Sir Frank Noyce they will find a hundred and one difficulties in the way of appointing a committee or even holding a conference, and will tell us, "Oh, a great many things are in the air, and so you had better wait till political advance is made and everything else will follow that", and so on and so forth. But I wish, Sir, a larger outlook may be taken of the whole question of the training of Indian boys and girls. Some say they want co-education; but whether it is going to be this education or that education, whether it is going to be lamb education or the lion education, I want the whole system to be sifted scientifically in the light of modern educational ideals. That is the chief object. I am not in any way against the proposal made by Dr. Moonje. What I want to know is whether there is any chance of the present system being reviewed and examined; and I would certainly suggest that the sooner it is done the better. I wish there were some chance of a larger view being brought to bear upon the question of national education. I know that even in the western countries, all the old ways are given up; the old ideals are being re-examined and a great many experiments are being made; but unfortunately in India we are unable to advance, and as my friend has rightly pointed out, an iron system is cast in our teeth. We are asked, where are the qualifications, where is the English public school and where is American co-education? All this from men who do not know the higher laws of life. But there are even today sages in India, Parahamdas, men who know the higher laws of man's nature, the higher laws that control the emotions; and that we should be told that we are only fit to be the unquestioning admirers of the Sarda Act is a national insult, which I for one consider is very unjustifiably hurled against us. I, therefore, implore Members on the Treasury Benches to be a little more sane and liberal. Let them be liberal at least for this reason that very soon they will find in their place Dr. Moonje and other stalwarts, who will examine the whole question from a truly national standpoint. Let us clear the mist from our eyes and prepare ourselves for the dawn that is coming from the truly national standpoint instead of putting forward the shibboleth, "Wait and wait". I resent that policy as much as anybody else, and therefore I urge that, if ever an inquiry is going to be made, it should be as broad and full and scientific as any inquiry in India can possibly be expected to be. It should be as truly human as an inquiry into the question of the education of boys and girls ought to be.

***Colonel J. D. Crawford** (Bengal: European): Sir, I move:

"That for the original Resolution the following be substituted:

"This Assembly recommends to the Governor General in Council to take early steps to examine the present system of education in India with the object of remedying the defective character training of the system as emphasised and brought to the public notice by the Indian Sandhurst Committee with a view to the removal of these defects in the system for the purpose of providing a steady flow of really first class material for recruitment to the public services including the service of defence."

Sir, I have been a fairly stout supporter of the action which my friend, Dr. Moonje, is taking to improve the youth of this country. If I rise to move a slight amendment to his Resolution, it is for two purposes. The first is to throw the burden of answering this Resolution on the quarter in which the responsibility really lies, that is the Department of Education, and not to confine the debate to the Army Department, whose responsibility for education is really very small. Secondly, by using the words "for recruitment to the public services including the service of defence", I want to show that the qualities which are required for any service of defence are equally required for other public services in India, in fact for the whole of the national life of India. There is no difference of opinion in this House, I think, as to the fact that our existing system of education is in some respects defective

An Honourable Member: In many respects.

Colonel J. D. Crawford: Put it that way if you like.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Does it apply to the educational system in this country only or is it said about the systems in all other countries?

Colonel J. D. Crawford: All right, I shall say that the existing system of education in this country is thoroughly defective if that will please the House. The fact is, that certain qualities which we particularly desire at this stage are not brought forth. They may be inherent, but they are not brought forth by our present system of training, and we desire some alteration in that system. Dr. Moonje suggests that a committee would be possibly the best manner in which to tackle this question. Well, Sir, I see certain difficulties in a committee. If a committee is appointed by the Central Legislature to go round and examine this matter, which is a provincial subject, I think you might find a good deal of obstacles put in the way of any such committee. To my mind it is better to summon a conference of provincial educational authorities, from whom we can ascertain the actual system in vogue in each province, and to examine them and to find out what changes are necessary for the purpose of greater development of character and the qualities of leadership. It seems to me that it is a preferable line and an easier line to follow. There is an immense amount of information already available on the subject of education, collected by various committees, and if you can get the co-operation of the provinces in your general idea of improving the system and altering the curriculum with a view to developing the qualities that we particularly seek, that would be the best and easiest method of dealing with the problem. The difference between me and the Mover of the Resolution is that I suggest a conference of educational authorities called by the Government of India.

*Speech not revised by the Honourable Member.

An Honourable Member: There is another amendment to that effect.

Colonel J. D. Crawford: I have not considered that. I am asking the Government of India themselves to examine this question. How they examine it may be open to criticism. If the Government accept my amendment, and if they call such a conference, that would satisfy me personally.

My second point of difference with the Mover is to throw the responsibility for achieving this result on the Education Department, on which, according to the Sandhurst Committee, the responsibility lies.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): The amendment which I have the honour to move runs as follows:

"That for the original Resolution the following be substituted:

"This Assembly recommends to the Governor General in Council that, in view of the remarks made by the Indian Sandhurst Committee about the present system of education in India, he be pleased, by way of a beginning, to establish, without any unnecessary delay, an all-India residential military school at a suitable and central place, capable of accommodating at least 500 Indian boys of all castes and creeds at the lowest possible rate of fees for tuition, board and lodging for the purpose of providing a steady supply of suitable material for training and recruitment as Army officers."

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): On a point of order, Sir. I submit for your consideration that the amendment moved by the Honourable Munshi Iswar Saran raises an entirely different issue from that raised in the substantive Resolution.

Munshi Iswar Saran: I submit that the object of the Resolution is to provide a steady supply of really first class material for recruitment as Army officers. That is the object with which the original Resolution has been put forward. In order to achieve that aim, a certain remedy has been suggested. I have taken the liberty of suggesting another remedy for the realisation of the same object. I shall show you from May's "Parliamentary Practice"

Mr. President: The Honourable Member will go on.

Munshi Iswar Saran: Thank you, Sir. If we take the Resolution as it has been moved by my Honourable and esteemed friend, Dr. Moonje, and the amendments which have been proposed by Colonel Crawford and by Mr. Acharya, we will find that what they attempt to do is a staggeringly difficult task. At any rate it is a huge task which this Resolution proposes should be undertaken. What it says is, "Examine the entire educational system in India in order to find out its defects". Sir, I need not weary the House with details. If they really wish to embark on this examination, it will take an enormously long time, and the very object which we have in view will be frustrated. I, therefore, submit that, in order to achieve our end, we should straight away take up the question of providing a steady supply of really first class material for recruitment as Army officers. I have accordingly proposed the establishment of an Army school and the Sandhurst Committee itself is in agreement with this proposal. In their Report they say that the work done by the Dehra Dun School is excellent and they have recommended the establishment of another military school. Now, I submit that, if you have another military school, in which education will be imparted to Indian boys in such a way that the defects which have been pointed out in the Report

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of the Sandhurst Committee will be removed, that will take us quicker to the goal we have in view, than any examination of the entire educational system.

There is one word I should like to say about the fees, on which I have put emphasis in this amendment. Those Honourable Members who have studied the Report of the Indian Sandhurst Committee must have found that the Committee have laid stress on the fact that the fees should be such as the ordinary parents in India may be able to afford. The Committee says that India is much poorer than England and therefore it is necessary that the rate of fees should be much lower than what it is in England. One may well ask, "You are proposing another school; what will these boys do"? The first thing I submit is that these boys will be able to become commissioned officers. The second thing is that they may, under certain circumstances, be able to become non-commissioned officers. Moreover, I hope most sincerely this school will be able to provide education for the boys of well-to-do families who do not want any careers, but who will go to this school in order to get the training which will make them men and gentlemen. There are other advantages, but I need not discuss them here. It may be that the Honourable Member in charge of the Army Department will say, "What about the cost"? I do not wish to introduce any bitterness in my speech, but I will only say this to him with great confidence that, if he opposes my proposal on financial grounds, he will expose himself and the Department which he represents to the grave charge of being utterly unmindful of the vital interests of the country. Crores and crores of rupees are spent every year over the Army, and if they grudge this paltry sum, then it becomes perfectly obvious that they are completely out of sympathy with our desire to prepare ourselves for the defence of our country.

Sir, I do not think it is necessary to make a long speech in support of my proposition, but I shall say this from my place here, that the only thing that will satisfy India is the establishment of an Indian Sandhurst. Nothing else will. (Hear, hear.) Let it be perfectly understood, and let it be clearly realised, that by making the suggestion which I have taken the liberty of making in this amendment, I do not for a moment mean to give up our claim to the establishment of an Indian Sandhurst, which is the only solution of the problem.

Sir, there are some people who are enthusiastic about the Round Table Conference; there are others who are not. Unfortunately I am one of those who feel that, if we properly utilise this opportunity, the result will be something splendid and marvellous. But I shall take the point of view of those who are pessimists. Even they will have to recognise that the whole question is in the melting pot at the present moment. We do not know what shape the future army system in India is going to take. But I do maintain that this school will, in any event, prove very useful even if the present system unfortunately is continued. Out of this school you will be able to get boys who will be able to be trained and recruited as Army officers. If another system is introduced, even then this school will retain its utility and importance. I submit, Sir, that looked at from any point of view, this school, which I am proposing, will be very useful.

I shall now, if I may, address a word or two to the Members of the European Group. I wish to tell them that, if they are in sympathy, as they profess to be in sympathy, and as I hope they are in sympathy, with the idea underlying this Resolution, they should record their votes in favour of this amendment, which is perfectly harmless. It only says that Government should give us another school, as has been recommended by the Indian Sandhurst Committee. If you do not vote for it, then I am afraid it is obvious that you do not wish to give us help when help is really necessary.

In conclusion, I shall beg the House only to remember that an inquiry such as has been asked for in the main Resolution will hardly be practicable, more particularly in view of the fact that education is a transferred subject and it is very difficult for a few representatives to come together and evolve a satisfactory scheme. If you really wish to go into the entire system and overhaul it, then this is not the way of doing it. You will require a different machinery and a bigger machinery, and you will also require much more time than you wish to give to the machinery which you propose to set up.

The Revd. J. C. Chatterjee: Sir, I rise to move the amendment that stands in my name and runs as follows:

"That for the words 'for appointing a committee of inquiry', the following be substituted:

'to summon a conference of representatives of the Legislatures, the Army and Educational authorities'."

Mr. President: This amendment stands last, does it not?

The Revd. J. C. Chatterjee: Yes, Sir.

Mr. President: Then it was not necessary for the Honourable Member to rise in his seat every time from the start.

The Revd. J. C. Chatterjee: I thought, Sir, that you meant to take the amendment first and not the substantive Resolution.

Mr. President: It is quite true, but there was no justification for the Honourable Member to rise from first to last when his amendment was last on the paper.

The Revd. J. C. Chatterjee: I find, Sir, that the educational system of this country has come in today for a great deal of criticism. Dr. Moonje has criticised it and Mr. Acharya has shown himself to be an arch pessimist by calling it a system which is only meant to make machines. Now, Sir, this is not the first time that the educational system in this country has been blamed or criticised. Some criticism is deserved and some undeserved, but to condemn it so entirely as has been done today in some quarters is, I think, hardly fair. At any rate, I am not prepared to believe that the educational system in India is so thoroughly rotten. The very fact that it has produced so many men of whom any country or educational system would be proud, shows that it is not completely rotten. In this very House there have been men who would be considered ornaments to any educational system. Some of them have never crossed the borders of India and owe all their education to the educational system of this

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country. To mention one name, the Honourable the Leader of the Opposition (Pandit Madan Mohan Malaviya). He not only is a product of this system, but also directs a great University on the banks of the sacred Ganges. What educational system could look for a more distinguished son than the Honourable gentleman whom I have named?

The particular charge that is today being brought against the educational system of India is that it results in a paucity of suitable young men who could officer the Indian Army. That fact has been brought out, we are told, by the Indian Sandhurst Committee and is emphasised today by the Honourable the Mover of the Resolution. Now, what I want to ask the Honourable the Mover of the Resolution is whether this paucity of suitable men as prospective officers is really due to any inherent defect, as he calls it, in the educational system in India? I will try to develop my argument by a very brief analogy. One of the many criticisms that have been levelled against the system of education in India is that it does not develop the faculty of thinking. I ask, can you teach people to think in the abstract? Can people think so long as there is no problem on which or about which they can think? Without a problem there can be no real thought. There is no such thing as thinking in the abstract. Now, we are told that this system is inherently defective because it has not produced efficient officers for the Indian Army. I want to ask, could the Indian educational system have produced Army officers when there was no demand for them, when no Indian Army officers were wanted from our schools? Was there any possibility put before them? Was there any opening or career which a distinguished student from a University could go and find in the Indian Army? What I want to submit is that this paucity is not due to any inherent defect in the educational system but to the lack of opportunities. Take a concrete case. If the Honourable and the gallant Mover of this Resolution, when he was a student at his college could look forward to the career of an Army officer, would he not today have been a great Army Commander? He would have been an army leader, well versed in the art of strategy, would have held command of armies on the field of battle. He might have been a Field Marshal. ("Hear, hear" from the non-official Benches.) But the fact that he is not a Field Marshal but a politician today, is because that career was never open to him. He never had the opportunity. It was not that he was defectively trained. He has all the makings of a fine military man and possesses all the inherent qualities of an Army Commander, and it is not because of any defect in the educational system that he does not hold the position that he ought to have held.

Even if we were to assume that the paucity of suitable candidates is due to a defective system, is a committee, I ask, the best way of removing these defects? The Sandhurst Committee has pointed out these defects. Now, I say that it is possible that the Government might not have taken sufficient notice of that Report; they might not have acted upon it as fully as they might have. But is there any reason to think that the educational authorities of the country have not taken advantage of it? We have only to read—to mention only one example—the deliberations of the Inter-University Conference which was held in Delhi only a few weeks ago. You find that a great portion of the time of the representatives of the Universities, who were not only educationists but also public men,

was taken up by discussing this very question of fitting Indian students for a military career. The keenness that was displayed by not one representative, but by a vast majority of representatives clearly shows that people who are in charge of educational policy, or rather those who are working out that policy, are fully alive to that need and now that careers are forthcoming and now that there is a possibility of young men obtaining suitable careers in the Army, educationists and people who are doing educational work are not lagging behind, but are straining every nerve to fit their students to become good officers.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): What conclusions were arrived at?

The Revd. J. C. Chatterjee: One of the conclusions arrived at was that military training should be provided in all the Universities, that all Universities should be asked to see that young men were trained in military drill, and that very great stress was laid on physical training. These were the main conclusions that were arrived at by a vast majority.

Mr. K. C. Roy (Bengal: Nominated Non-Official): What about character training?

The Revd. J. C. Chatterjee: We are thinking of officers, not of pious men. It is after all a question of supply and demand. The man who is in charge of educational institutions, the man who has got the care of young men, who must look for some employment, is naturally anxious to find new openings for his men. There is in fact no one so anxious to discover new careers for his men than people who have got charge of institutions. Now that a possibility has been put before us, year after year, you will find that better men are coming forward, better fitted for officering the Army. My Honourable friends, Dr. Moonje and Nawab Sir Abdul Qaiyum, would themselves bear testimony to the fact that each year there have been more suitable candidates coming before them while they have sat on the Interview Board. It is only a few years ago that military careers were thrown open to Indian Students and a change has already come into the entire outlook of educational institutions and Universities, and it is apparent that the class of men who come forward grows better each year.

Mr. K. C. Roy: What about the proportion of rejections?

The Revd. J. C. Chatterjee: I am not going to be drawn into that question because that would take me away from the point at issue. What I would point out is, that no committee can cure an educational system of its inherent defects, for after all an educational system is a growth of many years. There may have been initial mistakes, but no committee can rectify them. Take for instance, the public school system in England. No one can deny that the public school system has been the most fruitful recruiting ground for army officers. I hold no brief for the public school system, but I only state a fact, which cannot be challenged, that there have never been more efficient officers trained for the Army, the Navy or the Air Force than on the playing fields or in the class rooms of the public schools in England. I ask, can any committee go round and evolve a system of public schools? Could a public school system be evolved by any committee, however competent that committee might be, however comprehensive the terms of that committee might be? In the same way,

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I say, that no educational system can be evolved by a committee, however large or representative that committee might be. An educational system must grow, and the Indian educational system has grown for some years. No doubt it has certain defects, but I feel that it is only people who are working that system that can correct the defects, but not a committee. I would point out that a committee cannot—in fact it is impossible that a Committee could—go round and dictate a policy which everybody else would follow, and the results which the Honourable the Mover desires would begin to flow from it. I say that, even if a committee were to go round, what would happen? In the first place, how large would that committee be? Say about nine members. How would that committee be composed? Very likely a great many parties in this House would ask for representation. Judging from the experience of the composition of past committees, that would have to be carried into effect. You would not be putting many practical educationists on the committee. That committee would go round the country, it would call a few witnesses, take a lot of formal evidence and would afterwards sit down and write a report. The Government would take two or three years to make up their mind on the report and in the meantime, things would have advanced in the educational world, far beyond the scope of enquiry made by that committee.

Now, what about the cost of that committee? We know the Age of Consent Committee cost us Rs. 2,88,000. The educational inquiry which has just been concluded by the Hartog Committee cost us Rs. 2,02,000. The Sandhurst Committee, which has also given us so much data on the defects of the educational system, must have cost many more lakhs. Now, Sir, is this a reasonable way of finding out something which in some ways is already known and in other ways must be a question of time? I do not know what is the amount of money that is likely to be spent on that committee. Rather than give effect to the proposal made in the Resolution, it would be much better to carry out the proposal of my Honourable friend Munshi Iswar Saran. I am quite certain that the money that will be spent on this committee will go a very long way to endow the school he proposes. In that case, it would amount to something tangible and practical. After all, even if we have the report of a committee, it might be shelved or after a very short time, it might turn out that another inquiry was necessary.

Munshi Iswar Saran: Then, why not support my amendment?

The Revd. J. C. Chatterjee: I feel that the method that I have suggested would cost much less and would be much more effective and is a far more speedy way of getting what we want. There is something to be said for having an inquiry. Some sort of lead might be given. At all events it is a great comfort to people to ventilate their views and that can be done by appearing before a committee or by means of written memoranda. It can also be done by coming together in a conference and done much more quickly. I also submit that a conference would be much more representative of the people who will be called upon to cure these defects, if defects there are, and who are going to carry out the necessary developments in the educational world. You can have a conference of 200 persons if necessary, but a committee will be confined to nine or ten or at the utmost to 11 Members. After all, as has been said by Colonel Crawford,

the people who count in this are the representatives of the provinces. Educational policy in every major province is now directed and guided by Ministers. The Directors of Public Instruction in each province carry out that policy. Those are the people whose views we ought to get, and their views, formed as the result of practical experience, would be much more valuable than those of public men who are not actually directing or carrying out educational policy. I submit that, if you have a conference of this kind, it will be perfectly easy to summon to that conference all the Ministers of Education from the various provinces. You can also summon the Directors of Public Instruction and educationists who are in practical charge of education as well as the Vice-Chancellors of Universities, and thus bring all of them together for mutual consultation. Along with these educationists, we can have men like my Honourable friend, Dr. Moonje, who are interested in these subjects and who have got independent and decided views to give. Then you can have a conference if necessary extending over a week or ten days, and the cost of such a conference would be much less than that of a committee that had to go round the country to take evidence and to publish its report. It will also be possible, as a result of that conference, to have one or two small sub-committees of practical working men who will, without remuneration, work out details and put forward practical schemes outlined by the conference itself.

My last point is that a conference is a much more expeditious way of getting at what we desire. It has been said just now that it is very necessary that things should not take very long. If that is so, then a conference can be called within three or four months, if not earlier, and it will take ten or twelve days. Then, even if sub-committees are appointed, the whole thing can be finished and a report written out and conclusions arrived at within six months at a much smaller cost. I believe such a report would be much more representative and much more acceptable to those who are actually carrying out the work of education in this country.

Mr. K. C. Roy: Sir, I am sorry that on this occasion I shall differ from my esteemed friend, Dr. Moonje. The reasons are these, Sir. The House will remember that in 1927 Dr. Moonje brought in his first Resolution on the Sandhurst Committee's Report. He wanted a start to be given almost immediately. He wanted that 50 per cent. of the cadre of the Indian Army should be Indianised within 15 years. He also wanted that a Sandhurst should be established almost without delay. These were his demands. The demands were modified by Mr. Srinivasa Iyengar, who is no longer a Member of this House, to this extent, that the main recommendations of the Sandhurst Committee's Report should be given effect to. What is Dr. Moonje seeking today? He wants the whole House to go back upon that accepted recommendation of the Legislative Assembly. It comes to that, although Dr. Moonje may shake his head as much as he likes. But today he wants us to go back upon that recommendation. That recommendation, as the House is aware, was not accepted either by the Government of India or by His Majesty's Government. Today Dr. Moonje is trying to provide an excuse for not looking at the recommendation even in the near future. That, Sir, is the reason of my principal objection.

Then, Sir, his amendment as drafted shows that our educational system has been inefficient in character training. This is a proposition which I cannot accept. The Indian educational officers, both Indian and European,

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have done great service; they have produced the best lawyers, best civil servants, jurists and excellent doctors. Do I understand now, Sir, that they could not produce two dozen cadets for the Indian Army? I absolutely decline to believe such a proposition, and although my friend Dr. Moonje has denied it very stoutly and said that there is nothing inherently defective in the Indian character, but it is the educational system, I deny even that. He in fact has pronounced an unjustifiable libel on Indian youths.

Dr. B. S. Moonje: I mentioned the educational system of India and nothing about the Indian youths.

Mr. K. C. Roy: I deny all that. You cannot separate the two, and there can be no fine distinction between them. If you are anxious to secure a free flow of recruits for the Indian Army, it is a question of high policy. My friend was a member of the Selection Committee last Summer. I happened to be in Delhi in those days and I know that my friend and his associates could not hold their own for the Indian boys against his British colleagues on that Selection Committee. That is the real truth. Why do you not come to the truth? The question whether there should be a sufficient supply of Indian cadets for the Indian Army is a question of high policy; it is not a question of education at all. With the present system of education we can produce at least 100 Indian youths every year for the Indian Army. Our clear duty is to stick to the recommendation made in 1927 and to do nothing more.

Now, Sir, with regard to the amendments, my friend Mr. Acharya has given a long order. He wants to reform the whole Indian educational system. He has forgotten that only the other day we had an excellent review of the educational system by Sir Philip Hartog and his friends. As regards my friend Colonel Crawford, I welcome his suggestion. When I read his speech at the Indo-British Union in London I thought my friend was coming back as a changed man. He believes in Indo-British co-operation and he has really given an example of that today. I greatly welcome his suggestion although I am not prepared to support it.

My friend Munshi Iswar Saran, whose example I want to follow so far as the making of speeches goes—I want to be as brief as he was,—recommends a school now. Having failed to get his Sandhurst, he now wants a school.

Munshi Iswar Saran: No, I stand by our demand for a Sandhurst.

Mr. K. C. Roy: You should hold by your gun and stick to your Sandhurst and not go in for a school.

Colonel J. D. Crawford: Where is the material for it?

Mr. K. C. Roy: There is plenty of material; you come with me any day and I shall show you.

Then, Sir, my friend the Revd. J. C. Chatterjee wants a conference. A conference to do what? To find out established facts. We have plenty of recruits in this country if only the Army authorities will care to take them. Ask any Director of Public Instruction. I have consulted some of them from time to time and they are quite satisfied with our educational system and quite satisfied with the character of the boys that we produce. But here there is an attempt to

utter an unjustifiable calumny on the Indian educational system as well as upon our youths. The Revd. Mr. Chatterjee wants a conference. I shall give him an example of a conference with which Sir Frank Noyce is fully familiar. They had a conference the other day about some trouble with regard to the all Indian medical council or something else and about these we had a discussion in the Legislative Assembly. The conference held views quite contrary to the views of the Government of India. What is the good of a conference with the Provincial Governments on a matter which is primarily the concern of the Government of India and His Majesty's Government? No useful purpose would be served by a conference of this kind. What we do want is a policy that Indianisation must go forward, and that policy is wanted today.

Lastly, Sir, I consider Dr. Moonje's Resolution as very inopportune. My friend Munshi Iswar Saran has alluded to the question of the prospective changes in our constitution. Dominion Status has been held out to us by the Viceroy. We may get it soon or we may get it ten years hence, but it is there and it is bound to come. The whole question of the reorganisation of the Indian Army on the Dominion basis must be discussed at the Round Table Conference. It was discussed in connection with the Irish Free State and in the agreement which the Irish Free State drew up it occupies an important place and perhaps it is the most important place; and when the question of the future Government of India on the Dominion basis comes up for consideration, the question of the reorganisation of the Indian Army on the Dominion basis will certainly follow. And there my friend Colonel Crawford will turn out a true prophet because he advocated it in 1927.

I therefore consider that Dr. Moonje's Resolution is unfair to our Universities, unfair to our educational system, unfair to the Indian youths and inopportune for political purposes. I oppose the Resolution as well as all the amendments.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Sir, the main object of the Resolution moved by my Honourable friend, Dr. Moonje, is to provide a steady flow of really first class material for recruitment as Army officers. In the course of the debate, Sir, references have been made in more than one quarter to the Report of the Skeen Committee and it is really not possible to consider this question without reference to the Report of that Committee. One of the terms of reference of the Skeen Committee required it to consider how the present supply of Indian candidates for the King's Commissions might be improved in regard to both number and quality. There is no doubt that this Committee made a review of our educational system in a general way and pointed out that there was need for improvement in it. But it did not confine itself to a general recommendation simply in regard to education. There were other questions also which it considered in this connection, but it recognised freely that the removal of the comparatively minor defects to which it had drawn attention would not solve the real question which it had been appointed to consider. The Report says:

"In order to attract to a military career the better material we believe to be available it will not suffice merely to remove the subsidiary obstacles which at present exist, it will not suffice to adopt better methods of publicity, to apply more effective propaganda, to introduce a system of open competition for entrance to Sandhurst, and to reduce the cost to the parent of his son's preliminary education and military training.

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It is also doubtful if it would be considered a practical proceeding to put forth so much effort for the sake of filling ten vacancies: and, above all things, it cannot be expected that the educational authorities in the schools and colleges of India will interest themselves in the special preparation of boys for the Army or will introduce the changes which are certainly necessary in the educational system of the country, so long as the prizes to be gained are limited to 10 vacancies at Sandhurst per annum for all India and so long as the prospects of an Indian boy in the Army are not set upon a more assured and progressive basis than exists at present."

Later on, it says:

"But at the same time we contend that, in order to induce the best material to accept the admittedly arduous preparation for a military career and in order to induce the educational authorities in India to lend their active co-operation, it is necessary to widen the field of opportunity. Apart from reforms in matters of detail, which would not in themselves be sufficient, we can find no other satisfactory answer to our first term of reference."

The Committee was impressed, as we are all impressed, by the defects in our educational system. There is no country the educational system of which is perfect. But let us not, in considering this question, forget the governing consideration to which our attention was directed by the Report of the Committee. As my Honourable friend, Mr. Roy, said, this matter is first and foremost a question of policy. The psychological conditions in India must be altered. The youths of India must have before themselves opportunities for pursuing a military career adequate to capture their imagination and to induce the educational authorities and other authorities to put forth the necessary efforts for changes in the present system.

Subject to these governing considerations of policy, the Committee made two recommendations for an improvement in the number and quality of candidates offering themselves for King's Commissions. In the first place, it did not concern itself with anything so radical as a complete overhauling of the entire educational system of India. It proceeded, Sir, on the principle on which the Calcutta University Commission proceeded. That Commission, as we all know, was concerned with one province only. Nevertheless, it shrank from recommending an entire reorganisation of all secondary schools in order to improve the material available to the Universities. It adopted a more modest course and recommended the establishment of intermediate colleges, so that even before the secondary schools are improved the Universities might have a means of obtaining a better material than at present.

The Sandhurst Committee proceeded upon the same lines. Instead of asking us to wait till our educational system was re-modelled, it proposed that institutions should be set up where the limited number of boys that we need for training as Commissioned Officers could be obtained. Its recommendation was that Dehra Dun should be expanded so as to accommodate about 250 or 300 boys. Another of its recommendations was that, when necessary, a similar institution or similar institutions might be started in other parts of India. In addition to that it recommended the establishment of a military college in India on the lines of military colleges established in the United States of America and in Canada. It drew attention to the fact that the education imparted by the civil authorities was regarded as inadequate for the needs of the Army by military authorities not only in India but also in the United States of America. In the United States the military authorities required a very high standard of education. The

standards varied in the different parts of the States. Apart from this, the military authorities of the United States are not satisfied that the education given by the civil institutions develops the character of boys in a way in which they would desire to see it developed. They have, therefore, established a military college where, instead of giving training to cadets for 18 months as in England, they keep them under training for four years. The Skeen Committee recommended that we might follow the same model and asked that the course of instruction in the military college to be established in India should extend over three years.

These, Sir, were the basic recommendations of that Committee and what have the Government done in these respects? They have turned down the policy unanimously recommended by the Skeen Committee, of which we have a distinguished representative in this House, in the person of my Honourable friend, Mr. Jinnah. (Hear, hear.)

Mr. M. A. Jinnah: And endorsed by the House.

Pandit Hirday Nath Kunzru: And endorsed by the House.

Mr. M. A. Jinnah: Without a division.

Pandit Hirday Nath Kunzru: In the second place, Government have refused to establish a military college for the training of King's Commissioned Officers in this country.

Mr. G. M. Young (Army Secretary): May I ask my Honourable friend his authority for that statement?

Mr. President: Non-existence of a college.

Pandit Hirday Nath Kunzru: I will merely refer to the debates of 1928. My Honourable friend held out to us the hope of the establishment of that college at some distant future, but we take it that that was only a euphemistic way of telling us that His Majesty's Government did not see their way

Mr. M. A. Jinnah: Has the Honourable Member given any order for the bricks and mortar for the college?

Pandit Hirday Nath Kunzru: Perhaps, my Honourable friend, is asking us to believe that the Kitchner College which is meant to train non-commissioned officers, might ultimately develop into an institution where King's Commissioned Officers might be trained. But even that announcement has not been made authoritatively on behalf of His Majesty's Government. As regards the establishment of military schools where instruction of the kind given in the Dehra Dun Military College might be imparted, the Government have expanded the accommodation in the Dehra Dun College so that it might be able to admit about 200 boys. But they are still far from having carried out the recommendations of the Skeen Committee even in this respect. Sir, if Government are really desirous of extending the flow, of increasing the supply of Indian cadets available for the King's Commissions, they must first turn to the recommendations of the Skeen Committee.

But there are certain other proposals also that might be made in order to give a military bias, so to say, to the character of Indian young men. We might have an officers' training corps in Universities and schools; "A." and "B." certificates might be established. Again, military training might

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be more widely given in Universities—and this is a subject which has been impressed more than once upon Government, so far practically without any result. Again, Sir, we might give some military training to boys in our schools on the lines on which cadets are trained or meant to be trained in Australia. A debate took place on this subject last year, on the initiative of my Honourable friend, Dr. Moonje. The Resolution which the House finally passed on the 15th February ran as follows:

“This Assembly recommends to the Governor General in Council that, with a view to remove the defects in character training of Indian youths as emphasised by the Skeen Committee, steps should be taken as early as possible to provide compulsory physical training, games and drill, for Indian boys attending schools and colleges between the ages of 12 and 20 and to provide and encourage the use of miniature rifle ranges.”

So we have already considered the question of this character training, and we have laid down the lines on which we should proceed in order to remove such defects as are imputed to us by our critics. In September last a question was put on this subject and we were told that, while Local Governments have been communicated with in regard to that part of this Resolution which asked for compulsory physical training, etc., in schools and colleges, the question of consulting the Local Governments regarding the provision and encouragement of the use of miniature rifle ranges was still under consideration. I do not know, Sir, what has been done during the intervening three or four months.

An Honourable Member: Nothing.

The Honourable Sir James Crerar (Home Member): Local Governments have been addressed on the subject.

Pandit Hirday Nath Kunzru: I am very glad to learn, Sir, that at long last Government have decided to take notice of that Resolution and to act upon it. Well, if that Resolution has been acted upon, I think, Sir, that will provide one of the most potent means of increasing the desire among Indian young men for a military career. But the suggestion made either in the Resolution or in the amendment of my Honourable friend, Colonel Crawford, will not take us very far. We cannot at this moment ask the Government to reorganise our system of education.

Colonel J. D. Crawford: No necessity for that.

Pandit Hirday Nath Kunzru: I cordially agree with my Honourable friend and that is the main reason why I oppose both the Resolution of my Honourable friend, Dr. Moonje, and the amendment moved by my Honourable friend Colonel Crawford.

Sir, our main purpose is to put forward our demand for a better training for Indian youths in order that they may be better fitted to adopt a military career. Our object should therefore be to put as much pressure as we can on the Military Department. This Resolution, however, as it stands, concerns only the Education Department. The debate might go on without my Honourable friend, the Army Secretary, taking part in it. I think, Sir, that, even if the Resolution is accepted by my Honourable friend Sir Frank Noyce, it will be of absolutely no use for the purpose we have in view. We want no assurance from Sir Frank Noyce. We want

to put pressure on the Army authorities to move rapidly in order to increase the number of Indian youths available for a military career. It is they to whom we must address ourselves. It is they who have to be put on their defence. Therefore, Sir, although I am unable to support either the Resolution of my Honourable friend, Dr. Moonje, or the amendment of Colonel Crawford, I am able to give my support to the amendment of Munshi Iswar Saran. I am also able to do so because the direction in which he proceeds is that favoured by the Skeen Committee.

An Honourable Member: Retrograde.

Pandit Hirday Nath Kunzru: I have already pointed out that the Skeen Committee wanted an expansion of the institution at Dehra Dun and the establishment of similar institutions elsewhere, and secondly the establishment of an Indian Sandhurst. It is true that the amendment of my Honourable friend Munshi Iswar Saran does not provide for the acceptance of all the recommendations of the Skeen Committee. In view of the manner in which the debate has been initiated, perhaps that was not possible. But the House will note that the recommendation contained in the amendment of Munshi Iswar Saran is a part of the recommendations of the Skeen Committee. In the circumstances therefore it deserves the support of this House, and I trust that it will be favoured by the non-official section of the House at least.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I oppose the Resolution, and in a few words I shall explain my reason. In a few months you will have the Round Table Conference, and that is the place where our political rights and military rights can be clearly argued and threshed out. To appoint a committee now will mean some money. It is no good spending money on this matter when only a few months hence you will have the whole threshed out. Whatever we do today will be of no use in view of the Round Table Conference. With regard to the amendment of Munshi Iswar Saran, I do not know whether he wants a military school to be established. I want to know this.

Munshi Iswar Saran: Yes, a military school.

Khan Bahadur Sarfaraz Hussain Khan: If you want a military school, then I support the amendment.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, it is somewhat difficult to choose between the Resolution and the different amendments, for they have been drafted from a particular angle by each of the members who have moved them. But when it comes to voting, I think I will vote for Mr. Munshi Iswar Saran's amendment as it contains a very concrete proposal that will solve some of the difficulties. But I have got to say this. In regard to Dr. Moonje's proposition, I find that his Resolution contains a kind of tacit admission of the Sandhurst Committee's scandalous observation about want of the required character at present among Indian boys. It may be military character, not moral character; all the same I protest against those scandalous observations.

Mr. M. A. Jinnah: You have no justification for that remark. Read the Report again before you say scandalous.

[Mr. N. C. Kelkar.]

homes? It is simply because the Government keep us out of all these careers that we are not able to put ourselves in positions to defend our hearths and homes. Do we want courage? Look at that red book in the Library which gives a list of V. C.'s won by Indians; it is not an easy thing to win a V. C. When so many Indians have won the V. C., do you mean to say that Indian boys are wanting in courage or resourcefulness or training or discipline? It is a blasphemy against any people to say so. It is only the racial pride of the Britisher and of the British Government and the evil genius of the Military Department which keep us out of our careers and it is simply absurd, simply ridiculous, to say that an easy flow of the necessary equipment of youthful people to enter into the ranks of the Army officers cannot be obtained. I really laugh at the pretension that extraordinary efforts have to be made to secure that small material every year. I find some people saying, without disclosing a lack of humour, that it will take us from 100 to 200 years to Indianise the Indian Army. (An Honourable Member: "Very moderate!") Yes, certainly it is very moderate, very considerate, to say that the Indian Army would be, if it is to be, Indianised during the next 100, 200 or 300 years. But if it is to be Indianised in 200 years, I tell this British Government

An Honourable Member: It won't last so long.

Mr. N. C. Kelkar: The Government itself may not last so long, but they are giving us an extension of a longer lease than they themselves are getting in this country if they maintain their present rigorous policy

Mr. M. A. Jinnah: I do not want to interrupt the Honourable Member, but I ask him whether he will give me a reference to the passage which he characterised as a scandalous observation in the Sandhurst Committee's Report.

Mr. N. C. Kelkar: That is my characterisation.

Mr. M. A. Jinnah: Will my Honourable friend give me the reference in the Sandhurst Report? Which is the paragraph to which he refers?

Mr. N. C. Kelkar: That is contained in the Resolution itself.

Mr. M. A. Jinnah: I do not think it is fair

Mr. N. C. Kelkar: What the Resolution says is

Mr. President: Order, Order. The House stands adjourned till twenty minutes to Three.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

Sir Frank Noyce: I think I may claim that I have served more all-India committees of inquiry than any other Member of this House, but it seems to be my invariable fate, when I rise to speak, to oppose motions for the appointment of further committees.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Because you are fed up with them.

Sir Frank Noyce: I do so on this occasion, not because I disbelieve in the efficacy of such committees, but because I do think that they are lengthy and cumbrous and, as one Honourable Member has pointed out, very expensive methods of bringing about reforms. I am not in favour of them when there are more expeditious means of obtaining the desired end, as I think possibly there are on the present occasion. Sir, I welcome the turn that this debate has taken or rather the turn that my friend Mr. Acharya and Colonel Crawford have, though not quite so successfully as I could have wished, endeavoured to make it take, for I welcome the recognition, which is implicit in Mr. Acharya's amendment, and which is more fully brought out in Colonel Crawford's, that character training is no less important for a civil than it is for a military career, that the characteristics which the Indian Sandhurst Committee described as so essential in an army officer, that ability to lead, that willingness to submit to discipline—for no man can hope to be a leader himself unless he has previously gone through the mill and learnt to follow a leader—and also that physical fitness on which Dr. Moonje lays so much stress, are as essential in civil as they are in military life. But, Sir, I cannot altogether agree that the paramount national importance of developing those characteristics has been neglected in the educational system of this country. I do not think, as my friend Mr. Chatterjee has very justly pointed out, that one need do more than look round this House to see that that is not the case. I must confess that I personally feel that the Indian Sandhurst Committee took rather too gloomy a view of the situation. It is true that the Committee examined a large number of educational authorities and appointed a sub-committee, which included Sir Andrew Skeen himself, to make a tour of Indian Universities in order to ascertain what materials for officer training the Army were available there, but they did not and could not make an examination of the schools, and it is in the schools that the most formative years of the life of the Indian youth are passed. It is therefore, Sir, I think it fortunate that we have had recently an exhaustive analysis of the state of education in India at the present day in the shape of the Report of the Auxiliary Committee appointed by the Indian Statutory Commission. I wish that more reference had been made in the course of this debate to the Report of that Committee. I cannot help feeling that the absence of such references show the possible fate which would overtake the recommendations of a committee such as that suggested by Dr. Moonje. The Hartog Committee have not shrunk from criticising the educational system of India. They have drawn special attention to the appalling waste in the primary schools. They have pointed to the fact that a very large number of boys are admitted to secondary schools who are not capable of profiting to the full from the education which they receive in them, with the result that much money is wasted and that the efficiency of those institutions is materially reduced. But on the other hand, Sir, the Committee have given a much more optimistic picture of what they call the education of the directing classes in secondary schools and Universities than is to be drawn from the pages of the Report of the Indian Sandhurst Committee. I should like to draw the attention of this House to certain passages in that Report which indicate that the general conditions of school life are materially better now than they were ten years ago, especially in regard to intensive physical training, the organisation of games, the Boy Scout movement, better teaching, and so on.

[Sir Frank Noyce.]

of approaching the question, which I venture to throw out for the consideration of the House. The Hartog Committee have suggested the resuscitation, or rather the revival in a some what different form, of the old Bureau of Education, which was abolished in the retrenchment era of 1923. The function of this Bureau would be to give opinion and advice to Provincial Administrations and keep them in close touch with each other. They have also recommended the revival of the Central Advisory Board which was also abolished about the same time. It is interesting, in the present connection, to know what the constitution of that Board was. It consisted of the Educational Commissioner with the Government of India, who was Chairman, an expert from the United Kingdom when required, two Vice-Chancellors of Universities in India, one of whom was a whole-time officer, two members of privately-managed colleges, four Directors of Public Instruction, and four non-officials interested in the subject of education. I would draw special attention to the last item of this list, namely, four non-officials specially interested in the subject of education, for among them was the honoured name of the Right Honourable Srinivasa Sastri. The revival of this Board is under the consideration of the Government of India. This question is also obviously one on which we shall have to consult Local Governments and educational authorities, but what I would urge for the consideration of this House is that that Board, if it were revived, would be a very useful means of enabling the Government of India and Provincial Governments to formulate a definite and continuous policy in regard to what is, after all, a most important part of any system of education, as all sections of this House without exception have agreed, the development of character.

I should like, in conclusion, Sir, in connection with the attitude that I have taken up, to refer to what the Prince of Wales said in his address to the Victoria Cross heroes at the dinner he gave them last year. He said:

"If any man thinks that valour is only called for in fighting our enemies on the field of battle, he must have a very distorted view of the life we lead in this world of ours."

I think Colonel Crawford has very rightly laid stress on the wider aspect of this question which is that we want all the character we can get not only for military but also for civil life.

The net result of my remarks is that the Government would be willing to accept Colonel Crawford's and Mr. Chatterjee's amendments to the original Resolution, subject, of course, to the clear understanding that Local Governments have to be consulted in this matter in which they are vitally concerned.

I am afraid I cannot agree to Dr. Moonje's motion for the appointment of a committee, and only to the limited extent I have indicated 3 P.M. to Mr. Acharya's amendment. As far as Munshi Iswar Saran's amendment is concerned, I must leave my Honourable friend the Army Secretary to deal with it, as that falls entirely within his province. I have only ventured to submit a few observations on the general aspect of this question from the point of view of the Department with which I am connected.

Mr. G. M. Young: Sir, I should like to say a few words about my Honourable friend Munshi Iswar Saran's alternative Resolution. My main objection to it is that it blocks the way to any further examination of the problem dealt with in the main Resolution. It has just now been said that the Government are prepared to accept the amendments moved by Colonel Crawford and the Revd. Mr. Chatterjee. If we were to accept the amendment of my Honourable friend, Munshi Iswar Saran, the whole of that question would go by the board. My main object in wishing for a further inquiry into the recommendation of the Skeem Committee is that that recommendation has given rise to considerable confusion of thought. It is, as Honourable Members probably know, professedly one of their subsidiary recommendations. It is couched, however, in sweeping language, and appears to deal with a very large problem indeed. This is the recommendation as it runs:

"The Government of India should impress upon educational authorities the paramount national importance of reforming the system of education in India with a view to developing in the pupils of the ordinary schools and colleges those characteristics so essential in an Army Officer to which little or no attention is at present paid by them and should appeal to them".—

that is, the Government of India should appeal to them.

Mr. M. A. Jinnah: What page is that please?

Mr. G. M. Young: Page 54.

"and should appeal to them to reorganise the institutions under their control to this end."

Pandit Hirday Nath Kunzru: Have you accepted their policy?

Mr. G. M. Young: I shall deal with that later on. My Honourable friend Pandit Kunzru's observation in connection with this is that the Committee did not advocate any radical overhauling of the educational system in India. Well, if that is not advocacy of a radical overhauling of the educational system throughout India, in all the ordinary schools and colleges, I do not know what it is. That is the great trouble. Many of us do not know what the Skeem Committee were driving at.

Mr. M. A. Jinnah: Very sorry.

Mr. G. M. Young: However, it was an easy thing to comply with their actual recommendation; and that the Government have done. They have drawn the attention of the Provincial Governments and the educational authorities to this recommendation.

Dr. B. S. Moonje: They must give a lead to the Provincial Governments, that is what is wanted.

Mr. G. M. Young: The detailed recommendations are to be found in paragraphs 11 and 24 of the Report. The defects, so far as they have described them, appear to be, apart from character training, the development of the qualities required in an Army Officer, in which the Indian cadet at Sandhurst is, they state, at a disadvantage compared to the British cadet—English, military training, and physical training. These are the four matters which the Skeem Committee specify—character training, physical training, military training and English. The Government of India have, as I already said, drawn the attention of the Local Governments and also that of educational authorities to these recommendations. They have been asked by educational authorities for some further explanation

[Mr. G. M. Young.]

of what these recommendations mean. I think an inquiry on some such lines as have been advocated, at any rate in the amendments moved to the Resolution today, would help to elucidate this recommendation of the Skeen Committee, and would get a more authoritative pronouncement upon it than could be got simply by the Government of India issuing a Resolution. My Honourable friend, Pandit Hirday Nath Kunzru, went on to say: "This is all very well; but it is a minor recommendation of the Committee, contingent upon Government accepting the major recommendations". That is perfectly true. He went on to say that the Government have refused to establish an Indian military college, and that that was the main recommendation of the Sandhurst Committee. I asked him his authority for that statement. I think it was the Chair that was pleased to observe that the fact that the college is not there was a sufficient authority for that statement. May I remind the House, Sir, that the Skeen Committee recommended the foundation of an Indian military college in the year 1933, and that there are still three years to go?

Mr. N. C. Kelkar: We live in hope.

Mr. G. M. Young: My Honourable friend may certainly live in hope; and a very good hope too.

Dr. B. S. Moonje: Do the Government propose to start a college in 1933, as recommended by the Indian Sandhurst Committee?

Mr. G. M. Young: The Government of India have explained in full what their intentions in this matter are. The Indian Sandhurst Committee recommended an automatic increase in the number of vacancies, on the assumption that candidates would be forthcoming to fill those vacancies. They said that in 1933 there would be more candidates available than Sandhurst could accommodate, and at the same time enough candidates to start an Indian military college. Government accepted the position that, when more candidates would be available than Sandhurst could accommodate and in sufficient numbers to establish a military college in India, a college would have to be established. But they did not commit themselves to the prophecy that that would occur in 1933. In any case, my point is that, at the present time, some benefit would result from a further inquiry into this particular recommendation of the Skeen Committee. It is quite true, as my Honourable friend, Sir Frank Noyce, has pointed out, that the Hartog Committee have gone far more deeply into the question than the Skeen Committee were able to do. But, as my Honourable friend Dr. Moonje has said, they did not go into it from this particular point of view, that is, the point of view of producing officers for the Army. I think it would be very desirable that there should be a further inquiry from that point of view. If my Honourable friend, Munshi Iswar Saran's amendment, or rather, as I say, his alternative Resolution, is accepted, then the House automatically rejects the proposal for a further inquiry into this recommendation of the Skeen Committee. That is my primary objection.

Pandit Hirday Nath Kunzru: Is it not for the Provincial Governments to consider it?

Mr. G. M. Young: I turn to the actual recommendation of my Honourable friend, Munshi Iswar Saran. He does not want a committee; he does

not want a conference, or any other form of inquiry, into this question. He said—and the same arguments have been repeated by other Honourable Members—that there is a sufficient supply of candidates to be found in existing educational institutions in India; that these alleged defects do not really exist; and that good material for officering the Army can be had out of our existing educational institutions. In advancing his argument, my friend was only repeating what he said last year. I shall read to the House his actual words. He said:

"Sir, I may tell my Honourable friends here that if the competition is thrown open,—you may lay down as many hard and strict rules as you like about physical, moral and intellectual fitness, but if you do not tack on to them some other unnecessary conditions and qualifications—I undertake to give you at least 200 candidates of the right type from my own province, and if I do not do it, I shall make a sporting offer, I shall resign my seat here and shall not come and worry the Army Secretary any more."

I am glad, Sir, that he has not carried out the last portion of his threat. It is quite clear that if his province can produce no less than 200 candidates a year for the Army, the whole of India can produce a great deal more than that. If so, I ask, what is my Honourable friend's object in demanding the foundation of yet another military college in India? The material is there. There may be some defects in the system. In fact, he has himself stated that there are defects in the system of selecting the material. But surely the remedy is to put that system right? If the material is there, why found a new military college in order to create more material?

The school that my Honourable friend recommends is to be capable of accommodating at least 500 Indian boys of all castes and creeds, at the lowest possible rate of fees, with tuition, board and lodging. Now, Sir, perhaps I might say a few words about the existing military colleges. We have, as we all know, the Prince of Wales's Royal Indian Military College at Dehra Dun. That is an institution intended for the sons of well-to-do parents, who have a natural bent towards the Army. Nominations are made to the College, by the Commander-in-Chief, of boys whose intention, or whose parents' intention at the time they enter the College, is that they should go into the Army. This is admittedly an expensive institution, designed for a particular class, which is likely to furnish officers for the Army. That is our justification for maintaining Dehra Dun at the expense of military estimates. It is a thing which no other country in the world does, maintaining a secondary school in order to educate boys who will ultimately go into the Cadet Colleges and thence into the Army. Our justification for doing it in India, as the Skeen Committee discovered from their evidence, is that the material turned out by the Dehra Dun College is the best material that enters into the officer ranks of the Indian Army. There is no compulsion exerted to make a boy enter the Army after he has left Dehra Dun. But from the very class from which recruitment is made at Dehra Dun, we have a certain assurance that it will supply officers for the Army.

Another class of schools that we have are the King George's Royal Indian Military Schools at Jhelum and Jullundur. They are intended for people of smaller means, the sons of sepoy, non-commissioned officers, and Viceroy's Commissioned officers in the Army. They are nominated, I think, by the Commanding Officers of regiments. The general intention

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is that they should go on into the ordinary ranks of the Army; but we hope that, with the aid of the education that they have there, and of the further education that many of them will have at the Kitchener College at Nowgong, they will supply material for the King's Commissioned ranks later on, entering them through the Viceroy's Commissioned ranks. Here again there is no compulsion. There is nothing whatever to prevent a boy, having got a good education at Jhelum or Jullundur, from going on into the civil line. But, here again, we have some sort of a guarantee, in the classes from which these boys are drawn. They all come from classes that are recruited in the Army. Their parents are mostly ex-soldiers. Therefore, they have the influence of tradition and their natural inclination to render it likely that they will go on into the Army. Now the kind of school that my Honourable friend has suggested, a school with 500 boys, has neither of these safeguards to ensure that the pupils will proceed from there into either the officer ranks or the lower ranks of the Army. He is merely offering a first class education at very low fees to the public. The Army will never be justified in incurring that expense, with such dubious prospects of benefit to the Army itself. We have accepted the recommendation of the Skeen Committee with regard to the foundation of a second military college on the lines of Dehra Dun. That recommendation is:

"When the expansion of the existing college is complete, a second college on the same lines should, if circumstances demand it, be opened in some other part of India."

The Government of India accepted that; and when the time comes to establish another college of the same character as Dehra Dun, they will no doubt take steps to that end. In the same way we are contemplating, and will very shortly establish, another school on the lines of the Jhelum and Jullundur schools at Ajmer.

Dr. B. S. Moonje: For whom?

Mr. G. M. Young: It will be for Rajputs and Jats.

Dr. B. S. Moonje: For sons of soldiers?

Mr. G. M. Young: Yes, on exactly the same lines as Jhelum and Jullundur. But I say that in these two types of schools we have some guarantee that their products will go on into the Army. In the type of school suggested by my Honourable friend, we have no such guarantee. It is not the intention of the Army to provide a general education for the civil population. That, Sir, is the main ground on which I oppose the amendment moved by my Honourable friend.

Mr. M. A. Jinnah: Sir, I congratulate the Honourable Member who spoke on behalf of the Education Department on having given us a magnificent forecast of what is going to be done in the way of improving the general system of our education. He has never told us what he has actually done up to now. But he gave us a forecast. I have no doubt the Honourable Member, if he continues in his place, will perform wonders within a very short time. But I expected him to say something definite as to what he has so far done, and particularly what he has done with regard to the recommendation of the Sandhurst Committee which I shall presently explain to the House, although I regret that the Honourable the Army Secretary has not yet grasped the recommendations. I hope he will

read them again, and I shall endeavour to make them plain to him and to the House, if I can. Now the recommendation which affects the Education Department and which relates to military training is a very subsidiary recommendation, as my Honourable friend, Pandit Kunzru, pointed out and I shall explain it to the House when I come to deal with the recommendations of the Sandhurst Committee. What was expected from the Government was this, and I will read it in the words of the Sandhurst Committee. You find it in paragraph 24, page 28.

"The main responsibility must rest upon the educational authorities and experts to lead in emphasising the paramount national importance of reforming the educational system of India in the directions we have indicated."

Now, what have you done? I do not think the House heard a single word from the Government that they have taken one particular definite step in order to give some help or some effect to this recommendation.

Mr. G. M. Young: Sir, may I draw the Honourable Member's attention to the fact that he has dropped one line in that passage which is the basis of his argument?

Mr. M. A. Jinnah: Quite right: I will read it again:

"The main responsibility must rest upon the educational authorities and experts to whom however it is imperative that the Government should give a clear lead in emphasising the paramount national importance of reforming the educational system of India in the directions we have indicated."

Now the directions indicated were that you must try, as far as you can, to co-ordinate the various educational institutions in the country, so that apart from the general training and the general education which they receive, certain essential matters, which would enable them to compete for a military career, were also essential and they were three. We emphasised three points. One was the English language. The other was military training and physical training. Now I should certainly have expected from the Government of India, whom the Honourable Member represents here in the Education Department, to do something definite. What lead have you given? What have you done? That is really shortly the question and that is how it stands. This Report was signed in 1927, and you have done nothing. Now my Honourable friend, Dr. Moonje, brings forward this Resolution. I am sorry I cannot agree with his Resolution, although I entirely agree with the spirit and the object that he has at his heart; I wholeheartedly agree. Now my Honourable friend wants to move this Resolution and wants a committee to be appointed. We have passed that stage of a committee. (Laughter.) We do not want a Committee. We want the Government to carry this out. Action is wanted. Therefore I do not want to reopen this question particularly as my Honourable friend, Mr. Roy, very rightly pointed out that the House, this very House, without a division, endorsed *in toto* the recommendations of the Sandhurst Committee. Now what more do you want? It is there; a gross neglect and callousness exists in the Treasury Bench. Now this is the only simple issue and that is the subject of this Resolution.

Now, Sir, we are told by the Army Secretary—his usual tale which he tells this House every now and then (Laughter). When you ask him: "What have you done about the establishment of Sandhurst", he says: "Oh! it is in 1933. You are now in 1930; last year you were in 1929 and the year before you were in 1928". Does he really think that this House

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is composed of children? A very nebulous argument indeed! Sandhurst is to be established, says he, when the saturation point is reached! Where does he get it from? He says that the Sandhurst Committee Report is a confused document. Now what is the Sandhurst Committee's Report? I shall describe it in a very few minutes. The first and the foremost and the fundamental principle that underlies the whole of this Report is that an Indian Sandhurst is to be established, not on the ground that when we shall reach a saturation point then the Army Secretary will run and collect bricks and mortar and start building a house. Not like that. I will point out to you, Sir, the recommendations on page 39 and the reasoning. The first ground was this:

"Accordingly we find at once one strong reason for the establishment of a Military College in India which will provide the facilities at present given by Sandhurst alone. It seems clear that like the progressive scheme of Indianisation which we have suggested, this step also is necessary as a means to improve both in number and quality the supply of Indian candidates for the King's Commission. Further, it is in our opinion very desirable and would be consonant with the general policy of administration as that is now conceived that India should have a Military College of her own and thus be self-sufficient in respect to one of the most important national needs."

That is the ground, and we give our reasons for it. The second ground, which is not the only ground as the Honourable Member, the Army Secretary, has mentioned or assumed, but is an important consideration, and that is as follows:

"There is one other consideration of a specially practical and compelling character in every educational institution. There comes a time when the authorities responsible for its efficiency must decide to set a limit to the further acceptance of foreign students for fear lest the character of the institution may be changed."

That is another reason. We apprehended, and I think, rightly apprehended that the authorities of Sandhurst might refuse admission to Indians when a certain limit was reached and we ascertained even the figures and facts which would show when the saturation point might be reached. We have got all the materials collected which the Government of India, I presume, under the advice of the Secretary, have up to now suppressed from the House and the public, namely the materials collected by the Sub-Committee and the Report of the Sub-Committee. Why don't you disclose them? Then you will understand the confusion of the Sandhurst Committee Report better. Then there was a third reason and the third reason is this:

"It is hardly necessary to add that there is a strong political demand for the establishment of a Military College in India. In a matter of this kind we should not ourselves attach great importance to consideration of a purely political character; but in the case of the Indian Sandhurst the political demand represents, we believe, a real force of growing national sentiment which cannot be ignored."

Now, Sir, what have you done about the Sandhurst? Nothing. Then we are told by the Army Secretary today the same old story again. He says when we get suitable candidates then we shall consider. You will never get suitable candidates if you go on in the manner in which you are going on. You do not want to get suitable candidates. I am convinced more than ever that you do not want to get them.

Now, Sir, having thus laid down the fundamental principle or the reasons which we have stated at great length—I only quoted a few passages—that an Indian Sandhurst must be established, we say, of course, it cannot

be done at once. How can it be as a practical proposition? Hence we said that it should be an accomplished fact in 1933—a complete, accomplished, achieved object. In the meantime you must take the Sandhurst Committee's recommendations which are interdependent, interwoven. You cannot separate one from the other. In the meantime what has been done? The next question that the Sandhurst Committee considered was this: What should be the progress or the acceleration of Indianisation? There was a difference of opinion. Some thought it should be 15 years; some thought 20 years and some 25 years. But ultimately it was agreed that half the cadre should be Indianised at the longest period in 25 years subject to an examination five years after Sandhurst was established, that is, after 10 years, and it was open to us then to accelerate that limit of period. According to that, recommendations were made that you should gradually go on increasing the number every year. Now, I am told, and I will be told over and over again by the Honourable the Army Secretary that he cannot get that number of suitable candidates. What have you done in the way of giving a lead at least to those institutions from which you may get good material? And remember, Sir, we were dealing with this question from this point of view. Over and over again we were told, it was impressed upon us, and it is in the Report, that we will not be able to get efficient officers unless we have a system of public schools in our country. It was one of the most important questions. The controversy was this. You can never get really efficient officers who would be put in charge of large troops, lives and property—and the whole country's interest is at stake—you therefore want the best officers, you must get the best materials, and it is with that object that the Sandhurst Committee sat and examined the systems of other countries. We examined the systems of various countries, and having examined the whole lot of them, we came to the conclusion that it is not possible for India to follow England and have a system of public schools such as exist in England, and we found that there are many other countries where the system did not exist and yet they were able to get the finest material who stood side by side in the battlefields of France with British soldiers and fought as valiantly as any other soldier. And we referred to that. Then we say now that in order to make progress, in order to make headway, without waiting for a system of public schools to be established in this country, we find that we have already got Dehra Dun. We say: "Go ahead with that, it has given good results". We say: "Start other Dehra Duns", which is now the subject-matter of the amendment of my Honourable friend. He says: "Start another one", and we say further that if you co-ordinate the other educational institutions, and if you get facilities for the boys in these three matters particularly with regard to which they are handicapped, that is, English, military training and physical training, we shall then have such a large field that there will be a tremendous competition, and once the number has increased, we shall get not only as good material as we are getting, but first class material, because when you have got competition for 20 vacancies or 30 vacancies, supposing you have got 1,500 candidates coming up for examination, you are able to get the best out of 1,500; if there are only 500, your field is limited. Therefore, if you will co-ordinate your general educational system and your institutions as they are being done and have been done in other countries, for instance, Canada, you will get first class material. And further we say, instead of having an eighteen months' course, as you have at Sandhurst, we will enlarge the period of the course at the Indian Sandhurst to three years, so that the boys who

[Mr. M. A. Jinnah.]

will enter the Indian Sandhurst will have a longer period and better opportunities of getting the most efficient training. That, Sir, is the whole scheme. We cannot separate and take one bit out of it and say, we can do this, we cannot do that, that there is this or that difficulty. It is one interdependent scheme.

Now, Sir, what have you done? That is the question. You have done nothing, and the Army Secretary has up to now simply—what shall I say—fenced, evaded and put forward lame excuses every time this question has cropped up. I, Sir, think that none of these amendments are of any use. Neither is this Resolution of any use, but I am thankful that it has given us one more opportunity of placing our views before the Government humbly, and I hope that the Army Secretary to the Government of India will realise that the time has come,—it has come, you have allowed it to pass for a long time and delayed it, and I say that there is no justification for doing so. I quite agree with the observations that fell from some of the Honourable Members. The Round Table Conference is looming large in front of us. I ask the Government of India, are you going to wait until the question is settled there? Do you think that you should not make your preparations, at any rate give effect to these recommendations without any further delay? Don't you think that, when you are before the bar of that Round Table Conference, you will get much lighter punishment than otherwise you are likely to get? Will you stand there as an accused whose guilt will be proved and who deserves the severest punishment, or will you not prepare for mitigation and palliation? It is for you to decide, but I do ask you, don't go on with these excuses.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I entirely agree with those Honourable Members who have expressed the opinion that no more committees are wanted in this connection. I feel with my Honourable friends who have spoken about the Skeen Committee, that the recommendations of that Committee are quite clear, and that it is a matter of great regret that the Government of India have not seen their way to give effect to them. I do not agree with the view that the system of education which obtains in this country should be condemned in such an absolute fashion. I think the Sandhurst Committee did not condemn it to the extent that the remarks of some Members would indicate, but if they did, the Honourable the Secretary to the Department of Education has rightly drawn attention to a later report, the Report of the Hartog Committee, which has pointed out how much progress has been made in the direction of promoting character building in our schools and colleges and Universities during the last ten years. Not only during the last ten years, but during a much longer period, for while I am myself a severe critic of the system of education in many respects, I feel that it does not lie with any Honourable Member to say that the system of education which has prevailed in this country has not helped to build up character. I ask any man to look around the country and to say who are the people who are carrying on the administration of this country. The vast bulk of the men who are carrying on the administration in the executive departments, in the judicial departments, and in the revenue and other departments, are Indians. These Indians are men of character. It has been demonstrated and thoroughly established that they are men of character.

The judicial service is a very pure service; cases of corruption are rare exceptions, and not the rule. The executive service is also, as a whole, a pure service; exceptions are very few. I claim that we Indians have demonstrated to the world that we possess character. And let me add that that character is not mainly the result of the present system of English education. I think any one who has studied history knows that Hindus and Mussalmans have inherited great civilizations, and that these civilizations have been responsible for producing men of character among us. In that light I do not think that there is any occasion to say that suitable Indians for the Army will not be found in sufficient numbers unless you start schools like those at Dehra Dun and Jhelum. Character-training has been going on in all our educational institutions and it has developed steadily during the last few decades. Nor is it necessary, as some people think, to have public schools in this country of the type they have in England before you can train Indians as officers for the Army. It is not correct to say that the English public school system, though it is a very valuable one and I appreciate it highly, is a *sine qua non* for training character among our young men. In their Report the Skeen Committee say:

"While we recognise that the Indian boy has not the same advantage as the British boy who is educated and trained up under the public school system and is therefore deficient in certain matters to which reference has already been made, yet at the same time it cannot be forgotten that in countries like France, the United States and Canada there are with a few exceptions no public schools of the English model, but nevertheless they have been able to produce officers of great character who possessed great powers of leadership."

I therefore fear that too much stress is being laid upon the value of the school which has been started at Dehra Dun. I claim that the schools which exist all over the country are training young men in character as much as in the intellectual sphere; and I claim that the character which our young men display is of a sufficiently high degree to fit them for admission for training as officers for the Army.

Now, Sir, let us apply a proper test; and I venture to put forward a proposal. Let a hundred young men be picked from the public schools of England and let me and my friends here pick up a hundred young men, from Indian schools and Universities, even such as they are at present; and let them be put to a fair competitive test—intellectual, physical and any other kind of test—a test of leadership, a test of power to command, and of power to organise; and let us have the verdict of a fair body of Judges, chosen by consent of both parties, as to whether the Indian youths, even with the handicaps under which he is placed, falls far below in comparison with his English confrère. I think that is a fair test; let us select a hundred young men each from the two countries, let us put them to competitive test and let us see what the result is. I make this offer here and now. Several of our Universities have already got training corps. Though the admissions to these corps are very limited, and though I regret to say that the Government have been very niggardly providing the necessary permission and facilities for expanding these training corps, still such as they are, you find the young men who have joined the corps have been able to render a very good account of themselves. I could not better express my conviction about the value of the training which our young men receive in these corps than

[Pandit Madan Mohan Malaviya.]

by making the offer which I have made; and I venture to say that you will find Indian students trained at our Universities well able to give a good account of themselves. If they fail, in a competitive test, we shall then know that they fail. At present you are indulging in assumptions and theories.

Some of my friends on the other side are very rightly proud of the public schools of England. I agree they have reason to be proud of them, but I venture to say that they attach too much weight to the value of their system and too little value to the modern system of education through which the Indian youth has been passing. The result of that education is visible in every other department of life into which the Indian has found admission. On a fair trial, it will be equally visible in the matter of selection for the Army also. But the real question is this: it is not that you want a school of the type of the one at Dehra Dun, nor will two or three such schools suffice for the needs of the country. Mr. Jinnah referred to three deficiencies in the system of education available to our young men, to which the Skeen Committee have drawn attention. First, the Indian boy is placed at a disadvantage in the matter of a knowledge of English. He has to learn all that he has to in a foreign tongue and the English boy has a great advantage over him there. The second is in the matter of physical culture, and the third, in the matter of military training. In all these three points undoubtedly the Indian boy is at a disadvantage. But we must note that we have been progressing. As regards the first, that is a permanent disadvantage. But as regards the second, the scout movement, to which the Honourable the Education Secretary has referred is a very important movement: Its value in training character cannot be over-estimated. It promotes manliness and resourcefulness in our students. It has been making rapid progress. I myself have the honour of being the Chief Scout of the Seva Samiti scouts—who number about 25,000 young men all over the country and their number is growing every day. Besides, there is the other much larger body of scouts, the Baden Powell scouts, scattered all over the country. Recently in the Magh Mela at Allahabad, where about forty lakhs of people came, 2,800 young men of the Seva Samiti scouts contributed their share in the management of the Mela to an extent which is very generously acknowledged by the officers at Allahabad. It was a mela of forty lakhs of people and it was these young men who managed it to a large extent. Therefore the scout movement has come in to give Indian students a practical training in character as it gives to the youth of other countries. Physical culture is receiving increasing attention in our schools and colleges. The only thing that is wanted is military training. What has to be done is this: introduce military drill and exercises in the colleges and schools all over the country; supply military teachers to the Universities and give them funds to start military training; give them all the facilities that they need to develop training corps and encourage them by lending your officers to give instruction in military subjects. The Skeen Committee recommended that, in order to be able to supply officers for the Army, the Universities should introduce short courses on military subjects. The Universities are ready to do so. At Benares we have built a hall for the purpose, 120 feet by 80 feet, and we are preparing to

erect a shooting range. If the Government will accept the recommendations of the Skeen Committee, and make up their minds honestly to carry out these recommendations, we shall see the beginning of a new chapter. But every time this question is raised in any form, I regret to say that the Army Secretary takes up an attitude which adds irritation to the sense of injustice which we feel. In the discussion today he tried to make us believe that the recommendations of the Skeen Committee were vague or confused. I think it is very wrong of the Army Secretary to say that of the recommendations of a Committee on which some of the best Members of the Assembly, some of our most esteemed Members sat, and which was presided over by so distinguished a General as Sir Andrew Skeen

Mr. G. M. Young: On a point of personal explanation, Sir. I never referred to the recommendations as a whole; I referred to this particular recommendation only.

Pandit Madan Mohan Malaviya: I accept the statement of the Army Secretary; but his remarks gave the idea that he spoke of the general recommendations of the Committee and Mr. Jinnah's remarks on that point confirmed me in that view.

Now, Sir, I ask that the Government of India should make up their minds to give effect to the recommendations of the Skeen Committee. Let them take up the recommendations point by point, and let them tell this Assembly from time to time in what respect they have given effect to these recommendations, and tell us of the progress that is made.

My Honourable friend, Mr. Jinnah, has reminded the Government Benches of the Round Table Conference. To those who want a complete change in the system of government that obtains in this country, nothing can be of greater satisfaction than the attitude of the Government of India in this matter. The whole matter has to come up before the bar of public opinion that will be represented at the Conference. It will not be confined to that Conference. Through that Conference the whole matter will be placed before the bar of the public opinion of the civilised world. What a sorry figure will the Government of India cut there! Let them imagine; let them realise what answer they will have to make when their sins of omission in this matter are pointed out; when it is stated that for decades together, for over half a century, Indians have been asking that they should be admitted to the King's Commission and that the Government of India have been putting off that request, on one pretext or another; that eventually when they were forced by a Resolution of this House to agree to a committee being appointed—a committee over which one of their own most distinguished Generals presided, and on which some very distinguished Members of this Assembly sat, the Government gave the go-by to that Report; and that every time the matter has been brought up here since, some petty excuse has been brought forward for not giving effect to the recommendations of the Committee. No one can help feeling that the Government have been trifling with us in this matter. As far as I am concerned, I have lost all hope of Government taking the right step in this matter. I feel that unless some of us, who are sitting on this side of the House, occupy seats on the other side, I mean the Treasury Benches, unless such a vital change is brought about, this question of justice to Indians in the

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matter of the Indianisation of the Army, will not be solved. I feel that we are all wasting our time and breath in discussing this question. A question of policy is not going to be solved by suggestions for a further Committee. When the government of this country comes into the hands of those who are really responsible to the people, then alone will there be a chance of the Indianisation of the Army being carried out. Let us work for that.

Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): Sir, I had no idea of taking any part in this debate, but as it has developed into a very interesting one, I feel impelled to say a few words. I quite agree with what Mr. Jinnah has said that the Resolution or the amendments as they stand form a mere jumble or confused mass of words which convey no concrete idea, but the recommendations made by the Sandhurst Committee are such as to need the support of this House. Sir, the spirit underlying the recommendations of the committee is very definite, and it is this, that the Indian young man should get an opportunity to develop character, a character which will carry him through the battle of life and make him the equal of the greatest characters in the world.

Sir, Dr. Moonje demonstrated in his speech that the Indian possesses every qualification; he possesses courage, composure, coolness and resource, but what he wants is the formation of character. I think, Sir, that the Indian possesses a good deal of character. Sir, it has been shown that the Indian soldier is able to face in the battles of the Empire a storm of bullets without fear of death, and in the face of this, I ask, can anybody say that he possesses no character? This is the best test of character. The greatest ordeal is to stand before the gun without flinching and without any fear of death, and I think in this matter the Indian has shown his character and courage in abundance on the different battlefields of the Empire. The Indian has fought in all the theatres of war. He has saved India for the British; he has fought in Egypt, in China, in France; in fact he fought in all the theatres of war in the last great war. Sir, I should like to know whether there is anybody to challenge the fact that the Indian has shown courage, resource and character? What we want now is scientific training, training which has made even the smallest nation in the world able to defend its rights, and then once having got that training, the Indian, I daresay, will become invincible. (Hear, hear.) He will not only defend his own hearth and home, but he will defend right and justice in the world.

Sir, the Indian youth is now ready to fight for his own rights. He wants an opportunity for it; he wants to conquer his own inertia. So far, he has been indifferent to his own fate, but the time has come when he will forge his own destiny, and I have seen youths all over India who are not only ready but anxious to engage in the battle of life and to show to the world at large that they possess the necessary character in them.

Sir, I agree with what Mr. Jinnah has said, that the Government have not so far shown any real desire to meet the demand in India. The initiative came from the Sandhurst Committee, and the recommendations of that Committee have not yet been carried out, and so I think the House has a right to demand that the Government should carry out those recommendations in a spirit of justice and in a spirit of helpfulness, sympathy

and courage. With these few words I support what Mr. Jinnah has said that the House demands that the Government should carry out the recommendations of the Indian Sandhurst Committee.

Dr. B. S. Moonje: Sir, I am sorry that the whole debate has gone off at a tangent. If you will dispassionately read the language of the Resolution, as I have moved it, and the language of the Report of the Sandhurst Committee as it is drafted, you will find that there is nothing in either from which you could draw the slightest inference indicating that the Indian boys have no character. I will only quote one little sentence in this connection from this Report:

"Yet it is hard to believe, and we do not believe, that among the three hundred million inhabitants of India there does not exist a supply of potential valuable material sufficient to provide competent Indian King's Commissioned Officers in much larger numbers than are at present forthcoming." (Page 12.)

The whole idea appears to be that we have been carried away by the word "character", appearing in the Report and my Resolution and I may again repeat that neither this Resolution nor the Indian Sandhurst Committee ever intended to convey the least idea that Indian boys have no character. What the Report says is merely this:

"It is true that, even with their present organisation and system of training, they have turned out boys who have succeeded in obtaining Commissions through Sandhurst, but those who did so started on their course of training with an unfair handicap as compared with their British Comrades."

And therefore they say that:

"The handicap must be removed as far as possible in order to obtain really first class material for India's defence." (Page 27.)

This is exactly what my Resolution provides for.

Besides, the Indian Sandhurst Committee have made certain recommendations, and as for them it was not my desire by this Resolution to raise that question for debate on the present occasion. I had reserved that point for the general budget debate. This Resolution is preparatory to giving effect to the recommendations of the Sandhurst Committee, or rather I should say that the Resolution provides for a broad based foundation on which the edifice as envisaged by the recommendations of the Report has to be built. The idea underlying the Sandhurst Committee's Report has been something like this, and it has been very nicely put by Sir Prabhakankar Pattani when he says:

"My point of view is not from the point of view of Indianisation as against Europeanisation. I am only treating it as an Imperial question. It is in the interest of the Empire itself that every component part, every limb of the Empire, should be equally strong so that no weak link or organ, no weak part of the body should be so weak as to hamper the whole of the body in the event of a greater danger."

The Resolution has been conceived from this point of view so that, a broad basis may be provided or feeder agencies may be developed to supply ample first class material for an Indian Sandhurst when it will be established in 1933 as the Report says it should be. When the time comes a few days hence, the whole question of the Indian Sandhurst will be raised, —and I want to raise the question during the general debate on the Budget,—and we shall then raise the whole question of the recommendations of the Sandhurst Committee and press on the Government that

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they should be given effect to immediately. This Resolution merely provides a preparatory procedure to enable the Government to give the lead to the educational authorities. The Sandhurst Committee has pointed out that the defect in our educational system is that there is no provision made for military education, military drill, physical training, rifle shooting and such other things. There is no detailed scheme before the Government as to how to give the lead in these respects and it is for this purpose that I have brought forward this Resolution. As regards the objections of my Honourable friend Sir Frank Noyce...

Mr. President: He has accepted your Resolution in principle.

Dr. B. S. Moonje: I should like to have an assurance from the Honourable Member that he has accepted my Resolution.

Pandit Hirday Nath Kunzru: May I ask whether Sir Frank Noyce has accepted any of the amendments or whether he would merely forward them to the Local Governments and wait until he gets their replies from them?

Mr. President: He has accepted Colonel Crawford's amendment and the Revd. Mr. Chatterjee's amendment.

The Honourable Sir James Crerar: I think my Honourable friend's intention was to convey that Government would support Colonel Crawford's amendment, and if that failed they would be prepared, in the alternative, to accept the Revd. Mr. Chatterjee's amendment.

Dr. B. S. Moonje: So my Resolution does not meet with the support of my Honourable friend Sir Frank Noyce. He has told us that the matter has been dealt with by the Hartog Committee. I shall refer him to what the Committee itself says as regards their terms of reference:

"The Commission understands its terms of reference regarding education as requiring from it not a general survey of the whole field of education in all its branches and aspects throughout British India."

Therefore my point is that the aspect which this Resolution brings before this House has not been considered by the Hartog Committee.

Mr. President: The difference between you and the Government is that you want a committee and they are agreeable to a conference.

Dr. B. S. Moonje: I have said in my first speech, in moving the Resolution, that I do not think that the needs of the situation will be met by convening a conference. This aspect of the question has not been brought to the notice of the educational authorities up to now, because the Government have so far failed to give the lead in the matter as desired by the Sandhurst Committee, and my Resolution says that a Committee should be appointed consisting of men who have paid attention to this subject and who shall bring to the notice of the Government certain points of a general scheme...

The Revd. J. C. Chatterjee: May I point out that the conference will not consist merely of educational authorities, but will include representatives of the legislatures, of educational authorities and of the Army Department?

Dr. B. S. Moonje: I am sorry even that will not meet all the needs of the situation. A conference sitting at one place will not be able to give a proper lead to the provinces because local conditions in different Provinces will have to be looked into on the spot from this particular point of view. An objection has been raised about the constitutional difficulty if this committee were appointed because education is now a transferred subject. I do not know whether at the time the Hartog Committee was appointed this obstacle came in the way. If there was no obstacle at that time, there could be no obstacle now, if the Government were so minded.

As regards the object of preparing the country for undertaking the responsibility of its defence, I should like to bring to the notice of the House what other countries do in the matter, and especially what England does in this matter. Under the heading "Military efficiency in preparatory schools in England" the following questions were sent round to the Preparatory Schools for their answers:

- (1) What percentage of boys learn to shoot?
- (2) What air rifles do they use?
- (3) What miniature rifles do they use?
- (4) If you have an outdoor range, what is its length?
- (5) If you have an indoor range, what is its length?
- (6) Is shooting independently of competition popular with boys?
- (7) Do your boys compete for the preparatory school's shields?
- (8) Do they otherwise shoot against other schools?
- (9) What percentage of your boys learn physical drill?
- (10) What percentage of your boys learn military drill?"

By the by, let it be remembered that the preparatory schools in England are those schools where boys between the ages of 8 and 15 years generally receive education. 188 such schools have sent their report in response to the questionnaire on the above lines. Of these, 38 schools show 100 per cent. shooting; 16 schools show 75 per cent. shooting; 22 schools show 60 per cent. shooting and 32 schools show 50 per cent. shooting. In the average of all schools, shooting is 60 per cent. Out of these 188 schools, 98 schools in all have military drill. Out of these 98 schools, 79 schools have cent. per cent. military drill. In the average 92.6 per cent. of schools have military drill. The average number of boys in each school is about 500. Thus it will be seen that thousands of boys in England receive preliminary military training. This is what is being done in England to prepare the whole country for undertaking the responsibility of its defence. This Resolution of mine is intended to bring about a similar situation in India. There is one more point and that is about the amendment of my friend Munshi Iswar Saran. Unfortunately the whole of my Resolution did not appear at that time in the ballot. The first portion did appear and the second portion did not. The second portion along with the first, which has been balloted in the name of my friend Mr. Sarabhai Haji runs as follows:

"That in the meantime a residential military school be established on the model of Jhelum and Jullunder as early as possible where provision should be made for accommodation of not less than 500 Indian students from all provinces and fees be fixed at not more than from Rs. 25 to Rs. 50 per month per boy for boarding, lodging and tuition."

I have therefore to say that I am in favour of the addition to my Resolution of the proposal of my friend Munshi Iswar Saran, and I should like to

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know if it can be added on to my Resolution at this stage. (Ironical Cheers).

Sir, under the circumstances, I press for my Resolution and I am prepared to take the verdict of the House.

Mr. President: I propose to put Munshi Iswar Saran's amendment first. Then, if that fails, I propose to put either Colonel Crawford's or the Revd. Mr. Chatterjee's amendment. I think it will be convenient from the Government point of view if I put Colonel Crawford's amendment. So I will take up Colonel Crawford's amendment second. If that fails, I will take up the Revd. Mr. Chatterjee's amendment and, last of all, I will take up Mr. Acharya's amendment.

The question is:

"That for the original Resolution the following be substituted:-"

"This Assembly recommends to the Governor General in Council that in view of the remarks made by the Indian Sandhurst Committee about the present system of education in India, he be pleased, by way of a beginning, to establish without any unnecessary delay an all-India residential military school at a suitable and central place capable of accommodating at least 500 Indian boys of all castes and creeds at the lowest possible rate of fees for tuition, board and lodging for the purpose of providing a steady supply of suitable material for training and recruitment as Army Officers."

The motion was negatived.

Mr. President: I will now put Colonel Crawford's amendment.

The question is:

"That for the original Resolution the following be substituted:-"

"This Assembly recommends to the Governor General in Council to take early steps to examine the present system of education in India with the object of remedying the defective character training of the system as emphasised and brought to the public notice by the Indian Sandhurst Committee with a view to the removal of these defects in the system for the purpose of providing a steady flow of really first-class material for recruitment to the public services including the service of defence."

The Assembly divided:

AYES—38.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chambers, Mr. G. W.
Coatman, Mr. J.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dakhan, Khan Bahadur W. M. P.
Ghulam Kadir Khan.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.

Jawahar Singh, Sardar Bahadur
Sardar.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Row, Mr. K. Sanjiva.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

Abdul Haye, Mr.
Abdul Matin Chaudhury, Maulvi.
Acharya, Mr. M. K.
Aney, Mr. M. S.
Badi-uz-Zaman, Maulvi.
Bhargava, Pandit Thakur Das.
Das, Mr. B.
Dutt, Mr. Amar Nath.
Farookhi, Mr. Abdul Latif Saheb.
Ghuznavi, Mr. A. H.
Haji, Mr. Sarabhai Nemchand.
Ismail Khan, Mr. Muhammad.
Iswar Saran, Munshi.
Jayakar, Mr. M. R.
Jinnah, Mr. M. A.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.
Malaviya, Pandit Madan Mohan.

Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Purshotamdas Thakurdas, Sir.
Rafique, Mr. Muhammad.
Rahimtulla, Mr. Fazal Ibrahim.
Rajan Bakhsh Shah, Khan Bahadur
Makhdum Syed.
Rao, Mr. G. Sarvotham.
Roy, Mr. K. C.
Shafee Daoodi, Maulvi Mohammad.
Siddiqi, Mr. Abdul Qadir.
Suhrawardy, Dr. A.
Yakub, Maulvi Muhammad.
Zulfiqar Ali Khan, Sir.

The motion was adopted.

RESOLUTION RE MEDICAL RESEARCH.

Mr. President: I understand the next Resolution is not a controversial one.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): That depends on the attitude taken up by the Government. I expect it will not be controversial so far as I understand.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): I think I shall be in a position to meet the Honourable Member more than half way.

Mr. M. R. Jayakar: Sir, I beg to move the Resolution which stands in my name and which reads as follows:-

"This Assembly recommends to the Governor General in Council (a) to appoint a committee with a non-official majority and an adequate representation of the independent medical profession to inquire into and report on the following points, and (b) to hold over the proposed transfer of the Medical Research Institute, Kasauli, to the Chandbagh building at Dehra Dun till this Committee's Report is considered by the Assembly:

- (1) The most suitable University centre for the establishment of the Central Medical Research Institute;
- (2) The constitution of the Governing Body of the Indian Research Fund Association; and
- (3) Recruitment for the Medical Research Department."

I shall not take long to explain the purpose of this Resolution. It is intended to voice forth the discontent which has been felt, not only by the independent medical profession in India but also by the several Universities and by the non-official section of the people in general at the decision of the Government of India to locate the Medical Research Institute at a hill station like Dehra Dun. Attempts have been made to draw the attention of the Government of India after time to the discontent that the decision has caused, and to the desire of the people in this country that this Medical Institute, which is intended for the carrying

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on of medical research, should be located at a place like Calcutta, Bombay or any other important University centre, where there is an independent medical public opinion which could focus its light of criticism on the working of this institution and also bring it into intimate contact with the activities of the independent medical profession. I am therefore asking the Government of India to hold their hand. It is a very small request indeed that they should hold their hands until the whole question is examined *de novo* by a committee. I do not care whether this examination is made by a committee or by any other equally representative body; that is a matter of detail. But what I want is that the independent medical profession and also the non-official opinion in the country should have an opportunity to examine this question. By non-officials, let me at once say, I do not necessarily mean politicians, but there is a considerable number of scientific men in this country, and some of them are very distinguished, who may look into this matter. The names of two or three such men at once occur to me, I mean Sir C. V. Raman, and Sir Jagadis Chandra Bose. I am anxious that scientific men who have been carrying on research in this country for 20 or 30 years should have a chance of examining this question with absolute impartiality and of deciding whether Dehra Dun or any other hill station is the proper place where this Medical Research Institute should be established, or whether a University place like Bombay or Calcutta will not be more suitable for the purpose. I am therefore asking the Government of India to give this chance to us in order that such men may consider the question once more and determine what is the proper place to locate this institution at.

Secondly, what is to be the constitution of the Governing Body of the Indian Medical Research Fund and lastly how is recruitment to the Medical Research Department to be made. These questions too will be considered by the Committee. I do hope that the Government of India will see the reasonableness of my view that this question should be considered by qualified and disinterested persons in the light of the opposition raised in the country. The question has so far been decided by the experts of the Government of India and by official or semi-official persons. I am anxious that, having regard to the far-reaching consequences of the location of this Medical Research Institute, the whole question should be examined once more by an independent Committee on which non-official Indian medical opinion will be adequately represented, and also the scientific expert opinion in the country. I do hope the Government of India will accept my Resolution.

Sir Frank Noyce: Sir, in view of the fact that, as I have already stated, I am in a position to meet the Honourable the Mover of this Resolution at least somewhere about half way, it is unnecessary for me to take up the time of the House to the extent that I should otherwise have had to do if that had not been the case. I am in entire agreement with him in the view that the location of the Central Medical Research Institute is a matter of the utmost importance. It is not a matter in regard to which we can afford to make any mistakes. Those who, like myself, have had the misfortune to travel to Pusa from time to time to visit the headquarters of agricultural research in India, know what an unwise location means. The view of the Honourable Member was also that of

the Committee on the Organisation of Medical Research in India, which pointed out that a wrong choice could not fail to have far-reaching consequences on the future of medical research in this country. So, Sir, we are all in agreement that the location of this institution is a matter of the greatest importance.

Sir, I will not take longer than I can help, but it is, I venture to think, necessary to explain the circumstances in which Dehra Dun was chosen, for the benefit of those Members of this House who are not fully acquainted with the position. The Committee on the Organisation of Medical Research under the Government of India, now commonly known as the Fletcher Committee, consisted of four members. The Chairman of the Committee was Sir Walter Fletcher, a very eminent scientist in England, who is Secretary of the Medical Research Council of Great Britain and a Fellow of the Royal Society. The members of the Committee were Colonel James, a retired Indian Medical Service Officer, who is now Medical Officer and Adviser on Tropical Diseases in the Ministry of Health, London, Dr. Row, Professor of Pathology in the Grant Medical College, Bombay and Colonel Christophers, I.M.S., also a Fellow of the Royal Society, who is Director of the Central Research Institute at Kasauli. I venture to point out, Sir, that this Committee consisted of officials and non-officials and was therefore a Committee of the type advocated by Mr. Jayakar. I would go even further and say that it contained a majority of non-officials. Sir Walter Fletcher was as obviously a non-official as Colonel Christophers was an official. The other two members come in a rather doubtful category, but I personally consider that they should both be classed as non-officials. Dr. Row, though he is employed by Government, is, I understand, an independent medical practitioner. It is some ten years since Colonel James left India and the official atmosphere, so far as he is concerned, must have weakened considerably since then. I do not think it can be held that this Committee started with any bias in favour of a particular place. Colonel Christophers might have been prejudiced in favour of Kasauli and Dr. Row in favour of Bombay, but these two factors would naturally cancel out. Colonel James, if he had any predilection, would have been in favour of Madras where I believe he started his Indian career.

Now, Sir, the Committee laid down certain principles on which, in their view, the decision as to the location of this institution should be based. As regards the functions of the institution in relation to medical research in India as a whole, their view was that provided the Institute was reasonably accessible from the different parts of India and was reasonably near the winter and summer headquarters of the Government of India, it did not much matter where it was. But after a careful examination of the lines of medical research which would be pursued in it, they came to somewhat different conclusions. They held that, on the whole, it would be preferable to locate the Institute away from the large centres of population with their pressing every-day problems and away too from places where the climate during the greater part of the year made intensive thought and sustained effort difficult or impossible. It was only after the most careful consideration of all the various possibilities, that they came to a decision in favour of Dehra Dun. As will be seen from a reference to their Report, they discussed Bangalore, Bombay, Calcutta, Delhi, Dehra Dun, Kasauli, Madras, Nasik, Poona and Simla. In view of the claims which have been advanced from time to time in

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favour of the selection of Bombay or Calcutta, to which the Honourable the Mover of this Resolution has referred, it seems desirable to give in their own words the arguments against the location of the Institute in either of these cities. They pointed out that:

"The claims advanced for selecting Bombay are chiefly that it contains a wealth of clinical material, two medical colleges and the Haffkine Institute, some of the buildings of which could perhaps be utilised. It is strongly urged that medical research and medical education should go hand in hand. These and other reasons advanced relate almost exclusively to clinical research. We have recommended that this item of medical research should be arranged for by a 'Section' of the research organisation based on the central headquarters but with the members of the Section working in, and attached to, suitable hospitals, colleges or other institutions in the large cities. Apart altogether from the claims of basic research stated above in our remarks on general principles, we think it would be a mistake to locate a second institution in a city where an excellent provincial institute (the Haffkine Institute) has already been established."

They added that the objections to Bombay applied equally to Calcutta and Madras. For the reasons which led the Committee to decide in favour of Dehra Dun, I would again refer the House to their Report. I may briefly say that they were, the proximity of Dehra Dun to the headquarters of the Government of India, the fact that they considered it a centre of scientific, technical and educational activities under the Government of India and likely to become more so in the near future, the availability of ample accommodation and of buildings which could be taken over from the Forest College—a consideration of very obvious financial importance—and also suitable climatic conditions. I submit to the House, Sir, that, in view of the recommendations of this Committee, the competence of which to deal with the subject can hardly be doubted, and also the approval of the Standing Finance Committee, which was given to the proposals placed before it in August, 1928, the Government of India were justified in going on with the scheme. As the Honourable Sir Fazl-i-Husain stated in the Council of State in September last, various representations against the location of the Institute at Dehra Dun were made from time to time and were given the most careful consideration. He also stated at that time that the Government's decision remained in favour of Dehra Dun. Since then, however, I must explain to the House, fresh aspects of the case have come to the notice of the Government, and I am sure the Honourable the Mover of the Resolution will be glad to hear that Government are no longer prepared to regard the location of the Institute at Dehra Dun as a closed chapter. (Cheers.) The continued opposition to the selection of Dehra Dun, which has culminated in this Resolution today, is only one of those aspects.

I wish to be perfectly frank with the House and explain what the present position is. Another factor in bringing about the decision of the Government not to regard the location at Dehra Dun as a closed Chapter is the fact that the scheme, which will eventually come before them for consideration, will probably not be the scheme that met with the approval of the Standing Finance Committee. The Fletcher Committee recommended that the manufacture of sera and vaccines, which is carried out at Kasauli, should be transferred to the new Medical Research Institute at Dehra Dun. In the proposals which were submitted to the Standing Finance Committee, it was stated that it was intended to retain these activities at Kasauli for three reasons. The first was that Kasauli was climatically better adapted to the purpose than Dehra Dun. The second

was that research and manufacture are best kept apart, and the third was that it was hoped that, by adding a section for the standardisation of drugs to Kasauli, it could be made a self-contained and a commercially successful undertaking. Unfortunately, when those views were put forward, General Graham, the Public Health Commissioner with the Government of India and Colonel Christophers, the Director of the Central Research Institute, Kasauli, who is obviously very keenly interested in the matter, were absent on leave. They have expressed grave doubts as to the wisdom of retaining the manufacture of sera and vaccines in a different place from the main activities of the Central Research Institute, and it is obviously desirable that their views should be given the most careful consideration.

Then there is the question of residential accommodation at Dehra Dun. When these proposals were placed before the Standing Finance Committee, it was anticipated that there would be no difficulty in finding residential accommodation for the staff of the Institute in Dehra Dun itself. There again, anticipations do not appear likely to be realised, as Dehra Dun is rapidly becoming congested, and it seems fairly clear that, if the Central Medical Research Institute is located there, it will be necessary to build accommodation for its staff. So, Sir, these are the reasons why the Government have not made up their minds definitely about the location of the Institute at Dehra Dun. I am sorry again for the second time this afternoon that I have to oppose the appointment of a committee. It does not seem that such a committee would be in a position to elicit any evidence which is not already before the Government. The arguments in favour of Dehra Dun are contained in the Fletcher Committee's Report. Those against it have been very powerfully stated in the representations which have been made from time to time to Government from various quarters. I should like to say in passing that no unanimity has been shown in the opposition, and that we seem to be as far as ever from being able to decide where the Institute should be located if it is not located at Dehra Dun. But that is by the way.

Now, Sir, I come again to what the Government are prepared to do, and I trust it will meet with the approval of the Honourable the Mover of this Resolution. They consider it desirable that our expert advisers, the Public Health Commissioner with the Government of India and the Director of the Central Medical Research Institute, Kasauli, should submit, as soon as possible, their considered views and revised proposals regarding the cost and activities of the Institute if it is located at Dehra Dun. A good deal of work has already been done in that connection and it does seem desirable that the Government should know exactly where they stand and what the cost would be if the proposals for the location of this Institute at Dehra Dun are eventually accepted. I hasten to reassure my Honourable friend opposite by telling him that practically nothing has been spent on Dehra Dun so far. To the best of my knowledge, the only amount that the proposed transfer has actually cost Government, so far, is the small allowance which has been made to Colonel Christophers for some months past for the work he has done, in addition to his very heavy duties at Kasauli, in preparing plans and estimates and in going into the question of equipment for a Central Medical Research Institute. Now, Sir, on receipt of the proposals of their expert advisers, the Government of India propose to convene a conference consisting of a representative of each of the Medical Faculties at Madras, Bombay, Calcutta,

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Lucknow and Lahore, the Director General of Indian Medical Services, the Public Health Commissioner with the Government of India, the Director of the Central Medical Research Institute, Kasauli, two Members of the Legislative Assembly, one Member of the Council of State, one non-official non-medical scientist of eminence, and one representative of the All-India Medical Association which, Government understand, is the most influential representative Association of non-official medical practitioners in India. Over this conference it will be my lot, if I am still Secretary in the Department at the time, to preside. The conference would submit its recommendations and suggestions to Government, and I need hardly say that the Government would give them their fullest and most careful consideration.

The House will see that the consideration of the question will be entrusted to a body on which officials would be in a minority. To that conference Government are also willing to refer for consideration the two other questions which have been raised in the Resolution, namely, the constitution of the Governing Body of the Indian Research Fund Association and the question of recruitment to the Medical Research Department. The Government have already taken steps to meet the demand for making the Governing Body of the Indian Research Fund Association a far less official body than it was. It consisted until recently of the Honourable Member in charge of the Department who was President, the Secretary in the Department, the Director General of the Indian Medical Service, the Public Health Commissioner with the Government of India, the Director of the Central Medical Research Institute, Kasauli, the Director, Malarial Survey of India, the Assistant Director General, Indian Medical Service, and the Raja of Parlakimedi, who was a member by reason of the very generous donation he gave to the funds of the Indian Research Fund Association. Now the Government of India, realising that it is desirable that this body should be enlarged—and I have no doubt Honourable Members on the other side would say, liberalised—by an infusion of non-official medical and other enlightened opinion, have decided that it should consist of—I am sorry to have to repeat a list of names—the Secretary in the Department, the Director General, Indian Medical Service, the Public Health Commissioner with the Government of India, the Director of the Public Health Institute, Calcutta, the Director-in-Chief of the Medical Research Institute at Dehra Dun or for the time being of course, Kasauli, the Director of the Malarial Survey of India, the Raja of Parlakimedi, an eminent non-medical representative nominated by the Governor General, two representatives elected by the Legislative Assembly, one representative elected by the Council of State, and two representatives of medical faculties of Universities incorporated by law in India elected by such medical faculties: total fourteen, of whom seven are officials and seven are non-officials. That decision was announced by the Honourable Sir Fazl-i-Hussain in the Council of State last Autumn, and the Council of State proceeded to elect its representative. Unfortunately time did not permit of this House being asked to do the same, but I hope to move a motion to that effect in the course of the next few weeks. I will refer to that point again later. The Inter-University Board has also been asked to elect its representative. As I have said, this reorganisation will make the governing body consist of seven officials and seven non-officials, which I venture to think is a suitable composition for a body

which is charged with the administration of large funds from Central revenues. I am aware, however, that even as it has been re-constituted, its constitution does not entirely meet with the views of some Honourable Members opposite, and as I have said, Government are quite willing to allow this question to be considered by the conference which they propose to call. I trust, however, that the House will have no objection to proceeding, in respect of the constitution of the Governing Body, on the lines we have already proposed, and that it will elect two representatives in due course. Obviously, if the conference, when constituted, recommends a different constitution and, if that view is accepted, steps will be taken to alter it, but in the meantime, it would I think be a matter of great regret from the point of view of Government, if this House did not decide at once to take part in the activities of the Governing Body of the Indian Research Fund Association.

Then I come to the third point, Sir, on which, as it is getting late, I will not detain the House much longer. That is, the question of the constitution and equipment of the Recruitment Board. There again I hardly think I need read to the House the personnel of the Board as it is at present constituted because that question will also be referred to the conference when it meets. The Recruitment Board, as I think the House is already aware, is to be set up for the selection of candidates for the Medical Research Department, and it is proposed to give it a non-official element, the particulars of which I regret I seem to have been mislaid for the moment.

Some Honourable Members: That will do.

Sir Frank Noyce: Then, Sir, that is the position, and I can only hope that the Honourable the Mover of this Resolution will agree that I have fulfilled my promise to meet him more than half way.

Sir Darcy Lindsay (Bengal: European): Sir, my Honourable friend, Sir Frank Noyce, has particularly stressed the point that the Standing Finance Committee gave their approval to this scheme of location at Dehra Dun. I have in my hand the paper that was placed before the Standing Finance Committee, and it was no particular demand for funds for the purpose, but a paper for mere information. I think the charge will largely be met out of the funds in the hands of the Indian Research Fund Association.

Sir Frank Noyce: May I ask the Honourable Member which meeting of the Standing Finance Committee he is referring to?

Sir Darcy Lindsay: The meeting of 29th August, 1928. The block expenditure item, I think, was put down as Rs. 9 lakhs of which Rs. 6 lakhs was for alterations in the buildings that were to be taken over from the Forest Department; and on the same paper, Sir, the Committee had to deal with a grant from the Rockefeller Fund for the erection of a Hygiene College in Calcutta. I think it was that item that was paid most attention to, because, unless it was settled then and there, the money might not be awarded for this purpose. I am very glad indeed to hear from my Honourable friend that this question of location at Dehra Dun is still an open question.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): I am very sorry, Sir, to detain the House at a late hour, but this is a very important question. The Honourable Member, Sir Frank Noyce, started by saying that he was willing to meet half way the Mover of the Resolution (*An Honourable Member*: "More than half way.") I stand corrected. But I do not see where he has met him.

Mr. President: I think it would be much more convenient to have a general debate on this question. The House stands adjourned till Tuesday morning at 11 o'clock.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 11th February, 1930.

LEGISLATIVE ASSEMBLY.

Tuesday, 11th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN:

Mr. Gaya Prasad Singh, M.L.A. (Muzaffarpur *cum* Champaran: Non-Muhammadan);

Dr. Ziauddin Ahmad, C.I.E., M.L.A. (United Provinces Southern Division: Muhammadan Rural); and

Mr. Girja Shankar Bajpai, C.I.E., C.B.E., M.L.A. (Joint Secretary, Department of Education, Health and Lands).

QUESTIONS AND ANSWERS.

ISSUE OF TREASURY BILLS.

259. ***Mr. Arthur Moore**: (a) Will Government be pleased to state the total cost of discounting the Treasury Bills issued during the current financial year?

(b) Are Government aware that the continued issue of Treasury Bills is affecting the Government security market?

The Honourable Sir George Schuster: (a) The amount of the discount on Treasury Bills issued between the 1st April 1929 and the 28th January 1930, is about Rs. 131 lakhs.

(b) This is to some extent a matter of opinion. I think myself that the question implies an exaggerated idea of the effect of rates paid to the money market for floating supplies during the busy season on the investment market in long-term Government securities. In any case, it is certainly not the fact that the Government issues of Treasury Bills have been the sole or indeed the main factor affecting the recent course of prices for Government rupee securities. This has been far more affected by the fall in the price of Indian sterling securities, and that was brought about first, by the wave of dear money by which all world markets were affected last year, and secondly, by the anxiety felt by British investors as to political conditions in India, which anxiety was undoubtedly accentuated by the doctrines preached at the recent Lahore Congress about the repudiation of loans. I need hardly say that these doctrines are not taken seriously by any responsible people in India.

SEPARATION OF RAILWAY AND GENERAL FINANCE.

260. ***Mr. B. Das:** (a) Will Government be pleased to state if the Report of the Committee appointed for separation of Railway finance from General finance, will be available before the Railway Budget is presented?

(b) If the reply to part (a) be in the negative, will Government be pleased to state:

(i) The number of meetings held so far;

(ii) The stage of discussion at present; and

(iii) The time and the number of sittings required to complete the deliberation?

(c) Do Government propose to ask the House to reappoint new members in place of those already resigned from this Committee?

The Honourable Sir George Rainy: (a) No.

(b) (i) Two meetings of the full Committee, and one of the Sub-Committee appointed by the Committee to examine in detail certain specific questions, were held in 1929.

(ii) Certain memoranda prepared by the Financial Commissioner have been circulated, but only preliminary discussions have so far taken place.

(iii) I am afraid it is impossible to say how long the Committee will take to complete its deliberations.

(c) That question is under consideration.

Mr. B. Das: Is the Honourable gentleman aware that he had exceeded the period of contract by three more years, and may I inquire if the Finance Member is going to take over the railway management and include its Budget under the general finance?

The Honourable Sir George Rainy: I think the Honourable Member is under a misapprehension in suggesting that the original convention was established for a period of three years only. That is not so.

Pandit Hirday Nath Kunzru: Is it a fact that Government agreed that the question might be re-examined after three years?

The Honourable Sir George Rainy: I do not remember the precise period, Sir; but I do remember that at the time the convention was originally settled, the Government agreed that, if the House expressed a desire to review it, it should be reviewed.

Pandit Hirday Nath Kunzru: Is the Honourable Member aware that, since 1927, the House has repeatedly expressed a desire to review the separation?

The Honourable Sir George Rainy: Yes, Sir, by the appointment of a Committee.

Pandit Hirday Nath Kunzru: How long does the Honourable Member expect that the work of this Committee will take?

The Honourable Sir George Rainy: I have already said that I regret I am not in a position to say how long the Committee will take to complete its deliberations.

Mr. B. Das: May I inquire if it is not within the scope of the Committee's inquiry that railway finance should again come under the complete control of the Finance Member and form part of the general finances?

The Honourable Sir George Rainy: The whole question of the convention is before the Committee and it is of course for the Committee to say what changes it considers desirable in the convention.

Mr. Gaya Prasad Singh: Was no time limit put before the Committee for the completion of its labours?

The Honourable Sir George Rainy: No, Sir.

Pandit Hirday Nath Kunzru: Why were so few meetings held last year?

The Honourable Sir George Rainy: I do not think it is desirable that I should make any further statement on this question at present.

PROSECUTIONS UNDER THE INDIAN STATES (PROTECTION AGAINST DISAFFECTION) ACT.

261. ***Mr. B. Das:** (a) Will Government be pleased to state the number of persons prosecuted under the Indian States (Protection against Disaffection) Act, 1922, since that Act was placed on the Statute-book?

(b) How many of these were editors of newspapers and how many were publishers of books or pamphlets?

(c) Will Government be pleased to state, in each case, the punishment awarded under section 3 of that Act?

Mr. E. B. Howell: I would refer the Honourable Member to the answer given to Dr. Moonje's question No. 233 on the 5th February, 1930, which gives the information required.

THE KANGRA VALLEY RAILWAY.

262. ***Mr. B. Das:** (a) Has the attention of Government been drawn to a statement made by Mr. S. C. Sharma, an assistant engineer of the Punjab Public Works Department, before the Mandi Hydro-Electric Inquiry Committee, that the Kangra Valley Railway was originally a scheme of light railway simply to help the development of the hydro-electric scheme?

(b) Is it a fact that the original estimate was only Rs. 96 lakhs and formed part of the Mandi hydro-electric project?

Mr. A. A. L. Parsons: (a) Yes. Government have seen the statement, which does not correctly represent the facts. The reasons which prompted Government to undertake the construction of the Kangra Valley Railway are as stated in part (6) of the reply given to Mr. Hays's starred question No. 203, on 5th September 1929.

(b) The original estimate for the Kangra Valley Railway was Rs. 134 lakhs; it did not form part of the Mandi hydro-electric project.

COST OF THE KANGRA VALLEY RAILWAY SCHEME.

263. ***Mr. B. Das:** (a) Will Government be pleased to state at what stage the Punjab Government entered into correspondence with the Railway Board regarding the Kangra Valley Railway scheme and if the original estimates of the Punjab Government were available to the Railway Board?

(b) What was the cost of:

(i) First estimate?

(ii) Revised estimate?

(iii) Final expenditure of the Railway Board?

(c) At what stage of progress of the Kangra Valley Railway scheme, did Government come to know that their original estimates would be more than doubled?

Mr. A. A. L. Parsons: (a) In June 1923 the Railway Board received a letter from Colonel Battye, Superintending Engineer, Hydro-Electric Circle, Public Works Department, Punjab, inquiring whether the broad gauge connection between Mukerian and Talwara was likely to be constructed in the near future; if so, it would not be necessary for him to include this section of the line in his estimate for a metre-gauge railway connecting Talwara with the site of the proposed hydro-electric power station in Mandi State. The estimates for this tramway framed by the Punjab Government were available to the North Western Railway, who prepared the estimates for the Kangra Valley Railway.

(b) (i) Rs. 134 lakhs.

(ii) Rs. 217.46 lakhs.

(iii) The final expenditure will probably be in the neighbourhood of Rs. 310 lakhs.

(c) In June 1928.

Mr. B. Das: May I inquire if the estimate of Colonel Battye for the metre-gauge railway was not Rs. 96 lakhs?

Mr. A. A. L. Parsons: I am afraid I have not got the figure; I can obtain it for the Honourable Member.

LOSSES ON THE KANGRA VALLEY RAILWAY SCHEME.

264. ***Mr. B. Das:** (a) Will Government be pleased to state what were the reasons that led them to agree to recover only "actual loss due to construction and working up to a maximum of Rs. 4 lakhs per annum for 13 years" (App. XVI, Page 210, Vol. I, Public Accounts Committee's Report 1928-29) from the Punjab Government?

(b) Will Government be pleased to state if the Punjab Government have so far refunded "the actual loss due to construction" in excess of the original estimates, and if so, what is the amount recovered?

Mr. A. A. L. Parsons: (a) Rs. 4 lakhs was the amount that it was estimated that the net earnings of the line were likely to fall short of the interest on capital cost.

(b) So far, the Punjab Government have refunded nothing. The Kangra Valley Railway was only opened during the current financial year, and until the accounts of the year are closed, it will not be possible to ascertain what the net earnings have amounted to and what the actual loss is, if any.

ESTIMATES FOR THE KANGRA VALLEY RAILWAY SCHEME.

265. ***Mr. B. Das:** (a) Will Government be pleased to state if the Railway Board inquiry into defective estimates of the Kangra Valley Railway as mentioned in the Public Accounts Committee's Report, Page 23,

Vol. I of 1928-29, has been completed, and if so, will Government be pleased to make a statement on:

(i) The findings of the Committee; and

(ii) The decision of the Railway Board on the Committee's report?

(b) Did Colonel Battye, the initiator of the Kangra Valley Hydro-Electric scheme interview the Railway Board officials at the time, and did he persuade the Railway Board regarding the profitability of the Kangra Valley Railway scheme?

Mr. A. A. L. Parsons: (a) The inquiry has not yet been completed.

(b) Colonel Battye was present at meetings which representatives of the Punjab Government had with the Railway Board in 1925. He cannot have persuaded the Railway Board that the Kangra Valley Railway was likely to be profitable, or the latter would not have demanded a guarantee from the Punjab Government.

QUARTERS FOR PRESS EMPLOYEES ON PARLIAMENT STREET.

266. ***Mr. E. F. Sykes:** (a) Is it the intention of Government that the extension of Parliament Street beyond Barakhamba is to be ultimately the main artery connecting the new city with the old?

(b) If the answer to part (a) is in the affirmative, did Government consider the question of an appropriate frontage in their building scheme along that road?

(c) What were the considerations which led to the location on that road of quarters for the accommodation of workmen employed in the Government of India Press?

(d) Did the Government of India consult the convenience of those Press employees and their families who will be required to live in the immediate proximity of a busy thoroughfare? If so, to what extent?

(e) Will Government be pleased to state whether they contemplate any changes designed to utilise this frontage in a manner suitable to its importance?

The Honourable Sir Bhupendra Nath Mitra: (a) The reply is in the negative.

(b) Does not arise.

(c) The location of the quarters referred to on the road in question was part of the general layout of the Press and the surrounding buildings.

(d) Before deciding on a site, Government did consult the convenience of the Press employees, and their families, and actually chose this site in order to meet wishes, which had been expressed by the employees themselves, that the Press and its attached quarters in which they would be required to live, should be situated near Delhi city.

(e) No.

CLERKS ATTACHED TO REGIMENTS.

267. ***Sardar Bahadur Captain Hira Singh Brar:** (a) What is the total strength of clerks for each regiment and what are the instructions, if any, to Commanding Officers regarding the recruitment of such soldier clerks?

(b) Is it a fact that most of the regimental clerks are drawn from non-military classes, although plenty of young men belonging to martial communities are available for these appointments?

Mr. G. M. Young: (a) The authorised peace establishment of clerks for an Indian cavalry regiment or an active Indian infantry battalion is 10. All classes are eligible for appointment to the clerical establishment, but the practice is to give preference to the sons and other descendants of those who have actually served in the Army, provided that they possess the necessary qualifications.

(b) The Government have no information on this point. To verify the Honourable Member's allegation would involve an expenditure of time and labour which, in their opinion, would be disproportionate to the result.

CLERKS ATTACHED TO REGIMENTS.

268. ***Sardar Bahadur Captain Hira Singh Brar:** (a) Will Government be pleased to state the total number of clerks at present serving in the following units, specifying the number drawn from classes that are not entitled to enlist in those regiments respectively:

2-9th Jat Infantry.

17th Cavalry.

18th Cavalry.

19th Cavalry?

(b) Do Recruiting Officers maintain a register of candidates belonging to martial communities qualified to serve as clerks?

(c) If the answer to part (b) is in the negative, have Government considered the question of the desirability of issuing instructions to ensure that arrangements are made to supply clerks belonging to military classes to different units?

Mr. G. M. Young: (a) The information is being obtained and will be furnished to the Honourable Member in due course.

(b) No, Sir, as the enrolment of clerks in peace time is not normally carried out by recruiting officers. Recruiting officers maintain a register of persons suitable for clerical employment on mobilisation, but this register is not confined to the classes recruited for the Indian Army, or to any other classes.

(c) Government do not think it necessary or desirable to issue instructions in the sense suggested.

EDUCATION OF THE SONS OF INDIAN SOLDIERS IN THE SOUTH EAST PUNJAB AND DELHI PROVINCE.

269. ***Sardar Bahadur Captain Hira Singh Brar:** Is there any school in the South East Punjab for the education of the sons of Indian soldiers like those at Jullundur and Jhelum? If not, have Government considered the question of the desirability of making suitable provision for the sons of Indian soldiers in the South East Punjab and Delhi Province, to be educated together?

Mr. G. M. Young: There is no such school at present. It is hoped, however, to open a military school at Ajmer in 1930 for the education of Jat and Rajput boys. This school will take the place of the proposed school at Agra, to which I referred in my speech in this House on the 14th March 1929.

HOLIDAYS IN THE GOVERNMENT OF INDIA SECRETARIAT.

270. ***Mr. Abdul Latif Sahib Farookhi** (a) With reference to the reply given by the Honourable the Home Member to Sardar Kartar Singh's starred question No. 756 in the Legislative Assembly on the 24th September, 1929, will Government please state whether they have arrived at any decision in connection with the grant of more holidays in the Government of India Secretariat? If so, will they please communicate their decision to the House?

(b) If the reply to part (a) of this question is in the negative, will Government please state the reasons for the delay in arriving at any decision?

The Honourable Sir James Crerar: (a) Yes. A copy of the orders has been placed in the Library of the House.

(b) Does not arise.

APPOINTMENT OF MUSLIMS IN THE OFFICE OF THE INDUSTRIAL SURVEYOR, DELHI PROVINCE.

271. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Will Government be pleased to state the number of clerks employed under the Industrial Surveyor, Delhi Province?

(b) To what communities do they belong?

(c) Is it a fact that a post of Statistical Assistant under the Industrial Surveyor was sanctioned in 1929?

(d) Is it a fact that this post was also offered to a non-Muslim and that the claims of the Muslims were totally disregarded in this connection?

The Honourable Sir Bhupendra Nath Mitra: (a) Two clerks are employed under the Industrial Surveyor, Delhi Province.

(b) The clerks are Hindus.

(c) Yes, as an experimental measure for one year. The appointment is included in (a) above.

(d) The post was offered to two Muhammadans and one Hindu, but the former two did not accept the terms.

RECRUITMENT OF MEMBERS OF MINORITY COMMUNITIES.

272. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) What steps do Government propose to take in order to ensure that the orders of the Government of India regarding special recruitment of minority communities are acted up to by the Local Administrations?

(b) Will Government be pleased to lay on the table a copy of the Government of India's Memorandum No. 176-25-Establishment, Home Department, dated the 5th February, 1926?

ACCOUNTS OF STATE RAILWAY COLLIERIES.

275. *Mr. B. Das: (a) Will Government be pleased to state when they propose to commercialise the accounts of State Railway collieries?

(b) Have the Company-managed railways been asked to commercialise accounts of their own collieries?

Mr. A. A. L. Parsons: I would invite the Honourable Member's attention to the Memorandum placed before the Standing Finance Committee for Railways on the subject of the system of accounting on railway collieries, recorded in the proceedings of the meeting of the Standing Finance Committee for Railways, Volume VI, No. 3. This contains the conclusions of the Railway Board on Sir Arthur Dickinson's recommendations on the subject.

ACCOUNTS OF COLLIERIES OF THE BENGAL NAGPUR RAILWAY.

276. *Mr. B. Das: With reference to the recommendations of the Public Accounts Committee 1928-29, page 23, para 70, as contained in the following lines:

" * * * Our attention has been called to the fact that the increase in expenditure on fuel on the Bengal Nagpur Railway is not due to increased consumption but to higher cost of coal ", * * * "

" We think that the collieries of the company should be treated as an independent commercial undertaking and that the price charged to the Railways should be a competitive commercial price. This means that a system of proper commercial accounts should be introduced on all collieries worked by Railways and that the loss or profit in working such collieries should be shown separately. "

will Government be pleased to state:

(a) if the Bengal Nagpur Railway have agreed to commercialise its colliery accounts?

(b) if it is going to work out its fuel cost on a "competitive commercial price" for all coal used?

Mr. A. A. L. Parsons: As will be seen from the Memorandum referred to in the last question, the Railway Board thought it undesirable to treat collieries as an independent commercial undertaking, but the question will be reconsidered in the light of the opinion expressed by the Public Accounts Committee.

REPORT OF THE INDIAN CENTRAL COMMITTEE.

277. *Mr. B. Das: With reference to my starred question No. 187 of the 29th January, 1930, will Government be pleased to state:

(a) If the first print of the Central Committee's Report published in London was destroyed?

(b) If copies supplied to members of the Central Committee were taken back?

(c) If the Secretary of State for India wired to the Government of India to expunge certain passages from their Indian edition?

The Honourable Sir James Crerar: (a), (b) and (c). The Honourable Member is possibly under some misapprehension of the position of the Government of India in regard to the Central Committee's Report. That Report was formally presented to His Excellency the Governor General and was submitted by him to the Secretary of State for the purpose of

presentation to Parliament. The function of the Government of India was limited to printing and distributing the papers received by it after formal presentation. The Indian Central Committee presented a signed copy of the Report in print to His Excellency and also sent Government a few spare copies. In order to avoid delay in publication simultaneously in England and in India which had been decided upon, the Government of India arranged to reprint from these spare copies received from the Indian Central Committee, but meanwhile received a caution from the Secretary of State to omit from the reprint two brief incidental passages which were thought likely to give offence in foreign countries and in whose omission their authors had concurred. The Members of the Indian Central Committee, who had received copies of the earlier print, have been asked to return them. The intention is that the first print should be destroyed.

Mr. M. A. Jinnah: May I know whether the Government of India did not think it right to leave those passages even to be judged by the public of this country?

The Honourable Sir James Crerar: The Government of India was not concerned with the contents of the documents connected with the Committee's Report. As I have already explained, our function was strictly limited to printing and distributing the papers.

Mr. M. A. Jinnah: Will the Government of India represent to the authority that decided to expunge those passages that it was most undesirable for them to have done so and that they should have left it to the public of this country to judge?

The Honourable Sir James Crerar: No, Sir; we have no *locus standi* whatever in the matter.

MINUTE OF DISSENT WRITTEN BY DR. SUHRAWARDY TO THE REPORT OF THE INDIAN CENTRAL COMMITTEE.

278. *Mr. B. Das: (a) Will Government be pleased to state if it is a fact that a certain minute of dissent which was written by Dr. Suhrawardy, M.L.A., has not been published so far as part of the Central Committee's Report?

(b) Will Government be pleased to lay a copy of the same on the table and give reasons for withholding publication of the same?

The Honourable Sir James Crerar: (a) Yes.

(b) In reply to the Honourable Member's question No. 277 I have explained the general position. The minute was not included among the papers which Government received for publication and did not reach Government till after the Report of the Committee had been published. Government is unable to lay on the table of the House a minute which they have not themselves received for publication.

CONCESSIONS TO GOVERNMENT SERVANTS WHO SERVED IN THE GREAT WAR.

279. *Rao Bahadur M. C. Rajah: Will Government be pleased to state the concessions allowed by the Government of India to those who had volunteered their services during the Great War and who rendered satisfactory service under the Imperial Government in Mesopotamia and overseas, by way of recognising such service towards being counted for

pension or from being exempted from the age limit for purposes of re-entering Government service in India?

The Honourable Sir James Crerar: I would refer the Honourable Member to the Home Department Resolutions No. 2165, dated the 15th September 1921, and No. 1099, dated the 8th August, 1919, copies of which will be found in the Library of the House.

EMPLOYMENT OF EX-SERVICE MEN.

280. ***Rao Bahadur M. C. Rajah:** (a) Will Government be pleased to state if they maintain a list for men who have rendered service in Mesopotamia and overseas and is re-employment sought for them according to their qualifications, as in the case of the re-employment of pensioners?

(b) If the answer to part (a) is in the negative, have Government considered the question of the desirability of maintaining such a register?

Mr. G. M. Young: (a) No such list is maintained; but those who served in Mesopotamia and overseas are given the same special consideration in the matter of civil employment as is given to all who served in the Great War.

(b) The Government of India are of the opinion that no useful purpose would be served by instituting such a register, even if it were practicable to do so at the present time.

PROSECUTIONS UNDER THE INDIAN STATES (PROTECTION AGAINST DISAFFECTION) ACT.

281. ***Mr. B. Das:** (a) With reference to the following assurance given by Sir William Vincent in the Council of State during the discussion of the Indian States (Protection against Disaffection) Bill, *vide* the Council of State Debates of the 26th September 1922, page 501, will Government be pleased to state if the Governor General in Council, in each case of prosecution, was approached to give his sanction for the same?

"Those who offend against this law will not be liable to summary action at the hands of the executive. They will be tried before a Court of Law or a Magistrate and the accused will, I suppose, ultimately have a right of going up to the High Court. Surely that is a reasonable safeguard against any injustice. Further, there is the great safeguard of the previous sanction of the Governor General in Council".

(b) Has any of the parties prosecuted so far taken his case to the highest tribunal, the High Court? If so, with what result?

Mr. E. B. Howell: (a) Yes.

(b) The answer to the first part is "No". The second part does not arise.

PROSECUTION UNDER THE INDIAN STATES (PROTECTION AGAINST DISAFFECTION) ACT.

282. ***Mr. B. Das:** (a) Will Government be pleased to state whether in all cases of prosecution sanctioned by the Governor General in Council under the Indian States (Protection against Disaffection) Act, the provision to appeal to a High Court of Judicature is borne in mind?

(b) Has there been any departure from this procedure in any of the cases sanctioned?

Mr. E. B. Howell: (a) Yes.

(b) No.

CASE OF EMBEZZLEMENT AT THE SYRIAM POST OFFICE.

283. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state the amount of loss involved to Government in the embezzlement case generally known as the "Syriam Post Office V. P. fraud case" which occurred in the Burma Circle during the year 1928?

(b) Will Government be pleased to state what action was taken against the offending clerk?

(c) Will Government be pleased to state whether, during the period covered by the fraud; any inspecting officer visited the office, and if so, how many times?

(d) Will Government be pleased to state whether the investigation into the case has disclosed any apparent neglect of duty on the part of the inspecting staff, and if so, what disciplinary action was taken against such inspecting staff?

Mr. H. A. Sams: (a) The total amount embezzled was Rs. 1,145-14-0. The security of the accused was forfeited and the fine imposed on him by the Court was recovered. Monetary responsibility was also enforced on the sub-postmaster held responsible for contributory negligence. Taking into account all these recoveries, the net loss to Government in this case amounted only to Rs. 250.

(b) The offending clerk was prosecuted and sentenced to rigorous imprisonment for six months. The fine of Rs. 200 imposed on him by the Court was recovered from him.

(c) Yes, three times, but on these occasions only the cash balance of the office was verified and no inspection was made.

(d) The reply to the first portion is in the negative. The second portion does not arise.

PROMOTIONS IN POSTAL CIRCLES.

284. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state:

(a) How many officials in each postal circle have passed the Inspector's examination and are still borne on the waiting list for promotion to the posts of Inspectors and Divisional Head Clerks to the Superintendents of Post Offices; and

(b) For how long those officials are being borne on the waiting lists of different postal circles?

Mr. H. A. Sams: (a) and (b). Information is being collected and will be supplied to the Honourable Member in due course.

PROMOTIONS IN THE POSTAL DEPARTMENT.

285. ***Mr. Anwar-ul-Azim:** (a) Are Government aware that several appointments on the Rs. 160—250 grade in the Postal Department have been kept vacant pending publication of the results of the first lowest selection grade examination?

(b) Will Government be pleased to state whether they propose to fill up the existing vacancies on the Rs. 160—250 grade by those passed candidates who have been already kept for long in the waiting list for promotion?

(b) Have Government considered whether it is desirable in view of the all-India character of this institution that the members of the Governing Body should be drawn from different parts of India?

(c) Will Government please state the number of meetings of the Governing Body held annually during the last five years?

Sir Frank Noyce: (a) and (b). In pursuance of the recommendation of the Standing Finance Committee, the Government of India propose to appoint a Committee to enquire into the financial position of the Lady Hardinge Medical College and Hospital, Delhi. The question of revising the constitution of the Governing Body will be referred to that Committee.

(c) The Governing Body met five times in 1925, twice in 1926, twice in 1927, twice in 1928 and five times in 1929. I may add that there is an Executive Committee of the Governing Body which meets at least once a month during the College session.

EXHIBITION OF THE WORK OF INDIAN ARTISTS.

292. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state why special stress has been laid on the Indian artist, who is to copy four Royal portraits for the Viceroy's House, exhibiting his work at the Delhi Fine Arts Exhibition?

(b) Is it the intention of Government to confine this copying work only to artists who think fit to utilize the good offices of the Delhi Fine Arts Exhibition Society?

(c) What steps have Government taken to see that the claims of other Fine Arts Societies elsewhere will be properly considered?

(d) What steps other than the notification in the Gazette of India have Government taken to convey this information to various Indian artists in different parts of India?

The Honourable Sir George Schuster: (a) It was considered that, as the pictures are required by October, 1930, the most expeditious procedure was to afford those desiring to copy the portraits an opportunity of exhibiting at an early date where their work could be viewed.

(b) and (c). Not necessarily. There is nothing to prevent any artist submitting portraits to the Government of India direct and any portraits so submitted, if they arrive in time, will receive equal consideration. It was however thought that, as the Delhi Fine Arts Exhibition is open to the whole of India and is to be held at a date which fits in with the practical needs, it would afford to artists who can take advantage of it the best means of bringing their work to the personal notice of those with whom the selection rests.

(d) The notification in question, in addition to appearing in the Gazette, was sent to the Associated Press for distribution and has appeared in newspapers in different parts of India. It is understood that the Delhi Fine Arts Exhibition Committee has sent copies of its prospectus to a large number of artists all over India and that the response has been encouraging.

Mr. Sarabhai Nemchand Haji: With reference to the information that the Delhi Exhibition was the first in point of time, may I draw the attention of Government to the fact that in the month of February an exhibition is also held in Bombay and that being so, did Government make any attempt to extend their activities to the exhibits in the Bombay exhibition?

The Honourable Sir George Schuster: I am afraid I have no information about what was done in connection with the Bombay exhibition but February was rather close to the date when the decision was taken and I imagine that there was not very much time.

Mr. M. R. Jayakar: Will Government take steps to see that intimation about this work is given to the several art schools in various parts of India?

The Honourable Sir George Schuster: I have already said that the Committee of the Exhibition has sent copies of its prospectus to a large number of artists all over India. I think they have done all they can to bring the possibility of being selected to copy these pictures to artists all over India.

APPOINTMENT OF INDIANS FOR LIGHTHOUSE ADMINISTRATION.

293. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to lay on the table a statement showing the appointments of Indians and non-Indians in various ranks of both superior and subordinate services of the general Lighthouses Administration since its recent reorganisation?

(b) What steps have Government taken to enable the various posts, now held by non-Indians under contract, being filled in due course by Indians with necessary qualifications?

The Honourable Sir George Rainy: (a) A statement is laid on the table giving the information required.

(b) An Indian will shortly be appointed as an Inspector of Lighthouses and will be trained under the Chief Inspector. The mechanics will be trained by the Foreman Mechanics and will, if they prove themselves qualified, be eligible for appointment to the post of Foreman Mechanic.

Designation.	Indians (including Anglo- Indians).	Non-Indians.	Remarks.
<i>Headquarters.</i>			
Chief Inspector of Lighthouses	..	1	
Inspector of Lighthouses	..	1*	*Two posts of Inspectors have been sanctioned. An Indian will shortly be appointed to the vacant post.
Foreman Mechanics	..	2	
Mechanics	2†	..	†4 additional appointments will shortly be created. Indians will be appointed to these posts.
Draughtsman	1	..	
Clerk (attached to C. I. L.)	1	..	
Commercial Accountant	1	..	

REMUNERATION OF MEMBERS APPOINTED TO COMMITTEES.

294. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please state when they propose to appoint a committee to prescribe scales of remuneration and allowances for members working on committees appointed by the Government of India?

(b) What steps do Government propose to take to provide for economy in the scales of remuneration and allowances for members of committees appointed by the Secretary of State?

(c) Is there any reason why the remunerations fixed by the Secretary of State are regarded as non-voted? If any Standing Order is responsible for the above, are Government prepared to take steps to have it modified?

(d) Will Government be pleased to state whether it is possible to take steps to solve this problem during the lifetime of the present Assembly?

The Honourable Sir George Schuster: (a) and (d). This matter has had my careful consideration and I had hoped to proceed further with it this Session. As the Honourable Member probably is aware, I discussed the question with a number of Members during the last Session, and I found that opinion was somewhat sharply divided on the subject. It is therefore a matter on which Government would hesitate to move without obtaining full opinions from all quarters, and Government would be glad of an opportunity to obtain the views of the House on the subject. I suggest to the Honourable Member that a suitable occasion might arise in connection with the discussion of Demands for Grants in this year's Budget.

(b) and (c). I would refer the Honourable Member to section 21 of the Government of India Act, which empowers the Secretary of State to fix the remuneration and allowances of members of Committees appointed by him, and to section 67A (3) (iii) of the Act, under which the salaries of persons appointed by him are not subject to vote. The Government of India feel unable to consider any questions involving amendment of the Act, pending the Report of the Statutory Commission.

Mr. B. Das: Has the Honourable Member collected information from the Provincial Governments as to the rate of allowances paid to the members of the different committees?

The Honourable Sir George Schuster: I think we have that information.

Mr. B. Das: Is it not a fact that the Provincial Governments pay very low rates of allowances to members of committees?

The Honourable Sir George Schuster: I believe it is a fact that the scale of allowances paid by Provincial Governments is considerably lower than the scale of allowances paid by the Central Government.

Mr. Gaya Prasad Singh: The travelling and halting allowances of members are also lower.

The Honourable Sir George Schuster: I thank the Honourable Member for the information.

Mr. M. A. Jinnah: Will the Honourable Member be in a position to give us, at the time he suggested a discussion might be raised, the total cost of all the committees that have been appointed during the last three years, or shall I give him special notice?

The Honourable Sir George Schuster: I understand that the Honourable Member wishes to have placed before this House a statement of the costs of all committees appointed by the Central Government during the last three years and not by the Provincial Governments?

Mr. M. A. Jinnah: Yes, by the Government of India.

The Honourable Sir George Schuster: I shall be very pleased to make that calculation for the benefit of the Honourable Member.

REPAIR OF THE BHADRA TOWER IN AHMEDABAD.

295. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please lay on the table a list of the protected monuments in Ahmedabad?

(b) Is Bhadra one of the protected monuments, and if so, what sums of money have been spent in its repairs?

(c) Is it a fact that the central tower in Bhadra is in a dilapidated condition? If so, do Government propose to take the necessary steps before that portion of the building tumbles down?

Mr. G. S. Bajpai: (a) A list of protected monuments in Ahmedabad is laid on the table.

(b) Yes; sums totalling Rs. 387 have been spent on the preservation of this monument during the last four years.

(c) Government have no information but have made inquiries. The Honourable Member may rest assured that such action as the result of these inquiries might suggest will be taken.

List of central protected monuments in the Ahmedabad District.

1. Rani Rupavati's mosque in Mirzapur, Ahmedabad City and Suburbs.
2. Rani Spiri's mosque and tomb, Ahmedabad City and Suburbs.
3. Muhafiz Khan's mosque, Ahmedabad City and Suburbs.
4. Ahmad Shah's tomb, Ahmedabad City and Suburbs.
5. Tombs of Queens of Ahmad Shah, Ahmedabad City and Suburbs.
6. Haibat Khan's masjid, Ahmedabad City and Suburbs.
7. Dastur Khan's masjid, Ahmedabad City and Suburbs.
8. The Shahpur or Kazi Muhammad Chisti's masjid, Ahmedabad City and Suburbs.
9. Queen's mosque in Sarangpur, Ahmedabad City and Suburbs.
10. Qutb Shah's mosque, Ahmedabad City and Suburbs.
11. Sayyid Usman's mosque and tomb, Ahmedabad City and Suburbs.
12. Shah Alam's tomb with all surrounding buildings in the group, Ahmedabad City and Suburbs.
13. Bibiji's masjid at Rajpur-Hirpur, Ahmedabad City and Suburbs.
14. Jami Masjid, Ahmedabad City and Suburbs.
15. Shah Khupai's masjid, Ahmedabad City and Suburbs.
16. Sakhar Khan's masjid, Ahmedabad City and Suburbs.
17. Phuti masjid, Ahmedabad City and Suburbs.

18. Darya Khan's tomb, Ahmedabad City and Suburbs.
19. Achyut Bibi's masjid and tomb, Ahmedabad City and Suburbs.
20. Baba Lului's masjid, Ahmedabad City and Suburbs.
21. Malik Alam's mosque, Ahmedabad City and Suburbs.
22. Mata Bhawani's well, Ahmedabad City and Suburbs.
23. Dada Harir's well, Ahmedabad City and Suburbs.
24. Dada Harir's mosque and tomb, Ahmedabad City and Suburbs.
25. Tomb of Mir Abu Turab, Ahmedabad City and Suburbs.
26. Brick minars on Railway Station platform, Ahmedabad City and Suburbs.
27. Dutch tombs near Kankaria tank, Ahmedabad City and Suburbs.
28. The Teen Darwaza, Ahmedabad City and Suburbs.
29. Nawab Sardar Khan's Roza bearing Survey Nos. 6810 to 6814, Ahmedabad City and Suburbs.
30. Sidi Sayyad's mosque, Ahmedabad City and Suburbs.
31. Ahmedshah's mosque, Ahmedabad City and Suburbs.
32. Miyan Khan Jahan's masjid, Ahmedabad City and Suburbs.
33. Tomb near Queen's mosque in Sarangpur, Ahmedabad City and Suburbs.
34. The three gates, Ahmedabad City and Suburbs.
35. The Bhadra tower, Ahmedabad City and Suburbs.
36. Inlet to Kankaria tank, Ahmedabad City and Suburbs.
37. City gates (Delhi gate, Dariapur gate, Premabhai gate, Kalupur gate, Panch Kuwa gate, Sarangpur gate, Raipur gate and Astodia gate), Ahmedabad City and Suburbs.
38. Miyan Khan Chisti's masjid, Dariapur Kasipur.
39. Ibrahim Sayyid's masjid, Rajpur-Hirpur.
40. Malik Isan-ul-Mulk's mosque, Isanpur.
41. Jethabai's step-well, Isanpur.
42. Small stone mosque to the south of Malik Isan-ul-Mulk's mosque, Isanpur.
43. Rouza of Azam Khan and Muazzam Khan, Vasra.
44. Tombs, Batva.
45. Step-well with inscription, Adalaj.
46. Small stone mosque, Paldi.
47. Tomb of Sheikh Ahmad Khata Ganj Baksh, Makbera (Sarkhej).
48. Pavilion before the last Makbera (Sarkhej).
49. The Great mosque, Makbera (Sarkhej).
50. Tomb of Muhammad Begarah, Makbera (Sarkhej).
51. Tomb of Bibi Rajbai, Makbera (Sarkhej).
52. The great tank, Palace and harem, Makbera (Sarkhej).
53. Rouzas of Bawa Alisar and Bawa Ganj Baksh, Makbera (Sarkhej).
54. Mosque of Beel Khan Gazi or Bahilal Gazi, Dholka.
55. Jami Masjid, Dholka.
56. Khan Masjid, Dholka.
57. Malav tank, Dholka.
58. The ruined building near the Tunka masjid, Dholka.
59. Khan tank with its sluices, Dholka.
60. Manzar talav and shrines, Viramgam.
61. Jami masjid, Mandal.
62. Sayyid masjid, Mandal.
63. Kazi masjid, Mandal.
64. Ganjini masjid, Mandal.

SUPERINTENDENT OF EDUCATION FOR DELHI AND AJMER-MERWARA.

296. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please state if they propose to revive the post of Superintendent of Education in Delhi, Ajmer-Merwara?

(b) Is it proposed to confine the appointment to members of the Indian Educational Service, and if so, why?

(c) What would be the saving if a fully qualified officer from the Provincial Educational Service was appointed?

(d) What is the amount of overseas pay that is proposed to be paid to this Superintendent and what is the basis on which it is reckoned?

Sir Frank Noyce: (a) It is proposed to create a special post of Superintendent of Education for Delhi, Ajmer-Merwara and Central India for two years in the first instance.

(b) No.

(c) The pay proposed for the post is Rs. 400—50—1,250—50—1,500, plus overseas pay if the officer appointed is of non-Asiatic domicile. The scale pay of the Provincial Educational Service is Rs. 250—800. As the post is for the present temporary, it is impossible to calculate the saving which would result if an officer from the Provincial Educational Service were appointed to the post on the latter scale of pay, as this would depend upon the pay actually drawn by the officer at the time of his appointment.

(d) The rate of overseas pay, which it is proposed to attach to the post, if it is filled by an officer of non-Asiatic domicile, is the same as that for the Indian Educational Service, viz., from Rs. 150 to Rs. 300, or from £15 to £30 if drawn in sterling.

RECRUITMENT OF THE EMIGRATION AGENT, MALAY STATES.

297. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please state if it is a fact that up till now the pay of the Emigration Agent in the Malay States has been in the grade of Rs. 300—800?

(b) Has this post been so far confined to the members of the Provincial Civil Service? If so, will Government please state their reasons for recruiting the next Emigration Agent in the Malay States from the ranks of the Indian Civil Service, which necessitates payment in the scale of Rs. 1,000—2,250?

(c) For how long has the present incumbent been in office?

(d) Did Government make attempts to recruit an equally qualified officer from the Provincial Civil Service to succeed the present Emigration Agent?

Mr. G. S. Bajpai: (a) There is no fixed scale of pay attached to the post of Agent as such. The basic pay is fixed at the scale of the service from which the officer concerned happens to be drawn, and a special pay of Rs. 300 per mensem is given in recognition of the extra responsibility of the post.

(b) The post is not reserved for any particular service, but the first and the present incumbent were both selected from the Provincial Civil Service. The question whether the present Agent's successor should be chosen from a provincial or an all-India Service will be considered after

the deputation which is to visit Malaya this year presents its report. The deputation is expected to make suggestions regarding the status of the post.

(c) 3 years 2 months and 26 days.

(d) Does not arise.

Mr. B. Das: May I ask, Sir, when is this deputation likely to reach Malaya?

Mr. G. S. Bajpai: I think, Sir, some time in April.

Mr. B. Das: Have the Government fixed the personnel of that deputation?

Mr. G. S. Bajpai: No, Sir.

SHORT NOTICE QUESTIONS AND ANSWERS.

RIOTS IN DACCA.

Mr. Anwar-ul-Azim: Has the attention of Government been drawn to the Press reports about the riots in Dacca? How many so far have been killed, wounded and molested, belonging to the Hindu, Muslim and Christian communities respectively? What was the genesis of this trouble? Has the District Magistrate issued any communiqué regarding this matter?

The Honourable Sir James Crerar: The Government of India have received reports from the Government of Bengal about the unfortunate riots which took place at Dacca. The trouble had its origin in the action of a body of 200 or 300 students, who were demonstrating in favour of independence on the 26th January, and raised cries and created a great noise in front of a mosque on the road side in which a number of Muhammadans were assembled for prayers. Protests were made by the Muhammadans, and on these being disregarded, it is said that stones were thrown at the processionists, who at once attacked and invaded the mosque. This led to subsequent sporadic assaults and rioting from the 27th to the 30th January. Two cases of assault took place on the 31st, since when no fresh outrage has occurred. Order has now been completely restored.

The reports received from the Local Government show that two Muhammadans have been killed and that twenty-three Hindus and fifteen Muhammadans have been taken into hospital for treatment. No communiqué has been issued by the District Magistrate.

Mr. A. H. Ghuznavi: Are the Government aware that they issued an injunction that no procession should be taken out, but the students refused to accept that position, and they did take out the procession which led to this riot?

The Honourable Sir James Crerar: I think I have given in my reply all the material facts which have been received in the Local Government's report.

Mr. A. H. Ghuznavi: Are the Government aware that there was an injunction under section 144 or an order under some Act that no procession should be taken out on that day?

The Honourable Sir James Crerar: I have no precise information to that effect so far as I am aware, but I shall be glad to inquire.

Nawab Sir Sahibzada Abdul Qaiyum: Do Government propose to take steps to see that orders passed by them are respected and that permissions given or refused by them are strictly observed?

The Honourable Sir James Crerar: That, Sir, is a matter for the Local Governments immediately concerned. I have no doubt they take proper steps in the matter.

Mr. Anwar-ul-Azim: Is not there any co-ordination in matters of this nature between the Central Government and the Provincial Governments?

The Honourable Sir James Crerar: In all important matters of policy there is communication between the Central Government and the Local Government concerned, but a particular occurrence of this kind is definitely and primarily the concern of the Local Governments and local authorities.

Pandit Madan Mohan Malaviya: Will the Honourable Member tell us whether the issue of an injunction under section 144 may not have contributed to the trouble that arose?

The Honourable Sir James Crerar: That, Sir, is a question of opinion.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly tell us how many times in this country injunctions under section 144 were issued and violated by people with intimidation?

Mr. President: That is a very tall order!

Dr. A. Suhrawardy: Is it not a fact that the Honourable Pandit Madan Mohan Malaviya himself defied that order not long ago?

Pandit Madan Mohan Malaviya: And he will defy a similar order again if opportunity arises.

Dr. A. Suhrawardy: And there was no riot!

FAILURE OF THE INDIAN BROADCASTING COMPANY.

Dr. B. S. Moonje (on behalf of Mr. Lalechand Navalrai): (a) Will Government be pleased to state if it is a fact that the Indian Broadcasting Company inaugurated in Bombay in 1927 has suffered heavy losses?

(b) Is it a fact that it is unable to carry on from more royalty received by it from licences of the wireless sets?

(c) Is it a fact that the broadcasting stations at Bombay and Calcutta will be closed by the end of February, 1930?

(d) Will Government be pleased to state if the Company has been receiving any subsidy from the Government of Bombay or the Government of India?

(e) Is it a fact that, in order to save the situation, the Company applied for a subsidy from Government? If so, for how much?

(f) Was the subsidy asked for refused? If so, by which Government and for what reasons?

(g) Do the Government of India, in the interests of the usefulness of broadcasting in India, propose to help the Company to avoid the crisis?

(h) If the answer to part (g) be in the negative, do Government propose to make any other arrangement to establish broadcasting in India and which? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) Government understand that the fact is as stated.

(b) It has been reported to Government that the Company is unable to carry on on the proceeds of its receipts both from licence fees and percentage of the value of imported wireless apparatus.

(c) Government have been informed that the Company intends to cease broadcasting at the end of this month.

(d) No direct subsidy has been given, but the Company receives 80 per cent. of the broadcast receiver licence fees realised by Government.

(e) Yes. Various methods of assisting the Company have been suggested. The latest suggestion was that a subsidy of Rs. 2 lakhs per annum for a minimum period of two years might suffice.

(f) The Government of India, with whom the Company has been in correspondence, have not seen their way to grant a subsidy, as they were not fully satisfied that such a grant would be justified or that it would be the best and most economical method of ensuring the development of broadcasting in India.

(g) Government have decided that it is undesirable for them to intervene in the affairs of the Company at the present juncture.

(h) The matter is engaging the attention of Government and I shall make a statement in the House on the subject as soon as I am in a position to do so.

Mr. M. R. Jayakar: Will Government consider the desirability of granting the subsidy on such terms as they think are economical?

The Honourable Sir Bhupendra Nath Mitra: At the present moment, Sir, I regret that I can add nothing to what I have already stated.

Mr. K. C. Roy: Have the Government received any special advice from an expert body of opinion regarding the possibility of success of broadcasting in India?

The Honourable Sir Bhupendra Nath Mitra: I do not precisely know what my Honourable friend means by "expert body of opinion", but I believe that some years ago the matter was discussed by Government with certain public men, including certain Members of this House, and my Honourable friend Mr. K. C. Roy was one of them. (Laughter.)

Mr. K. C. Roy: Do I understand that the Honourable Mr. Sams, who presided over the conference, was not included in the conference?

The Honourable Sir Bhupendra Nath Mitra: I was referring to non-officials.

Mr. K. C. Roy: Will the Honourable Member be pleased to lay a copy of Mr. Sams' report on the table?

The Honourable Sir Bhupendra Nath Mitra: I have not got the report here at the present moment, but I shall consider that suggestion.

Sir Hugh Cocke: Have Government considered the possibilities and the cost of developing broadcasting to towns and villages throughout India with a view to correcting the wrong news and the wild information which is spread at present?

The Honourable Sir Bhupendra Nath Mitra: Government have not gone into the matter in any great detail.

Sir Hugh Cocke: Will Government consider that question and go into it in detail?

The Honourable Sir Bhupendra Nath Mitra: Sir, the problem immediately before Government is whether they should attempt to maintain the existing avenues for the development of broadcasting in India. The problem to which my Honourable friend Sir Hugh Cocke has referred is a much wider problem and it may involve a considerable amount of expenditure. I submit that the consideration of that problem must appropriately come at a later stage.

MESSAGES FROM HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL.

Mr. President: I have received two communications from His Excellency the Viceroy and Governor General regarding the Railway Budget and I will read them to Honourable Members:

"For the purposes of sub-section (1) of section 67-A of the Government of India Act and in pursuance of rules 43, 46 and 47 of the Indian Legislative Rules, I, Edward Frederick Lindley, Baron Irwin, hereby appoint the following days for the presentation to the Legislative Assembly of the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of Railways and for the subsequent stages in respect thereof in the Legislative Assembly, namely:

Monday, the 17th February ... Presentation in the Legislative Assembly.

Wednesday, the 19th February ... General Discussion in the Legislative Assembly.

Friday, the 21st February ... }
Saturday, the 22nd February ... } Voting of Demands for Grants in
Monday, the 24th February ... } the Legislative Assembly.
Tuesday, the 25th February ... }

New Delhi,
The 7th February, 1930.

IRWIN,
Viceroy and Governor General."

(The message was received by the Assembly Standing.)

"In exercise of the powers conferred by rule 2 of the Indian Legislative Rules, I, Edward Frederick Lindley, Baron Irwin, hereby appoint the Honourable Sir George Rainy, to perform the functions assigned to the Finance Member under rule 46 of the said Rules on the occasion of the general discussion appointed for Wednesday, the 19th February, on the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of Railways.

New Delhi,
The 7th February, 1930.

IRWIN,
Viceroy and Governor General."

THE CANTONMENTS (HOUSE-ACCOMMODATION AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. G. M. Young (Army Secretary): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Cantonments (House-Accommodation) Act, 1923.

RESOLUTION RE MEDICAL RESEARCH.

Mr. President: The House will now resume further discussion on Mr. Jayakar's Resolution* which was moved on 8th February, 1930.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, on the last occasion I said that the Honourable Member, on behalf of Government, did not meet the Resolution. First of all I want the House to know this, that on this question of the location of this institution at Dehra Dun, there is a very very strong feeling against it, and I think the Honourable Member is aware of it, and I think the Government too are aware of it. There is a very strong feeling, not only among those who are entitled to speak as professional men, but I venture to say that there is a very strong feeling among the general public. Dehra Dun is hardly the place where this institution should be transferred. Several questions were put in this

*"This Assembly recommends to the Governor General in Council (a) to appoint a committee with a non-official majority and an adequate representation of the independent medical profession to inquire into and report on the following points, and (b) to hold over the proposed transfer of the Medical Research Institute, Kasauli, to the Chandbagh building at Dehra Dun till this committee's report is considered by the Assembly:

- (1) The most suitable University centre for the establishment of the Central Medical Research Institute;
- (2) The constitution of the Governing Body of the Indian Research Fund Association; and
- (3) Recruitment for the Medical Research Department."

House and it seemed at one time that the Government were determined to carry out that decision and to take this institute to Dehra Dun, but I am glad now, at any rate, that the door is just open a little and the Honourable Member, on behalf of Government, said that the chapter is not closed on that subject. But, Sir, having said that, he proceeded to say that he did not like a committee—and I can tell you, Sir, and the House that committees should not be appointed lightly in my opinion—but I think my Honourable friend Mr. Jayakar realised the strong resentment and the strong public opinion which compelled him to table the Resolution in the terms as he did, that a committee shall be appointed, to do what—I want the House clearly to understand—to do this, to enquire and report, firstly, on the most suitable University centre for the establishment of the Central Medical Research Institute. Now, to that what is the answer of the Government? The answer of the Government is this: "It is true we are open to consider whether Dehra Dun should be the place where the institute shall be located, but we are going to get the estimate of the cost for that purpose". When you have got the estimate of the cost, will that decide? That is the first question I want to know. Supposing you get an estimate of the cost, do you think that that would reasonably finish the question?

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): No, Sir.

Mr. M. A. Jinnah: Then, will you consider other places, which are emphasised by this Resolution? And I can assure the Government that, as far as I have been able to understand public opinion, it is dead against Dehra Dun. The public opinion is this, that you must select some suitable University centre for the establishment of the Central Medical Research Institute. Having pushed yourself to the limit that you had closed the chapter, you yourself found that part of that institute would have to be at Kasauli, and you yourself found that it would be half and half. Therefore, I say that it is most essential that a place should be found which is a suitable University centre. Therefore, would you consider Dehra Dun along with that University centre or centres? That is the next question. Therefore the Honourable Member, on behalf of Government, if he insists on Dehra Dun, is not meeting my Honourable friend, Mr. Jayakar, who emphasises, in his Resolution, that the place must be a suitable University centre. I do ask the Government to give me an answer on that point, and I say that, if you are going to consider a suitable University centre along with Dehra Dun, then you should also get an estimate of the cost of the various University centres. How would your conference otherwise decide? On what facts and merits? Would the conference decide in favour of one or the other place without considering the relative cost of all the University centres? Therefore it seems to me that there is still the thin end of the wedge so far as Dehra Dun is concerned. I am not satisfied so far with the observations which the Honourable Member has made.

Then, let us take the second point. The second point is this, the constitution of the Governing Body of the Indian Research Fund Association. Now my Honourable friend's Resolution wants that a committee should be appointed to inquire into the constitution. I am told by the Honourable Member that they have already reconstituted this Governing

[Mr. M. A. Jinnah.]

Body. He said that there were seven non-official members—I think the Honourable Member will correct me if I am wrong—and seven officials. I think he also mentioned the names which, of course, I was not able to catch. It is very difficult to remember 14 names when they are rapidly mentioned. But I am assuming that they are all honourable men and they are also very good men, and that the Honourable Member has done his very best and exercised all the abilities that he, of course, possesses in selecting them. But that does not meet the point. Of course the Honourable Member qualified—and I must say this in all fairness to him—and said that even this question of the constitution of this body which has now been reconstituted will be placed before the conference. I must say, in fairness to him, that the conference will be given an opportunity to examine the merits, the qualifications and the status of these 14 men. So far I grant it is an advance.

Then with regard to the third point, the recruitment for the Medical Department; this question also, he said, will be placed before the conference. Therefore, Sir, what the Honourable Member now suggests is this. Instead of a committee a conference will be held, and he was good enough to tell us that there will be two representatives of this Assembly who will be selected or nominated to that conference.

Now, Sir, I come to the most important point. Will this conference decide this very important question by votes? Supposing there is a difference of opinion in the conference, who will be the final arbiter? That is the next question. Will the Honourable Member come to this House finally before Government take their final decisions on these questions? I do not care whether it is a committee or whether it is a conference; and if the Honourable Member is very keen on having a conference instead of a committee, and if he thinks it is a more practicable way of dealing with this question, I have no special objection to that. But the point that I want to emphasise is this: Will Government place before this House the proposals which they formulate, before they take their final decision on this question? Because this is a very important question and Government should not take any final step without ascertaining the views of this House. The advantage of a committee is this: When a committee is appointed, they make their report; they give their reasons and their facts and figures for their conclusions, and when the report is submitted to the Government of India, it is ordinarily and normally expected that the Government of India, before they take any steps upon the recommendations of the Committee, would consult this House. That is what is normally expected; and I do not wish that, under the guise of a conference, Government should depart or run away with this question as if they had nothing more to do with this House, and that under the guise of this conference they will take the opinion of the members of this conference and then finally decide as they like without giving an opportunity to this House to pronounce an opinion on these very important questions. Therefore, unless the Honourable Member gives me this assurance, particularly with regard to my last point, I will certainly press this Resolution.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I rise to support the Resolution moved by my Honourable friend, Mr. Jayakar, and oppose the proposition advanced by Sir Frank Noyce. Sir, it seems that Sir Frank Noyce is patting the different major provinces. He has

patted the gentlemen of Bombay, Madras and Bengal in their backs, and wants to exclude the medical profession of certain other provinces from being represented in the conference and in the Indian Medical Council. Sir, on behalf of the Patna University and on behalf of the Province of Bihar and Orissa I strongly protest against this discriminating attitude which my Honourable friend, Sir Frank Noyce, has adopted. I find that this discriminating policy of Government towards the Patna University is not confined only to the Department of Education, Health and Lands. It is also evident in the treatment of the Railway Board, in that it has not so far accepted the Engineering graduates of the Patna University as eligible for services in the Railway Department. Probably it may be the same with my Honourable friend, Sir Bhupendra Nath Mitra, when he employs engineers for the Indian Stores Department. I cannot understand why this step-motherly treatment is sometimes adopted by Government towards provinces which are not adequately represented on the Treasury Benches. Yet I find that my province is only represented by Sir George Rainy on the Treasury Bench but probably he has forgotten his past connection with my province.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Why don't you have it in Delhi and settle all these provincial jealousies?

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Delhi was rejected by Government themselves.

Mr. B. Das: If I had my own way, I should like to see the Delhi Province comprised of only Delhi town and not a bigger province.

Sir, after recording this strong protest on behalf of my province, I now ventilate before the House the unanimous protest that the Indian medical profession has recorded before Government and has placed before the country regarding Government's attitude about the Indian Medical Council and about the location of the Central Medical Research Institute at Dehra Dun. Sir, I was surprised to read a statement issued by Dr. Jivraj Mehta, a well-known medical man in Bombay, and at present the Director of a medical institute which is in no way inferior to the Grant Medical College at Bombay. He mentioned in a statement, which he circulated, that the Government had managed to spend a sum of money on the foundations of the buildings at Dehra Dun, which was equal to "the sum of money which had been donated by the Rockefeller Foundation on account of the cost of site of the buildings and equipping of the Public Health Institute at Calcutta". That shows how Government squander public money and how they, without respecting and ascertaining the views of the public, go on spending money on lime and mortar. And yet today we are still considering whether Dehra Dun will be a proper place for the location of the Indian Medical Research Institute.

Sir, the opposition that has so far been advanced by the Indian medical profession is that Dehra Dun is not a central place. It is only a place where different Government institutions are located, and it may be compared almost to a cantonment town in India or to Fort William in Calcutta. In that atmosphere, no public institution can thrive, as it is overridden by only Government officials and will always have an official prejudice, and will never allow the proper development of a national institution like the Central Medical Research Institute.

[Mr. B. Das.]

I will quote another eminent doctor, a well-known medical man of Bombay, Dr. G. V. Deshmukh, who happens to be the President of the Bombay Medical Union. In his letter to the Secretary to the Department of Education, Health and Lands, on the 30th August, 1929, he wrote:

"The Union cannot acquiesce in such an appointment and desires to reaffirm its opinion in favour of the creation of an all-India Medical Council, having on it representatives of all the Indian Universities",—

I lay stress on that, and Sir, the Members from Bihar and Orissa in this House will not tolerate the exclusion of the Patna University—

"the independent medical profession and the nominees of Government, and having the powers and privileges similar to those enjoyed by the General Medical Council of Great Britain and Ireland."

Sir, our complaint is, and everybody on this side knows, that this Council is not going to be an independent Council, for it is going to be controlled by the dictates of the Medical Council in Great Britain. It seems that those of the medical profession who are on the unemployed list in England want more and more jobs for themselves. So in this Medical Research Association, which is going to be created, the expert and research officers are not going to be Indians. Already an I. M. S. Officer was about to be appointed—I think his name was Colonel Needham—but his appointment had to be stopped. Who gave these heaven-born services all the spirit of research and all the knowledge? We are in the midst of reforms. One stage of reforms has passed and another stage is expected, and we do not want this spirit in the Government Departments of creating secret strongholds of their own race, so that when we try and encroach and establish our own rights, we find ourselves nowhere. We here find a Medical Council is going to be established which will find places for the senior men of the I. M. S. profession, and Indians will not have the necessary opportunities to do the research.

I will also quote a few lines from another letter that I have received. This is from the resolutions passed at the meeting of the medical profession of Bombay held on the 17th January, 1930. The I. M. S. is not represented there. In paragraph (b) of their second resolution, they suggest:

"That pending the creation of an All-India Medical Council, an Inter-University Board composed of representatives of the Medical Faculties of the Indian Universities be constituted to take organised action for the regulation of medical qualifications and standards."

This is a different point. But I am suggesting that, in regard to the establishment of the Council, the considered opinion of the Indian medical profession should be given effect to. (Interruption.) I am glad that my Honourable friend, Mr. Neogy, reminds me that my Deputy Leader's Resolution is for the establishment of a Research Institute with proper constitution of its governing body. The Government want to include his province because Bombay is too powerful. I want the Government not to back up always the major provinces, excluding the interests of other provinces.

Mr. M. A. Jinnah: Such as Assam.

Mr. B. Das: Yes, such as Assam. But Assam's interest will be looked after by my friend Mr. Abdul Matin Chaudhury.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): Baluchistan.

Mr. B. Das: My province, Bihar and Orissa, where we have established a full-fledged medical college and a full-fledged engineering college, should have its recognition and its representation on the Medical Research Institute. My Honourable friend, Sir Frank Noyce, may not have visited my province because he comes from Madras. Why does he allow a Madras representative in that conference or on that Council? Why did he not leave out Madras? With these remarks, Sir, I plead for the Patna Medical College with all the earnestness at my command.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): My Honourable friend, Mr. B. Das, has spoken on this Resolution in his usual way and made a speech which contained points, in no way relevant to the Resolution before the House. The Resolution is not about the appointment of a Commission or a Committee or this and that. The only point before the House is whether this Medical Research Institute should be located at Dehra Dun or at some other place. Now, Sir, we have got to see what is a suitable place for an institution like this. (An Honourable Member: "Moradabad.") Moradabad or Dehra Dun. The people of Bombay and the people of Calcutta are very jealous, and they want that everything of importance should be located in their places. They want that all important institutions should be established either at Bombay or at Calcutta. We know how much cry was raised when the Capital of India was removed from Calcutta to Delhi, and I find it repeated now. It is admitted by all educational experts that big towns like Calcutta and Bombay, where there are so many other engagements and amusements, can never be suitable for any research institute or any educational work which requires the concentration of mind.

Mr. M. A. Jinnah: Go to the Himalayas. (Laughter.)

Maulvi Muhammad Yakub: I would prefer the Himalayas rather than Bombay. People from Bombay and Calcutta certainly would like to have the institution in their own place which would be to their benefit. But really big places, big towns, are never suitable for such institutions. Now, Dehra Dun is a place where we have got a temperate climate, where one can stay without feeling inclement weather for 12 years. (Laughter.) I mean for 12 months in the year, and you will not incur expenditure on sending your officers to Simla or to some other hill station. Then again, in Dehra Dun you have got other sister educational institutions and all the other environments of that place are suitable for such an institution. It has been said that Dehra Dun is a place where there are many Government institutions and the atmosphere of Dehra Dun is full of officialdom. But if you compare Dehra Dun with Calcutta or Bombay, you will find that there can be no comparison at all. Calcutta and Bombay and such other big cities are much more saturated with the official atmosphere than Dehra Dun. (Cries of "No, no.") Then they say that Dehra Dun is not a central place. I say that, in a huge, big country like India, it is very easy to say that this is not a central place and that is not a central place. In fact if you take the majority of the

[Maulvi Muhammad Yakub.]

provinces, for instance, the Punjab, the United Provinces, Bihar and Orissa, you will find that

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muhammadan): It is nearer Moradabad.

Maulvi Muhammad Yakub: It is nearer to Benares, Aligarh and other places which are the central educational places in this country.

Nawab Sir Sahibzada Abdul Qaiyum: Nearer to Hardwar especially.

Maulvi Muhammad Yakub: As my Honourable friend says, nearer to Hardwar, which is one of the most sacred places in India where thousands of pilgrims flock every year. (Laughter.) Considering all these facts, I do not think that there can be any other place more suitable for an institute like this than Dehra Dun. I am really surprised that my Honourable friend, Sir Frank Noyce, has taken a faltering step and that he says that this question has been kept open. It is this faltering attitude of the Government (Hear, hear and Laughter) which spoils their schemes. I do not find the Government of India ever firm in any action they take. (Hear, hear.)

Raj Sahib Harbilas Sarda (Ajmer-Merwara: General): What about the Child Marriage Bill?

Maulvi Muhammad Yakub: There too they were hesitating until they were supported by my Honourable friend himself, and even now they are hesitating. I wish that this question were decided once for all, and let the decision be that the institute be located at Dehra Dun and Dehra Dun alone and at no other place. (Laughter.) With these words I oppose the Resolution.

Dr. Zia-ud-din Ahmad (United Provinces Southern Divisions: Muhammadan Rural): May I suggest for the consideration of my Honourable friend, Sir Frank Noyce, whether it is or is not desirable to separate teaching from research work? Opinion on this point is very much divided. Some years ago it was considered that research ought to be separate from teaching, but the opinion is now changing, and I hope that he will consider this point.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I am very sorry to find that this important question is being discussed in a spirit of provincial competition. (An Honourable Member: "And levity.") I may tell my Honourable friend the Deputy President of this House that this Resolution is identically the same as the one that was passed unanimously at the last All-India Medical Conference which was held at Lahore during the Christmas week of 1929, and I understand that the medical profession of the province from which he comes was also amply represented on that conference.

Maulvi Muhammad Yakub: They must have been in a minority there.

Mr. K. C. Neogy: They might have been in a minority, but what I say is that this particular Resolution was unanimously adopted by all the representatives of medical opinion from all parts of India. I am very sorry therefore, Sir, that my Honourable friend made a special pleading in favour of one particular town about which the Government themselves do not appear to be very enthusiastic at the present moment.

Sir, with regard to the other point, to which reference was made by Dr. Zia-ud-din, as to whether the research activities of the Medical Department should be associated with or divorced from teaching, I find an authority to which some weight, I trust, will be given by Sir Frank Noyce. I understand that one Major Bradfield of the Indian Medical Service was deputed by the Government of Madras to the United States of America in 1921 to study the methods of medical instruction in that country, and that, on his return, he submitted a very detailed report on the subject, which has been summarised in the *Indian Medical Gazette* of August, 1922, in the course of which this doctor says that, except in perhaps the Rockefeller Institute, research and medical education in America are very intimately connected, and he further proceeds to say that the organisation of the research department of India as a separate department is a great loss to the country. It was in support of this particular idea, I take it, that the medical profession in India have expressed themselves in favour of the Central Research Institute being located at one or other of the University centres in India. So far as the claims of Calcutta are concerned, I may assure my Honourable friend the Deputy President of this House that, if a suitably constituted committee, which has the confidence of this House, decides against Calcutta, I would be the last person to grumble. So far as the complaint of my Honourable friend Mr. Das is concerned, I think it is a legitimate complaint. (Mr. B. Das: "Thank you.") He was not putting forward the claims of the different minor administrations which go by the name of provinces; all that he was claiming was that, while you are granting representation to the medical faculty of certain Universities in India, there is no reason why you should deny representation to certain other Universities which have got medical faculties of their own, and I have no hesitation in supporting that particular sentiment of my Honourable friend from Orissa.

Now, Sir, as my Honourable friend, Mr. Jinnah, has rightly pointed out, the most important point raised in this Resolution is that Government should stay their hands till the matter has been fully discussed in this House. My Honourable friend, Sir Frank Noyce, was absolutely silent on that particular point. This is one of the essential features of this Resolution, that the committee's report should not be acted upon unless and until an opportunity has been given to this House to express its opinion thereon, and I would emphasise this particular point, because, as my Honourable friend from Bombay has said, this is not a question merely affecting the interests of the medical profession alone, but the public at large have been taking a very great interest in the question. I trust therefore that the Honourable Member representing the Department of Education, Health and Lands, will find it possible to supplement his statement in such a way as to make his offer acceptable to this House.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I congratulate the Department of Education on its decision to meet the Mover of this Resolution more than half-way, and I hope that when the Honourable Sir Frank Noyce speaks next, he will go further and accept fully the recommendation that is contained in the Resolution and which has been emphasised by my Honourable friend, Mr. Jinnah. The matter is of supreme importance to the country, and a consideration by this Assembly of the final report which may be submitted on the subject, will, I venture to say, be of practical help in arriving at a correct conclusion.

[Pandit Madan Mohan Malaviya.]

As regards the question whether the Institute should be established at a University centre or at a centre like Dehra Dun, I would say unhesitatingly that a University centre has great advantages. A medical research institute will be an institution of deep interest and concern, not merely to the medical profession, but to the people of India as a whole. I expect great results from it. But it is of the essence of the success of such an institution that it should be situated at a University centre where you get a number of scientific men to co-ordinate their activities and to help one another by their suggestions and by their work in considering problems and finding solutions. A University centre which has got a number of scientific men working from day to day at it, is, I submit, by far the most suitable centre for such work. Dehra Dun has its advantages. I myself love the climate of Dehra Dun. But Dehra Dun is isolated—nobody can deny it—and if you place your institute and your research men at Dehra Dun, they will have to depend, in carrying on their work, entirely, on their own inspiration and knowledge, whereas at a University centre, they will be helped by one another, and the total accumulated wisdom of the men at the University will make a very important contribution to the work which the Institute will have in hand.

There are three factors which have to be borne in mind. The first and most important is the number of medical men who will be available at a centre, and I fear that the very fact that Dehra Dun has a very pleasant climate, a very healthy climate, makes it rather difficult to have a large number of medical men there. The number of medical men there must always be limited, and it is well that it should be limited. Dehra Dun would cease to be what it is if it became a place where a body of medical men would always be found to be necessary. It is only at important populous centres that you find a number of private medical practitioners. Whichever place you select, whether Calcutta, or Bombay, or Madras, or Lahore is not a matter of so much concern to those who are interested in this Institute, as that the place should be one where you can always expect to find a large number of eminent active medical practitioners who will have the necessary knowledge and who will have the interest and enthusiasm necessary for carrying on the work. So this is one important consideration in the matter of the location of the Institute, namely, the presence of a large body of medical men, both official and non-official, at the place to be selected.

The second important point is that the location of the Institute at a University centre makes it possible for the professors of various departments of science to co-operate one with the other and to co-ordinate their words. The professors of zoology, the professors of botany, the professors of chemistry, the professors of physics, all may contribute to some extent to the result of the labours of the medical men who are engaged on research work there.

The third is the number of cases that will be available to the Institute at the place at which it is located. You cannot expect to find at Dehra Dun as many interesting cases which will present problems to the Institute as you can find at an important centre like Lahore or Lucknow or Calcutta or Madras or Bombay or any other populous town. Therefore that also is an important consideration; and I hope that this point will also be borne in mind. There should be no question of any provincial jealousy in this matter. We can have only one central medical research institute; and we

should be very grateful if such an institute is established and is properly supported by funds and encouraged to do its work in a centre which may be considered by the proposed committee or conference and by this Assembly to be the most suitable place for it; and I have no doubt that the Government of India will look at this problem in that light and accept the Resolution which has been moved by my Honourable friend, Mr. Jayakar.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): Sir, so far as I could follow the speech of the Honourable Secretary in the Education Department, I understood him to say that all the three points which are mentioned in my Resolution will be submitted to the consideration of this conference, namely, as to what would be the most suitable University centre

Sir Frank Noyce: Suitable centre, not suitable University centre.

Mr. M. R. Jayakar: Alright, as to what will be a suitable centre for the establishment of the Central Medical Research Institute; secondly, the constitution of the Governing Body and lastly, the recruitment for the Medical Research Department. I say so, because from the report of his speech which has appeared in the Press it is not quite clear whether he intended to leave all these three questions as open, to be determined by the conference; and therefore I want to know definitely whether he is agreeable that all the three points should be submitted for the consideration of the conference which he proposes.

The second thing which I wish to make clear is that his proposal only substitutes a conference for the committee which I want, and that the result will be the same, namely, that the result of the deliberations of this conference will be subject to revision or approval by this House. I may state that my Resolution asks for a committee, but it does not stop there, it goes further. In clause (b) I desired that the Government of India should hold over the proposed transfer of the Medical Research Institute to Dehra Dun till the committee's report was considered by the Assembly. Does he agree to this, that the results of this conference will stand in the same position as the report of the committee would have stood? Does he agree that this Assembly should have an opportunity of considering the decisions of the conference and that until the views of the Assembly on those decisions are obtained the Government of India will stay their hands? That is really the essence of my Resolution. I do not mind the substitution of a conference for a committee, although there are specific advantages which can be obtained by having a committee, *e.g.*, a non-official majority. I am, however, quite agreeable that the committee should be replaced by a conference, provided the Honourable Member agrees that the result of the decision of this conference will stand in the same position as the report of my committee would have stood, and that this Assembly would have a chance of considering the merits of such decisions; and further that until such consideration was given by the Assembly, the Government would hold over all action on that matter. I therefore want to know specifically from the Honourable Member whether he agrees to this.

The third point which I should make clear, is in connection with the proposal of the Honourable Member, namely, that the medical faculties of Madras, Bombay, Calcutta, Lucknow and the Punjab would send one representative each—I wish to have it made clear whether the Government of India will go a step further and agree that this representative should preferentially be a non-official. I am anxious, Sir, that the point of my

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[Sir Frank Noyce.]

of the conference, because I did my best to explain on Saturday that it will be the duty of the conference to submit its recommendations and suggestions to the Government which will give them their most careful consideration. It is for Government obviously to come to a final decision in this matter.

Mr. Jinnah asked me if the conference would proceed by a vote. I very much hope that no voting will be necessary, and that we shall be able to come to a compromise and to submit to Government suitable proposals acceptable to all parties, but if there is any difference of opinion, it will naturally be reported to Government.

He also asked me why the cost of Dehra Dun alone should be worked out and placed before the conference. The reason for that obviously is that we have got so far with Dehra Dun that we should like to work the whole scheme out and make the material complete before we summon the conference, but I can assure my Honourable friend that, if the conference desires to have the same information in regard to any University or other centre, we shall be glad to get it. The point is that we cannot have a roving committee going round to inquire into the cost of establishing a Central Medical Research Institute at different centres until we have a rather more definite opinion as to which is the best centre at which the institution should be located. Therefore, Sir, I think it is for the conference, in the first instance, to make up its mind and say what are the two or three places it would like considered, and if it does so, we shall then be happy to obtain for it the same material in regard to those centres as we hope to be in a position to place before it in regard to Dehra Dun.

Mr. M. A. Jinnah: You mean with regard to the cost?

Sir Frank Noyce: Yes. Now, as regards the point raised by Mr. Das, it was the desire of Government to keep this conference as small as possible, but I can assure him at once that we have no objection whatever to a representative of the Patna Medical Faculty being included. I think Patna and Rangoon were the only Universities left out, and we shall be glad to ask them if they wish to send any representatives to the conference.

Pandit Madan Mohan Malaviya: I hope Lucknow also will be asked to send a representative.

Sir Frank Noyce: Lucknow is already in the list. I can also assure the Honourable the Mover of this Resolution that, in asking for representatives of the faculties of the different Universities, we will express a desire that they should be non-officials.

Now, Sir, I trust I have met the wishes of the House on all points except one, and that is perhaps the most important point of all. It is the question whether the proceedings of the conference will be submitted for the opinion of this House. I have no doubt in my own mind whatever that, as the result of the conference will involve a considerable modification of the original proposals which were placed before the Standing Finance Committee and approved by it, it will be obviously necessary for us to go to the Standing Finance Committee again for its approval of any new scheme and that the matter will, in the normal course, come before the House for consideration. Whether any other opportunity should be given for discussion must, I think, largely depend upon the results of the conference; but I can only promise that the question will be most carefully

considered. I trust, Sir, that this assurance will satisfy the Honourable the Mover of this Resolution.

Mr. M. A. Jinnah: Will the Government stay their hands until the question is considered by this House, by whatever mode, whether at the time of Demands for Grants or in any other form? What I mean is, will Government stay their hands before taking action upon the conclusions of the conference until those conclusions are considered by this House in whatever form or in whatever stage, either when the Demands for Grants come up for consideration or in any other form?

Sir Frank Noyce: I can give the Honourable Member the fullest assurance on that point. I had hoped that it would be perfectly clear from what I said both on Saturday and today that Government have no intention of spending any more money on Dehra Dun beyond the sum involved in the allowance for Colonel Christophers for his work in connection with the plans and estimates, until the matter has come before this House, as the Honourable Member has said, in some form or other.

Mr. M. R. Jayakar: I beg to withdraw my Resolution.

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

Mr. President: Mr. Pandya.*

(The Honourable Member was not in his place.)

Mr. President: Mr. Acharya.

Mr. M. K. Acharya: I am not moving.†

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): In view of the assurance given to me by the Honourable the Home Member that he would take action in this matter, I do not desire to move my Resolution.‡

Mr. President: Raja Raghunandan Prasad Singh§

(The Honourable Member was not in his place.)

* To move the following Resolution :

"This Assembly recommends to the Governor General in Council that he may be pleased to take steps for the enlargement of Delhi Province, into a Governor's Province, by the addition to it of the Meerut Division of the United Provinces, and the Ambala Division of the Punjab in response to the popular demand."

† "This Assembly recommends to the Governor General in Council to be pleased to appoint a committee of officials and non-officials to inquire into the allegations about the difficulties placed in the way of the development of inland water-transport, by Indians, contained in the representation (dated the 7th September, 1929) made to the Government of India (Department of Commerce) by the Bengal National Chamber of Commerce, Calcutta."

‡ "This Assembly recommends to the Governor General in Council that steps be taken at an early date for the formation of a committee of officials and non-officials to hold an inquiry into the management of Waqf administrations in India with a view to creating a Department of Pious Foundations like the Ministry of Waqf in Turkey and other Muslim countries."

§ To move the following Resolution :

"This Assembly recommends to the Governor General in Council that he may be pleased to arrange for early establishment of primary nautical schools in selected marine stations and the introduction of marine engineering as a subject of instruction in all Government engineering colleges."

RESOLUTION RE ENFRANCHISEMENT OF INDIANS IN CEYLON.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Before I move my Resolution, I request your permission to make a slight alteration in the Resolution. I should like to add after the words "Governor General in Council", the words "to represent to His Majesty's Government". I trust you will have no objection to my adding those words.

I beg to move that:

"This Assembly recommends to the Governor General in Council to represent to His Majesty's Government that the proposals of the Government of Ceylon regarding franchise, which have been accepted by the Colonial Office, in so far as they make possession of a certificate of permanent settlement and renunciation of the protection of the Government of India by Indian immigrants a condition of eligibility to vote should not be put into effect and that immediate steps should be taken to secure the adoption of the original recommendations of the Donoughmore Commission making five years' residence the basis of the franchise."

Sir, till recently Indian opinion was considerably agitated with regard to the position of Indians in East Africa. While we were fighting for the honour and self respect of our countrymen there, the Indian question in Fiji became acute, and we found that underlying the question of citizenship in the Empire were racial problems in Fiji as well as in East Africa. A few weeks ago we learnt, to our astonishment, that the same problem had cropped up in Ceylon also, which is at our very doors and which has been bound to us by economic and cultural ties for generations, in fact for centuries past.

Before I deal with the significance of the question I have placed before the House from the Indian point of view, I should like to state briefly the facts that have led to the present position. Some time ago, His Majesty's Government appointed a special commission to report on the Ceylon constitution. The Commission found that in Ceylon women were disqualified from being electors and that, so far as the male population was concerned, the franchise was based on literacy and possession or occupation of property and enjoyment of income of a prescribed value. The Commission came to the conclusion that, if a constitutional advance was to be made in the status of Ceylon, it was necessary that the electorate should be widened. It accordingly recommended manhood suffrage in the case of males and the enfranchisement of all women not less than 30 years of age. As this question had an important bearing on the position of Indians resident in Ceylon, the Commission devoted a section in its Report to the examination of this matter. There are about 700,000 immigrant Indians or labourers on tea and rubber estates in Ceylon at the present day. In considering the qualifications for the franchise, the Commission recommended that:

"A qualification of five years' residence in the island . . . should be introduced in order that the privilege of voting should be confined to those who have an abiding interest in the country or who may be regarded as permanently settled in the island."

and said:

"As will be seen later, this condition will be of particular importance in its application to the Indian immigrant population."

It is clear therefore that, in fixing the qualifications for franchise, the Commission considered carefully the relation of Indians to the rest of the

population of Ceylon, and deliberately arrived at the conclusion that the qualifications it had fixed would be fair to all parties concerned. I would go further and draw the attention of the House to an important circumstance. At present the Indian community in Ceylon, known as Indian Tamils, are represented in the Legislative Council by two Members. As the Commission was in favour of the abolition of communal electorates, it had naturally to consider what the effect of joint electorates would be on the position of the Indian community. It expressed the view that, while the existence of two representatives of the Indian community in the Ceylon Legislative Council might have tended to improve its position, yet in the main Indian rights would depend on two other considerations. One was the continuous pressure exerted by the Government of India in favour of the Indian population in Ceylon. The other was that, in case franchise was granted to the Indian population on the same terms as to other communities in Ceylon, their position in the electorate would be a sufficiently strong one to enable them to protect their just rights. On these grounds therefore the Commission treated Indians in regard to electoral qualifications on the same basis as other constituent portions of the Ceylon population, and also recommended the abolition of communal representation, not merely for non-Indians but also for Indians.

Shortly after the Report of this Commission was made public, it was debated in the Legislative Council of Ceylon, I believe in 1928. It was generally felt there that the reforms recommended by the Commission were not substantial, and that they would not pave the way for the introduction of responsible government in that Colony. The Report of the Commission was therefore rejected by the Ceylon Legislative Council. Thereupon, the Governor of Ceylon sent a despatch to the Colonial Office dealing with the views of the Legislative Council as regards the Report of the Special Commission, and recommended some alteration in the franchise proposed by the Commission. But to anyone, Sir, who has read the debate that took place in the Ceylon Legislative Council on the Report of the special Commission, it must have been apparent that the strongest ground of objection to that Commission was the feeling of the Members of the Legislative Council that the Report did not substantially advance the political position of the Colony. If, therefore, His Majesty's Government wanted to conciliate the population of Ceylon, one would have thought that they would make proposals which would be in advance of those made by the Commission. We find, however, that, by arrangement between the Governor and the Colonial Office virtually a bribe was offered to Ceylon at the expense of the interests of Indians resident therein.

In order to prove what I have said, I will draw the attention of the House to the substance of the recommendations of the Governor with regard to Indian franchise. The Governor makes domicile the basis of the franchise in Ceylon. As regards those who are undomiciled, he proposes that, while five years' residence should certainly be insisted on, with residence there should be coupled the condition that those who wish to be registered as voters should produce a certificate of permanent residence in the Colony. It is desired that an Indian who is not already domiciled in the Colony and who has been residing there for five years should produce a certificate of his intention to reside there permanently, and at the same time make a declaration that, while registered as a voter, he or she would renounce any claim to special protection by the Government other than that of Ceylon, or to any statutory rights, privileges or exemptions to which residence of all races and communities were not entitled.

[Pandit Hirday Nath Kunzru.]

I will deal, Sir, with the full implications of the demand made by the Governor a little later, but I must point out at this stage that the Colonial Office, in the despatch which it recently sent to the Governor of Ceylon, has accepted the principle recommended by him. It could not but be apparent to the Colonial Office that there is scarcely any question on which Indian opinion feels as keenly as the status of Indians abroad. It must have been clear to them in regard to East Africa that public opinion and this House and the Government of India have all together insisted on India being consulted fully and freely before any decision was arrived at affecting the position of Indians in that Colony. With these things before them, in regard to Ceylon, a decision vitally affecting the rights of our countrymen in that Colony has been arrived at without giving either the people of India or this House any opportunity of expressing themselves on a question of so grave a nature. I do not know whether the Government of India were consulted or not. I should like to know whether the Government of India demanded that they should be consulted in a matter of such fundamental importance. If they did put forward such a demand, I should further like to know what was the response to it from the other side. Did the Colonial Office, before it arrived at a final decision, give the Government of India an opportunity of making representations on behalf of our countrymen in Ceylon? If the Government of India failed in this respect, or if the Colonial Office did not give us an opportunity of making ourselves heard on a question of so grave a nature, we must enter our most emphatic protest against the course that has been pursued.

Sir, to those like myself who have gone out of India, nothing is more galling than the atmosphere of inequality in which Indians live and move and have their being outside this country. I do not for a moment mean to say that we have secured equal rights in our own country; but having been born and bred in this atmosphere, perhaps we have got slightly used to it. But whenever we go out of our land and find ourselves treated on a footing of inferiority as compared with other sections of the population outside this country, our blood boils. We find ourselves asking whether the entity known as the British Empire has any real existence for other people than the whites.

Sir, I have already said that the Governor of Ceylon proposed that only those Indians should be allowed to exercise the right of franchise who made a declaration renouncing all claim to the protection of the Government of India. It is best to look at this question from a concrete point of view. We all know what the condition of the Indian labourers in Ceylon was till about ten years ago. There was no one to look after them. Their rights were nobody's concern, and as a class they were deeply involved in debt, from which they could not extricate themselves while they lived there. It is only because of the increasing pressure of public opinion in India supported, I must say, as strongly as possible by the Government of India, that any improvement has been effected in their position. And what are the improvements that have been effected in the course of the last ten years? In the first place, an Indian labourer now starts free from debt. If an advance is made to him in India, the man who makes the advance does so at his own risk. I understand it cannot be recovered from the labourer by any process, civil or criminal. In the second place, I believe the old debts which were mostly irrecoverable were written off

at the time the Government of India allowed emigration to Ceylon to continue. More important than this, Sir, is the fact that, 1 P.M. under pressure from the Government of India, changes have been made in law by which breaches of labour contracts have ceased to be penal. The importance of this will be recognised by those men who have taken any interest in the condition of their countrymen overseas during the last 15 years. The penal conditions governing the contracts of labour were the most powerful weapons in the hands of the capitalists to keep our countrymen down and to keep them tied down to particular estates. The abolition of the penal provisions enabled our countrymen to breathe freely and feel that they were to a certain extent free men.

Again, Sir, under the pressure exerted by the Government of India, the Ceylon Government have agreed that children under 10 shall not be allowed to be employed on estates. Recently we insisted that a minimum wage should be fixed for all labourers in Ceylon. Standard wages have now been prescribed and they came into effect on the 1st January, 1929. The payment of wages, which was formerly irregular and which led to labourers being involved in debt, has now been made far more regular. Indian labourers are now to be paid by the 10th of every month. This is not an exhaustive list of the reforms effected owing to the pressure of public opinion in this country, the interest taken by the Legislature and the intervention of the Government of India. There are certain questions that are still under discussion between the Government of India and the Government of Ceylon. I will mention only two of them. In the first place the Government of India have directed the attention of the Ceylon Government to the medical and sanitary requirements of Indians and asked that their housing accommodation should be better attended to than it has been hitherto. In the second place, the Colonial Government have been asked to provide better educational facilities for the education of the children of Indian labourers. The second request has been accepted in principle by the Ceylon Government. As regards the first point, I understand that a committee has been appointed to look into the question raised by the Government of India.

Now, Sir, what will be the effect in case Indians are forced to renounce their claim to the protection of the Government of India? Nobody seriously supposes that any of the reforms I have described would have been effected but for the pressure exerted by the people and the Government of India in unison. But the language used by the Governor of Ceylon in his despatch makes one fear that, should Indians give the undertaking he has asked for, not merely will all questions relating to future improvement be practically shelved, but that even their existing rights will be jeopardised. This question was discussed recently during the debate that took place in the Ceylon Legislative Council in December last, for a second time, on the Report of the Special Reforms Commission. The Colonial Secretary, referring to the speech of an Honourable Member during the debate, said when he wrote this despatch. "It was the intention of His Excellency that those privileges to which the Honourable Member made reference should be among the privileges to which claims would be renounced in certain circumstances." The Colonial Secretary, after this, used some reassuring language and said that the renunciation of a claim did not mean the same thing as its cancellation. But considering the special position of the Indian community in Ceylon, considering the stress that has been laid on this matter, we shall be deluding ourselves if we think

[Pandit Hirday Nath Kunzru.]

children; there remain 470,000 labourers consisting equally of men and women. If we exclude those who have put in less than 5 years' residence and also women less than 30 years old, I think we may take it that the maximum number of Indian electors would be about 300,000. Now the maxim electorate under the recommendations of the Ceylon Commission would be about 1,800,000. Would the enfranchisement of 300,000 Indians in any way jeopardise the rights and interests of the rest of the population of Ceylon?

In order to understand the real cause of the trouble that now exists, I hope you will allow me to mention briefly one or two points before the House. I am sorry if I am exceeding the time limit, but I do hope that, in view of the importance of the matter, you will give me three or four minutes more.

Mr. President: In view of the importance of the matter, there will be many other Members willing to take part in the debate.

Pandit Hirday Nath Kunzru: I promise, Sir, that I will not take long.

Mr. President: If the Honourable Member wants this question to be decided to-day, he should bring his remarks to a close now.

Pandit Hirday Nath Kunzru: I do want the question to be decided to-day and without the least delay.

At present the Indians, because of their industry and enterprise, are playing a more and more important part in the economic life of Ceylon. We already know that the main agricultural industries of Ceylon depend on Indian labour. In the towns, the Indians' share in trade is increasing. Apart from this the House must bear in mind the position of Indians who emigrated from India long long ago, but who are called Ceylon Tamils. Their influence too is extending. They are coming to acquire a more and more dominant position in business and industry, and although these Ceylon Tamils are integral parts of the population of that Colony, yet I fear that the Cingalese, in considering the Indian question, lump together the Ceylon and Indian Tamils. That, Sir, is one reason, and a very important reason, of the prejudice that exists to-day against the Indians amongst the Cingalese.

Then, Sir, there is the fact that the existence of an Agent of the Government of India in Ceylon is not regarded with favour in certain quarters. To give only one instance, the Controller of Indian Immigrant Labour, who would otherwise be in supreme charge of Indian labour, now finds himself practically ousted by the Agent of the Government of India. It is not human nature, under these circumstances, that the presence of the Agent of the Government of India should be welcomed by the authorities in Ceylon.

In the third place, Sir, there is commercial influence against the Indian labourers. We have heard a great deal, Sir, of planters in various parts of the Empire. But in Ceylon it is not the planter that is responsible to-day for the prejudice that exists against the Indian. In Ceylon the word "planter" means the Superintendent of an estate. I understand that this functionary is sympathetic to the labour population under

him. But he is only in the position of a Manager. He has to take his instructions either from the proprietors or from the managing agents and it is these managing agents, known as the agency firms, that objected to the improvement made in the condition of Indian labour when Ceylon labour was in a very different condition. Now it is not our fault that the conditions of Ceylonese labourers has not been improved. It is, I think, a stigma on the Government of Ceylon that they have neglected the welfare of the people of their own country. This is a warning to us as to what might happen to our countrymen.

Mr. President: Order, order. I think other Honourable Members who wish to participate in this debate must have a chance. It is very unfair and the Honourable Member will, I hope, realise it and discontinue his speech.

Pandit Hirday Nath Kunzru: Half a minute, Sir, and I will finish. This shows what our countrymen might expect in case they had to renounce the protection of the Government of India. In a way we might say that we are really the benefactors of the labourers of Ceylon, for it is owing to the improvement in the condition of the Indian labourers that a movement has been set on foot in Ceylon to do something for the Ceylon labourers.

In view of what I have said, I trust that this House will accord its unanimous support to this Resolution. The Colonial Office probably seems to have thought that India is too much involved in her own domestic affairs to care about the fate of our countrymen elsewhere. This is a dangerous delusion and the sooner the Government of India take steps to disabuse the Colonial Office of this wrong notion, the better. In his despatch, the Governor of Ceylon speaks of his South African experience. We cannot have South African notions imported into other colonies. If the British Government propose to create another South Africa, I venture to say humbly but most emphatically that it would mean the beginning of the doom of the Empire. (Applause.)

Mr. President: Mr. K. C. Roy.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Would you not like to adjourn for Lunch?

Mr. President: The Honourable Member can have only fifteen minutes to speak. Would the Honourable Member prefer to speak after Lunch?

Mr. K. C. Roy: I leave it to the House. That is a matter for the convenience of the House.

Mr. M. A. Jinnah and other Honourable Members: After Lunch.

The Assembly then adjourned for Lunch till Twenty Five Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Five Minutes to Three of the Clock, Mr. President in the Chair.

Mr. K. C. Roy: Sir, for the original Resolution I move to substitute the following:

"This Assembly recommends to the Governor General in Council that he be pleased to communicate to His Majesty's Government the respectful protest and regret of this House at the tentative acceptance by the Colonial Office of the proposals of the Government of Ceylon regarding franchise in so far as they make possession of a certificate of permanent settlement and renunciation of the protection of the Government of India by Indian emigrants a condition of eligibility to vote without affording an opportunity to the Government of India and to this House to express their views, and to urge upon His Majesty's Government that immediate steps be taken to secure the adoption of the original recommendations of the Donoughmore Commission, making five years' residence the basis of the franchise."

Sir, I have purposely used the word "tentative" because we have no information on the subject before us; and I have also put in the words "acceptance by the Colonial Office" and not "by His Majesty's Government". I think, Sir, the door is still open to us for negotiation. At the outset, I desire to pay my tribute to my Honourable friend, Pandit Hirday Nath Kunzru who has said all that could be said on behalf of Ceylon Indians. Some of us who are interested in the problems of Indians in Ceylon cannot be too grateful to him. But my difference with him lies in two or three factors. The factors are these. When I read his Resolution, I at once concluded that he was imposing upon the Governor General in Council a duty which could not be discharged. He wanted the Governor General in Council to disallow the Ceylon Government's recommendation; he wanted the Government of India to restore the recommendation of the Donoughmore Commission. With the best of intentions in the world, the Governor General in Council could not have done these. However, Sir, he has amended his Resolution to that extent.

The second point that occurs to me, to which also he has made a reference, is the condition of Indians abroad. Sir, if you take an impartial retrospect of the condition of Indians who have gone out to the various parts of the British Dominions and Crown Colonies, you will realise at once that there has never been a gloomier period. In the Pacific, in Fiji, the Indians are now practically fighting for their rights. Three of the elected Members in Fiji resigned their seats and went out of the House on a question of policy, a contingency which I regret because I do not believe in resignations; fresh writs have been issued, but none have been forthcoming. This is the position in Fiji. In the Far East, in the Federated Malay States, Sir, as you are aware, the Indians are in a very bad condition. A motion on this subject is on the notice paper, and I do not know whether it will ever come up for discussion, because possibly the Federated Malay States are a British Protectorate. Then, Sir, coming to Africa, the East African position is as bad as bad can be. The British Cabinet, as far as I can find, is unwilling to take a decision, and possibly, Sir, the Hilton Young and Wilson Reports will be relegated to a Joint Committee of the House of Lords and of the House of Commons. But from our point of view a decision by His Majesty's Government would have been invaluable. But that is not to be and we shall be asked to risk a decision of the Joint Committee. This is the position in East Africa. If you look round His Majesty's Dominions you will find we are prohibited emigrants in most of these. Today, Sir, the fog-screen created by the Habibullah Mission has been slowly pierced and today the position in

East Africa is far worse than it ever was before. This is not my wording, this is the wording of a telegram sent by the Transvaal Indian Congress to the Imperial Citizenship Association, Bombay, copies of which have been sent round to you as well as to Members of this House.

Under these circumstances, the Resolution which my Honourable friend, Pandit Hirday Nath Kunzru, has placed before the House is timid and halting and not in keeping with the sentiments of this House as well as the sentiments of those outside. What does he want? He wants the Government of India to make a representation. He is asking the Governor General in Council to do things which it is their obvious duty to do. I should not be surprised at all if Mr. Bajpai tells me that this representation has already been made. Then what is the good of his asking us to practise this fine art of self-deception? It is a Resolution the wording of which is in perfect keeping with the constitution we had during the Viceroyalty of Lord Chelmsford? This Resolution, I believe, even in a thin House, is not in keeping with the traditions of this Assembly and the duties which it has from time to time performed.

Then, Sir, what do I want? Let the House examine the position in Ceylon. The position in Ceylon has been fully explained, and it is this, that for the first time in a Crown Colony an attempt is being made to introduce discrimination. Is it in keeping with the accepted policy of the British Government? I say, no. In war conferences, in Imperial conferences the policy has been distinctly laid down that there shall be no discrimination in British Crown Colonies, but we have been told now that Lord Passfield has accepted this doctrine of discrimination. I put it "tentatively" because the despatch does not bear the half-mark of the British Government. Lord Passfield's name is well known to most of us. His is an honoured name in India; he visited India several times; he is fully conversant with our position. It is surprising that a man of his knowledge, unless the proposal has been dictated by considerations of policy, has been a signatory to the despatch sent to the Ceylon Government dated 29th October. Let us see, what is the purport, the intention, of my amendment. I desire that the Government should communicate to His Majesty's Government the protest and regret of this House that this House has not been consulted. For this purpose I shall inform this House that the Donoughmore Report was published nearly two years ago. You know what happened after the Donoughmore Commission reported. On the 2nd June, His Excellency the Governor communicated his despatch to the Secretary of State for the Colonies, and on the 10th October, Lord Passfield sent out his reply. This was printed on October 20th and afterwards presented as a State Paper both in Ceylon and in England. What has really been the position of the Government of India for so many months and for so many years? The Ceylonese have in their possession the views of their Government. The British taxpayer has in his possession the opinion of the British Government. And here we are in India without any expression of opinion from the Government of India. I claim, Sir, that this has produced a great demoralising effect upon the Indian population in Ceylon. Till now, from the time of the publication of the Donoughmore Commission's Report, the Government of India have not favoured us with an expression of their views, as to what they think of the Report signed by the Donoughmore Commission and of the proposals of the Ceylon Government, as also of the reply to the memorial which was submitted by two Indian Members of the Ceylon Legislative Council. I claim that the Government of India have kept us absolutely in the dark, and it is by the merest chance that we have

[Mr. K. C. Roy.]

been asked to discuss this matter today. I balloted twice for a Resolution on Ceylon and my Honourable friend, Pandit Hirday Nath Kunzru, was able to get an honourable place, seventh on the list today. Had there been a full House there would not have been the slightest chance of raising the Ceylon issue on the floor of this House. Under these circumstances the Ceylon issue would have been left to the Executive Government. On Sunday last there was a meeting of the Emigration Committee. My views of the Emigration Committee are well known and I have also no desire to go into what took place there. All I wish to say is we are entitled to know what views the Government of India expressed on the Donoughmore Commission's Report, on the proposals of the Ceylon Government and on the memorial submitted by the Indian Members of the Ceylon Legislative Council. I am sure, Sir, that the Government of India could not have lost any opportunity for the benefit of Indians; I am equally sure that, if there were any such opportunities, they have utilised them for the good of India; but I am not satisfied on one point, namely, that the transactions, if any, should have been withheld from us. I, therefore, consider it our duty to enter our respectful protest.

Now, Sir, the Member sitting on the Treasury Bench may say, "Pass your amendment on behalf of the House; but why drag in the Government of India?" That is because we have no indication that the Government of India have been consulted or that they have of their own accord given any expression of opinion to His Majesty's Government. That, Sir, is the position; and I want the House to consider, with due respect to our Secretary of State, whose good intentions we all acknowledge, how far it is consistent with his policy of "Dominion Status in action". Here is a most important transaction affecting 8,00,000 Indians in a colony, which by culture, by history and by civilisation is akin to us. Here is an attempt made to differentiate in a Crown Colony between a local native of Ceylon and an imported immigrant. What is our position so far as Dominion action goes? I do not know, Sir, whether at any stage the Secretary of State for India was consulted. The Secretary of State for India has a dual capacity, which I know from my experience as a member of the Indian Colonies Committee. He is the Head of the Government of India; he has got enormous power and overriding authority; he is also a member of the British Cabinet. That is his dual capacity. It may be that the British Cabinet discussed this proposal in a Cabinet meeting; it may be that he represented the Government of India, but he has voted as a British Cabinet Minister, I will not say that he has done it, but it may be that such a contingency exists. Where do the Government of India come in? Have the Government of India been consulted and have they published their views? Have they ever been called to a conference to decide this question? Nothing of the sort. And this is Dominion Status in action.

Now, Sir, what is the duty of this House? Time and again we have discussed these colonial proposals. Time and again we come to an amicable understanding with the Government of India that our position should not offend His Majesty's or any Government. These are wholesome maxims. But they are not just or fair political practices to the Members of this House or to Indians outside this House or to Indians in the colonies. Our clear duty is to enter our most emphatic and respectful protest against this discrimination. This is not the first time that discrimination has been sought to be made. Only recently an attempt was made to institute what is

known as the Land Commission: the object of this Land Commission was to give lands on easy terms to everybody excepting Indians. I do not know what happened to it; but one discrimination leads to another. If this House permits, or leaves any room for doubt that we resent this discrimination, there may be more discriminatory laws in times to come. That point should be made clear. But, Sir, knowing as I do the methods of the Colonial Office, I fear that a mere representation couched in milk and honey as my Honourable friend has proposed, will not do; we ought to show the big stick (Hear, hear). The future of the Ceylon Government, the future of Ceylon is in our hands. They are dependant on us for their labour. For that, Sir, this House has a special responsibility, because we passed the Act, and so have the Government of India. If we cut off labour supplies tomorrow, the Ceylon Government cannot go on. The island of Ceylon is also dependant on us for their food supplies. In any representation that the Government of India may make, this point should be made absolutely clear, that in the event of any discriminatory legislation, the first and fundamental duty of this House, as well as of the Government, should be to stop further emigration. With these words, Sir, I commend my amendment to the vote of the House.

Mr. Arthur Moore: (Bengal: European): Sir, I think that in the whole House today there must be general agreement that Pandit Kunzru has called attention to a most important matter and that we are all, from the extreme right to the extreme left, with him. (Hear, hear). This is at any rate an aspect of Indian nationalism where we feel that we can all work together, and we do think that not only it is extraordinarily important that throughout the British Empire there should be a certain privileged position attaching to citizens of the Empire, so that although admittedly every part of the Empire is entitled to have its own immigration laws, a citizen of the British Empire should not be treated as if he were a complete foreigner and stranger who is called upon to take out naturalisation papers; but also we do feel that, in the case of the island of Ceylon, which is at our doors, and with which we have such important trade and intercourse, it is a very disturbing thing to find the possibility of such a law being passed, and passed without a realisation of the feeling that it must arouse in India. Therefore, Sir, it seems to me that the real question we have got to decide today is: what is the most effective form of action we can take and what course is open to us? Is the door open or is the door closed? I think that really we have got to choose between the Resolution of my friend, Pandit Kunzru, and the amendment of Mr. K. C. Roy. Mr. Roy describes his amendment as the big stick; he describes Mr. Kunzru's Resolution as milk and honey. I do not quite accept either description, but I feel that if all we can do is to frame a funeral wreath, then it may be better to accept Mr. K. C. Roy's amendment; but if the door is open, if negotiations are possible, if the thing is not a *chose jugée*, then I far prefer the Resolution of my friend, the Pandit. I do not think that the diplomatic effect of a Resolution from this House,—forwarded by the Governor General in Council to His Majesty's Government,—of protest and regret for their acceptance, (even if you qualify their acceptance by the word "tentative") will produce any favourable effect whatever. I think it is much more likely to be read as an acknowledgment that the protest comes too late, and I do not think it will be regarded as an effective threat.

Mr. Roy has just spoken of two possibilities of pressure. He referred to labour and he referred to food. We know quite well that those courses

[Mr. Arthur Moore.]

are not open to this House. We know that Indian labour goes to Ceylon for economic purposes, and that we cannot punish our own nationals, for that is what it will come to, merely to conduct a quarrel with the Government of Ceylon. We know also that we sell food to Ceylon for economic purposes, and we cannot again, in order to conduct a quarrel with the Government of Ceylon, prohibit the traders who are engaged in supplying food to the island of Ceylon or those who produce that food in this country; and furthermore, His Majesty's Government, which is the channel through which we have got to operate, is not the Ceylon Government, and it is not His Majesty's Government that is dependent either upon this food or upon this labour. Therefore, we have got to accommodate our means to our ends. We have got to attempt the most effective action open to us at this moment. I think we are entitled to believe,—and I was particularly glad in listening to the Honourable Pandit Kunzru to notice that he paid a tribute to the Government's action in the past both in Africa and also in regard to the improvement of the status of Indian labour in Ceylon,—I think we are entitled to believe that the Government have the very best intentions in this matter, and that after listening today's debate and having its hands strengthened, it will make a very great effort to see that, whatever space is left between the opening and the closing of the door, they will not allow that door to get shut permanently. Therefore, I suggest that the effective action for the House today to take is to support Pandit Kunzru as emphatically as possible, and I have no doubt that the Government, reinforced by that action, will take immediate steps to secure that any tentative acceptance, if such there be, does not become practical acceptance.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadian Rural):

A word, if you will permit me, Sir, about the speech of my Honourable friend, Mr. Roy. He reminds me of a young man who was travelling in a boat and made a speech and thoroughly enjoyed it. He turned to a young lady friend of his, who was in the same boat and asked her "What do you think of my speech?" The young lady said, "The speech was very pointed, but not to the point". My Honourable friend has accused my friend, Pandit Hirday Nath, for having brought forward a very tame and halting Resolution. Is practical wisdom to be mistaken for timidity? He has talked a great deal about the big stick, but I fail to discover it in his amendment, unless it is concealed underneath the respectful protest which he wishes to lodge. I am very glad, Sir, that in future we on this side of the House can expect Mr. Roy to come forward with his big stick in dealing with such burning questions:

Now, Sir, I agree with my friend, Mr. Arthur Moore, that we are all indebted to Pandit Hirday Nath Kunzru for having initiated this debate. On these occasions we are made aware of the misery and the agony of our present political position. A question like the one we are discussing at this moment brings home to us our degradation as nothing else can. The real solution, if I may be permitted to say so, lies not in the adoption of a reform in this country or in the removal of a grievance in another, but in the freedom of India and in the acquisition by Indians of the full rights of citizenship in their own country.

We may well ask, what is the position assigned to Europeans in Ceylon? Have they been treated in the same way as Indians have been treated in

Ceylon? Obviously, the Europeans in Ceylon are not the inhabitants of Ceylon as are the Cingalese. This fact was not absent from the mind of His Excellency the Governor nor of the Donoughmore Commission. In their Report, at page 98, the Commission say:

"Some of the Europeans may be regarded as more or less permanent residents, but a large majority must be looked upon as having their main interests and domicile outside Ceylon."

They admit that most of the Europeans in Ceylon have their domicile as well as their interests outside Ceylon. Now the question arises, when the position of Europeans and Indians is similar, why should there be any discrimination between them? Why should you have one set of rules for Europeans and another set of rules for Indians? In the retention of this discrimination between the two communities, I submit, lies the root of future trouble, in it lies the root of a great deal of conflict which I hope may in time be averted. At page 9 of the Memorandum regarding the Indian franchise in Ceylon, this is what the Governor says:

"The Europeans also are not regarded as Ceylonese, but in respect of them apprehensions based on numbers and concentration do not arise. There is the obvious further point that Indian labourers for the most part have not enjoyed opportunities for the acquisition of education or of political experience comparable to those enjoyed by the Europeans. The general circumstances of their lives certainly are less conducive to the formation of an independent judgment, and not more conducive to the formation of a specifically Ceylonese outlook, on public affairs. It is feared in some quarters that the votes of a very large number of the Indians here would be at the disposal of high-caste personages from beyond the Palk Strait, who, if they thought it worth while, might manipulate them for purposes and in interests not necessarily appertaining to Ceylon nor unaffected by tendencies which neither Ceylonese nor Europeans would wish to see introduced."

I have considered it fair to read the entire passage in order to bring out the considerations which weighed with His Excellency the Governor in recommending a system which recognised discrimination between the two communities. I do not for a moment wish to say that we grudge the right that has been given to Europeans. They should have it. My point is that the same right should have been given to Indians. I advocate a process of levelling up and not levelling down. Subject to certain conditions, which are obvious, the treatment of Europeans and Indians should be the same, as long as Ceylon and India are in the Commonwealth. There should not be this glaring inequality between the treatment of these two communities.

I find myself in agreement with the remarks of Mr. Roy when he asks the representative of the Government of India in this House to tell us in clear and distinct language what they have been doing. I venture to hope that when he offers the explanation, we shall find it to be satisfactory. The point at issue is so obvious, the injustice is so flagrant, that a long speech is hardly necessary. I shall only say a word or two and then resume my seat.

It was only the other day that we read in the papers how an attempt was made in the House of Commons to show that Dominion Status was already in action in India. I ask, Sir, with all respect—it is a very timid and halting expression to use but I wish to use it all the same—is this Ceylon injustice a proof of Dominion Status in action? Is our treatment in Fiji, in East Africa, and in other parts of the Empire a proof of Dominion Status

[Munshi Iswar Saran.]

in action? In view of the trouble all over the Empire, I ask, is the more use of this expression going to convince people in this country that Dominion Status is already in action? It would be a very excellent expression and a very soothing expression if we only felt convinced of its truth and of its reality. I submit that it is only an oratorical expression used for the purpose of conveying a meaning and an impression which have no foundation to rest upon. I shall only tell Government and the Colonial Office and all those whom it might concern that, if this inequality is not done away with, if this wrong is not righted, the situation, bad as it is, will be worsened. They ought to understand it, and if they do not understand it, the blame will be theirs and not ours, because we have sounded the note of warning. We have told them how we feel the humiliation of our position, and if they do not improve it, they will have to thank themselves if any trouble happens or if the existing discontent and unrest become wider, deeper and more acute.

Mr. G. S. Bajpai (Joint Secretary, Department of Education, Health and Lands): I think, Sir, it might clear up the position if I intervene in the debate at this stage. I cannot claim for myself now the indulgence that is due to a complete newcomer, but I hope that the House will bear with me for such hesitancy of speech as may come of my interrupted association with the House.

My Honourable friend, Pandit Kunzru, has been congratulated, and deservedly congratulated, for the characteristic thoroughness and lucidity with which he has put forward the reasons in support of his Resolution. I would like, if I may, to add my tribute to the manner and the matter of his speech. I agree, and Government agree, with every section of this House that the question at issue is indeed a fundamental question, involving as it does the status of Indians in other parts of the British Empire, and that wherever, whether directly or indirectly, whether explicitly or by implication, whether consciously or unconsciously, there is a threat of the deterioration in the status of Indians resident in any part of the Empire, it is the bounden duty of the Government of India, as it is, I have no doubt the bounden duty of every one in this House, to stand up for equality of status for Indians. It follows therefore, that I am authorised by Government to accept the Resolution which my Honourable friend Pandit Kunzru has moved. Before proceeding further, I think, I ought to take up—I would not like to use the word challenge—to take up certain points which my Honourable friend Mr. K. C. Roy has made in the course of his speech, and also one particular point which Mr. Iswar Saran made, namely, what have the Government of India been doing up to this time, since the publication of the Donoughmore Commission's Report? I hope that all the Members of the House are as intimately conversant with the details of that Report as Mr. K. C. Roy appears to be. In that Report, with regard to the question of the franchise which is the question we are discussing now, it was definitely stated that the existing franchise was restricted in scope and should be modified by making five years' continuous residence the basis for eligibility to the vote for all sections of the community. No discrimination whatsoever was, again to use the words I have already used, explicitly or implicitly, suggested. In the circumstances there was nothing for the Government of India to do. The principle of equality of status for Indians, for which they have all along stood, was neither menaced nor jeopardised.

The next stage was when these proposals came up for discussion in the Legislative Council of Ceylon. I need not go into the details of that discussion. The upshot of it was, that, by a majority of three, the Legislative Council of Ceylon passed a Resolution in favour of imposing a literacy qualification upon the residential qualification which the Commission had recommended. There again the attitude adopted by the Government of India was what the principle I have already stated might lead one to expect. As the Resolution sought to make no discrimination between Indians and other sections of the community, the Government of India did not raise any objection. After that the correspondence between the Governor of Ceylon and His Majesty's Secretary of State was published. It is not necessary for me to recapitulate the substance of that despatch. The conclusion to be drawn from the despatch is perfectly clear, namely, that, in order to restrict the size of the Indian electorate, it has been suggested that not merely will the residential qualification apply, but that it shall be reinforced by certain declarations, one declaration being a declaration of renunciation of the special protection of the Government of India, and the other declaration being a declaration of intention to reside permanently in Ceylon. As soon as this correspondence was made available to the Government of India, the Government of India represented to His Majesty's Government that, consistently with their obligations to Indians in Ceylon, and consistently with the position which they have all along maintained as regards the status of Indians in other parts of the British Empire, it was not open to them to acquiesce in the conclusions which had been reached in the course of this correspondence; whether provisionally or otherwise.

Pandit Hirday Nath Kunzru: May I put a question to my Honourable friend? Was the Government of India consulted before the Colonial Office despatch was sent out to Ceylon?

Mr. G. S. Bajpai: No, Sir. The Government of India were not consulted before the Ceylon despatch was sent out. Sir, the point that I was going to make was this, that as soon as it came to light that proposals had been put forward and accepted which aimed at the restriction of the size of the Indian electorate, indirectly, perhaps, but effectively, the Government of India made representations to His Majesty's Government.

Mr. K. C. Roy: May I ask the Honourable Member to tell the House whether the Government of India were at all consulted on the proposals of the Ceylon Government, or whether the Government of India made their representations after seeing the debate in the Ceylon Legislative Council?

Mr. G. S. Bajpai: I think that I have made the point perfectly clear. My Honourable friend asked whether before the Secretary of State for the Colonies addressed the Ceylon Government, he asked the Government of India to make any representation on the proposals of the Governor of Ceylon. I said, "No". That answers the question.

Mr. K. C. Roy: I want the Honourable Member to tell the House whether the representation which the Government of India made was made on the representation made by the Governor of Ceylon to His Majesty's Government.

Mr. G. S. Bajpai: There are, Sir, so many "representations" in the Honourable Member's question that it is rather difficult to follow it.

Mr. K. C. Roy: If you cannot follow, I am sorry for you, but what I wish you to tell the House is whether you were asked to express your views on the despatch which the Government of Ceylon sent to His Majesty's Government?

Mr. G. S. Bajpai: My Honourable friend is only repeating Pandit Hirday Nath Kunzru's question in language which is more involved.

Mr. K. C. Roy: Mr. Kunzru asked whether the Government of India was consulted before Lord Passfield's despatch. That is not my point.

Mr. G. S. Bajpai: What the Pandit was asking was whether the Government of India were given an opportunity of making representations before the views of Lord Passfield were communicated to the Government of Ceylon. Obviously, the Government of India, if they had been given an opportunity, would have been given the opportunity on the basis of the Governor of Ceylon's proposal. There was nothing else to comment upon and, as I have said, the Government of India did not have that opportunity.

Mr. K. C. Roy: Then I understand that you made the representation after seeing the result of the discussion in the Ceylon Legislative Council.

Mr. G. S. Bajpai: No, Sir.

Mr. K. C. Roy: Then after receiving the report from the Agent!

Mr. G. S. Bajpai: I wish my Honourable friend had followed the newspapers as carefully as he expects us to follow them. The position is that the discussion in the Ceylon Legislative Council took place after the publication of the despatches. The Government of India made representations to His Majesty's Government as soon as the despatches were published. It was not necessary for them to wait for the debate in the Ceylon Legislative Council any more than it would have been consistent with their duty to wait for making representations, until this discussion took place in the House.

I am sorry that I was interrupted in the statement of the case in my own way. The position, as I have said, is that as soon as the Government of India became aware of the real purport of the proposals contained in that despatch they made representations to His Majesty's Government. Further, it has been said that the House has not had an opportunity of making its own views heard on this occasion. I think, Sir, that it is only fair to Government to concede that, if an opportunity for the expression of the views of the House has not offered itself, it is not through any fault of the Government. After all, Government do not control the hazard of the ballot; it is not in their power. The Government of India took the only constitutional step that was open to them, namely, to call into conference with them as soon as opportunity occurred, the members of the Standing Emigration Committee of the Legislature as well as prominent party leaders and Honourable Members of this House who were interested in this question. My Honourable friend, Mr. K. C. Roy, was one of them.

Mr. K. C. Roy: That was on Sunday last!

Mr. G. S. Bajpai: It is perfectly true, but how long has the House been in session? We called them into conference, and we propose to pass on their views, as also the views that have been expressed by Honourable

Members already, or that may be expressed hereafter in the course of today's debate, to His Majesty's Government. But the substantial point is this, that the Government of India agree in the views expressed by the Pandit and others that His Majesty's Government be asked to reconsider the whole question because of the immensity of the issues involved. It is not that the Government of India wish to interfere unduly in the affairs of Ceylon, nor is it that they wish to arrogate to themselves the position of the protector of Indians for a day longer than is absolutely necessary; but, until the Indian community in Ceylon is capable of protecting its own interests, it is the business of the Government of India, it is their duty, a duty which they mean to discharge, to protect their interests to the best of their ability.

I now turn to one specific question. Is the door definitely closed to our representation? I say emphatically, no. The door is not closed.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Why not?

Mr. G. S. Bajpai: Why should it be?

Mr. M. A. Jinnah: I want to know the reasons why the door is not closed?

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): If the door is not open, we shall force it open.

Mr. G. S. Bajpai: It seems to me that my Honourable friend, Dr. Suhrawardy, is also afflicted with the big stick mentality. I do not think that there is any occasion for anybody to force the door open at all. If my friend, Mr. Jinnah, will bear with me, while I read out the relevant extract from the despatch.

Mr. M. A. Jinnah: I do not want any despatch to be read out. My question is a very simple one. The Honourable Member has asserted that the door is still open and he said so most emphatically. I would like him to tell the House what are the reasons which makes him so hopeful.

Mr. G. S. Bajpai: I do not for a moment insinuate that my Honourable friend has asked that question in any spirit of hostility and my whole object in seeking his permission to read out a relevant passage from the despatch is to prove to him why we think that the.

Mr. M. A. Jinnah: Do not read that despatch, but tell me in your own words what is the position.

Mr. G. S. Bajpai: Very well. The despatch definitely says, "I propose to adopt your proposals". It does not say, "I have adopted your proposals". That is what the Secretary of State for the Colonies has stated to the Governor of Ceylon. I interpret that to mean that there is an avenue left to the Secretary of State for the Colonies to reconsider the matter, just the same as there is opportunity left to the Government of India to make representations. Further, it is not contended, either by the Secretary of State for the Colonies or by the Governor of Ceylon, that immediate steps shall be taken to introduce a particular franchise or a particular form of franchise. The Secretary of State in his reply very definitely says to the Governor: "You have raised this question of domicile. The question of domicile is a very difficult and technical one and I cannot off-hand say in what form I am going to accept it". It seems perfectly clear to me that when this question of domicile is being examined, we have

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Mr. K. C. Roy: Then after receiving the report from the Agent!

Mr. G. S. Bajpai: I wish my Honourable friend had followed the newspapers as carefully as he expects us to follow them. The position is that the discussion in the Ceylon Legislative Council took place after the publication of the despatches. The Government of India made representations to His Majesty's Government as soon as the despatches were published. It was not necessary for them to wait for the debate in the Ceylon Legislative Council any more than it would have been consistent with their duty to wait for making representations, until this discussion took place in the House.

I am sorry that I was interrupted in the statement of the case in my own way. The position, as I have said, is that as soon as the Government of India became aware of the real purport of the proposals contained in that despatch they made representations to His Majesty's Government. Further, it has been said that the House has not had an opportunity of making its own views heard on this occasion. I think, Sir, that it is only fair to Government to concede that, if an opportunity for the expression of the views of the House has not offered itself, it is not through any fault of the Government. After all, Government do not control the hazard of the ballot; it is not in their power. The Government of India took the only constitutional step that was open to them, namely, to call into conference with them as soon as opportunity occurred, the members of the Standing Emigration Committee of the Legislature as well as prominent party leaders and Honourable Members of this House who were interested in this question. My Honourable friend, Mr. K. C. Roy, was one of them.

Mr. K. C. Roy: That was on Sunday last!

Mr. G. S. Bajpai: It is perfectly true, but how long has the House been in session? We called them into conference, and we propose to pass on their views, as also the views that have been expressed by Honourable

Members already, or that may be expressed hereafter in the course of today's debate, to His Majesty's Government. But the substantial point is this, that the Government of India agree in the views expressed by the Pandit and others that His Majesty's Government be asked to reconsider the whole question because of the immensity of the issues involved. It is not that the Government of India wish to interfere unduly in the affairs of Ceylon, nor is it that they wish to arrogate to themselves the position of the protector of Indians for a day longer than is absolutely necessary; but, until the Indian community in Ceylon is capable of protecting its own interests, it is the business of the Government of India, it is their duty, a duty which they mean to discharge, to protect their interests to the best of their ability.

I now turn to one specific question. Is the door definitely closed to our representation? I say emphatically, no. The door is not closed.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Why not?

Mr. G. S. Bajpai: Why should it be?

Mr. M. A. Jinnah: I want to know the reasons why the door is not closed?

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): If the door is not open, we shall force it open.

Mr. G. S. Bajpai: It seems to me that my Honourable friend, Dr. Suhrawardy, is also afflicted with the big stick mentality. I do not think that there is any occasion for anybody to force the door open at all. If my friend, Mr. Jinnah, will bear with me, while I read out the relevant extract from the despatch.

Mr. M. A. Jinnah: I do not want any despatch to be read out. My question is a very simple one. The Honourable Member has asserted that the door is still open and he said so most emphatically. I would like him to tell the House what are the reasons which makes him so hopeful.

Mr. G. S. Bajpai: I do not for a moment insinuate that my Honourable friend has asked that question in any spirit of hostility and my whole object in seeking his permission to read out a relevant passage from the despatch is to prove to him why we think that the.

Mr. M. A. Jinnah: Do not read that despatch, but tell me in your own words what is the position.

Mr. G. S. Bajpai: Very well. The despatch definitely says, "I propose to adopt your proposals". It does not say, "I have adopted your proposals". That is what the Secretary of State for the Colonies has stated to the Governor of Ceylon. I interpret that to mean that there is an avenue left to the Secretary of State for the Colonies to reconsider the matter, just the same as there is opportunity left to the Government of India to make representations. Further, it is not contended, either by the Secretary of State for the Colonies or by the Governor of Ceylon, that immediate steps shall be taken to introduce a particular franchise or a particular form of franchise. The Secretary of State in his reply very definitely says to the Governor: "You have raised this question of domicile. The question of domicile is a very difficult and technical one and I cannot off-hand say in what form I am going to accept it". It seems perfectly clear to me that when this question of domicile is being examined, we have

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Passfield's despatch. I will read it to the House in order that I may put before the House my apprehensions in this matter. Sir, the concluding portion of this despatch, dated 10th October, 1929, paragraph 10, reads thus:

"I propose that provision should be made for this qualification in the Order in Council."

Sir, I am not a lawyer, nor am I intimate with diplomatic language in State documents. I daresay that this means, "I have tentatively come to the conclusion which I will revise after hearing from the Government of India". If the Government of India in the relative Department have that assurance from His Majesty's Government or from the India Office, I will be very pleased to hear it. But I cannot help feeling that it is rather ominous that, where Indians are concerned to the extent of nearly three quarters of a million, and where Indians play a very important part in the development of a Colony, the Secretary of State for the Colonies should, without waiting to know what the Government of India think on a particular restriction which the Governor of Ceylon proposes to put on, pass an order. That, Sir, is to my mind, something which should make us think and think furiously. To that extent therefore I sympathise with what has generally fallen from my Honourable friend Mr. K. C. Roy.

Sir, Indians have lately been harassed in various parts of the British Empire ceaselessly. The previous speakers have already spoken about the unenviable position of the Government of India in the Department of Emigration as to the way in which they have to watch the interests of India in various quarters. In East Africa there is the Hilton Young Commission's Report and the Wilson Report, which still continue to hold the field, given the greatest anxiety to Indians in Kenya, and I am sure, to the Government of India too. Then there is a fresh question in Fiji, which has been already referred to. There is the question in South Africa, and if one is to draw an inference from the news about the sailing of a passenger lately, Mr. Tyson I suppose had to be deputed specially to South Africa in order to deal with the situation which has lately been created during the temporary absence of Sir Kurma Reddy, the Agent of the Government of India in South Africa. As if all this was not enough, there comes the question from Ceylon, and the most anxious part of the whole thing is that Lord Passfield, the Secretary of State for the Colonies, has, as looks to me from the extract I have before me, given his blessing to the suggestion of the Governor of Ceylon. It is quite possible that the Government of India, with all the great power which they enjoy,—I do not know whether they enjoy that power *vis-à-vis* the Colonial Office, but they certainly enjoy it *vis-à-vis* this House,—may have the question reopened. But that is hardly satisfactory. What is the position of the Government of India in this connection? The Governor of Ceylon may send a despatch which is available to the Cingalese and the people who want to minimise the Indian voting there; the Colonial Office passes an order which is available to the public: it is only for us,—Heaven knows for what sins of Indians except that she has not an executive responsible to her people,—it is only for us to be ignorant till now of what the Government of India have done. It is a most unsatisfactory state of affairs, and although one would not like to

criticise the Government of India as at present constituted because of their constitutional position, one cannot help protesting against the manner in which these restrictions are being enforced on the Government of India. To that extent, therefore, our protest is most justified, and I think one is entitled to protest rather bitterly that the Secretary of State for India should not permit the Government of India to publish what they have done till now in this connection. Knowing as I do how the Honourable Member in charge of the Department, Sir Muhammad Habitullah, is keen to get for Indians all that is due to them in every Colony and in every Dominion

Mr. B. Das: He is not here.

Sir Purshotamdas Thakurdas: There are worthy representatives of his here. Knowing as I do that, I believe that the Government of India must be doing their best. But I think, Sir, it would be more satisfactory to the public and to this House if they could see the relevant despatches and telegrams before them in black and white. To that extent I think my Honourable friend, Mr. Bajpai, will agree that we in this House are at a disadvantage; and the Government of India should not be surprised if persons who have more inside knowledge of these things than some of us, for instance Mr. K. C. Roy, look at things with a suspicious eye. The position of the Government of India in this matter is unenviable, and whilst one does not wish to criticise them, one cannot help saying that it is highly regrettable that the Secretary of State for the Colonies should have thought fit to pass an order of this nature, even though it be tentative, without consulting the Government of India. I would like in the meantime to believe that the door is still open. Mr. Bajpai will readily recognise the undesirability of hearing a question reconsidered after a decision has been taken, even though tentatively, as compared to the more natural position that the Government of India should have had a say in this matter before the Colonial Secretary thought fit to pass any orders at all. I therefore feel, Sir, that our grievance is, if not against the Government of India for not telling us what they have done till now, certainly against the Colonial Office for having overlooked the Government of India and for having treated the Government of India with what I would call very scant courtesy and consideration which appear to have been shown to the India Office and the Secretary of State for India in this connection, I would like to speak subject to correction, but if there is no correction coming from the other side, I am entitled to infer that the Secretary of State for India was not consulted in this connection, and to that extent I think this House has a grievance against the Colonial Office and against His Majesty's Government.

Sir, the Resolution which is before this House has certain natural corollaries to it. If, as my Honourable friend Mr. Bajpai thinks, the door is open, and if we get what we seek today, as stated in the various lucid speeches which have been made, we have nothing more to say. But should the Colonial Office persist in upholding the suggestions of the Governor of Ceylon, the course of this House is clear and I think admits of no alternative. One wishes it were possible in this debate not to mention anything of what we may have to do hereafter, but I feel very strongly that, after passing this Resolution, the House will have to follow it up, should the Colonial Office not comply with what we consider to be the bare rights of Indians there. There can be no half-way house in the

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course that we shall have to follow. I believe, Sir, that the handicaps that have been sought to be put upon Indians there, at the best, can be said to be short-sighted and greatly wanting in statesmanship. We have been told that the cult of those in India whose ideal is Independence is misguided: I myself strongly think so. But here is His Majesty's Government which gives them handles and which makes some of us who wish to work against this Independence cult in India halt for a reply when we are faced with this sort of position. What justification was there for Lord Passfield to pass this order, knowing as he should do that Indians have played a very important part in the prosperity of Ceylon up till now? Sir, if the British Empire wishes to have the Indian only when and where it needs him and no more after that, and even then in a manner which should only entitle Indians to what would be looked upon as a seventh class passage as against a first class passage which the white man enjoys in Ceylon, truly can the Indian say that he has no use for such an Empire. It is to my mind most pusillanimous to think of even suggesting a thing like this after a Commission had unanimously recommended something which the Indians in Ceylon and the Government of India on behalf of Indians here were prepared to accept. I therefore feel that those who vote for this Resolution today must be prepared to realise what it means should His Majesty's Government not be prepared to do Indians the bare justice which we seek from them at this stage. I feel that there should be no misunderstanding about what this Resolution's natural corollary is. I hope that my Honourable friend, Mr. Bajpai's hopes regarding getting the Colonial Office to do the right thing will materialise. Should they not materialise, this House will have to keep a sharp look-out and cannot falter until they secure to the Indians in Ceylon what they are entitled to.

Sir Darcy Lindsay (Bengal: European): Sir, very few words of mine are necessary to give my entire endorsement on Pandit Kunzru's Resolution. I am strongly with him, Sir, at the grave injustice that has been done to India. I feel, Sir, that this House should raise the strongest protest at the action of the Government of Ceylon and the Colonial Office (Hear, hear) in arriving at this decision without any consultation with a very important partner in the Empire. (Hear, hear.) That is the point that I wish to emphasise, Sir. If we are members of the British Empire, we demand equal rights of partnership in that Empire. (Hear, hear and applause.) Here we have a case that vitally concerns us and yet the Governor of Ceylon and the Colonial Office throw us overboard for their own ends, they do not consult us at all and arrive at a decision of vital moment that is most injurious. That is what I feel, Sir, and we should show as vehement a protest as possible. I agree with my Honourable friend, Mr. Bajpai, that the door is still open. If it is not open, well then, we must re-open it. (Hear, hear and applause.) It must be borne in mind that while these despatches have passed between the Governor and the Secretary of State for the Colonies, the matter has still to be brought before the Ceylon Legislative Council and that is why I agree with my Honourable friend that the door is still open.

Mr. G. S. Bajpai: If I may interrupt my Honourable friend for a minute, I may say that the matter had been before the Ceylon Legislative Council but His Majesty's Government have not yet made any Order in Council.

Sir Darcy Lindsay: I am sorry that that portion of the door is apparently not still open. But as I remarked before, there are always possibilities of re-opening a door (Hear, hear) and that is where we must make our greatest effort. It appears, Sir, on the face of it that in order to get these reforms through Council something had to be done to placate a certain section of the population and it looks to me that the easiest way to attain that end was thought to be throw overboard. . .

Dr. A. Subrawardy: Sacrifice the minorities.

Sir Darcy Lindsay: Throw overboard what may possibly be regarded as the weaker side. There, Sir, I am not in agreement with the Government in taking that action and especially in taking that action without considering the consequences, as I said before, to another partner. It is a matter, as my Honourable friend, Mr. Moore, has expressed, of vital moment throughout the Empire and on those grounds alone it was surely the only right that the party most affected should be consulted. Sir, I again wholeheartedly support the Resolution so ably put before the House by my Honourable friend, Pandit Kunzru. (Applause.)

Nawab Sir Sahibzada Abdul Qaiyum: (North-West Frontier Province: Nominated Non-Official): Sir, I do not think it is necessary for me to make a long speech on this motion. I shall be content with simply associating myself with the views expressed by Sir Darcy Lindsay and some of the other speakers. I do not know at what stage the Government of India undertook to represent the case of Indians in Ceylon to the Home Government, but if, as I understand, the door is still open for discussion and all that the Colonial Secretary suggested in his despatch was that he intended to accept the views expressed, by the Governor of Ceylon, I should think that the door is really still open and that no final orders have been passed by the Colonial Secretary on the subject. I should therefore hope that the Government of India will try their best to solve this question of the intended injustice to the full satisfaction of the Indians in Ceylon and will not be content with the mere representation of their own views or the submission of the opinion of this House on the subject to the Secretary of State for the Colonies. This is all that I have to say, Sir.

Mr. M. A. Jinnah: Sir, I listened to the speech of the Honourable Member speaking on behalf of the Government and he was, I observed, as indignant and as enthusiastic, and he protested almost as any extremist in this country would have protested, both by his language and by his tone and by his gestures, (Laughter) that this was a monstrous injustice done to the people of India, whose guardians and trustees are sitting on that Treasury Bench, on whose behalf he was speaking. Sir, I welcome that indignation and I welcome that feeling which was expressed by the Honourable Member on behalf of the Government of India. Therefore, we are on common ground so far, that this will not do. I will not use any stronger language than that. This will not do. It raises up a very big question, not only a question of the three-quarter of a million people of India who happen to be there. But as has been pointed out by various speakers—and I wish to emphasise it—it raises a paramount issue as to whether India is to be a Dominion within the British Commonwealth or not, and it raises a very serious issue indeed. So far we are on common ground. But what puzzles me very much—and I regret it—is that I have not got any definite information from the Government of India.

[Mr. M. A. Jinnah.]

It seems to me that you stand there as the Government of India, thoroughly humiliated in this business. I wanted to know from the Honourable Member—here is an issue of paramount importance both to those who are in Ceylon and to this country at large—whether the Government of India or the Secretary of State had any intimation before orders were passed on the 10th of October, by the Secretary of State for the Colonies. I understand that no intimation of any kind was given. Am I correct?

Mr. G. S. Bajpai: The date of the despatch is 10th October.

Mr. M. A. Jinnah: Orders have been passed—and here I will not pitch my forensic ability as observed by the Honourable Member against a bureaucrat there, but I appeal to you, read the English language for yourself, and say whether the orders have not been passed. And when did you come to know of them? You have not mentioned it yet; I should like to know that from the Honourable Member. When did the Government of India come to know of it and how? Through the good efforts of my friend, Mr. K. C. Roy, who runs the Associated Press, or otherwise? How did you come to know of that? You have not told us. And when you did come to know of it, what did you do? You did nothing, and still you say that the door has not been closed. Don't you understand that the Government of India are thoroughly humiliated? Where is your Secretary of State for India? Is he living in London or not? What has he done? Did you communicate with him at once and what has happened since as result of it, and what is the substance of the communication, if any, that has taken place? You tell me here today that you hope that those orders do not close the door. And then further, the Honourable Member added that, even apart from that, such a big question as that surely must be reconsidered. I say the self-respect of the Government of India is at stake; and why are you sitting there humiliated, and not able to answer us today here as to what you have done, and acknowledging that you are devoid of self-respect, and you hope, because of a word here and there in the despatch, which you are hugging, that the door is still open? Well, Sir, I say the Treasury Bench cannot deserve any other treatment except the treatment that they are getting from the Colonial Secretary because they are not a responsible government.

Pandit Hirday Nath Kunzru: Sir, before I say anything with reference to the reply given by my Honourable friend, Mr. Bajpai, I should like to dispose of my Honourable friend, Mr. Roy, in a few words.

Mr. K. C. Roy: I am very glad that the Honourable Member is going to say very few words about me.

Pandit Hirday Nath Kunzru: My Honourable friend, sitting, as he does, on those Benches, I have no doubt, often finds himself in a difficult position. He has perhaps not infrequently to keep thoughts and feelings to himself, and it is not unnatural that those pent up thoughts and feelings should seek an outlet on an occasion like this. I do not therefore grudge him the relief that he has sought and found at my expense this afternoon. My Honourable friend said, in the course of his speech, that he had given notice of a Resolution on this subject twice before. I was therefore very curious to find out what his Resolutoin was.

I thought it must have been something which would have been strong meat for the Government, but his Resolution ran as follows:

"This Assembly recommends to the Governor General in Council to make an immediate representation to His Majesty's Government that Lord Passfield's tentative despatch on the Donoughmore Commission's Report relating to the rights and status of Indians in Ceylon is unacceptable to this House and to urge upon His Majesty's Government the revision of the decision with a view to enable Indians in Ceylon to enjoy fullest rights along with other subjects of His Majesty under any new constitution that may be inaugurated."

Well, Sir, I do not find here even a drop of the strong wine of respectful protest. If my Resolution was milk and honey, I fear, Sir, this is milk and water. Perhaps, Sir, the fact that my Resolution was coming up put new energy into him and induced him to give notice of the amendment which he has moved. If that is so, I may well congratulate myself on that fact.

Coming, Sir, to the reply of my Honourable friend, Mr. Bajpai, I am glad to find that Government are prepared to accept my Resolution. That indeed is the least that they can do in view of their special responsibility for the protection of Indians overseas. But, Sir, there is one important fact to be borne in mind in this connection. Reference has been made to it already by my Honourable friends, Mr. Jinnah and Sir Purshotamdas Thakurdas, whether the Secretary of State for the Colonies has given his final decision or not, we have to remember that the Ceylon Government recently accepted the reforms scheme on the basis of the approval he has given to the proposals made by the Governor. This shows, Sir, that our position is a particularly difficult one at this juncture, and we shall need all the force at our disposal to make His Majesty's Government do justice to us in this connection. I do not know, Sir, how so important a despatch was allowed to go out by the India Office without giving any opportunity to the Government of India to express their views on the matter. Knowing as I do the solicitude of Mr. Wedgwood Benn for the rights of Indians overseas, it is difficult for me to believe that he could have been a party to this decision, had he known its full implications. It seems to me, Sir, that the department that deals with emigration at the India Office ought to be better organised and ought to be more alert. In a vital matter of this kind the Secretary of State for India ought to have been informed of the important bearing of the decision of the Colonial Office on Indian rights throughout the Empire.

We still hope, Sir, since my Honourable friend opposite thinks the door of negotiation is open, that an honourable settlement might be found. But should the worst come to the worst, let us remember that we are not absolutely without resource. We have got the power to protect our rights and our dignity. We have used those powers in the past. The history of South Africa, of British Guiana, of Fiji affords more than one instance of our power to protect the self-respect and honour of our countrymen abroad. Should it be necessary to use that power in this connection also, I trust that the Government of India will not hesitate to do so. My Honourable friend, Mr. Arthur Moore, said that as Indians went to Ceylon to improve their economic opportunities, it would be hard on them to prevent them from going out to that country. Sir, even my Honourable friend, Mr. Arthur Moore, will admit that the balance of advantage lies on the side of Ceylon, and if that Colony is so ungrateful as not to recognise its obligations to those people who have made that Colony flourishing, we

[Pandit Hirday Nath Kunzru.]

should at any rate know what to do—we shall place honour before pecuniary advantage. I trust, Sir, that when my Honourable friend, Mr. Bajpai, deals again with this subject, he will impress this aspect of it prominently on the mind of His Majesty's Government and inform them that, neither in this House nor outside it, is there the least divergence of opinion in this country on the issue of the status of Indians abroad.

(Mr. G. S. Bajpai rose in his place.)

Mr. President: Is there anything which the Honourable Member wants to say?

Mr. G. S. Bajpai: I wish to say a few words, Sir, in answer to my Honourable friend, Mr. Jinnah.

Mr. President: If there is anything which the Honourable Member wishes to say, anything of substance, I will allow him to speak; I hope he knows that he has no right of reply.

Mr. G. S. Bajpai: I was not aware, Sir, that I had no right of reply because I have spoken only once; but if you will give me permission, Sir, I should like to say a few words.

Mr. President: I am perfectly willing to give permission if there is anything of substance which the Honourable Member wishes to say.

Mr. G. S. Bajpai: My Honourable friend, Mr. Jinnah, has asked me certain questions on points of substance and I think it is only right that the House should have the answer to those questions.

Mr. M. A. Jinnah: I asked the questions when the Honourable Member was on his legs.

Mr. President: The Honourable Member was perfectly entitled to answer those questions when the Honourable Member put them.

Mr. G. S. Bajpai: If I may say so, I was under the impression that I would have an opportunity of answering them later on.

Mr. President: He should study his Standing Orders.

Mr. G. S. Bajpai: I shall apply myself to the Standing Orders hereafter, Sir.

Mr. President: Does the Honourable Member (Mr. K. C. Roy) wish to withdraw his amendment?

Mr. K. C. Roy: Yes, Sir, because we are very anxious to have a unanimous vote.

Mr. President: Does the House wish to hear Mr. Bajpai again? (Honourable Members: "Yes, yes.") Mr. Bajpai.

Mr. G. S. Bajpai: Sir, I shall not take more than five minutes, if as much as that. Mr. Jinnah asked when it was that the Government of India came into possession of the information regarding the proposals made by the Government of Ceylon and the reply of the Secretary of State for the Colonies. The Government of India came into possession of the facts when these despatches were published

Mr. M. A. Jinnah: When?

Mr. G. S. Bajpai: Early in November; and as soon as the Government of India came into possession of these facts, they made representations to His Majesty's Government. That answers the first question.

Mr. M. A. Jinnah: How did you come to know of the position?

Mr. G. S. Bajpai: By the fact of publication.

Mr. M. A. Jinnah: By the newspapers?

Mr. G. S. Bajpai: From the despatches.

Maulvi Muhammad Yakub: You were not officially consulted?

Mr. G. S. Bajpai: I have already said that we were not officially consulted.

Mr. B. Das: Did not the Secretary of State for India write to you?

Mr. President: Order, order.

Mr. G. S. Bajpai: The second point, Sir, which the Honourable the Leader of the Independent Party raised was why was it that we took it for granted that this question was an open question

Mr. M. A. Jinnah: I did not say that: I did not ask you why you took it for granted; I said you said that the question was an open one and your reason was that the correct interpretation of the despatch of the Colonial Secretary is this: I beg to differ from you, that is all.

Mr. G. S. Bajpai: Where there is a difference of opinion, it is not possible for any one individual to say that his opinion is better than that of another gentleman; but I would in all humility draw the attention of the Honourable Member to the language used by the Secretary of State for the Colonies. The language is, "I propose to adopt". He proposes to adopt

Mr. M. A. Jinnah: Kindly read the end of it.

Mr. G. S. Bajpai: It is his intention to adopt.

Mr. M. A. Jinnah: Read it to the House if you like.

Mr. G. S. Bajpai:

"I propose to adopt your suggestions under which, subject to special provisions being made for British subjects not domiciled in Ceylon being allowed to qualify for the franchise in accordance with the conditions of the present constitution, domicile should be the standard test for inclusion in the register."

Does the Honourable Member wish me to read any further?

Mr. M. A. Jinnah: Yes; go on further.

Mr. G. S. Bajpai:

"The definition of domicile involves legal questions of much difficulty and complexity and the qualification would hardly be suitable if it stood by itself. The difficulty would, however, be overcome by your proposal that the applicant, provided he can furnish satisfactory evidence of five years' residence, should be qualified for the vote on the production of a certificate of permanent settlement granted by some duly appointed officer. I propose that provision should be made for this qualification in the Order in Council."

[Mr. G. S. Bajpai.]

I do not think, Sir, that the whole passage which I have read out to the House at the request of my Honourable friend converts the word "propose" into the word "decide".

I will now refer for a brief moment to what my friend, Pandit Kunzru, had to say as regards the Government of India bringing the full implications of this controversy to the notice of His Majesty's Government. It is the intention of the Government of India to put His Majesty's Government in full possession of the views expressed by this House today. And not merely that; in consonance with the terms of the Resolution, it will be the duty of the Government of India to point out to His Majesty's Government, as they have already pointed out, that the proposals as they stand are not acceptable.

Mr. M. A. Jinnah: May I ask one question? Between November and today, have you had any indication, either from the Colonial Secretary or the Secretary of State for India, that the door is still open?

Mr. G. S. Bajpai: We have had no indication, Sir, either from the India Office or from the Secretary of State for the Colonies that the door is closed.

Mr. President: The question is that Mr. K. C. Roy be given permission to withdraw his amendment.

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

Mr. President: The question is that the following Resolution be adopted:

"This Assembly recommends to the Governor General in Council that the proposals of the Government of Ceylon regarding franchise, which have been accepted by the Colonial Office, in so far as they make possession of a certificate of permanent settlement and renunciation of the protection of the Government of India by Indian emigrants a condition of eligibility to vote should not be put into effect and that immediate steps should be taken to secure the adoption of the original recommendations of the Donoughmore Commission making five years' residence the basis of the franchise."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 12th February, 1930.

LEGISLATIVE ASSEMBLY.

Wednesday, 12th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes. (Amendment of sections 14, 25A, etc.)

THE INDIAN MERCHANDISE MARKS (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Merchandise Marks Act, 1889.

THE COURT-FEES (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Rai Sahib Harbilas Sarda (Ajmer-Merwara: General): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Court-fees Act, 1870, for a certain purpose.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Railways Act, 1890, for certain purposes.

THE INDIAN LAC CESS BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill to provide for the creation

[Sir George Rainy.]

of a fund for the improvement and development of the cultivation, manufacture and marketing of Indian lac. By the Indian Lac Cess Act of 1921 a cess was imposed on the export of lac, and its administration was entrusted to the Lac Association. Recently the Lac Association has expressed a wish to be relieved of its responsibilities on the ground that it does not feel that in all respects it is fully able to discharge them. It therefore has become necessary to provide otherwise for the control and administration of the cess. Also it was necessary to take into consideration a recommendation of the Royal Commission on Agriculture for the constitution of a body somewhat on the lines of the Central Cotton Committee. This Bill proposes to repeal the Act of 1921 and to set up a new Committee for the administration of the cess. Sir, I move.

The motion was adopted.

The Honourable Sir George Rainy: Sir, I introduce the Bill.

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill further to amend the Indian Companies Act, 1913, for certain purposes. This Bill, Sir, is limited in its scope. Its object is to provide more adequately for the audit of Companies' accounts and to prepare the way for the creation of an autonomous association of accountants throughout India. Under the existing law, the powers to grant Auditors' Certificates and to make rules on the subject rest with the Local Government. The Bill provides for the transfer of these powers to the Government of India, and it also provides for the setting up of a Central Accountancy Board with local Accountancy Boards in the various provinces. The scheme embodied in the Bill is the result of prolonged consideration and a very full discussion with those interested in the subject. Sir, I move.

The motion was adopted.

The Honourable Sir George Rainy: Sir, I introduce the Bill.

THE INDIAN TARIFF (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill further to amend the Indian Tariff Act, 1894, for certain purposes. This Bill, Sir, covers a number of minor changes in the tariff, and I think it will be necessary for me to refer to only one of them. The one to which I shall refer is that the Bill provides for the removal of the duty on barks for tanning, that is mainly wattle bark. All the other changes are quite small. Sir, I move.

The motion was adopted.

The Honourable Sir George Rainy: Sir, I introduce the Bill.

THE STEEL INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill to amend the law relating to the fostering and development of the steel industry in British India. In this Bill it is proposed to make two changes, the necessity of which has been established by experience. The first affects the duty on tie-bars. When the Steel Industry (Protection) Act, 1927, was passed into law, it was intended that tie-bars should be subject to the same protective duty as steel bars. It has become clear, however, that as the law is worded, effect has not been given to that intention. It is therefore necessary to change the wording of the relevant entry in the Schedule.

In the second place, under the existing law, steel bars under half inch diameter are exempt from the protective duty. It has been found that a special manufacture has grown of bars of 31/32 or 15/16 inch in diameter and these bars are imported into India in increasing quantities, and compete with the half inch bars manufactured by the Tata Iron and Steel Company. It has become evident, therefore, that there is a loophole in the tariff which requires to be closed. The Bill proposes to make subject to the protective duty all steel bars over 7/16 inch in diameter. Sir, I move.

The motion was adopted.

The Honourable Sir George Rainy: Sir, I introduce the Bill.

THE DANGEROUS DRUGS BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move that the Bill to centralise and vest in the Governor General in Council the control over certain operations relating to dangerous drugs and to increase and render uniform throughout British India the penalties for offences relating to such operations, as reported by the Select Committee, be taken into consideration.

The purpose of this measure is clearly explained in the Statement of Objects and Reasons. I think it would be as well if I read two paragraphs from that Statement to the House:

"In view of the obligations undertaken by the Government of India by ratifying the Geneva Dangerous Drugs Convention, 1925, and the existing confusion of the laws governing the traffic in dangerous drugs in British India, it has become necessary to enact a Central Dangerous Drugs Act. The obligations that have been so undertaken by the Central Government are two-fold; firstly, in regard to the regulation of international traffic in all the drugs covered by the Convention, and, secondly, in regard to the regulation of the manufacture of, and internal traffic in, certain specified drugs, such as cocaine and morphine.

The subject matter of the Bill is one that, under the Devolution Rules, is partly provincial, but the Local Governments have assented to the passing of Central legislation on the subject in view of the special advantages of such legislation in the circumstances. In addition to centralising and vesting in the Governor General in Council the control of certain operations relating to dangerous drugs, the proposed Bill renders uniform, and in some cases increases, the penalties for certain offences relating to dangerous drugs."

[Sir George Schuster.]

Also I will take his advice and look back into the old reports of this House and read up the remarks of Dr. S. K. Datta. There are certain things which can be said in favour of the policy of the Government of India of which I think my Honourable friend has not drawn quite a fair picture. He talked, for example, of exports to China, but the exports to China were stopped many years ago. Exports to other places in the Far East are being extinguished over a period of 10 years, half of which is already gone. I think the Government of India can claim to have set a very fine example to the rest of the world by saying that revenue considerations would not stand in the way of their action in this matter. ("Hear, hear" from the Official Benches.)

With regard to the questions affecting the internal control of the consumption of opium, etc., the powers, as my Honourable friend knows quite well, of the Central Government are limited. But the Central Government are doing their best to take a lead in this matter. As is well known to Members of this House, a special inquiry was started some two years ago into what are known as the "black spots" for the consumption of opium and we have now invited the Provincial Governments to attend a conference at Simla early in May further to discuss the policy in this particular matter. I think, therefore, Sir, that in taking this action and in introducing this Bill, although in this we may be going no further than the matter has been carried by the Geneva Convention, the Government of India are living up to their record on these subjects, and in future, I hope, as in the past, the Government of India will continue to set an example to the rest of the world.

Mr. President: The question is:

"That the Bill to centralise and vest in the Governor General in Council the control over certain operations relating to dangerous drugs and to increase and render uniform throughout British India the penalties for offences relating to such operations, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Chapters II, III, IV and V were added to the Bill.

Schedules I and II were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Schuster: Sir, I beg to move that the Bill, as amended, be passed.

The motion was adopted.

AMENDMENT OF STANDING ORDERS.

The Honourable Sir James Crerar (Home Member): Sir, I beg to move for leave to amend the Standing Orders of the Legislative Assembly in the following manner:

"That after sub-order (3) of Standing Order 40 the following new sub-order be inserted:

"(3A) If the Chairman is unable to be present at any meeting of the Committee, the person present who is next in the order given in sub-order (3) may preside and exercise the powers of the Chairman."

Sir, I think that a very brief explanation of the purpose of the proposed amendment will suffice. Standing Order 40 prescribes in a mandatory form that, when the Honourable the Law Member is a Member of the Assembly, he shall be the Chairman of all Select Committees on Bills. When there is a considerable amount of business for consideration by Select Committees, experience has shown that a great deal of inconvenience and delay is caused by this mandatory provision, and therefore it is desirable to amend it in such a manner that it will be possible for two or more Select Committees to conduct their business simultaneously.

Sir, I move.

The motion was adopted.

The Honourable Sir James Crerar: Sir, I move that the proposed amendment be referred to a Select Committee.

The motion was adopted.

ELECTION OF MEMBERS TO THE SELECT COMMITTEE ON THE AMENDMENT OF STANDING ORDERS.

Mr. President: I have to announce that nominations for the Select Committee on the amendment of Standing Orders will be received up to 12 noon on Saturday the 15th February, and the election, if necessary, will be held in this Chamber on Tuesday, the 18th February, 1930. Under Standing Order 56(2) the Committee will be composed of the President, the Deputy President and seven Members elected by the Assembly by means of the single transferable vote.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 13th February, 1930.

LEGISLATIVE ASSEMBLY.

Thursday, 13th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MOTION FOR ADJOURNMENT.

STRIKE ON THE GREAT INDIAN PENINSULA RAILWAY.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, I beg to ask for leave to make a motion for an adjournment of the business of the Assembly, for the purpose of discussing a definite matter of urgent public importance, *viz.*, the situation arising out of the general strike on the Great Indian Peninsula Railway by the employees, and the attitude of the Railway Administration towards the strikers.

Sir, the matter referred to in this motion is very definite and very urgent. In fact I have got to mention only the subject of the strike to get the acquiescence of the Government and also an admission that the matter is definite and urgent. I may at once assure Government that I am not moving the motion in any unfriendly spirit. I only want to contribute to peace, if I can, by bringing such a motion before the House and giving an opportunity to Government to make a definite statement of policy with regard to the strike. It may perhaps be said that I might have made a motion some time ago, because it is now nine days since the strike commenced, but in a matter like this it will be admitted easily that the urgency increases with time, and perhaps it would not in fact have been right to move such a motion at an earlier stage. But the thing is now developing with a certain velocity, and in any case Government have got to step in to conciliate the strikers to a certain extent or justify their own action if they wish to do it. In any case a statement from them is necessary and called for. Now, Sir, nine days have passed since the strike commenced. Every day we were expecting that Government would take some action and come forward with certain measures calculated to end the strike in a conciliatory spirit.

Mr. President: The Honourable Member is now dealing with the merits of the motion.

Mr. N. C. Kelkar: I do not want to deal in any way with the merits of the case, but I want to say that the thing is going on as if it were a trial of strength and therefore the urgency is that we and the public cannot tolerate this any longer and allow the belligerents to indulge in this warlike pastime. I really regret on this occasion the absence of people like Mr. Joshi and Diwan Chaman Lall, who being Union people, connected with the Unions, might have been of some use in the matter.

[Mr. N. C. Kelkar.]

But even we, the independent Members of the Assembly, have got a duty to perform because we represent the public here though we do not represent the Trade Unions. I do not wish to embarrass Government in any way, but I think that as it is now nine days since the strike commenced, they have certainly thought out the action they would like to take to conciliate the strikers or to do at least as much as they can do to bring them round to accept the concessions and reforms that would be granted to them. The losses that are being caused by the strike are enormous to both sides, to Government as well as to the public and the strikers also. In the case of the strikers it is a personal loss and risk. Their demands may be all right or they may be all wrong; some may be right and some may be wrong; that is another matter altogether. But it is due to them to say that they might not have gone on strike in a light-hearted fashion because that involves considerable risk to their future employment. Therefore I say that Government should welcome this opportunity which I wish to afford to them by making this motion. I would only say this, that if they oppose this motion, there is just a chance that they might lay themselves open to some sort of blame or censure in the eyes of the public, because this is a genuine effort to raise a matter of public importance for discussion, and if we could not do even that in this Assembly, then probably the Assembly is useless if we are only to sit here with folded hands and are unable to raise even a point for discussion. I therefore say to Government that they should not oppose this motion and I appeal to the Members of this House also to support my motion.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I am not in any way disposed to dispute the public importance of the question which the Honourable Member desires to raise on the motion for adjournment. But I think I am bound to draw attention to the terms of the Standing Order, which require that it must be on a definite matter of urgent public importance. The Honourable Member dealt with the point of urgency and the ground he took was this, that the question would become more urgent with every day that passed. I think, however, Sir, that this is not the manner in which the question of urgency has usually been considered by the Chair in the past, and proposed motions for adjournment have in the past been ruled out of order on the ground that they ought to have been raised at an earlier date. Apart from that, I must draw attention to the terms in which the notice has been given. The definite matter is said to be "the situation arising out of the general strike on the Great Indian Peninsula Railway by the employees and the attitude of the Railway Administration towards the strikers". The urgent matter is a "situation" and an "attitude". I submit, Sir, that this is much too indefinite a notice to bring the question within the procedure of a motion for adjournment. I think it was incumbent on the Honourable Member to put much more clearly and definitely the precise point he wished to raise and to show what its urgency was. It is obvious, I think, that the more indefinite the matter raised is, the more difficult it must be to establish the urgency.

Finally, Mr. President, the Honourable Member said that his object in moving the motion would be to evoke a statement from Government. I quite understand the desire of Members that Government should make some statement on the matter, but I do not think that settles the point

whether a motion for adjournment in these circumstances is the proper method of obtaining it. It would be quite open to the Honourable Member, for instance, to put down a short notice question if all he wanted was a statement from Government, and I submit on these grounds, Sir, that neither definiteness nor urgency has been established so as to bring the matter within the Standing Order.

Mr. M. S. Aney (Berar Representative): Sir, I did not think when I came to the House that the eminently reasonable terms in which the motion of my Honourable friend, Mr. Kelkar, was worded (*An Honourable Member*: "Louder please.")—that is the great difficulty for me today, particularly because I have been suffering from bad coughing—that the very eminently reasonable terms in which the motion of my Honourable friend, Mr. Kelkar, was worded could have been taken exception to on the ground that they neither disclose any ground of urgency nor even a definite issue as required by the Standing Orders. Now, the terms of the motion mention two facts, one the situation arising out of the general strike by the railway employees on the Great Indian Peninsula Railway. That is certainly a definite matter which everyone of us can easily understand. There has been a strike for nine days and it has caused serious dislocation to the traffic and inconvenience to the travelling public involving danger and risk to life of thousands of passengers travelling by railway. The words "the situation arising out of the general strike" in which something like 50,000 strikers have downed tools are clear. There can be no question of the issue being indefinite and in view of the other matters involved, it is also a question of urgency. Nine days have passed, and every day telegrams are being received that there has been no movement towards the reconciliation of the strikers or that there has been a movement to create difficulties in the way or to try to break the strike by using such powers as the Railway Administration may possess, and so on. These telegrams are being received every day. That indicates an attitude which will surely bring the strikers and the Railway Administration into conflict. On the other hand telegrams received from certain places disclose a very serious state of affairs. It is stated that the strikers insist on their right of being in the quarters allotted to them, while the Railway Administration is asking them to vacate their quarters, that the strikers want to have Satyagraha and other things. Such things we are hearing every day and is it not the duty of the House to consider the whole situation which is disclosed to us by the various telegrams received? They are of a conflicting nature no doubt. They may be exaggerated. "Situation" and "attitude", the two words which are mentioned in the motion itself are sufficient evidence for everybody who has followed what is being published every day to be convinced that the matter is certainly definite and is of a very serious and urgent nature. For these reasons it behoves the Government not to oppose the motion and gag the discussion but to give the House a fair chance of having a discussion and seize the opportunity to explain their conduct and to show what remedies they have got in contemplation to tide over the difficulties.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): I rise to support the motion moved by my Honourable friend, Mr. Kelkar. The purpose of the Standing Order, to which reference was made by the Honourable the Railway Member, is that the matter which is the subject matter of the adjournment motion should be stated with sufficient definiteness in order that the Government might know which are the points

[Mr. M. R. Jayakar.]

which are going to be raised in the course of the debate. That is the principle of the Standing Order. It does not go beyond that and if the House judges by that test, I do submit that the words of this motion bring it within the principle of that Standing Order. There are two definite matters of urgent importance mentioned in Mr. Kelkar's motion. The first is the situation arising out of the general strike on the Great Indian Peninsula Railway and second, the attitude of the Railway Administration towards the strikers. It is likely that the Honourable the Railway Member with the expert and intimate knowledge he has from the inside of things may possibly think that there are many aspects of the situation which are indefinite. But one has to judge of this from the point of view of a member of the public, from the point of view of those like my Honourable friend, Mr. Kelkar, who have to judge the situation from outside as members of the public. All that they know is that the situation created is undesirable and they therefore desire to discuss the attitude of the Railway Administration towards the strikers. Therefore, I submit, Sir, that it has been made absolutely definite, so far as Mr. Kelkar could make it, as to what is the object of this motion and Government have a very clear indication that what we want to raise in the course of the debate is the situation created by the strike and particularly the attitude of the Railway Administration with reference to the strikers. Reference has been made by Mr. Aney to one or two phases of the attitude of the Railway Administration, namely, that outsiders have been admitted, and secondly, that notices have been served on the strikers to vacate the premises in a very short time. These are two or three of the aspects which strike us as members of the public. It may be that the Railway Administration is aware of many more aspects of the situation. But all that I submit is that sufficient notice has been given to the Government as to the points which we want to raise in the course of the debate and I submit, Sir, therefore, it satisfies the tests laid down by the Standing Order.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): If the contention of my Honourable friend, Sir George Rainy, were allowed to prevail and if it were pushed to its logical conclusion, a very complicated situation would arise. My Honourable friend says that the situation arising out of the strike is not a definite matter at all. Perhaps the Honourable Member would be satisfied if a catalogue of all the elements that go to make up that situation were appended to this motion; for instance the detention of trains, the late arrival of trains, the ejectment of the strikers and the non-appointment of a Conciliation Board under the Trade Disputes Act. Perhaps he expects a catalogue like that to be appended to the motion in explanation of what is meant by the term "situation". Then perhaps the objection would be taken that it is not one definite matter of importance that is contemplated, but there are so many different items of a specific nature which go to make up that particular motion. Now, is it the contention of my Honourable friend that a separate motion of adjournment would be permissible for the purpose of raising each of these different issues which, I submit, are equally important in the public interest and deserve to be raised on the floor of this House? I submit, Sir, that will be the logical consequence of my Honourable friend's contention, and I respectfully request you to overrule his objection in this particular instance.

Mr. President: The word "situation" is no doubt indefinite; but in the past this word has been used in connection with a large number of motions

for adjournment of this kind. What is definite in this is "the general strike" and "the attitude of the Government". These two are definite matters and I have not been favoured with any precedent in which a motion of this character has been disallowed on the ground of indefiniteness, although Sir George Rainy in his speech stated that the Chair has in the past not regarded this as a definite matter. On the whole, I consider the motion to be in order and I will ask if any Honourable Member has any objection to the motion.

The Honourable Sir George Rainy: I am afraid I must object to leave being granted.

Mr. President: In that case those Honourable Members who are in favour of leave being granted will rise in their places.

Mr. President: As 25 Members have not stood, the motion falls.

STATEMENT OF BUSINESS.

The Honourable Sir James Crerar (Leader of the House): Sir, with your permission, I desire to make a statement as to the probable course of business in the week beginning Monday, the 17th February. As Honourable Members are aware, His Excellency the Governor General has appointed Monday, the 17th, for the presentation of the Railway Budget, Wednesday, the 19th, for the general discussion in this House of the Railway Budget and Friday, the 21st, and Saturday, the 22nd, for the voting on Railway Demands. In addition to these days, there will be meetings for Government business on Tuesday, the 18th, and Thursday, the 20th. On Tuesday, the 18th, the following business will be brought before the House:

- (1) Motion for leave to introduce a Bill further to amend the Indian Income-tax Act, 1922, for a certain purpose.
- (2) Motion for leave to introduce a Bill to amend the law relating to Insolvency for certain purposes.
- (3) A motion inviting the House to proceed to elect two Members to sit on the governing body of the Indian Research Fund Association.
- (4) A motion inviting the House to elect Members to the Standing Finance Committee for Railways.
- (5) A motion inviting the House to elect Members to the Central Advisory Council for Railways.

Thereafter the House will proceed to the discussion of the Supplementary Grants under the General Budget excluding Railways. On Thursday, the 20th February, unfinished business of Tuesday, the 18th will be placed first on the list. Thereafter motions will be made to refer to Select Committees the following Bills:

- (1) The Indian Lac Cess Bill.
- (2) The Indian Tariff (Amendment) Bill.
- (3) The Steel Industry (Protection) Bill.

[Sir James Crerar.]

Motions will also be made to take into consideration, and if those motions are accepted, to pass the following Bills:

- (1) The Bill further to amend the Indian Income-tax Act, 1922, for certain purposes (Amendment of sections 14, 25A, etc.).
- (2) The Cantonment House-Accommodation (Amendment) Bill.
- (3) The Indian Railway (Amendment) Bill.
- (4) The Indian Companies (Amendment) Bill.

THE HINDU GAINS OF LEARNING BILL.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadian Urban): Sir, I beg to move: "That the Bill to declare gains of learning by a Hindu to be his separate property, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable the Home Member, Munshi Iswar Saran, Mr. N. C. Kelkar, Mr. K. C. Neogy, Rai Sahib Harbilas Sarda, Sir Purshotamdas Thakurdas and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four".

The Bill before the House is nothing very new in principle. It is a repetition of a measure which was introduced and passed in the Madras Legislative Council nearly forty years ago. It was then introduced by a very distinguished member of the legal profession, the late Sir V. Bhashyam Iyengar, and had received a certain amount of public support. Later on Government discovered that there were certain objections to that Bill and that public sentiment was not ripe for its acceptance. On that ground mainly the Bill was scotched. That was forty years ago, and I submit that public sentiment in this matter has progressed during the forty years, so that it cannot be said now that this Bill is in advance of public sentiment. Stating the principle quite briefly—and I am purposely getting rid of all technical legal language—I may say that the Bill applies to Hindu joint families and its effect will be that the earnings of members of a Hindu joint family which are the result of any special education received while they are members of the joint family and which are now regarded as earnings of the joint family will be regarded as the earnings of the member who makes them.

My principal object in introducing this measure is this that I intend it to be one of those remedial measures which I have in view, the object of which is to improve the status and general condition of the dependent female members of a joint Hindu family. This is the main object of my measure, and, if passed, it will mean that, if a member of a joint Hindu family dies leaving his own acquisitions, they will pass to his own heirs, his widow or daughter. Supposing he was a member of the Bar or in Government service, or worked in some such capacity, and he earned money with the aid of his own intellect, with the aid of his own brains, and supposing he dies leaving a widow or a daughter—not a male child—

then under the present law, his widow and daughter get only very meagre and limited rights, namely, the widow gets maintenance and residence, the daughter only gets a provision for her marriage, if she be unmarried at his death. But the entire bulk of his property passes to other members of the joint family. I submit, Sir, from my knowledge of the working of this rule of the Hindu law that it is an extremely unjust principle, especially so, in modern days when the disintegration of the family is taking place very rapidly, and new methods of making acquisitions are now coming into vogue. This law might at one time have been sound when individual enterprise and new methods of making acquisitions were unknown to society. But with the growth of individualism and new methods of making acquisitions, I submit, Sir, the time has arrived when the women of the family, namely, the widow and the daughter of the acquirer should be particularly protected.

The second reason why I am anxious that this measure should go through is—and all lawyers will appreciate my point of view—that the present law causes considerable uncertainty and consequent litigation. I shall just explain to the House how this is caused. The old law was absolutely clear. I do not wish to weary the House by going into ancient rules, but the old Hindu law was perfectly clear. Again I do not wish to confuse matters by quoting authorities; they are mentioned in my Statement of Objects and Reasons. I say that the old law was perfectly clear, namely, that a man's earnings made by his learning while a member of a joint family, all that he earned with the aid of his own brain and intellectual powers was regarded as his personal property. I have given references in my Statement of Objects and Reasons to Sanskrit writers like Manu and others. That was the old law with the one exception of a *rishi* called Katyayana. All these lawgivers in ancient times combined to lay considerable premium upon the power of initiative and declared that all that a member earned by his own intellectual powers should be regarded as his own self-acquisition which passed to his widow and to his daughter. Then came the intermediate stage with which we are concerned,—the stage of adjudication by British Indian Courts, the result of which has been to confuse the law. The law as it stands now—Honourable Members will be surprised if I state the law as it stands—is that if a member of a joint family—whom I shall in the course of my speech call a "co-parcener"—if a co-parcener earns something which is the result of his *general* education as against *special* education, though given at the expense of the family, it is his self-acquired property; but all that he earns as a result of his special education, whatever that term may mean, which qualifies him for a profession or an avenue of employment in life, becomes joint family property, if the expenses of that education are borne by the joint family. But this rule is even carried further and is extended to cases where for instance a co-parcener was living in England for education and during his stay there his wife and children in India were maintained by one of the members of the joint family out of his *own* funds and not out of the joint family funds. Even in such cases, when he returns from England and earns, all that he earns becomes the earning of the joint Hindu family. To clarify the unreasonableness of the present law, I shall give one characteristic illustration. If Honourable Members will turn to my Statement of Objects and Reasons, they will find it on page 2, and I do invite the attention of the House to the

[Mr. M. R. Jayakar.]

characteristic injustice of that illustration which is still the law. I am referring to paragraph 11 of my Statement of Objects and Reasons, I had better read it to the House:

"Likewise, the present rule is not favourable to the growth of self-reliance among the dependent members of the family. In a rich family, it offers a premium to extravagance, idleness and perpetual discord. Its injustice is manifestly galling . . ."

Now comes the illustration. Non-lawyer Members of this House will be surprised to learn that such is the law:

"Take e.g., the case in which a father has three sons and incurs the same expenditure on their education. He sends them all to England to be educated for the Indian Civil Service. One is successful, the other two fail. Of the two who fail, one takes to trade and the other is unwilling to do any work and remains idle. The trader earns a large fortune, which the present law allows him to keep to himself, because his education in England was for the Civil Service and not for trade. But, out of the earnings of the Civilian, two shares are claimed, one by the trader and the other by the brother who has been idle. The trader keeps his own earnings and also takes a share of the civilian's earnings."

That is the state of the law at present, the principle being that the huge fortune which the trader earned after being educated in England was earned in trade for which avocation he was not educated in England. His education in England was for the Indian Civil Service. Therefore the trader keeps his own earnings and wants a share of the earnings of the Indian Civil Service man who was equally with him educated in England. That is the present law. It may seem surprising to non-lawyers, but it is so; and the result of that is that there is a great uncertainty in joint Hindu families; nobody knows what is going to be the result of his earnings; after a member earns money up to the last moment of his life, he does not know what law is going to apply in his case, whether after his death, his widow or daughter may get the money or his co-parcener. The result of such uncertainty is that an amount of subterfuge is practised. It is naturally the co-parcener's desire that his earnings should be shared primarily by his widow and daughter and not by distant co-parceners, and therefore he takes to subterfuges and invests the money in the name of somebody else; *benami* transactions take place, and the money which would otherwise have been invested in open and easily convertible channel is put in concealed investments making detection and conversion very difficult. I need not here refer to the embitterment which is caused in the family by this state of the law; those who are members of joint Hindu families or who, in the course of their practice have had to advise Hindu joint families, will bear me out when I say that a perpetual sense of irritation is kept up which often finds its way into the courts. I do not want to exaggerate, but I am clear in my mind that if the cause-lists of the various High Courts are carefully scrutinised, it will be found that at least 15 to 20 per cent.—and the Honourable the Law Member will vouch for the accuracy of this figure—of the cases which relate to joint Hindu families spring out of this uncertainty and unreasonableness of the law. Therefore at present there is considerable need of making the law clear and rational.

I have so far explained to the House the distinction between general education and special education. Another distinction is made by present adjudication, viz., *ordinary* gains and *extraordinary* gains of such education.

ordinary or special. So we get four cross divisions, and between them nobody feels certain in Hindu families as to what particular category his own earnings may fall under, after his death. To give one illustration, out of many: If a co-parcener becomes a B.A. at the expense of the family, it is general education. Therefore if he stops there and makes money as a B.A., it is regarded as the ordinary gains of ordinary education and therefore it belongs to him; but if he should be so badly advised—and people do not always go to good lawyers—as to proceed to become an LL.B., which is the next stage after the B.A., that is special education; and all that he earns as a lawyer as a result of his LL.B. degree, becomes joint family property. I have merely to state this proposition to make clear the absurdity and the uncertainty of the present law. If he earns as a B.A., it is not joint family property; if he goes one step further and becomes an LL.B., it becomes joint family property. I can go on multiplying these instances which arise out of the present law. The result is a considerable amount of bitter and wasteful litigation in courts. I can give at least a dozen instances of my own knowledge where a small estate was wasted by the employment of counsel and attorneys, in the city of Bombay and of vakils in the mufassil.

My Bill, Sir, is not intended mainly as a progressive social reform measure, as some critics may describe it; this is a most elementary measure necessitated by two main considerations, namely, the improvement of the status of women in the family and putting a stop to the uncertain and unreasonable nature of the present law and thereby saving the wealth of poor Hindu families.

Now, Sir, let us take another uncertainty that is contained in the word "general education". It is a very indefinite word. What may be general ordinary education in one family may not be so in another. What may be general ordinary education in one class of society may not be so in another. What may be so in one province may not be so in another. The result is that an amount of evidence has to be led to show the character of the education which is the subject matter of the dispute in court, having regard to the status of the family, the community of the parties and all other surrounding circumstances. Honourable Members can imagine the amount of money which is generally wasted in such bitter inquiries, and the consequent harassment. Therefore my submission is that the time has come when all this uncertainty should be removed; and if this measure is passed, as I hope it will be before long, it will certainly have a very good effect in quieting the litigation which takes place now. A co-parcener will know exactly what will happen to his fortune. If Honourable Members turn to the provisions of my Bill, they will see that I have tried to remove this uncertainty in clause 2, where I say:

"(a) the expression 'learning' shall mean education, whether elementary, liberal, technical, special or scientific, and training of every kind, which is usually intended to enable a person to pursue any trade, industry, profession or avocation in life;

(b) the expression 'gains of learning' shall mean all acquisitions of property made substantially by means of learning, whether such acquisitions be made before or after the commencement of this Act and whether such acquisitions be the ordinary or the extraordinary result of such learning;"

All these wasteful inquiries will not have to be made.

I should like to mention one more circumstance before I sit down. All this harassing litigation generally takes place after the earning member

[Mr. M. R. Jayakar.]

is dead. During his lifetime his co-parceners have not the courage to fight him. They live together; but they do not raise the question that it is not the self-acquisition of the deceased; they wait until he dies. Very often he lives for a long time; very often after his death the inquiry does not take place until at the end of the period of limitation which in certain cases of immoveable property may be 12 years. The inquiry generally takes place with the widow or daughter on the one side and all the family on the other. The Honourable Members can imagine what an uneven fight this often is. The evidence is gone, account books long lost, the acquirer himself not present to say how the money was acquired; all these things together with the fact that the onus is on the unprotected woman to prove that it is the self-acquired property of her husband or father—it is a most unequal fight for the poor woman. The result is that a lot of money is wasted; and in 90 out of 100 of these inquiries, they terminate in the defeat of the widow or the daughter, because it is a very big handicap under which she labours. The case goes before a Commissioner in the case of a High Court; the Commissioner calls for accounts; no accounts are forthcoming; the acquirer is dead; he cannot come back to life and give evidence as to how he acquired the money. Perhaps his education was acquired fifty years back, of which no records are kept; it is not known where the money came from—whether the money came from the joint family property or whether it was the property of a particular member of the family—all these questions are absolutely impossible to determine at the stage when they arise; no record of them is kept, with the result that very often the doctrine prevails for sheer want of evidence that what is not proved to the contrary is joint family property.

The result is,—and I have seen many cases,—that destitute widows, destitute daughters of the acquirer have been thrown into the streets with a bare maintenance or residence, all his huge earnings, sometimes amounting to lakhs of rupees, going into the hands of the drones of the family, I mean the non-earning co-parceners. I think, Sir, the time has come when this should be stopped. I am one of those who believe that, within proper limits, full advantage should be taken of the powers of this House to legislate for evils which are troubling the society. I say, within proper limits, and the limits are that any thing which is an urgent need of society ought to be redressed. On that principle, and with abundant faith in the wisdom of this House in allowing this measure to go through, I move the motion that stands in my name.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise to support the principle of the Bill which has been introduced by my friend, Mr. Jayakar. As a practical lawyer, he has already dealt with the difficulties of the problem which come to his notice in law courts and in practical life, but I am going to speak on this Bill only from a general and theoretical point of view, because I am not a legal practitioner and do not know the practical legal difficulties arising out of the problem. Mr. Jayakar has defended himself against the charge that he is helping wilfully the disintegration of the joint Hindu family system. I also wish to say that that charge cannot be very well brought against him, namely, the charge of wilfully disintegrating the Hindu joint family system; for it is not Mr. Jayakar who is responsible for this, but the genius of the Hindu society

itself in its present condition which is responsible. It is the new civilisation that is responsible for this partial disintegration. Then it is the new forces of economic conditions and new ideals of individual rights and liabilities. All these are in their turn responsible for the breaking up of the joint Hindu family system, howsoever we may want it. It was quite different in olden times. Then the family lived huddled up in one and the same locality; it lived upon limited economic resources, and there was no elbow room for professional or industrial development. In all those respects times have changed. In point of the distribution of wealth, the centre of gravity has now shifted from the family to the individual as a unit.

Now, it may be said that that is making for the development of selfishness in the society, but I think it is not so. Though the family is so breaking up, it is not exactly as if each one is now trying to live for himself alone. For, if you compare the charities and public subscriptions of olden times with those of the present times, you will find that, though there has been to a certain extent a disintegration of the family system, individual Hindus have not been living all for themselves but greatly contributing to public charities and giving public subscriptions, etc. The old Hindu family, if I may say so, was a sort of monarchical form of Government. Call it constitutional or call it unconstitutional but it was monarchical all the same. The head of the family, the father, the *pater familias*, enjoyed all sorts of power within the family, and in this respect he might be compared to the father in Roman Law. The head of the family governed the family society and treated his own sons as if they were practically slaves, so that they had to be liberated and released and made freemen by a kind of ceremony. I do not exactly know the word, but there was a kind of ceremony by which the sons had to be emancipated from their bondage and made freemen. At that time even the Hindu joint family system remained in the same condition, but things have been changing. I will just cite one or two things to show how things have been developing, and it is not now for the first time that we are thinking of enlarging the scope of individual male and female members of the family. Manu is the oldest of our law givers. In his time this was the text.

“*Bharya putrashcha dasascha trayo wai adhanah smritah.*”

In his time the text was, the wife, son and the slave were not entitled to any property rights. That was about two thousand years ago, but things have changed evidently. Coming after him, Yajnavalkya says:

“*Tatra syat sadrisham swamyam pituh putrasya chaiv hi.*”

At this later stage we come to a stage of life when the son becomes entitled along with the father to a share in the family property. That way things are moving. If you go to Dayabhaga, there also you will find a more liberal spirit than in the case of the Mitakshara. Now, the point is that from that stage of benevolent despotism in the family, we are now coming to a disintegrated kind of Hindu family in which the rights and liabilities are differentiated as it were. Individual life is now being more accentuated, it is being more specialised and cut up into facets, and aspects, by reason of the growth of individual tastes and the growth also of the means of gratification. Diversity of professions and occupations has now come, and the old caste system based on the pursuit of the same hereditary

[Mr. N. C. Kelkar.]

occupations from generation to generation is now being broken. Therefore, now we have come to a stage when co-parcenary may be good, but compulsory co-parcenary is certainly an evil; but on the other hand, conscious and willing co-operation may be good, and as I have said, even when the family is broken up, it is not as if members of Hindu families do not wish to co-operate with one another. The same sentiment of family affection remains, the same care and anxiety for the welfare of the younger generation or the younger members of the family and of the women of the family remains, though of course there is more latitude for the elaboration of individual rights and liabilities.

In this matter I may perhaps illustrate the point by just parodying to a certain extent the words of the Government of India Act. In the Preamble there, we have been told that we are to get a progressive realisation of responsibility in political matters. Now, the same thing is happening in the realm of the Hindu law, because here we are getting a progressive realisation of individual responsibility in family life. I may also illustrate the same thing by taking an analogy from history. Most of you have read perhaps of that famous ship in Grecian history, the ship in which Thesus returned as a victor after his victory over Crete. This ship was naturally looked upon as an object of national pride. In course of time it also became a historical relic and therefore a thing to be preserved by all efforts and endeavours. I do not know whether it was put in a dry dock or a wet dock, but in whichever dock it was, the devastating effects of time began to take their toll from the body of the ship, and what happened was that plank after plank began to get loose from the frame work of the ship and to be destroyed. But the ship was not to be left in that dilapidated condition. Anxious minds and skilful hands came to the rescue, and as soon as each plank was removed from the ship, another was neatly put into its place, so that again the ship became as whole as it was. I take this analogy for illustrating what is practically happening to Hindu society now and the interpretation of our Hindu Shastras. Even supposing we are standing on the same sure ground of Hindu law, yet bit by bit, step by step, stage by stage, we are drifting away from it to a certain extent. All this naturally is the work, not only of time, but also of our own endeavour, our own intellect and our own progressive sentiments. There is also the same good will that there was before for maintaining the integrity of the joint family life, but law has been finding it very difficult to maintain the exact stand that was taken before, and in that respect I may just say that what is happening now to the law-giver, whether commentator or judicial arbitrator or adjudicator, is practically what happens to a man who is enjoying the game in a skating rink,—whether the man is skating in a rink or on ice. He is determined to stand firm and dig the heel of his boot firmly into the ice or the rink floor. But he cannot escape sliding. He must slide, but he will only slide gracefully if he can. In that way the law courts are now dealing with Hindu law. They have been trying to keep the balance, but they are losing the balance in a number of cases. Now, what Mr. Jayakar does is not wilfully to destroy the joint family life, but as he has said in the Statement of Objects and Reasons, practically to restore or revive the old law. He is only cutting out the forest of doubt and conflict arising out of the vagaries of commentators and modern law-givers in the judicial courts.

Now, to show what the old law was, I will just refer to one or two texts and leave it to the House to judge whether the old law was not really what Mr. Jayakar wants it to be. I am giving you two quotations from Yajñavalkya. They are in Sanskrit and the House will bear with me if I quote them in the original:

*"Pitru dravya virodhena yadmyatswayamarjitam,
Maitramoudvāhikam chaiv dayadanan na tatbhavet,
Kramadabhyagatam dravyam hritamabhyuttaret tu yah,
Dayadebhyo na tat dadyat vidyaya labdhamevacha".*

It explains what you can enjoy yourself and what you cannot, that is to say, what you should enjoy in partnership and jointly with other people. First of all, that which is self-acquired, subject to this condition that it should not have caused detriment to the paternal property or estate. But there it ends. I have translated the first line. My contention is that there it ends. The next is an illustration of the property which a man has a right to enjoy by himself without a claim to it by any other man. They are the gifts you receive from friends, and the dowries you receive on the occasion of your marriage. These are not to be given to *dayadars*, that is relations, and they are not subject to partition. That is complete in itself. Then the next is:

"If something has come in a particular manner from old times to you as your own, then you can enjoy it yourself; and then if you have restored certain things by your own efforts, that also belongs to you and cannot be claimed by other people."

Then the last but not the least is this:

"Dayadebhyo na tat dadyat vidyaya labdhamevacha."

Whatever is earned by a man by his *vidya* is his own property and cannot be claimed by his relatives. Now the commentators enjoy their own vagaries like Judges of High Courts and Privy Councillors. All these have contributed to put the Hindu law out of shape and the Hindu law is not what it is or what it ought to be, simply because these commentators, along with judicial courts, have introduced the results of their vagaries into the interpretation of the law. Here is a case in point in which the commentators have played tricks with the original texts. What I read to you are two different and separate slokas and things are mentioned separately, but the commentators took it into their head to take the word *Pitru dravya virodhena* (that is, subject to the limitation that it should not be produced by any detriment to the family property), and made it govern everything else. Now, the question naturally arises—how is it proper to do so? Now, take *maitram*. What is the propriety of saying that gifts of relatives and friends should not be by way of detriment to the ancestral property? There is no meaning in saying that. The same thing applies to *oudvāhikam*, gifts received in marriage by way of dowry. How can you say that dowry should not be by way of detriment to the ancestral property? A dowry is a thing which comes by itself, certainly without detriment to the ancestral property.

Then there is another point. If you restore the property already destroyed, that becomes your own because you have done something for it and therefore you are entitled to the fullest enjoyment of that restored property. Here also you cannot say that it is governed by the limitation that it should not be detrimental to the value of the parental property. But the clearest thing is *vidyaya labdhamevacha*.

[Mr. N. C. Kelkar.]

If anything is got by learning, a thing put in the text separately by itself, then this limitation does not operate. *Maitramoudvahikam* says Yajnavalkya and *Maitramoudvahikam chaiv madhuparik mevacha* says Manu. You will see practically the same thing common to both Yajnavalkya and Manu. They are speaking definitely of the same subject, but Manu makes it quite clear. And there is *Pitubhyan yasya yaddattam tat tasyaiv dhanam bhavet*—whatever is acquired by learning, it must be left to himself and not to others.

Then there are also texts saying that if special gifts are made by the father to the son, they will also become a separate and special property, even if it is given by the father out of his own estate. It is a special gift, namely, the *vidya*, which is a special gift made to a particular son. Therefore, *vidya* as well as the accretions or the earnings of property arising out of the *vidya* must belong to himself separately. So, in my opinion there is absolutely no doubt that what Mr. Jayakar is attempting by this Bill is not to spoil the law or wilfully to help the disintegration of the family property, but to restore and revive the oldest law, and free it from, of course, the havoc that has been caused to it by the intervening commentators and the judicial law courts.

Now, with regard to the vagaries of the judicial courts, I would just give you a few illustrations. I am not a practising lawyer myself, but I can give you certain instances about this and I think you will find them rather interesting. Mr. Jayakar has already told you how case law differs and how equity in this matter varies with the whim of the translator. Every interpretation varies according to the whim or the vagary of the particular light in which a judicial officer looks at the matter. For instance, Mr. Jayakar has already told you that views differ as to what is general education and what is special education, and there is a very thin line, if there is a line at all, between the domains of general education and special education. It is very difficult to distinguish between special and general education. Special education as well as general education merely depends upon the condition of the society or the condition of the family in the particular case. Now, there are decisions which say that education given up to the B. A. standard is general, but if a boy only matriculates and does not take up the college course but goes to law and becomes an advocate or a pleader, then that becomes his special learning. Mr. Jayakar has already mentioned the difference in the interpretation of what special education is in the case of a man who goes in for the Indian Civil Service and the other who takes to the trade of his father. There, the interpretation is not the same. The last curious instance that I will mention to you is that in *Chalakonda vs. Ratnachalam*, in 2 Madras, in which the question was whether the gains of the girl were from special learning and accomplishments, and whether her mother, who educated her and trained her, was also entitled to them along with her and had a right to that property. Now, the court decided that, as she was only a dancing and singing girl, it was an earning in which the mother had a share. And on that point the commentator, Mr. Maine, who has written a very useful treatise on Hindu Law, humorously deals with the subject and says that if the woman, instead of being merely a dancing and singing girl, had actually taken up the profession of a prostitute and a concubine, then perhaps it might have been her special earning and not a general kind of earning to which the mother was entitled.

Now, I have given these illustrations only to show to the House how vagaries have been creeping in in the interpretation of the law as it stands, and therefore I think that Mr. Jayakar is doing a great service by this Bill because it seeks to cut up the forest of doubt and hesitancy. Sometimes the judges hesitate to give their decisions and are simply carried away by the impulse of the moment without necessarily following any definite rules of interpretation.

For these reasons, I think Mr. Jayakar's Bill should commend itself to this House and that it should be sent to the Select Committee. In my opinion, however, some amendments to the Bill may be necessary which may be carried out in the Select Committee. For instance, I think that, though the law should be as is stated in Mr. Jayakar's Bill, a provision might be inserted enabling the father to enter into a sort of contract or agreement with the son whom he is giving special education, so that he might be able to get back a share in the property arising out of that special learning. The point is this. Sometimes parents are enterprising. They find that the boy is intelligent and is also enterprising. They therefore take a large share out of the property in hand and invest it upon the boy. Now it cuts both ways. If it is inequitable, on the one hand, for the distant relations to claim a share in this man's self-acquired property, it is also inequitable on the other hand that this boy, who has been educated with the family property, should enjoy the whole gain obtained by him without taking any care of his younger brothers or other relations. Therefore, it may occur to a thoughtful father to make a contract or an agreement with the son, and I think that agreement or contract should be treated as valid in a Bill of this kind. The son should not have the power by reason of this Bill to say to the father: "You cannot even make that agreement with me, or if you make that agreement, it will be ineffectual". The father ought not to be prevented from entering into such an agreement, and if that is done, I think the equities of both sides would be properly met. This is only one illustration of a possible amendment that might be made in the wording of the Bill. Apart from this, I heartily support the principle of the Bill and say that it should be sent to the Select Committee.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I rise to give my whole-hearted support to the motion made by my Honourable friend Mr. Jayakar. Though, unfortunately the Hindus and Muhammadans are not united at the present time in the country, yet I wish to give the whole House to understand that, so far as social rights and the social progress of my countrymen, the Hindus, are concerned, I am as much sympathetic to them as any one else. I do not want to give my silent vote in favour of the motion, but I want to give my vocal vote, so that the whole House might understand that, so far as the social rights and the social progress of the two wings of the Indian community are concerned, they are at one, and that the Muhammadans have real sympathy with the Hindus in this matter.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, to the eloquent peroration of my Honourable friend, Mr. Jayakar, I may assure you, that I listened with great sympathy. But my old, orthodox and uncivilised brain always thought that Saraswati and Lakshmi very rarely lived together. Men of learning very rarely become laden with wealth, as my Honourable friend Mr. Jayakar is. My first difficulty is to ascertain in what measures the two opposites meet together,

[Mr. M. K. Acharya.]

namely learning and the gains got therefrom. My second difficulty is this. As my Honourable friend, Mr. Jayakar, has admitted, some 35 or 40 years ago a greater lawyer, perhaps at least in his days, than even Mr. Jayakar, the late Sir V. Bhashyam, who later on became an ornament of the Bench of the High Court of Madras, brought forward a Bill of this kind. Doubtless in view of all the old and new and intermediate anomalies to which my Honourable friend, Mr. Kelkar, has referred and which we have had at the hands of lawyers and judges—I am not a great admirer of them

An Honourable Member: Oh! you are.

Mr. M. K. Acharya: No, I am not. However, in view of all that, when that great lawyer brought forward his Bill, the Bill was almost passed into law by the Madras Legislative Council. But in those days public feeling was so very strong against that Bill—that is 40 years ago—that the Governor did not give his assent to that Bill being passed into law. Now my difficulty is this, whether during the past 40 years, in spite of the great advances we have been making, in spite of the fact that there are great heroes and heroines who are emerging from Ahmedabad and Allahabad and many other places beginning with “A” and ending with “bad”, who think they are forming the public opinion of this country and who may be much enamoured of Mr. Jayakar’s Bill, in spite of all these considerations, Sir, I doubt if real public opinion wants this Bill badly. However I do not want to disappoint my Honourable friend, Mr. Jayakar, who has made such big appeals. I dare say that, later on, if public feeling is very strongly against it, my Honourable friend, Mr. Jayakar, who is always so anxious to keep the law in touch with public opinion and who I am sure will be here in another Assembly, will be the first to bring forward a measure to amend or modify his Act. I therefore do not propose to move the amendment* which stands in my name, but shall support the motion of Mr. Jayakar for referring the Bill to the Select Committee. I hope the Select Committee in which my Honourable friend, Mr. Kelkar, is going to be a Member will make valuable suggestions and will most carefully consider the Bill and give no room for the outside public to quarrel over the good intentions which my Honourable friend, Mr. Jayakar, has in view; and I should certainly be very happy in helping Mr. Jayakar to immortalise himself with an Act of his own to his credit.

Rai Sahib Harbilas Sarda (Ajmer-Merwara: General): Sir, I rise to give my whole-hearted support to the motion made by my Honourable friend, Mr. Jayakar. The object of the Bill is a very simple one. The Bill does not cover the whole field of the Hindu law of inheritance, nor does it affect all Hindu families in the country. It will affect stray cases here and there. As my Honourable friend the Mover of the Bill has shown, under the old Hindu law the gains of learning of a man were his personal property. But it was only when the commentators, with views of their own, came into the field and interpreted them in their own way, and also when judicial officers sitting in Westminster or in India with their own preconceived notions about things that obtained in their own country at the time and who were ignorant of the language in which these texts were written, it was only then these officers began to interpret the law that it took a shape quite different from what it originally had.

*“That the Bill be circulated for the purpose of eliciting opinions thereon.”

Now, however, with the invention of printing and the part which electricity and steam are playing in the production of books, which bring large profits, and which enable people to go about delivering lectures and earn large sums of money, when technical education and expert knowledge in the various branches of learning required in different walks of life are becoming more and more important, it has become increasingly necessary that the law should be so modified, or rather the old law should be revived so that it may not hamper the spread of learning.

Those who argue that because a man has been educated at the expense of a family, the gains of learning of that man should become family property, forget that, in the first instance, the law is not what they expect it to be. Secondly, they must also remember that it is not education only that enables a man to make large profits or huge earnings, but it is something which existed before education was given. It is the brains of a man, it is the moral powers of a man that enables him to earn large sums of money, and the brain is not the creation of any education given at the expense of the family. Education may sharpen the edge of the faculties of the brain, but brain exists independently of that education. We also find that education, by itself, is not sufficient to enable a man to earn large sums of money. As the Honourable the Mover pointed out, though education is given to a number of pupils reading in the same classes upto the same standard, only a few of the pupils attain marked success and earn large sums of money. If it was only a question of education, then all those who receive the same training should be able to earn large sums of money and attain the same degree of success. Thus it is not education only, though it may be helpful to some extent, but something which existed before education was imparted, that enables a man to earn large sums of money. The gains of learning must therefore, be the property of the person who possesses that brain. The question is essentially one which is acquiring great importance day by day and should be decided by the enlightened notions of justice and equity that obtain at the present time. I find that an attempt was to be made to kill the Bill by moving for its circulation and postponing the day when it may have to be passed.

An Honourable Member: The Honourable Member, Mr. Acharya, did not move his motion for circulation.

Rai Sahib Harbilas Sarda: I know that he did not move his motion. I appeal to the Government to consider this question in a spirit conducive to progress, take an enlightened view of the question, and cast their vote on the side of progress. The Government should not seek shelter behind the screen of immobile and no-change orthodox opinion which unfortunately regards every step forward, even the slightest change to keep pace with the requirements of time, as a blow to its existence. I hope that Government will help in the evolution of society not by lip sympathy alone but by giving practical aid in this process of evolution, and vote that the Bill be referred to a Select Committee, where, if necessary, amendments not touching the principle of the Bill, which principle I hope the Government now accept, could be made.

The Honourable Sir Brojendra Mitter (Law Member): Sir, the Bill before the House is a measure which concerns the Hindus only. It deals with secular rights and no religious principle is involved in it. As the general sense of the Hindu Members of the House is in favour of the principle

[Sir Brojendra Mitter.]

of the Bill, Government will not stand in the way. The attitude which Government take up in the matter is one of neutrality and they leave it to the Hindu Members to shape the Bill in manner best suited to the conditions.

Mr. M. R. Jayakar: Sir, I am very thankful to those Members of the House who supported my Bill, and particularly I am thankful to Khan Bahadur Sarfaraz Hussain Khan for his excellent sentiments in the matter. I may mention that I made an attempt to have one or two Muhammadan Members on the Select Committee and in that connection I spoke to one or two friends; but they said that it would perhaps be better that they should remain outside the Select Committee and give their support in that capacity. That, Sir, is the reason why I have not included in my Select Committee a couple of my Muhammadan friends whom I should have very much liked to have on it. I am particularly thankful to my Honourable friend, Mr. Acharya, for having agreed, at my suggestion, to drop his amendment for circulation, because sending the Bill for circulation at the present moment means that it may not come back during the life of the present Assembly. It may or may not be dealt with in the next Assembly whose personnel may be different. The Mover may or may not be here and difficulties may arise. I am, therefore, very thankful to my Honourable friend, Mr. Acharya, for having consented to drop his dilatory motion. I may mention at once for his consideration,—I am referring to some of the remarks which he made,—that fortunately for me I am not a member of a joint family at all. Therefore, the Bill would not make the slightest difference so far as my own position is concerned. I am, therefore, not actuated by personal motives in pushing forward this measure. The main purpose of my Bill is to put a stop to the uncertainty and the harassing and expensive litigation which the present position causes. That is the main object, and the second purpose relates to the status of women, which will be improved by reason of this measure becoming law.

As for the amendment suggested by my Honourable friend, Mr. Kelkar, that would be considered by the Select Committee. I am very thankful to him for having accepted the principle. Leaders of his eminence accepting the principle will be of considerable help to me in getting this measure through and securing popularity for it. But I may mention to my Honourable friend, Mr. Kelkar, that if he looks at clause 3 of my draft Bill, he will find that all that it says is this, that no property, being the gains of learning, shall be held not to be the exclusive and separate property of a coparcener by reason of such learning having been imparted to him by any member, etc. Therefore, it leaves out cases where there is a special agreement of the nature he has in view. It only speaks of cases where, by reason of the learning being imparted, or by reason of the cases mentioned in clause (c), the property is regarded as joint family property. Therefore, the case which he wants to provide is not touched by clause 3. However, if he wants to have a specific provision made for the case of agreement between the man who supplies the money and the person for whose benefit it is supplied, I am quite sure that the Select Committee will consider this question. Speaking for myself I have no objection to the case of special agreement being specially provided for. I am very thankful to the House for the reception it has given to my measure.

Mr. President: The question is:

"That the Bill to declare gains of learning by a Hindu to be his separate property, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable the Home Member, Munshi Iswar Saran, Mr. N. C. Kelkar, Mr. K. C. Neogy, Rai Sahib Harbilas Sarda, Sir Purshotamdas Thakurdas and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four."

The motion was adopted.

THE SPECIAL MARRIAGE (AMENDMENT) BILL.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): Sir, I now proceed to the second Bill which stands in my name. I do so with a certain amount of apprehension that it may not receive the same measure of support from the House as my last Bill did. I see my Honourable friend, Mr. Ghuznavi, shaking his head somewhat violently. However, I beg to move that the Bill further to amend the Special Marriage Act, 1872, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable the Home Member, Sir Purshotamdas Thakurdas, Nawab Sir Sahibzada Abdul Qaiyum, Sir Darcy Lindsay, Khan Bahadur Sarfaraz Hussain Khan, Munshi Iswar Saran, Rai Sahib Harbilas Sarda, Sir Hari Singh Gour, Sardar Gulab Singh and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

This Bill is intended to complete the process of simplifying and regularising the marriage law of India, which process began in the year 1872. I may at once mention that the credit of bringing in this measure is entirely due to my Honourable friend opposite, Sir Hari Singh Gour. It is really his Bill, but it has been allotted in my name and therefore I am moving it. As I said, the process of simplifying the marriage law began in the year 1872, when the Government of India passed a measure which is Act III of 1872, the effect of which, stated briefly, is this, that any person in India could marry any other person in India irrespective of religion, caste, community or any other difference, provided,—and that is an important qualification,—that the parties to that marriage went before an officer called the Registrar and declared that they did not profess to belong to any particular religion. Taking an illustration, if a Hindu married a Christian, the man and the woman went before the Registrar and the Christian said, of course for the moment, that he or she did not belong to the Christian religion, and the Hindu said that he or she did not belong to the Hindu religion. That was the principle of that measure. In practical working, it was found that this measure bred insincerity and hypocrisy, and its practical effect in working was this, that a man and woman who took advantage of this measure and went before the Registrar had to forswear his, or her, religion momentarily, if I may say so. They came back five minutes after the marriage and were absorbed in their own religion once more.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Can the Honourable Member cite instances of that?

Mr. M. R. Jayakar: I am speaking from experience.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhamadan): Mr. Justice Greaves of the Calcutta High Court had to deal with an instance of this.

Mr. M. R. Jayakar: I know of several instances, though I have not got them in my pocket. But the Honourable Member will give me credit for knowing them in the course of my personal experience. I know several instances where the more honest minded and more cultured section of the community has been restrained from entering into this form of marriage by reason of the obligation to have to go before the Registrar and momentarily swear to what is not often a fact, namely, that they do not profess this religion. That was the obligation to swear to a falsehood under which alone such marriages could take place. The result was that the fullest benefit was not taken of the Act which was passed in the year 1872.

Then came the second stage of this marriage reform and a Bill was introduced by my Honourable friend, Dr. Gour, for which great credit is due to him and which measure should alone immortalise his good work as a Member of the Assembly. This Bill was passed into Act XXX of 1923. It was a very courageous and bold measure which he brought forward and it has been taken advantage of to a much larger extent than its supporters thought possible at that time. What that Act did,—speaking briefly again, because I do not wish to weary the House with all the technicalities of its provisions,—was that it was confined only to Hindus, Buddhists, Jains and Sikhs; that is, Hindus and those who profess to belong to allied religions. To them the Act applied, and it was provided that those who profess these four religions need not forswear their religion at all. I am stating its effect in brief because I realize that I am addressing a number of people who are not lawyers and I do not wish to weary them by going into the technicalities of this subject. Stated briefly, its effect was that the four communities, Hindus, Jains, Buddhists and Sikhs, that is Hindus and those who are more or less allied to Hinduism, if I may say so without disrespect to Jains, Sikhs and Buddhists, could contract marriages *inter se* without being required to make the declaration of which I have spoken. In regard to those who at that time were outside these four communities, especially the important communities of Muhammadans and Parsees, who were kept out, as Dr. Hari Singh Gour assures me, at that time those who represented the Government promised him that, if he was content with half a loaf at that time, in course of time, as these ideas advanced and as public opinion became educated, it would be more easy for him to push forward the entire measure which is now before the House. I have that assurance from Dr. Sir Hari Singh Gour and I hope he will make the matter clear in his speech in support of this Bill. Therefore, that Bill was ultimately confined to Hindus, Sikhs, Buddhists and Jains. But in order to arrive at a social equipoise, if I may say so, certain penalties were attached to those who contracted such marriages amongst Hindus, Jains, Buddhists and Sikhs, namely, that certain privileges and functions which the Hindu and the allied communities regard as the essence of their family life had to be given up. In other words if a person wanted to have the luxury of marrying outside his own community, and his own religion, he had to give up certain privileges, social and quasi-religious which were regarded as the essence of his family life. For instance, if a Hindu married under that Act, he could not marry another wife while one was alive. For marrying another woman he would be punished for bigamy. That was one important qualification of his personal law. The second was, the wife would be entitled to

divorce, which is not allowed in Hinduism. Thirdly, he would be regarded as having, by his marriage under the Act, severed connection from his joint family. Fourthly, succession to the issue and to himself would be governed by the measure which is called the Indian Succession Act. Lastly, and this was a most important privilege, of which he was deprived as the price for his marrying outside his community, it was provided that as soon as he married, his father, if he happened to be the only son of his father, would be regarded as sonless and would be entitled to adopt a son immediately. In other words, that measure established a social equipoise, if I may say so. For marrying outside his own community he was called upon to give up five important privileges which he enjoyed as a member of the Hindu society.

That Act was passed in the year 1923. Now my measure goes further. It is the last stage, if I may say so, and completes the process of marriage reform which began in 1872. I will here give expression to one sentiment before this House, that I am full of admiration to find that, in the year 1872, that means nearly 60 years ago, the Government of this country was so moved by progressive, liberal and courageous notions, that they passed a measure in the year 1872 when the House with which they had to deal was not one-tenth as representative as the present House can be said to be, when British power had not consolidated itself in this country in one-tenth of the measure that it has now, when the Government Benches were not representative of Indian sentiment to one-tenth the degree that they are now, I say that, even in those days, when the charge that the Government is alien was far more true than now, the Government had the courage to pass this measure and put it on the Statute-book. That attitude is a great lesson for the present Government to copy, and I hope they will copy it with reference to this Bill. Measures of this description can only be pushed forward under present conditions with the support of that body which is called the Government, and I do submit that, having regard to the progressive nature of this legislation, Government will consider seriously what their attitude on a matter of this importance ought to be. It is obvious that a measure of this description must cause in orthodox sections of the Indian community a considerable amount of discontent and dissatisfaction. No measure of this character can be pushed through without causing somewhere some irritation, some discontent. But it is always a question of finding out what is the balance of benefit. If there is to be progress, nationalisation, Indianisation of the entire country on the one hand and there is the opposition of certain sections on the other, the choice ought not to be very difficult to make, and I hope Government will make that choice when their turn comes.

As for the principles of this measure, I just want to put three or four features before my Honourable friends. First of all, it is a purely optional, enabling measure. (Hear, hear.) It is not a compulsory measure at all. It does not say that a Hindu must marry a Muhammadan or a Muhammadan must marry a Hindu. It is not of that character. It is purely an enabling, optional measure. It only means that those who want to marry outside their caste under this Bill, must have their activity legalised and made valid.

The second consideration which I wish to urge before the House is this, that such a measure exists in all civilised countries. We have only to step outside British India and we will find that such marriages are permissible even in a State like Baroda. I am only mentioning one out of

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the three or four Indian States. One has simply to step outside British India and marry anybody he likes by going into a place like Baroda territory. Likewise he will be entitled to marry if he goes outside India into any foreign country like Europe. The limits of the present law are therefore purely territorial. A measure of this description makes marriage more or less a question of personal volition, personal affinity, apart from religious considerations. Conceptions about marriage are bound to progress on these lines as time advances. I say that the principle of this Bill has been accepted not only in Baroda but in all progressive countries outside India.

The third important principle of this measure is that it will make more and more popular, more and more common and acceptable to the people, ideas of monogamy. One of the principles of this measure is that those who marry under this Act can only marry one spouse at a time. Any marriage under this Act has to be monogamous. Therefore, I have a hope that, if this measure gets through, it will be a most powerful incentive in spreading and making popular notions of marriage being monogamous especially among the two sister communities, Hindus and Muhammadans. It will be one means of widening the salutary notion that marriage ought to be a monogamous transaction, that marriage means that the man and the woman will regard one another's love while they are alive as the only constituent tie between them, and that no other attachment is possible, and I have a hope that the beneficent effect of this notion will spread more and more widely if this Bill gets through.

Dr. A. Suhrawardy: May I inquire of the Honourable Member what he means by monogamous? Unless it was a slip of the tongue, and if I am not mistaken, he seems to mean thereby marriage once in one's lifetime.

Mr. M. R. Jayakar: I hope the Honourable Member, in the vehemence of his desire to oppose this Bill, has forgotten the plain meaning of the English word "monogamous". It means one wife or one husband at a time.

Dr. A. Suhrawardy: I wanted to know what the Honourable Member meant in the light of what he has been saying. I certainly know that monogamy means the union of one man with one woman for life.

Mr. M. R. Jayakar: Monogamous means the union of one man with one woman at a time. That is what I understood it to mean, but if the Honourable Member takes exception to this meaning, I can only say that he must have come here today with the determined intention to oppose this Bill tooth and nail. Monogamous means that a man cannot marry two wives at a time, just as a woman cannot marry two husbands at a time. That is perfectly sensible, and that is the only meaning of the word "monogamy". Let my Honourable friend oppose this Bill by all means, but let him not start hares which have no substance.

Therefore, my submission to the House is that the effect of this measure will be—and I am very hopeful about it—to make this notion of monogamy more and more popular, which is the great need of the two communities. I only speak of the Hindu community because my Honourable friend the learned Doctor may object to my speaking for the Muhammadan community. I speak of the Hindu community with great humility and say that

there is great need for spreading this notion of monogamy, and one of the effects of this measure, if it becomes law, will be that this notion will become more and more popular. I am not suggesting that, among the intelligentsia of the Hindu community non-monogamous marriages are common; no, they are rare, but still the effect of this Bill is bound to be that monogamous marriages will become more and more acceptable to the community.

Another important effect of this Bill will be that it will leave no room for artificial conversions. At present what happens is this, that if a man and woman like one another and want to marry, they often change their religion, not because there has been a psychological change of religious belief which is the true foundation of religious conversions, but simply because they want to marry one another. I am aware of many instances; the latest of this kind is only three days old. (*An Honourable Member:* "Only three days old!") The House is aware of what was reported in the papers three days ago. I do not wish to mention names, but a European gentleman changed his religion and converted himself to another religion possibly because the religion of his intended wife was a different one. I am aware of several instances of this kind where a man changed his religion in order to marry a wife belonging to another religion, or a woman changed her religion in order to be able to marry a husband of another religion. I think such practices would stop in course of time if this Bill becomes law.

The last and the most important consideration which I would urge upon the House is that it will considerably facilitate the unification of Indian races. I do want the House to give its best consideration to this aspect of the case. I know I am treading upon very delicate ground when I say this, but I am one of those nationalists who look forward to a time when the distinctions which are more or less a question of personal religion—distinctions of Hindu, Muhammadan, Christian, and so on—will disappear. I am full of faith that allegiance to a religious tenet or tenets will become more and more a matter of personal choice and predilection and less and less a matter concerning a question like marriage. I am full of hope that this Bill, if and when it becomes law, will make this process easy. We are now dealing with a very small measure, but I am full of hope that it will be one of the most potent instruments for bringing about the unification of social practices apart from religion amongst the several races that inhabit this country. Such unification is absolutely necessary if this country is to become a self-governing one. This is no doubt a very small measure, but its effect has to be considered in the light of the forces which would be released and loosened, so that in course of time these man-made distinctions between one religion and another will interfere as little as possible with the processes of social aggregation. I think a measure of this kind is inevitable, and I think the time-spirit is in favour of a measure which takes marriage out of the controversies of religion and makes it more and more a matter of personal loyalty and personal attachment. This is the process which I want to see accelerated in course of time, and I submit this measure will be one of the means of doing that. Lastly, I would just say a word to the orthodox sentiment, not only in this House but outside. I will say this with great humility. Sir, I am aware that in many quarters it will generate forces of great opposition. Well, orthodoxy would not be true to itself if it did not do so. I respect orthodoxy as I respect many genuine sentiments in life, but my submission to these orthodox centres, wherever they may be, is that this step

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will have to be taken some day as we go on. If public sentiment is not ripe for it, that is the only ground on which the opposition can be put. Nobody can oppose the principle of the Bill on its merits. Nobody can say that India shall always have the distinctions of Hindu, Muhammadan, Christian and so on. Nobody can say that twenty, thirty or forty years hence these distinctions will not disappear. They may remain long so far as personal faith in religious tenets is concerned; but so far as the marriage law is concerned they are bound to disappear; it is only a question of time. Therefore, the opponents of this Bill can only rest their opposition on the ground that the time is not yet. I am not dealing with the ultra-orthodox, I am leaving them alone, but I am addressing those who are rational and look forward to the time when, though the religions may remain as matters of personal faith, these social distinctions between Hindus, Muhammadans, Christians, Parsis, Jains and Buddhists, will all disappear and there will be one Indian nation valuing its Indian domicile more than its religion. This Bill is an apotheosis of Indian domicile, if I may say so. If that process is to be accelerated, such a measure as this will have to be the law, if not today, ten years hence. The opponents can only postpone the measure, they cannot kill it outright. Let me tell them, in absolutely plain words, that this change of notions is bound to come. Some other man, ten years or twenty years hence, will rise in my seat and move this measure. They can only oppose it by saying that the time is not yet. I can understand that opposition, but my answer to that will be, "Very often we have to make the time". It is possible to exaggerate the objection, "The time is not yet", and I think we are exaggerating it. Look at the ease with which some orthodox communities, have digested this Bill. We cannot imagine a more orthodox community than the Hindus; we cannot imagine a more religious community than the Jains; we cannot imagine a more learned community than the Buddhist; we cannot imagine a more militant community than the Sikhs, the law already applies to them. Nearly five years ago it started applying to them. These four important communities have digested this Bill. No disaster has overtaken them. I remember the time in 1923 when there was a great commotion among these communities but the good sense of these communities has asserted itself, and these four important communities have digested this Bill. I have no doubt that the great and ancient communities, the Muhammadans, the Christians and the Parsis, will do likewise. I say, therefore, that it is possible to exaggerate the plea, "the time is not yet". The time is now, if only we will take courage in our hands and proceed.

An Honourable Member: We have not had time to digest even the Sarda Act.

Mr. M. R. Jayakar: If my Honourable friend had said this twenty years ago, he would have been right; he is not living in the present age, if he thinks so. He is a Rip Van Winkle. However, that is a different matter, and I therefore submit, do not exaggerate this plea of the time not being ripe. If the House is opposed to the principle of the Bill, let it throw it out. But if it is not opposed to the principle of the Bill and thinks that it is the next step in the stage of our evolution as one nation, let it not oppose the Bill. Let it give it its support and courageously fight for spreading the noble conceptions underlying this Bill as widely as it can. I submit, Sir, this Bill ought to go to the Select Committee I have mentioned.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): On a point of order, Mr. Deputy President. The Preamble of the Act which my Honourable friend, Mr. Jayakar, seeks to amend runs as follows:

"Whereas it is expedient to provide a form of marriage for persons who do not profess the Christian, Jewish, Hindu, Muhammadan, Parsi, Buddhist, Sikh or Jain religion [and for persons who profess the Hindu, Buddhist, Sikh or Jain religion.]"...

An Honourable Member: That has been changed by the law of 1923.

Pandit Hirday Nath Kunzru: I am reading the amended Act:

"and to legalise certain marriages the validity of which is doubtful."

If the amendments which clause 2 of the new Bill seeks to introduce are accepted, the Preamble will run as follows:

"Whereas it is expedient to provide a form of civil marriage for persons domiciled in British India (and for persons who profess the Hindu, Buddhist, Sikh or Jain religion), and to legalise certain marriages the validity of which is doubtful."

Apart from defects of language, Sir, it seems that the effect of the amendment proposed in this Bill would be to restrict the law further. If the Preamble is made restrictive, I wish to know whether, when the Bill goes to Select Committee, it will be possible to widen its scope so that it may apply not merely to persons who profess the Hindu, Buddhist, Sikh or Jain religion, but also to other persons who profess the Christian, Jewish, Muhammadan or Parsi religion. The object of the Bill, of course, is to have a form of civil marriage, to insist on no declaration which would compel a man to renounce his faith. But I find that the Bill has been drafted in such a way that, if it is accepted, the law would become more restrictive than it is at present. I want to have your ruling, Sir, on the subject, as the attitude of many of us will depend on the ruling you give.

An Honourable Member: What is the precise question?

Pandit Hirday Nath Kunzru: I want to know whether in the Select Committee it will be possible for us to achieve the real object of the Bill by making the law applicable not merely to persons who profess the Hindu, Buddhist, Sikh or Jain religion, but also to others who do not profess these religions or who profess the Christian, Jewish, Muhammadan or Parsi religion.

Mr. M. R. Jayakar: I am very thankful to my Honourable friend for drawing my attention to what is an inadvertent omission. He is perfectly right, but what happened was this. Unfortunately Members have not got before them the text of the old Act. The Preamble of the old Act is this:

"Whereas it is expedient to provide a form of marriage for persons who do not profess the Christian, Jewish, Hindu, Muhammadan, Parsi, Buddhist, Sikh or Jain religion and for persons who profess the Hindu, Buddhist, Sikh or Jain religion."

What my amendment seeks to do is to drop out all these words, namely:

"who do not profess the Christian, Jewish, Hindu, Muhammadan, Parsi, Buddhist, Sikh or Jain religion, and for persons who profess the Hindu, Buddhist, Sikh or Jain religion."

and in their place substitute the words, "who are domiciled in British India", so that the amended Preamble would read:

"Whereas it is expedient to provide a form of civil marriage for persons domiciled in British India."

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Unfortunately in print, the word "etcetera" has been omitted in sub-clause (3) of clause 2: it should be "who do not profess the Christian, Jewish, Hindu, Muhammadan, Parsi, Buddhist, Sikh or Jaina religion, etc." It is a purely inadvertent omission, and I am thankful to my Honourable friend for having pointed it out. My amendment is that all these words in the Preamble will go and the words "domiciled in British India" will take their place. That is the purpose of my amendment. In other words, anybody domiciled in British India, whatever the religion he professes may be, will be subject to this Act.

Pandit Hirday Nath Kunzru: That is precisely the point of order—whether it would be possible to make this change in the Select Committee.

Mr. Deputy President: I think the question which my Honourable friend, Pandit Hirday Nath Kunzru, has asked ought to be put in Select Committee when the Bill is before the Committee; and it will be for the Chairman of the Select Committee to give an answer to this question. I am not called upon to give any ruling on this point.

Pandit Hirday Nath Kunzru: May I, with all respect, point out that on previous occasions the President has been appealed to in order to ascertain what is the principle of a Bill, and he has not unoften responded to that appeal. The question before the House is an important one and before we can vote upon it, we must know what the exact significance of this measure is.

Mr. M. R. Jayakar: I have explained it.

Pandit Hirday Nath Kunzru: I entirely agree with the purpose which my Honourable friend, Mr. Jayakar, has in view; but we must know whether the purpose that we wish to accomplish will be effected by this Bill or whether a state of things which we do not wish to introduce will be brought about. If the effect of this Bill will only be to make it restrictive, we would rather leave the law as it is and seek some other opportunity of extending it.

Mr. M. R. Jayakar: I have already explained that it is an inadvertent omission—that the word "etcetera" has been omitted in clause 2 (iii).

Mr. Deputy President: I think my ruling stands, that I am not called upon to give any ruling on this point at this stage, and that it will be for the Select Committee to decide it.

Mr. Abdul Haye (East Punjab: Muhammadan): Sir, it is with profound respect for my friend, Mr. Jayakar, that I feel called upon to rise and oppose his motion. It is not always a pleasant thing to oppose my Honourable friend in this House, but I do so for religious reasons. I want it to be clearly understood by this Assembly that for us, Muslims, it is a matter of vital importance that, in such matters, our religion should be left untouched. The law of marriage has been given to us by the Koran and we, Muslims, believe that it is a revelation made by God. Sir, with us, Muslims, religion is a living force, and it has not yet become a dead letter.

My Honourable friend when moving his motion said that the Act of 1872 was prone to breed insincerity and hypocrisy. That may be so, but I ask him what is his position today. You stand here today and you say, "You are a Muslim. According to your religion it is

not permissible to marry a certain person, but if you really want to marry her I will give you the necessary legal sanction".

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): May I ask my friend one question? Is there any Koranic law on the subject?

Mr. Abdul Haye: The Koranic law of marriage is that a Mussalman is at liberty to marry another Mussalman, and he is also at liberty to marry a *Kitabiya*, that is a female who believes in a revealed book, whether she be a Jewish or a Christian lady, and it is clearly laid down that no Mussalman shall marry an idolator or a fire-worshipper.

Khan Bahadur Sarfaraz Hussain Khan: May I ask my friend if Aryas are not idolators?

Mr. Abdul Haye: The Honourable Member ought to know it.

Khan Bahadur Sarfaraz Hussain Khan: I know more than you do.

Mr. Abdul Haye: What I was trying to . . .

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): What about the Moghul Emperors marrying Hindu ladies?

Mr. Abdul Haye: It was absolutely illegal. Merely because Akbar did it, we cannot hold it to be legal. He certainly did an unlawful act.

Dr. A. Suhrawardy: We have no evidence that their wives were Hindus.

Rai Sahib Harbilas Sarda (Ajmer-Merwara: General): There are in the Agra Fort places where the Hindu wives of the Emperors worshipped Hindu gods.

Mr. Deputy President: I think this is all beside the point.

Mr. Abdul Haye: If my friends will permit me, I will make one observation, and it is this. If you want to begin the unification of the communities in India, you cannot do so by passing this legislation. What about our social life in this country? My friend said that he had got nothing to say to those who believe that eating and drinking is also a religion with them. I ask what about the majority of the Hindus, that great community to which the Mover of this Bill has the honour to belong?

Mr. M. R. Jayakar: It already applies to Hindus.

Mr. Abdul Haye: Is it possible, I ask, for the Honourable the Leader of the Opposition to come to dinner with me tomorrow evening? If that is not possible, it is nothing but hypocrisy to talk of such legislation. (*An Honourable Member:* "It is permissive.")

Then, Sir, Honourable Members must bear in mind that legislation of his character will not create the Indian nation. It will not bring about the unification of the various communities in India. The Muhammadan law as it stands permits marriages between Mussalmans and Christians and Jews. Has the unification of the communities been brought about by such . . .

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): You refer to *Ahl Kitab*, and you also refer to Mussalmans marrying with Christians and Jews, but there may be some other books also in which certain sections of the Mussalmans believe.

Mr. Abdul Haye: Unless it is specifically stated in the Koran that certain sections believe in a certain *Kitab*, we cannot draw upon our imagination.

Mr. Muhammad Yamin Khan: "We have sent our Messengers at all times", our prophet has said

Mr. Abdul Haye: I am perfectly aware of that, but is it possible for you to say that a certain person was a prophet and not a pretender unless you have the authority of the Koran?

What I was submitting was that this unification by inter-marriages between the various communities has not been brought about in Egypt where the Christians and Muslims live side by side, nor has such unification been brought about in Jerusalem, where only recently there have been communal riots resulting in bloodshed.

Then again, this Act of 1872, which is sought to be amended and made applicable to Mussalmans, comes directly in conflict with our personal law. For instance, under this law, if it is enacted, it will not be possible for a Mussalman to marry one of his cousins

Sir Hari Singh Gour: You will not be able to marry under the Act, but you can marry under your own law.

(At this stage Mr. President resumed the Chair.)

Mr. Abdul Haye: Sir, what about the law of *Idat*, the unique and celebrated doctrine under which a widow or a divorced woman is not permitted to contract another marriage for a certain period? *Idat*, I maintain, is absolutely necessary to preserve the legitimacy of descendants and avoid confusion of blood. Under this Act it would be open to a Mussalman widow to go and contract another marriage within the period of *Idat* and that marriage would be held to be perfectly legal. I submit, Sir, that we Mussalmans cannot but oppose this measure.

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): Sir, generally, I do not like to fish in troubled waters, but it seems that it will be pertinent on the part of those who are sitting in this Central Muslim Group, hedged in between by my friends here on one side and by my friends on the Treasury Benches on the other to express an opinion. My personal opinion, so far as the Bill as it stands now is concerned, is this. This measure, if it is passed into law, will give a sort of latitude to those people professing my faith—a loophole, as Mr. Jayakar puts it—to retain their own faith and at the same time to indulge in the luxury of contracting marriages with others; because, Sir, you find the Honourable the Mover has very tactfully suggested in his Bill the omission of certain words from Schedule II. That is perhaps the only redeeming feature of the Bill so far as those people who do not belong to his faith and who would like to marry with others are concerned. In short it will save a Moslem from the terror of declaring openly that he is not a Mussalman for the purpose of this marriage, but on the other hand it is likely to create troubles and complications which we now cannot foresee. But of course here in this country,

unfortunately, as we are situated, personal opinions do not go far. Personal opinions have sometimes out of necessity got to be subdued and submerged into that vocal force which is known as public opinion and it is rightly so. The part of the country from which I come is a very orthodox part of the country, and if a man of my type wanted to give his goodwill, or for the matter of that his moral support, to this measure, he would be subjected to all sorts of unnecessary troubles not knowing perhaps that he is giving his best and acting according to his light.

An Honourable Member: You will not be returned again?

Mr. Anwar-ul-Azim: I can assure anybody that, even if Pandit Malaviya were to contest my seat, he would not be able to dislodge me by the grace of God.

So far as the amending section of this law is concerned, there is one other pertinent matter which I might ask my friend about and it is this. If he wanted really to do any good to the Mussalmans of this country, would it not have looked well if he had consulted the great associations of *Ulemas* at Deoband and other centres of this country as to whether the time had come when the Mussalmans believing in the unity of God and also believing in the *Shariat* could subject themselves to the clutches of the law as is sought to be enacted through this legislation? I think neither Mr. Jayakar nor Sir Hari Singh Gour, the real author of the Bill, had taken the trouble. While Mr. Abdul Haye was talking, it was perhaps supposed that there might be some difference of opinion amongst the Mussalmans themselves about this matter, but I can assure the House and also those who have got any respect for the sentiments of the Mussalmans of this country that there can be no two opinions so far as the Koranic injunctions are concerned and for that matter the *Shariat*.

Mr. Jayakar, in his very lucid statement of his case, has expressed the view that, perhaps, if this law is enacted, it will bring in some sort of fusion amongst the people of this country. I mean fusion of race. He will pardon me if I point to him that he has got a living example now-a-days in the Anglo-Indian community in this country. Natives of this country have contracted marriages with believers in Christianity and of course a community has grown up. May I not pertinently ask him how far the emergence of that class and also the emergence of a class of people in Burma known as the Karens and Kabayas have advanced the cause of India towards its national goal. On the contrary, at the time of the discussion of the Railway and the General Budgets, tall cries are raised to the effect that the Anglo-Indian community are monopolising the railways and are doing such and such things. If we encourage any measures of this kind at this stage, when the country is in such a ferment, it seems to me that we shall add another trouble to the already troubled waters. With these words I oppose the motion.

Maulvi Mohammad Shafee Daoodi (Tirhut Division: Muhammadan): I rise to oppose my Honourable friend, Mr. Jayakar's motion. I would like to place my views before the Honourable Members of this House in two distinct portions. One would relate to the technicalities of the matter and the other in regard to what my Honourable friend, Mr. Jayakar, has been pleased to call the broad view of the matter, the solidarity of the great Indian nation and so on and so on. In the first part of my speech I would like to draw your attention to the fact that I find from this paper

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that the Governor General has been pleased to accord sanction under clause (b) of section 67(2) of the Government of India Act to this measure. I do not know how my Honourable friend, Mr. Jayakar, has secured this previous sanction of the Governor General in a matter which relates to the Muslim community, without the community being consulted. I do not know who is the Honourable Member who has given the assurance to His Excellency the Governor General that this is a matter in which the previous sanction of His Excellency the Viceroy can be given without consulting the learned theologians among the Muslims and the large body of men who are well versed in Muslim law.

The Honourable Sir James Crerar (Home Member): I do not think that my Honourable friend quite realises that he is commenting upon an act of the Governor General. I submit that it is not in order.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Not the act of the Governor General but the advisers of the Governor General who gave the wrong advice.

Maulvi Mohammad Shafee Daoodi: I have got a very serious grievance in this matter. I brought it to the notice of the House on the former occasion when the Child Marriage Bill was being discussed here, and at that time also I very definitely pointed out that there was no previous sanction of the Governor General obtained in regard to the inclusion of Muslims in that Bill and still the learned Home Member put his own interpretation on the sanction given by His Excellency the Governor General in that case, and he said that by implication the Governor General had sanctioned the inclusion of the Mussalmans also. I find, Sir, that he has committed the same mistake in this matter also. It is not possible for His Excellency the Governor General to go into the details of these matters. The Governor General has got to depend upon the advice of some one else, be it the Department or the Executive Council. Now, I am certainly complaining against those who are concerned with this affair. Why it is that they have given this advice to His Excellency the Governor General to accord his previous sanction to a Bill which primarily concerns the Mussalmans? They ought to have known that it was absolutely against the personal law of the Mussalmans and therefore they ought not to have committed the same mistake which they committed not long ago in regard to the Sarda Bill. I am really surprised how they could commit this mistake so soon after their previous mistake. I fail to see how it is that the Department has gone rotten to this extent. Why is it, Sir, that the Department does not look into these matters properly, which are so serious? It is a very serious matter indeed, and to grant sanction to a measure which affects the interests of the Mussalmans so vitally is certainly far from desirable.

Mr. M. S. Aney (Berar Representative): Is the Honourable Member not criticising the conduct of the Governor General?

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): He is criticising the Department.

Mr. President: I think the Honourable Member would be well advised to leave this subject there.

Maulvi Mohammad Shafee Daoodi: Thank you, Sir; I have finished with this aspect of the case.

It is true, Sir, that in regard to the subject-matter of this Bill the knowledge of the Honourable Members who are here is very limited indeed. I find that even my Muslim friends are not well versed as to what it really means and what its implications are. I am not complaining against any one, but my object is to tell my friends that they ought to know first what the Islamic law is and then they could, of course, give their opinion after having that knowledge.

Now, my Honourable friend, the very revered and respected Nawab Sahib Sarfaraz Hussain Khan asked the question whether there is anything in the Koran itself in regard to this matter. I have already quoted the relevant passage from the Koran in this Session and I would give my friend its reference in the Koran. It is in Chapter II, verse 221, and I think it is the 27th *Ruku*. I need not quote the Arabic words, but the translation of Maulana Mohammad Ali is this:

"And do not marry the *mushrik* women until they believe. And certainly a believing maid is better than a *mushrik* woman—even though she should please you."

Khan Bahadur Sarfaraz Hussain Khan: I quoted this passage at the time when Sir Hari Singh Gour's Bill was introduced and I know it fully well, although I am not a Maulvi. But the thing that I wish to know is what is your conception of a *mushrik*?

Dr. A. Suhrawardy: The conception is the conception of the Shia law!

Maulvi Mohammad Shafee Daoodi: The passage will be complete after I have quoted the other portion, otherwise it will remain incomplete. Therefore, let me complete it:

"And do not give believing women in marriage to *mushriks* until they believe, and certainly a believing servant is better than a *mushrik*, even though he should please you."

To my friend, Nawab Sahib, I would say that from this it is clear that a woman who is a Muslim is not permitted to marry a *mushrik*. That is very clear. If it is clear, then the matter is set at rest so far as the Koranic verse is concerned.

Sir Hari Singh Gour: This is so far as the women are concerned. What about the men?

Khan Bahadur Sarfaraz Hussain Khan: Are Aryas also Mushriks?

Maulvi Mohammad Shafee Daoodi: As you know Nawab Sahib, those persons are called *mushriks* who associate some other power with the Almighty. It is, of course, a matter for investigation to find out whether the Aryas are *mushriks* or not. We are not concerned here with Aryas alone.

Having explained to my friend, the Nawab Sahib, as to what the particular verse is in the Koran in regard to this matter, I would like to pass on to the other point. It is this. My friend, the Honourable Mr. Jayakar, was pleased to say that in 1872 the Government was so broad-minded that it had to yield to the wishes of the people and enacted this Act III of 1872. I think my friend might know that the Bill of 1872 was tabled after the Brahmo community had wished it. It was they who insisted on it at that time, and to meet their wishes it was enacted. This was perfectly right. I would say that every Government ought to be responsive to the public demands of a particular community. We cannot deny the

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fact that the Brahmos at that time had great difficulties in their social life, and when they made that demand it was right for the Government to come to their aid and enact a law by which they could marry, and the marriage might be considered valid in the eyes of the law. But it is not the same case now as you maintain. You are trying to thrust upon the Mussalmans what they have never demanded. If the Bill had come from a Mussalman Member, I would have understood that there was some change in the mentality of the Muslim community and that they wanted to take advantage of Act III of 1872; but that is not so.

Sir Hari Singh Gour: The two Muhammadan Members are the co-authors of this Bill.

Dr. Ziauddin Ahmad: Who are they, please?

Maulvi Mohammad Shafee Daoodi: I would like to know the names of the two Muhammadan gentlemen who are the authors of this Bill.

Sir Hari Singh Gour: Nawab Sahib is one, who is sitting to your right.

Maulvi Mohammad Shafee Daoodi: Who is the other, my friend? (Sir Hari Singh Gour did not reply.) That is the history of Act III of 1872. When my friend came to the first Assembly, he had the hobby of bringing in Bills of this type. At that time he brought forward a Bill which wanted to include the Mussalmans also amongst those who would marry without any restriction whatsoever under the Civil Marriage Act in question. At that time, Sir, I find from the debates, that my Honourable friend Dr. Sir Hari Singh Gour met with great opposition, and he was pleased to withdraw that portion which affected the Muslims.

Sir Hari Singh Gour: The Bill went to the Select Committee.

Maulvi Mohammad Shafee Daoodi: I do not know all that. The Honourable Member at first included Muslims also, but then he saw the difficulty

An Honourable Member: The folly.

Maulvi Mohammad Shafee Daoodi: Or as my Honourable friend suggests, he saw his folly, and so he withdrew that portion of the Bill which affected the Muslims. Now, I rather conjecture that it is not my esteemed friend over there, Mr. Jayakar, who has initiated this Bill of his own accord, because this appears to be the same Bill, containing exactly the same provisions as the Bill which formerly appeared in the name of my Honourable friend, Dr. Gour.

Mr. M. R. Jayakar: I am responsible for the present Bill and I take the odium of having brought it in.

Maulvi Muhammad Yakub: He is the adoptive father.

Maulvi Mohammad Shafee Daoodi: As it is now half-past one, Sir, will you not adjourn the House?

Mr. President: The Honourable Member can go on.

Maulvi Mohammad Shafee Daoodi: I have to attend congregational prayer punctually at 1-30, I cannot go on.

Some Honourable Members: These are days of Ramzan.

Mr. President: Is it the general wish that the House should now adjourn?

Some Honourable Members: Yes, yes.

Maulvi Mohammad Shafee Daoodi: Whatever you may decide, I am going for prayers.

(At this stage, the Honourable Member, Maulvi Mohammad Shafee Daoodi, left the Chamber.)

Mr. President: The Honourable Member is a little disrespectful. The House will now adjourn till Quarter to Three.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. President in the Chair.

Maulvi Abdul Matin Chaudhury (Assam: Muhammadan): Sir, on a point of order. Is any Member in order in leaving the House without bowing to the Chair?

Maulvi Sayyid Murtuza Saheb Bahadur (South Madras: Muhammadan): When it is a religious matter and a Member wants to offer his prayers to God, there cannot be any point of order with regard to the question.

Mr. President: I think we will leave the incident there.

Maulvi Mohammad Shafee Daoodi: With all respect to the Chair, I beg to say that the question that I was discussing was that Dr. Gour knew full well what the opinion of the Mussalmans was on this question in 1923. And he or those who supported that measure ought to have known that, between 1923 and 1930, there has not been such a great change in the mentality of the people. I could understand it if some extraordinary thing had happened in the meanwhile which could have given reasons for those who are advocates of reform to bring in this measure again so soon. Believe me, Sir, my difficulty in these matters has been very great. I have been trying to understand what my progressive friends amongst my fellow countrymen are thinking, whether they want to have a pin-prick here and a pin-prick there, or whether they want to have some radical cure for what they consider the wrongs in the country. I could believe in reformers in India who could be bold enough to take steps in matters which are really the root cause of all the troubles in India. Then I could understand that they have got something very noble and high in their minds. I have been seeing for the last six years I have been in this House attempts of a very small character being made, and it is claimed that those attempts are in the interests of the Indians. I do not know how many people are benefited by such measures. If statistics were taken, I think a very negligible percentage would seem to be benefited by measures like these. A few Indians educated in India or in England and other foreign countries might be desirous of having a couple of the kind contemplated in this Bill, but my

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 friend should understand that that is a very insignificant matter as compared with the great things with which our motherland is overburdened. I have said on other occasions also that the best course was to tackle the root cause of our troubles and then leave these minor things to adjust themselves. That would have been the best policy which my friend could adopt, but instead of that, I find at one time a question of marriage, at another time a question of preserving alive an animal, and so on and so forth coming up. I would once for all tell my friends who are desirous of seeing our motherland in a better condition to devote their attention to something higher and something nobler, and then they will find humble persons like myself also joining hands with them. I need not say what pernicious things in our country I am thinking of, for he who has any experience of this vast country knows what the trouble is. Therefore to talk of a big nationality and to talk of this advantage and that advantage does not appeal to me at all. It is simply side-tracking the real issue. The real issue is not so much hidden as one would pretend to think; it is as clear as daylight. I hope, Sir, my Honourable friend, Mr. Jayakar, for whom I have great respect, will not take my observations in any other spirit. It is only in a sincere spirit that I am addressing my friends who are supporters of this Bill. I would tell them again that, at this moment when we should be thinking of something higher, we should not meddle in such matters. My friend, Mr. Jayakar, is in a better position in this country and we who love our religion above everything else are in a very bad condition, I admit. The idea that all these things give to us is that, here is a measure which is meant to drive the thin end of the wedge into what we think the most valuable thing.

Sir Hari Singh Gour: What is that thing, marriage? (Laughter.)

Maulvi Mohammad Shafee Daoodi: Marriage may be a thing of joke to Sir Hari Singh Gour, but it is not a thing of joke to us Indians. It is something sacred.

An Honourable Member: He is also an Indian. (Laughter.)

Maulvi Mohammad Shafee Daoodi: It is no good telling me that the question of marriage is more important than other questions in this country. My friend, Sir Hari Singh Gour, knows that the foremost question in this country is how to eliminate those evils which are dividing the Indian people into so many sections.

Sir Hari Singh Gour: Marriage will do it!

Maulvi Mohammad Shafee Daoodi: A Doctor like you might think it, because you are a Doctor of—I do not know what it is

Maulvi Muhammad Yakub: Doctor of the Faculty of Reformation.

Maulvi Mohammad Shafee Daoodi: With these words I would appeal to my friends on the other side not to press this measure and not to allow distrust and suspicion to grow more and more between the two communities which are concerned in the matter.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadian Rural): Sir, I wish I could lift this debate out of the quagmire of distrust and bigotry. I plead for a little commonsense and I plead for an appreciation of the forces that are at work in India and indeed all over the world. My Honourable friend, Mr. Mohammad Shafee Daoodi, has really given us a peep into the working of the mind of himself as well as of his friends who, I suppose, support him. Why these pin-pricks? says he—that is the expression that he has used himself. Why not settle the bigger problems, says Mr. Shafee, and these problems will take care of themselves? Sir, to characterise as a pin-prick a measure like this is doing violence to language. To question the motives of those who have brought forward this motion or who support it is to betray a crass ignorance of the ideals of social reformers. I shall only recite to him a Persian couplet and he will appreciate it:

“Mā rāst rawem O tū kaj-bīnī
 Rau chāra dīda kun rihā mā-rā.”

“I am walking straight, but, you see that I am walking in a crooked way. Have your eyes treated and let me alone.”

Dr. A. Subrawardy (In reply to an Interruption) We recite it for your benefit.

Munshi Iswar Saran: My complaint against my Honourable friend, Mr. Jayakar, is that this Bill does not go far enough. (Interruption.) One gentleman says, “Make it compulsory”. I leave that feat to the opponents of the Bill. They can introduce a measure which will be in accordance with the views they possess. We only make it discretionary and optional.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadian Rural): You did not last time. (Interruption.)

Munshi Iswar Saran: This kind of interruptions I do not mind. One gentleman says, why have marriage at all? I wish the kind and obliging interrupter were in touch with the trend of modern thought in Europe and he would find that many of the ideas which are pooh-poohed now will become the dominating ideas in times to come. (Hear, hear.) (An Honourable Member: “Question.”) My friend says “Question”. Yes, you may question it today, but you will cease to question it after some time. You did question the ideals of the Muslim College at Aligarh when it was founded by that great and illustrious son of India, the late Sir Syed Ahmad.

Mr. Abdul Haya: Where is the analogy?

Munshi Iswar Saran: The analogy is here. At that time the introduction of English education was considered to be a hearsay and 3 P.M. we well know how that distinguished man was subjected to abuse, calumny, misrepresentation and everything else that is horrible. (An Honourable Member: “Question.”) I therefore say, do not criticise and oppose this Bill on the ground of its being new. Go into the merits of the question dispassionately, and after having fully gone into it dispassionately, if you come to the conclusion that the measure should not be supported, do not support it. I only plead that you should not reject it simply because you have a vague fear that there is a catch somewhere, or that it has been brought forward to hurt this or that community. May I tell my Honourable friend, Mr. Mohammad Shafee, that Hindus are as . . .

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much opposed to this measure as Muhammadans? I do not disguise that fact. (Hear, hear.) I do not disguise that fact, because I find a very characteristic and vigorous interruption from my Honourable friend, Dr. Moonje. It appears that the reactionaries have joined forces against the social reformers. (Laughter.) We plead for freedom, we plead for justice. We are trying to discover a way out of the anomalies and difficulties of the present situation.

Mr. M. S. Aney: Come to the merits.

Munshi Iswar Saran: I am coming to the merits. (Laughter.) This is one of the merits.

Maulvi Muhammad Yakub: There is no merit in it.

Munshi Iswar Saran: My Honourable friend, the Deputy President, will say one thing today and will repudiate it to-morrow. So it does not very much matter.

Maulvi Muhammad Yakub: Just like a wise man.

Munshi Iswar Saran: I sincerely hope that the supporters of this Bill will never acquire the wisdom of the Deputy President.

Now, Sir, the first question is, does this Bill force any one to marry against his wishes? (Hear, hear.) It does not. If you believe that you are going against your religion in marrying some one who does not belong to your religion, you are perfectly entitled to observe your religious principles, injunctions, orders or whatever else you might call them. Now the point is this. Why should you deny, I ask you in the name of common-sense, this liberty to a person who says that he wishes to marry outside his religion, who says that he does not want to remain confined for the purpose of marriage within the limits of his own people? Why deny him that liberty? This, I submit, is the tyranny of the majority.

Maulvi Muhammad Yakub: We do not deny it.

Munshi Iswar Saran: Very good. If you do not deny it, then you are bound to support this measure. (*An Honourable Member:* "Leave out Muhammadans.") Leave out Muhammadans? Why? Muhammadans are as much my countrymen as the Hindus or the Parsees or the Sikhs and all of them are Indians. They must all have the advantage of this beneficent measure. This is the real reason why no community should be left out. I do not wish to make this debate far more bitter than what it has already been made by some Honourable Members.

Now, Sir, may I say with great respect, that old notions are changing, and every impartial student of comparative religions will have to acknowledge that the notions that we entertained on this and other matters, say, two centuries ago, are not the notions which are influencing our conduct to-day. There would be no meaning in evolution if we stuck fast to all the notions which were acceptable to our forefathers. Progress, Sir, I submit with great confidence, would come to a standstill if this process of transformation was obstructed. What my friends consider today to be a religious observance may not be regarded perhaps after the passing of a century or two in the same light. Now, you know, Sir, that amongst Hindus there is a class—that class happily is growing and increasing very

fast—which believe that you do not lose your religion by taking food out of the hands of a man who does not profess your religion. I hope that my Honourable friend, the President of the Hindu Sabha (Dr. Moonje) at any rate will not contradict me on this point. As you know, a great many Hindus believe that, if they take food, say out of the hands of a Muhammadan or a Christian, they lose their caste or religion. But a class is springing up amongst Hindus (*An Honourable Member:* "What about the leader of your party?") On these matters I am not prepared to yield unquestioning obedience to any authority. I must exercise my own reason, which you refuse to exercise. Now, what is the position today? If a Hindu, or any man belonging to one faith marries a woman belonging to another faith, for which provision is going to be made in this Bill, what you say to him is this: "Either you become insincere or we will drive you out of the pale of our society". Is that a reasonable position to take up? (*An Honourable Member:* "What did the Hindu community do on the last occasion?") I do not know what my Honourable friend is referring to, but I shall accept his hint for the sake of argument. If the Hindu community made a mistake the other day, as he says, let the Muhammadan community learn by the folly of the Hindu community and behave better on the present occasion. Do two wrongs make a right?

I was submitting, Sir, when I was interrupted, that education unfortunately in the Western sense is spreading, and unfortunately, I shall say, people are going out to countries outside India. You find hundreds and hundreds of them scattered all over the world. What is there with the changed vision and outlook to prevent their contracting marriage relationships with people who do not profess their own faith? I know that the Bill as it stands unfortunately does not cover the case which I have mentioned, but that these marriages will take place, whether we like it or not, is a fact which you cannot deny. Indeed, in India to-day—if you will kindly not keep up that constant fire of interruptions and whispers, I shall be grateful—indeed even today in India you find these isolated cases—yes, they are limited and are not general—cases where people of different faiths are married. What is to be their fate? What this Bill says is, "Yes, you may marry, if you like, you may remain in your caste or in your creed, because your religion is a matter between you and your God; it has got nothing to do with these social institutions, social observances and social rules". Is there, I ask, Sir, anything in this to be frightened at? Is there any injustice, any hardship, any unreasonableness in this idea? Sir, the fact of the matter is this: these marriages are taking place, and, will continue to take place in increasing numbers. Take the case of the Indian Christian community. According to the Indian Christian Marriage Act, a Christian is entitled, has got the right, to marry a non-Christian. According to the law as it stands, we know that such a marriage is not prohibited. What Mr. Jayakar's Bill proposes to do is to extend this freedom to non-Christians. I ask, Sir, in all seriousness, what harm has the Indian Christian Marriage Act produced? The answer in all honesty will have to be that it has produced no harm. We know, Sir, that a distinguished Indian Christian Judge of a certain High Court not very long ago married a lady who was not a Christian and is not a Christian. I have cited this instance to show that such instances will multiply, and it is up to us in this Assembly to make some provision, so that there may be the minimum of hardship or of uncertainty.

Dr. A. Suhrawardy: Did that gentleman marry a Mussalman, or a Hindu, or a Jewish or a Parsi lady?

Munshi Iswar Saran: I should not like to mention the name . . .

Dr. A. Suhrawardy: But you have mentioned it by implication.

Munshi Iswar Saran: I do not wish to mention the name of the lady, but the point is that these marriages are taking place and they will continue to take place in spite of obscurantists and of reactionaries.

Mr. M. K. Acharya: Why then this Bill?

Munshi Iswar Saran: Why then this Bill? My Honourable friend, Mr. Acharya, has put to me a very helpful question. Simply that they may not have to declare that they do not belong to this or that religion.

Mr. M. K. Acharya: Let them.

Munshi Iswar Saran: I am shocked at this remark of Mr. Acharya—that you should force a man to give a false declaration in regard to his religion is something revolting to me. I declare, Sir, in perfect truth and sincerity that I regard Hinduism as the noblest heritage of my race, but I hold that Hinduism does not consist in marrying this person or that, nor does Hinduism consist in eating this or that out of the hands of this man or that.

Dr. A. Suhrawardy: Then what does it consist of?

Munshi Iswar Saran: I cannot give a satisfactory answer in a hasty manner. But let me tell you clearly that Hinduism does not consist in eating or drinking or in marrying this or that person.

Dr. A. Suhrawardy: Can a Hindu eat beef and remain a Hindu?

Munshi Iswar Saran: My Honourable friend wishes to provoke me, but he will fail. He may go on interrupting me till he is blue in the face, but he will not succeed in making me angry.

Sir, if you hold a private conference and if you ask a good many Honourable Members who are opposing this Bill to tell you in confidence what their own personal view is, they would surely tell you, provided give them a guarantee that you will keep their confidence, "My constituency is orthodox; therefore, whatever opinion I may have, I am bound, more particularly in view of the impending election, to oppose this Bill." I say, Sir, election or no election, my speech on this occasion may drive me into the wilderness for the rest of my life, but that will not prevent me from saying what I consider to be in the interest of my country.

Mr. M. S. Aney: Bravo!

Munshi Iswar Saran: My Honourable friend, Mr. Aney, appreciates my attitude. I hope he will follow me.

An Honourable Member: Face the electorate.

Munshi Iswar Saran: Mr. Jinnah says, "Face the electorate." I know . . .

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): I did not say that.

Munshi Iswar Saran: I was surprised that such an interruption should have come from him. I made a mistake; I suppose it was a remark for the benefit of my friend, Mr. Aney (*An Honourable Member*: "Quite so."), because I could not for the life of me imagine that a man of the education, culture and broad-mindedness of Mr. Jinnah would make my task difficult.

Sir, there is one word I have got to say to Government.

Sir Hugh Cocks (Bombay: European): Go on.

Munshi Iswar Saran: Yes, I am doing so. Are you in a hurry? What are they going to do? I understand—I hope sincerely that I am wrong—that they are going to oppose it. If they do—they are the best judges of their own policy and of their own action—they will then be accused by the enlightened section of public opinion as being in a blue funk—I apologise for the expression. Having supported the Sarda Bill, and I suppose having burnt their fingers over it, they say, "No more social reform legislation for us; we shall not go any further now; we are going to oppose blind-folded every beneficent measure, under the plea that the country does not want it and is not prepared for it." I ask you, why do you not, in all fairness, circulate this Bill for eliciting opinion thereon? There would be something in that position, and if any such motion is brought before us, I shall vote for it. But if you do not do that, if you try to kill the Bill at this stage, you cannot escape the charge of being extremely nervous, more nervous than even you ought to be. There is a difference between this Bill and the Sarda Act, a world of difference: the Sarda Act applied to everybody whether he or she agreed with it or not. Is that the case with this Bill? It does not say to my friends on the other side, "For heaven's sake, be sensible and marry sensibly." It introduces no compulsion; it only gives freedom to those who wish to take advantage of this Bill. So I shall ask Government and the Honourable the Law Member who, I suppose, is in charge of this Bill, to bear this distinction in mind before deciding what attitude to take up.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): But they have already decided!

Munshi Iswar Saran: I should feel very sorry to think that they are not open to reason and persuasion.

It appears to me that this display of fury, of partisanship and of bigotry is a sign of the travail of the birth of a new society and a new India. It does not distress me; this Bill may be rejected today; this Bill may be rejected next year; but take it from me, this Bill is bound to find a place on the Statute-book in the near future. Obscurantism against progress and enlightenment has never succeeded.

An Honourable Member: Wish you good luck.

Munshi Iswar Saran: I thank you and I hope you will support me.

Khan Bahadur Sarfaraz Hussain Khan: Sir, as my friend, the Honourable Maulvi Mohammad Shafee Daoodi, wants to know what is the root cause of the trouble in India, let me say point blank to him—and I hope he will excuse me for putting it bluntly—narrow-minded orthodoxy is the root cause (Hear, hear) that has stood in the way of social progress from time immemorial. Now, what are the Koranic laws? The Koranic

[Khan Bahadur Sarfaraz Hussain Khan.]

laws refer to *mushrikas* and *mushriks*. Can you say that those who do not worship idols are *mushriks*? Does the Koran not say that there have been prophets all over the world who have appeared for the good of mankind? Is India not part of the world? Has the Prophet said anything against others who have been prophets in other lands and in other times? Has he said anything against Christ? Has he said anything against Gautama Buddha? Has the Koran said anything against the big men in the Hindu religion? Nothing of the kind. How can you therefore say that they are *mushriks*? How can you say that there have been no other prophets anywhere? That is the Koranic law.

Then, Sir, my friend, Maulvi Shafee Daoodi, takes shelter under the Shariat. The Shariat is human-made law—made by a man, howsoever great. Was it not only some time ago that Ulemas all over India considered that coming into the Councils was *kufr*, and is he not here in spite of that? He will pardon me if I refer here a very slang proverb in Hindi, which means, "That which is sweet eat as quickly as possible and spit the sour as much as you can". When it suited him, he repudiated the law of the Shariat, and when it does not, he takes shelter under it. I hope he will excuse me for saying this. I wish to have my religion respected throughout the world as much as it was in the time of the Prophet or even after that. I do not wish it to be understood that it is chiefly the Muhammadans in the Assembly who are opposed to reform. The impression may spread to England and other places that it is the Muhammadans who oppose reform at every stage. I feel pained to think that we stood in the way of social reform. We all want union; we all want to boast of ourselves as nationalists; and when the time of unification of the different peoples of this country comes, we stand and put on the cloak of religion. That is not right. I do not wish to be long and I am sorry to have to repudiate the remarks which have been made by my friend, Maulvi Shafee Daoodi. Sir, I wholeheartedly support the Bill.

Dr. A. Suhrawardy: Sir, it is an irony of fate that I find in the List of Business two motions for amending the Special Marriage Act of 1872, when I find on the same paper several motions for amending the Marriage Restraint Act of 1928. When I came to the House, with the fate of the Hindu Child Marriage Bill fresh in my memory, naturally I was rather anxious to go through the two Special Marriage Act Amendment Bills. When I went through them, I was struck by the identity of language employed by the two authors of the Bill, and I wondered whether this striking coincidence was due to the collaboration of two legal luminaries

Mr. M. R. Jayakar: I stated in my speech that the Bill was drafted originally by Sir Hari Singh Gour. (*An Honourable Member to Dr. Suhrawardy:* "You should resume your seat.")

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they were identical, word for word, with one distinguishing feature that the first person singular "I" was changed into "Dr. Sir Hari Singh Gour" in the Bill which stands in the name of Mr. Jayakar. Of course, Mr. Jayakar revealed to us the truth that the real author of the Bill was Sir Hari Singh Gour, and that he was not acknowledging the paternity of that Bill, but perhaps he was adopting that child which may prove to be a veritable *enfant terrible*. Sir Hari Singh has further revealed to us the truth by way of interruption that, not content with the joint authorship or with the collaboration of my friend Mr. Jayakar, he had to call in the assistance of two Mussalmans, valiant and virile Honourable Members of this House. He has chosen to give us the name of one gentleman, that of my respected friend Nawab Sarfaraz Hussain Khan, but he has not chosen to reveal the name of the other gentleman. What a pity that there was not a fifth collaborator, who might have saved this offspring of polyandry from the deformity and defect to which my friend Pandit Kunzru has referred, and which might result perhaps in its being stifled or strangled in its cradle.

Now, Sir, before I pass on to deal with the arguments advanced by my friend, Mr. Jayakar, I should pause for a moment to dispose of the remarks of the last speaker, Nawab Sarfaraz Hussain Khan. He had referred to the Koranic law. He had some justification in doing so. When I find that my friend Maulvi Mohammad Shafee Daoodi has also done the same thing, it is not surprising that Mr. Sarfaraz Hussain Khan, who is not a lawyer, should be led into the belief that Koranic law is the law which is applicable to Muslims. The Koran is certainly the fountain-head of Muslim law, but as in the case of the Hindu law, you have got the *Smritis*, the *Smritis* and so on, such is the case with the law of Islam. Muslims are governed by the Shariat and the law applicable to Muslims is the law as expounded by the Shariat. It is no use taking up isolated texts from the Koran and saying this is the Koranic law. It is no use doing that. Every lawyer knows that the decision of the Privy Council is that you cannot refer to isolated texts in the Koran or to the sayings of the Prophet, or to even the decisions of the ancient jurists and attempt to draw from them your own conclusions, because they appear to modern lawyers to be naturally deducible from them. It is such an elementary rule that anybody who will take the trouble of looking up even an elementary handbook on Muslim law like Mulla, will find the principle enunciated there, and it is stated in the case of *Anjumanara* in 25 All. It is well known to lawyers, that it is no use to cite the Koran in order to support a weak case. The Koran lays down the broad principle that no marriage between a Muslim and *mushrik* is allowed and that marriage with a *Kithabi* is allowed. And what is a *Kithabi*? According to the interpretation of the ancient jurists, the *Kitabia* or *Kithabi* means those who follow the Jewish or the Christian faith. Even the Parsis or the Zoroastrians are not included in that, although the faith of Zarathustra is much older than the faith of the Brahmos and the Aryas. I want to dispose of the misapprehension as to what law is applicable to the Muslims. We are governed by the Muslim law, as interpreted and understood by the ancient jurists, and nobody can claim today, however eminent he may be, to be a *mujtahid*, entitled to make or propound a new code of law for Muslims. My friend, Mr. Sarfaraz Hussain Khan, knows very well that the Shia law is even stricter than the Sunni law in the matter of marriage. The Shia law will not permit, like the Sunni law, the marriage of a Muslim with a non-Muslim. The Shia law goes even further, and it will not

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permit a Muslim to marry even a Christian woman or a Jewish woman according to the orthodox *Asna Ashariya* view except in the form of what is known as the *muta* marriage, which I may freely render as the mutable or temporary marriage.

My friend Munshi Iswar Saran quoted a Persian line, and he also told the House that there are Mussalmans who would tell him in confidence

Munshi Iswar Saran: I did not say Mussalmans, I said Members opposing this measure.

Dr. A. Suhrawardy: He said that there are Members opposing the Bill who would tell him in confidence that they are in entire agreement with him, but because of the elections they have not got the courage to do anything else but to oppose the Bill. Well, in Allahabad and Benares I might also tell him something in confidence. He quoted a Persian line, and I think I might also quote a Persian line for his edification

“Agar ān Hindu-i Kāfir bā-dāst ārad dil-i mārā.

Ba-chashm-i turk-i fattānash bi-bakhsham din o dunya rā”

Some Honourable Members: What does that mean? Translate it.

Dr. A. Suhrawardy: It means:

“If that faithless Hindu maiden captivates my Muslim heart,
For her wicked, cruel eyes, with faith and fortune I shall part.”

That is a different matter. That is an affair of love. Any infatuated youth may be carried away by his ardour and enthusiasm for any maiden, whether she be a Christian or a Hindu. He may even give up his faith and take advantage of the Special Marriage Act of 1872, and declare that he is not a Muslim, or some Hindu maiden may adopt the Muslim faith. But that is another matter.

My friend, Munshi Iswar Saran, said that I missed his point. I don't think I missed his point at all. On the other hand, the point of my remark went home. He has also complained of the tyranny of the majority, and yet he wants, encouraged by the infliction of the tyranny of the majority over the minority on a previous occasion in the shape of the Sarda Act,—encouraged and emboldened by that Act, he appeals to the majority of the Treasury Benches, to repeat that wrong so that he may scare once more by the weight of the majority. He admits that we are in a minority in the House though in the majority outside and he appeals to them to make an alliance with him and lend him the weight and strength of the majority to crush the minority. It does not lie in his mouth to complain of the tyranny of the majority

Sir Hari Singh Gour: How is the minority going to be crushed? By giving more freedom?

Dr. A. Suhrawardy: If my friend, Sir Hari Singh Gour, has a little bit of patience, I shall deal with him when I deal with the Bill itself. I wish Sir Hari Singh had come forward and delivered a speech in support of the Bill instead of taking shelter behind the Honourable Mr. Jayakar. Anyway,—I am limited to time I think. (Some Honourable Members: “No, no; go on; go on.”) All right, Sir, thank you very much. I had better take Mr. Jayakar first. Mr. Jayakar has told us that he is not the real

author of this Bill. He has also paid a very high compliment to my Honourable friend, Sir Hari Singh Gour. He said that this Bill will immortalise him.

Mr. M. R. Jayakar: Not this Bill, the 1923 Bill.

Dr. A. Suhrawardy: Very well. The Bill of 1923, which is a similar Bill, has immortalised him and this Bill will immortalise both Mr. Jayakar and Sir Hari Singh Gour, the real father and the adopted father. So long as Sir Hari Singh Gour confines his zeal to going down to posterity as a modern Manu or Yajnavalkya, we have nothing to say. His ambition is now much greater. Returning fresh from Europe, and entertaining all the new ideas to which Munshi Iswar Saran has referred, where he, Munshi Iswar Saran and myself had been wandering in the streets of London and the boulevards of Paris, sometimes alone, perhaps sometimes together, may be under the subtle influence of the new gospel of love, he may very well foresee the day when all this question of polygamy and monogamy and other “gamies” will be solved by the doctrine of free love and free thought.

Maulvi Muhammad Yakub: The question is at what hour you were wandering?

Dr. A. Suhrawardy: My Honourable friend the Deputy President has not yet had the good fortune of having been to England or France. There the hour makes no difference. In those lands of gaiety and sunshine it is always afternoon.

Now, Sir, as I said, so long as my Honourable friend, Sir Hari Singh Gour, confines his all embracing love to Jains, Sikhs and Buddhists, I have nothing to say. He himself has set an example of that. I do not wish to be personal. Perhaps I would not be allowed by the Chair to be personal. I was going to say that, so long as his zeal is confined to those people whom Mr. Jayakar has described as allied to Hinduism, I have no quarrel with him. But now that his ambition is to go down to posterity as a new Moses with the tablets of the law for the Jews, Christians and Muslims, I as a descendant and follower of the faith of Abraham must protest against it and stand up here to oppose the Bill. And I will oppose not only the introduction of the Bill, but even the amendment suggested by my friend, Munshi Iswar Saran. When I was reading the Statement of Objects and Reasons of the Bill, I was struck by the window dressing here and there and it reminded me of “Gour-ism”, if I may coin a word. I found that Sir Henry Maine, that great jurist and Law Member, was mentioned there, but there was absolutely no reference to his distinguished successor, Sir James Fitzjames Stephen and therefore I took the trouble of finding out the exact position of the Act of 1872 by reading the debate on the subject. With your permission, Sir, I will presently place before the House the relevant portions of that debate, which will demolish the clever suggestion of Sir Hari Singh Gour that Sir Henry Maine was in favour of the Bill, and that the Government of the day were in favour of a Bill as framed today by Sir Hari Singh Gour and Mr. Jayakar. But before I do so, I should like to read the list of advantages of marriages under the proposed Act as enumerated in the Statement of Objects and Reasons, because those are the very reasons on account of which I oppose the Bill.

What is latent in the Bill itself has been made patent and clear in the Statement of Objects and Reasons; that it is a blow aimed at the personal

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law of the Mussalmans and it is aimed at the personal law of the Hindus. But I confine myself to the Mussalmans and leave it to my friend, Dr. Moonje, and others to deal with the Bill so far as it affects the Hindus. It makes it clear that the motive underlying this Act is "patriotic" and the object is to "develop national sentiment", "to free people from the thralldom of religious ritual". When reading the sentence about "freeing people from the thralldom of religious ritual", had I not known the personal opinion of Sir Hari Singh Gour, I would certainly have thought that it had been drafted by an emissary from Moscow or a member of the Anti-God movement in Soviet Russia. It makes it clear that this Bill is monogamous in its policy and therefore it would deprive Hindus of their privilege of unrestricted polygamy and also deprive the Mussalmans of their privilege of restricted polygamy. Now, according to Munshi Iswar Saran and other advanced thinkers, the world is tending more towards polygamy than towards monogamy, because when you abolish all "gamies", there will be nothing left but the law of personal affinities and the law of love. This Bill attacks the Muslim law of inheritance. It attacks the Muslim law of divorce. It attacks the Muslim law of dower. If I were to apply my mind closely to the subject, I would be able to show that the Bill attacks the Muslim law in innumerable ways. Although it pretends only to amend a small Bill, it really strikes at the root of one of the most sacred institutions of Islam.

Sir Hari Singh Gour: How does it affect Islam at all?

Dr. A. Suhrawardy: It affects Islam in this way, that Muslim law is considered part of the Muslim religion. In Islam there is no difference between law and religion.

Sir Hari Singh Gour: How will this Bill affect it?

Dr. A. Suhrawardy: It is an invasion of the Muslim law of inheritance. Not only is it an invasion of the Muslim law of inheritance, but it is also an invasion of the Muslim law of divorce and dower and various other branches of Muslim law, reference to some of which has already been made by previous speakers and by my Honourable friend, Mr. Abdul Haye. It is nothing but a Sarda Act in disguise. I am referring to the sections restricting the age of marriage. Marriage is only permissible if one of the parties is 16 and the other is 21. I do not remember the sections, but there is not the slightest doubt that, at any rate, it is the Sarda Act in disguise. If Sir Hari Singh Gour and my Honourable friend Mr. Jayakar had been living on earth instead of living in heaven, they would have known the strength of the popular feeling against the Sarda Act and they would have also realised that this was hardly the time to put on the Statute-book another Act touching the most sacred law of the Hindus and of the Mussalmans, or even make an attempt to do so. You give us scant consolation by saying that the enactment, if passed, would be merely optional and leave in tact the personal law which controls the performance of marriages. Need I tell the House that marriage in itself is optional. There is no compulsion for anybody to marry. What consolation do I derive from the fact that it is an optional law? I ask Sir Hari Singh Gour and the other lawyers who support this Bill, "What have you left for us? Tell me what part of Muslim law have you left for us if you introduce this Bill except perhaps the article of faith, and that is not a part of the law in your sense of the word."

Then, it has been said that it will develop the idea of monogamy. How would it do that? At the same time you blow hot and cold. It is optional, it is not compulsory. If it is not compulsory, then how does it help you? You are simply making a clever gesture to my European friends in order to mislead them and to get them on your side. You are holding out a bait towards the Treasury Benches. You are after their votes and you profess to popularise and pretend to admire and exalt the European notion of marriage. That is what you want. Then you say we are going to give women equal status in the matter of divorce. Have you studied the Muslim law carefully on this point? Do you know that, under Muslim law, women have a right of divorce? It is a qualified right, it is true, but that right can become an absolute right if a certain clause is inserted in the marriage deed. The woman may on her own initiative ask for divorce, although that is not done in practice. Why should we have recourse to your Act?

Sir Hari Singh Gour: Who wants you to do that? Nobody wants you to do that.

Dr. A. Suhrawardy: That is the thin end of the wedge. Mr. Jayakar has already said that the Marriage Act of 1872, which began so far back, is now having its fruition and culmination in the shape of the present Bill, and the name of Sir Hari Singh Gour will go down to posterity and will be immortalised because of the Act of 1923. That was "half a loaf" he said. Now, you are going to give us a full loaf and perhaps a bottle of wine along with it. But I can assure, Sir Hari Singh, we are not going to have that. Sir, Sir Hari Singh Gour is a great lawyer and a great author. The number of his books is so great and the volumes so ponderous that not only I, but the whole block of the Central Muslim Party, can be buried under them. Therefore, I ask for shelter. I will not put forward my opinion against the weight of his great opinion. But I will quote, as I said before, the views of Sir James Fitzjames Stephen. Sir Hari Singh asks me to show how this Bill affects our law. I will not answer the question myself. Let the great Law Member answer the question.

To those who have carelessly read this Bill, I will say this: Please read the Bill as originally drafted by Sir Henry Maine, the distinguished Law Member in 1868. That Bill was rejected and the Bill in its amended form was passed in 1872 excluding the Hindus, the Muhammadans, the Jews, the Parsees, the Christians and the Jains and all those communities that are mentioned therein. And the Government of the day did so because they were convinced that it affected the law of the Hindus and the Muhammadans and also because they protested against it. Sir James Fitzjames Stephen, the equally distinguished successor of Sir Henry Maine, after making a distinction in his speech between the territorial and personal law goes on to remark:

"Such being the nature of Indian personal law, it is, I think, self-evident that it ought not to be changed, except in extreme cases. Laws relating to such subjects as marriage have their root in the very deepest feelings, and in the whole history, of a nation; nor is it easy to imagine a more tyrannical or a more presumptuous abuse of superior force than that which would be involved in any attempt to bring the views and the practices of one nation, upon such subjects, into harmony with those of other nations, whose institutions and characters have been cast in a totally different mould. I should feel as little sympathy for an attempt to turn Hindus into Englishmen by Acts of the Legislative Council as for attempts to turn Englishmen into Hindus by Act of Parliament."

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I wish this passage had been read at the time when the Sarda Bill was under discussion. Later on he observes:

"So far, I entirely agree with my Honourable predecessor; but I must own that the manner in which his Bill was framed and the criticisms which have been made upon it have convinced me that it went a step beyond strict justice, and violated, in its turn, the principle which I have attempted to state as to the proper relation of the British Government to Native religions. It appears to me that the Bill introduced by my Honourable friend would, by direct legislation, change very deeply the Native law upon marriage. (*These are not my words.*) It applies to 'Natives of British India not professing the Christian religion, and objecting to be married in accordance with the rites of the Hindu, Muhammadan, Buddhist, Parsi or Jewish religion'. All such marriages are declared to be valid, if they are celebrated according to a certain form provided by the Act, and upon certain conditions. These marriages would, moreover, be monogamous. The Bill, in short, would introduce the European conception of marriage into the Hindu and Muhammadan communities, and give to it, by law, a place amongst Hindu and Muhammadan institutions. I do not think it can be denied that this would be a change, whether for better or for worse. You may change by addition, as well as by other forms of alteration."

Sir, I do not think I need take the time of the House more than I have already done. I have put forward the reasons for my opposing the Bill and also for opposing the amendment if that amendment is allowed by you that the Bill be circulated for eliciting public opinion thereon.

One remark more and I have done. I find the name of my Honourable friend, Nawab Sir Abdul Qaiyum, as a member of the Select Committee. I do not know whether it means his acquiescence in the principle of the Bill or whether he will go there as a Warden of the Marches to protect the interests of the Muslims, so that the Bill may not emerge from the Select Committee, like the Sarda Bill, in a more dangerous form than it is at present.

Nawab Sir Sahibzada Abdul Qaiyum: Sir, I do not wish to make a long speech on this occasion. It is only with reference to the mention of my name in connection with the Select Committee that I should like to clear my position. I have consented to serve on the Select Committee, if it is ever formed, and the Bill is allowed by the House to go before that Committee, but it does not mean that I agree entirely with the principle of the Bill. I look at the principle of the Bill from two aspects. The first is the general tendency of non-Muslims introducing Bills affecting the Muslim community and interfering with the religious and social laws of the various communities in the country. The other aspect is the spirit and the actual provisions of the Bill as drafted. As regards the first point, I am still of opinion that it is very dangerous to bring in these social reforms by Bills which are introduced in this House. These reforms had better be threshed out in public through Press and platforms in their different stages. If these social reform workers have really got the spirit of going before the public and convincing them of their personal views on these subjects, they will be justified in introducing these Bills. But if they only come to this small House composed chiefly of people who claim to be educated—I do not know whether they are or are not—but they claim to be educated; people who are ashamed of obstructing a measure of reform for advance, whether social or religious, and are taking advantage of the position of these poor people here, who cannot shut their eyes to these progressive ideas and cannot force the well-set speeches of the reformers characterising them as reactionaries, orthodox or conservatives, they are not justified in introducing such Bills.

As I have just said, if these reformers are ready to go to the country with their ideas and plead the cause of their reforms on platforms in public mass meetings or in other ways, they will be justified in introducing these Bills in this House. But if it is only here in this corner of the House, surrounded by high walls, well protected from public view and the criticisms and remarks of the public, for the time being, yes occasionally exposed to bombs but not on matters like this but only on political matters,—I say if they only talk in this House on social reform matters, well protected as they are, I do not think they are justified in pushing on this measure in this manner.

The second thing is whether Government should readily interfere in these matters or should try to be cautious. I think they should be most careful and need not be more than mere post office in these matters. I do not believe the Government will be justified in supporting one or the other community in carrying through a measure of general application without the consent of the majority of every community. It was not justifiable on the part of the Government, and I said this on the last occasion also, to have made a sort of coalition with a strong party in this House and carried out a measure which was repugnant to the majority of my community, although I am still of the opinion that the measure by itself is not a bad one and does not go against the spirit of my religion, according to my personal opinion. But when we moved a motion for referring back the Bill for the opinion of religious authorities, who had not had a good opportunity to express their opinion on it as stated by the Age of Consent Committee itself, when we made that motion, the Government were in such a hurry that they would not even wait for six months more, *i.e.*, till the next Session

An Honourable Member: Only three months.

Nawab Sir Sahibzada Abdul Qaiyum: Yes, only three months; and the Government did not give an opportunity to the religious authorities to give their opinion on the measure. They did not realise what trouble and excitement and discontent that measure was likely to create among the Muslims, and also among a large section of the Hindus. Similarly there is no hurry about this Bill either. As stated by my Honourable friend, Maulvi Mohammad Shafee Dacodi, it will not affect even a half per cent. of the population, or except a few lovers or people of that sort who may care to avail themselves of the measure. But if these people are so infatuated with love, then as suggested by my Honourable friend, Dr. Sulrawardy, let them give up their religion temporarily and contract marriages, or whatever you may call it under the existing law instead of enacting a new law for the whole country.

It is said that it is only a law which is permissive and does not force people to follow it—but you must remember that, if you allow
4 P.M. this loophole for a lover to escape the rigours of the criticisms of his community, you will be only encouraging him to follow it. You protect him from the criticism of his community under the law and help him in escaping the criticism, ridicule and possible excommunications from his community by your law and thus encourage him in the achievement of his object, so much to the detriment of his people and his faith. I have got the same enthusiasm for social reforms as my friend Nawab Sarfaraz Hussain Khan has and really wish that all necessary social reform should be brought about in the country as fast as possible, and if our

[Nawab Sir Sahibzada Abdul Qaiyum.]

Hindu brethren are prepared to avail themselves of their opportunities of introducing those reforms, I should help them rather than stand in their way. But my help can only come forward if I am not affected by that movement. It is because there is a Persian proverb, which says, when translated, "First our own interest and then the interest of the general public". I must see that their activities do not affect me seriously in any way. But I was very much interested to hear from my Honourable friend, Maulvi Mohammad Shafee Daoodi, that a little higher and nobler spirit ought to be introduced in this country before any measure like this is moved. I am not going to refer to it in detail or in any particular way as I do not wish to refer to those obnoxious phrases, communal differences or various other things of the sort. If I may be allowed to express my view in the language of this Bill, I should say that I like a measure to be introduced not necessarily by private Members but rather by the Government themselves, a measure to force a permanent marriage between the two communities! They must force the two communities to marry one another and live as husband and wife in the country—no matter which is the husband and which is the wife! If a law of this magnitude and of this far reaching effect could be introduced, these differences would settle themselves of their own accord and we should feel happier. As suggested by some previous speaker it is only the distrust that has created the gulf between the two communities and assumed such an abnormal condition, with the result that the social and general progress of the country is retarded and the happiness and peace of the whole population are destroyed. Before we introduce these small reforms here and there, I think the first thing is to introduce a measure, of the kind mentioned above, whether it is before or after the Simon Commission's Report, it does not matter. The first thing to be done is to introduce some sort of measure by which we should be compelled to settle all disputed matters between the two sections of the population and fix up their respective rights and privileges and then we could attend to these marriage reforms, etc. Nobody will perhaps then care whether a Hindu marries a Muslim girl or a Muslim marries a Hindu girl. There was a time in 1920-21 when the people were so near in their hearts to one another that they could eat from the same dish and drink from the same glass; and so much so that here in this Capital of India, a Hindu social worker and reformer in the person of the late Swami Sradhanand was allowed to get up on a pulpit in the Juma Masjid and preach to the people there. I do not believe that this distrust and this estrangement which has since come in between the two communities is removable by mutual consent; we are too selfish. Let Government come forward and divide this joint property of the loaves and fishes in the country, this bone of contention, between us and if that is followed even by a year or two of trouble and risings, it will not matter much. You will have done the country good. That is the sort of reform that I should like to see introduced, instead of wasting the time of the House on matters like a marriage between a Hindu and a Mussalman and so on.

As one of the Honourable Members pointed out, who could have expected that on the same agenda where there was a Bill for the repeal of a certain enactment passed only four or five months ago, there would be another Bill of the same controversial nature? And no one could

expect that there would be unanimity of opinion about passing this Bill, or referring it to the Select Committee. I think it is quite natural that there should be a more vehement dispute and quarrel over this Bill than in the case of the former Bill now called the Sarda Act.

But, Sir, I only wanted to clear my position, and to say that it will be for the reasons given above that I shall have to oppose the Bill in its first reading. If that fails, then I will support some amendment which may have the effect of circulating it in the country for public opinion. If that also fails and the Bill goes before the Select Committee, then I shall be delighted to serve on that Committee in order to safeguard the interests of the various communities as far as my humble self can help in the matter. But in the first two stages I must make it clear I shall have to act as indicated above—I am not in entire agreement with the general idea of the introduction of the Bill in the present day atmosphere prevailing in the country though I believe the measure is a good one and a bit of advancement towards that nationality to which we are all aspiring. But my personal opinion is that this piecemeal legislation will not do and that a wholesale nationalisation must come by legislation, whether in the shape of a revision of the Government of India Act or anything else; because we are so divided, so selfish and so quarrelsome, that we can never be expected to come to a mutual agreement about even a small matter in this country. That is our bitter experience, and I do not believe that we can agree on any measure of reform by mutual consent, not to speak of this Bill, which really affects the personal law of the Muslims. That, Sir, is all that I have to say.

The Assembly then adjourned till Eleven of the Clock on Monday, the 17th February, 1930.

LEGISLATIVE ASSEMBLY.

Monday, 17th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN:

Sheikh Mushir Husain Kidwai, M.L.A. (Cities of the United Provinces : Muhammadan Urban); Mr. Adit Prasad Singh, M.L.A. (Darbhanga *cum* Saran : Non-Muhammadan); Mr. Satyendra Chandra Mitra, M.L.A. (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural); Mr. Hari Prasad Lal, M.L.A. (Gaya *cum* Monghyr : Non-Muhammadan); and Mr. Albert Melville Hayman, O.B.E., M.L.A. (Railway Board : Nominated Official).

QUESTIONS AND ANSWERS.

GOVERNMENT ORDERS ON THE "AZAN" QUESTION IN ZAFARWAL.

298. ***Mr. Anwar-ul-Azim:** Has the attention of Government been drawn to the order of the Commissioner, Lahore Division, about the *Azan* matter in Zafarwal in the Punjab? Is that consistent with Government's policy of neutrality in matters of religion? Have Government realised the fact that it has created consternation amongst the Muslims all over India?

The Honourable Sir James Crerar: The Government of India have ascertained from the Local Government that the Commissioner of the Lahore Division has issued no order of any kind relating to the dispute in village Zafarwal regarding the calling of the *Azan*. The policy of the Local Government has been to obtain a settlement of the dispute which will leave behind no ill-feeling either among Muhammadans or among Sikhs. It was in accordance with this policy that the Commissioner of the Lahore Division gave advice to both parties when he visited the village on the 17th of January, 1930. The advice actually given is stated in his letter to the *Muslim Outlook* which was published in the issue of that paper dated the 23rd of January, 1930. The Government of India understand that the dispute has now been settled.

ACCIDENT ON THE BENGAL NAGPUR RAILWAY.

299. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government be pleased to state if their attention has been drawn to the paragraph published in the *Bengalee* of the 1st February, 1930, under the heading "Three Killed, Bengal Nagpur Railway Collision Tragedy, Several Injured"?

(b) If so, will they please state if the report is correct?

(c) If correct, will they please state who were responsible for the accident and what steps Government are going to take against them?

Mr. A. A. L. Parsons: (a) and (b). Yes.

(c) The Government Inspector of Railways reported that he was holding an inquiry into the cause of the accident on the 3rd February. His report is awaited.

RAILWAY CONSTRUCTION IN INDIA.

300. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the report published in the *Statesman* of January 31, 1930, under the heading "Rail Construction Check, Retarding Progress of India"?

(b) If so, will Government please state if the report is correct?

(c) If correct, will they please state the reasons for the rail construction check?

Mr. A. A. L. Parsons: (a) Yes.

(b) It is correct to say that the Government have decided that the time has come to make a pause in the rate of capital expenditure on railway development. Such capital expenditure, excluding sums spent on the purchase of railways, during the past five years, has averaged 22½ crores per annum. At present, it is considered that it is a great importance to restrict Government borrowings while it is, for other reasons also, a suitable time to pause and take stock of the position on the railways. This is only a normal phase in the execution of the general policy of the Government which will continue to be, as it has been hitherto, a policy of taking up the construction of extensions of the railway system that appear likely to be remunerative when money can be made available for them consistently with the needs of financing other forms of development, and at reasonable rates of interest.

(c) The conditions affecting the issue of loans for capital expenditure on railways at present and the increase in the rate of interest which must be offered to attract money to such loans.

Mr. K. C. Neogy: Is it a fact that in the case of one sanctioned scheme, namely, the Dacca-Aricha Railway, the check is really due to the anxiety on the part of the Government to placate the *Statesman* itself and the Bengal Chamber of Commerce?

Mr. A. A. L. Parsons: The answer is in the negative.

Mr. K. C. Neogy: With reference to the letter which the Government have lately addressed to the Bengal Chamber of Commerce on the subject, is it a fact that it is in the nature of a diplomatic document intended to give a decent burial to this scheme?

Mr. A. A. L. Parsons: No, Sir. I believe the Honourable the Railway Member is going to lay a copy of that letter on the table of the House very shortly,—today, I think,—and Honourable Members will be able to judge from the terms of that letter whether it justifies the description the Honourable Member has given of it.

Mr. K. C. Neogy: Is it not a fact that, although the Honourable Member promised to lay copies of the correspondence on the table in September last, the reply to the Bengal Chamber of Commerce has already been published in the Press?

The Honourable Sir George Rainy: Yes, Sir. I regret that this should have happened. It ought not to have been published in the Press until the day on which it was laid on the table of this House, and I desire to apologise to the House for the mistake.

APPOINTMENTS IN THE POSTAL DEPARTMENT.

301. ***Khan Bahadur Haji Abdullah Haji Kasim:** (a) Will Government be pleased to state whether it is a fact that there was a system of engaging men to learn work in the post office, with a view to employing them as vacancies arose in the Postal Department?

(b) If so, how many candidates were so selected in the Madras Presidency during the years 1928-29 and 1929-30?

(c) How many of them were directed to furnish security and how many did actually furnish security?

(d) How many of them did actually work as clerks during the said period?

(e) Are Government aware that the Postmaster General, Madras, abruptly cancelled the system of candidates on the "Waiting List" as per circular No. AX-7, dated the 16th September, 1920?

(f) If so, how many of them were thrown out of work thereby?

(g) Is it a fact that the subsequent vacancies in the Postal Department were filled up from men who were untrained strangers, ignoring the claims and protests of the candidates who had duly furnished security, who had worked in the post offices for months together without any remuneration and temporarily acted as clerks?

(h) If the replies to parts (a), (e), and (g) are in the affirmative, will Government be pleased to state what steps they propose to take in the matter, and whether, in making future appointments, preference will be given now at least to those who are out of work?

Mr. H. A. Sams: (a) The fact is as stated by the Honourable Member.

(b) to (h). If the year 1920 given in the Honourable Member's question is correct Government regret that they cannot undertake the compilation of information extending over the last ten years, as the labour and expense involved thereby will not in their opinion be commensurate with the value of the information to the public. I shall, however, inquire of the Postmaster General concerned whether there is any genuine grievance requiring remedy.

THROUGH BOOKING ON THE ASSAM-BENGAL RAILWAY.

302. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state if it is a fact that special facilities for through booking from all stations of the Assam-Bengal Railway to Rangoon and Akyab have been conceded to the British India Steam Navigation Company Limited, with a special van for the passengers while the application of the Bengal Burma Steam Navigation Company, Limited, for similar facilities has been denied by the Assam-Bengal Railway although a promise was held out by the former Agent, Mr. Izat?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reasons therefor?

(c) Is it a fact that at the last meeting of the Assam Bengal Railway Local Advisory Committee held on the 16th January last the Indian members strongly recommended the grant of similar facilities to the Bengal Burma Steam Navigation Company?

(d) Will Government be pleased to state whether they intend to request the Assam Bengal Railway Company to grant the similar facilities to the Bengal Burma Steam Navigation Company?

Mr. A. A. L. Parsons: (a) Yes.

(b) In 1926, the Assam Bengal Railway came to an agreement with the British India Steam Navigation Company for through booking from certain stations on the Assam Bengal Railway to Rangoon by British India steamers. At that time there were no competitors for the traffic. In November 1928, through booking was also made applicable to the Port of Akyab. In December 1928, the Bengal Burma Steam Navigation Company applied for similar through booking to Rangoon and Akyab by their steamers and this was agreed to by the Agent of the Assam Bengal Railway, but it was subsequently found that the rates by the Bengal Burma Steam Navigation Company were higher than those by the British India Steam Navigation Company and the former company were told that through booking would be possible if they charged the same fares as the British India Steam Navigation Company. The Agent considered that different fares to the same place by the same route were open to objection and might lead to fraud.

(c) The matter was discussed at the meeting of the Assam Bengal Railway Local Advisory Committee on 16th January and the Agent explained the reasons which had led to his refusing to meet the request of the Bengal Burma Steam Navigation Company.

(d) I am asking the Agent for further particulars as to the difficulty he foresees in having through booking at two different fares and to further consider whether through booking with the Bengal Burma Steam Navigation Company could not be introduced.

Mr. Sarabhai Nemchand Haji: May I know, Sir, if the action of the Agent does not indicate one of the many directions in which the Government of India help non-Indian and British monopolies in this country?

Mr. A. A. L. Parsons: No, Sir. The action of the Agent was taken for the reason I have given, namely, that he considered that different fares to the same place by the same route were open to objection as facilitating fraud. But I am not sure that there may not be other ways of overcoming that objection, and it is for this reason that we are asking the Agent to reconsider the matter, and to see whether he cannot allow through booking by the Burma Steam Navigation Company.

Mr. Sarabhai Nemchand Haji: Why then is it, Sir, that the Government of India are helping one of the parties to the rate war, namely, the British India Company, who themselves have started a rate war against a genuine Indian concern?

Mr. A. A. L. Parsons: I should like to explain, Sir, that the Honourable Member's question is, I believe, the first intimation which the Government of India or the Railway Board have had of this matter. I have no reason to believe that the Agent's action in the matter has anything to do with the rate war which the Honourable Member states to be in progress.

QUESTIONS AND ANSWERS.

Mr. Sarabhai Nemchand Haji: Do I understand the Honourable Member to say that the Agent did not know the existence of the rate war when, as the result of it, the rate was reduced from 14 to 4?

Mr. A. A. L. Parsons: No, Sir, nothing of the sort. I said that, as far as I am aware, the Honourable Member's question is the first intimation we had had of the matter. I was merely correcting the suggestion that the action of the Agent had anything to do with the Government of India.

PAY AND DUTIES OF EXTRA-DEPARTMENTAL AGENTS.

303. ***Mr. Anwar-ul-Azim:** (a) Are Government aware that regular attendance hours are now prescribed for the Extra-Departmental Agents of the Postal Department, and that they get no time available for taking up other sources of income?

(b) If the reply to part (a) be in the negative, do Government propose to inquire into the matter?

(c) Is it a fact that the Postal Inquiry Committee recommended a slight increase in the emoluments of the Extra-Departmental Agents, but that in the subsequent revision of pay of all classes of employees the case of the Extra-Departmental Agents was entirely overlooked?

(d) Have Government included in the Budget of this year an adequate amount for the revision of the emoluments of the Extra-Departmental Agents, including the allowances for contingencies?

Mr. H. A. Sams: (a) Regular attendance hours, that is to say, the hours during which an office is open for business, have always been prescribed for Extra-Departmental Agents of the Postal Department. Government are not aware that the Extra-Departmental Agents get no time for their ordinary business. In fact Government are under the impression that this is not the case. If, however, in any particular instance it is so, it is open to the Extra-Departmental Agent to resign.

(b) No.

(c) No. The attention of the Honourable Member is invited to my reply to parts (c) and (d) of Mr. S. C. Mitra's starred question No. 1006 in the Legislative Assembly on the 11th March, 1929.

(d) In view of the reference I have just given, this point does not arise.

PAY OF MAIL RUNNERS.

304. ***Mr. Anwar-ul-Azim:** (a) Are Government aware that the mail-runners are paid barely Rs. 15—19 per month?

(b) Are Government aware that the divisional administrative heads of the Postal Department are of opinion that the present pay of the runners is hopelessly inadequate? If Government have no information, what steps have Government taken to ascertain it?

(c) Have Government considered the question of increasing the pay of the mail-runners as proposed by the All-India Postal and Railway Mail Service Union? If not, why not?

QUESTIONS AND ANSWERS.

ooting with postmen at all stations. Government do not propose to effect any further revision of their pay; they have not therefore provided any funds in the Budget for this year. The reasons are stated in part (e) of my reply to Mr. G. Sarvotham Rao's question No. 347 on the 7th March, 1928.

APPOINTMENTS AND PROMOTIONS IN THE POSTAL DEPARTMENT.

306. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state the policy under which probationers in the Postal Department were recruited and the promotion of the officials to higher grades were made before the introduction of the examination for the confirmation of reserve clerks and the promotion to selection grades?

(b) Will Government be pleased to state the defects in the system for which the present system of examination has been introduced?

(c) Will Government be pleased to state the number of reserve clerks that have been turned out of the Department for failure in the test at the second time in the Bengal and Assam Circle during the last two years?

(d) Will Government be pleased to state the number of candidates that appeared in India for the selection grade examination held on the 16th and 17th December, 1929, and what amount has been received by Government from the sale proceeds of the copies of postal publications purchased by the examinees?

(e) Is it a fact that the General Secretary, All-India Postal and Railway Mail Service Union had an interview with the Director General of Posts and Telegraphs on the 19th November, 1929, and pointed out to that officer that the candidates did not receive in time the Initial Account Code and also represented to him certain other inconveniences and requested him to change the date but that the date was not changed?

(f) Is it a fact that since the creation of the Post Office Department in India eligibility for promotion was determined by seniority coupled with efficiency?

(g) Will Government be pleased to state the number of unsuccessful candidates in the Bengal and Assam Circle against whom there is nothing on record to pass them over for promotion to selection grades?

(h) Is it a fact that many junior time-scale clerks have been promoted to the selection grade as Town Inspectors without any examination merely on consideration that they were acting in that capacity for some time? If so, will Government be pleased to state why this consideration cannot be applied in case of time-scale Postmasters for promotion to the selection grade appointments?

The Honourable Sir Bhupendra Nath Mitra: (a) The system of recruitment before the introduction of the confirmation examination was the same as it is now, viz., that except in certain backward provinces, candidates were required to possess certain minimum educational qualifications and to pass an examination conducted by gazetted officers. Promotion to the higher grades before the introduction of the lowest selection grade examination was made by seniority coupled with fitness as judged by the officials' past record and by the personal knowledge of the officer ordering the promotion.

(b) Before the introduction of the confirmation examination, probationers, after their first appointment, were often found to take too little

interest in their work and to fail to acquaint themselves with the ordinary rules and regulations of the Department, knowledge of which is necessary for the efficient discharge of their duties. The introduction of the confirmation examination considerably lessened this tendency and its effect has been very salutary. The previous system of promotion to the selection grade did not provide a uniform and safe guide; selection by examination was therefore introduced.

(c) Information is being obtained and will be furnished to the Honourable Member in due course.

(d) 2652 candidates sat for the examination. The amount derived from the sale of departmental publications to examinees is being ascertained and will be intimated to the Honourable Member later on.

(e) Yes. The date was not changed as the difficulties pointed out were not considered to be insurmountable.

(f) Yes, but it does not follow that there was no scope for further improvement.

(g) Assuming that the Honourable Member refers to the lowest selection grade examination, I would observe that the results of the examination have not yet been published.

(h) The Honourable Member's attention is invited to the reply to part (f) of question No. 1334, dated the 2nd April, 1929, in the Legislative Assembly.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly place the information with regard to part (c) of my question on the table of the House?

The Honourable Sir Bhupendra Nath Mitra: The usual practice in these cases, Sir, is to place a copy of the reply in the Library of the House. This is done to avoid adding to the bulk, and the printing charges, of the proceedings of this House.

Mr. Anwar-ul-Azim: When the Government of India are in a position to spend crores of rupees on many other things, can they not also bear the expenses of this printing, Sir?

The Honourable Sir Bhupendra Nath Mitra: Sir, the decision about the practice to which I referred was arrived at after due consideration of the circumstances of the case. If a copy of the reply is placed in the Library of the House, it will be equally available to any Honourable Member of the House who wants to get himself acquainted with the information.

Dr. A. Suhrawardy: May I inquire whether it will be available to Members of Parliament who would not have access to information which forms part of the proceedings of this House if such information is placed only in the Library of the House?

The Honourable Sir Bhupendra Nath Mitra: The information in this particular case is not of a nature which will interest any Member of the Houses of Parliament.

Dr. A. Suhrawardy: That is a matter of opinion.

EXAMINATIONS FOR POSTAL OFFICIALS.

307. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state whether in the Postal Department the administrative officers have to appear at any examination for higher grades and appointments? If not, why are the officials in the time-scale required to undergo an examination?

(b) Is it a fact that the departure from the old practice is due to loss of efficiency of the administrative officers in selecting able and efficient senior hands for promotion? If not, will Government be pleased to state the reasons for the introduction of the examination?

(c) Will Government be pleased to state the number of candidates that appeared for the examination in India, the number required for employment and the number turned out as unsuccessful and the amount recovered as fees for the examination and medical certificates and the purpose for which the fees for examination and medical certificates have been realised and for what purpose the amount will be utilised?

(d) Is it a fact that under the existing rule the officials on first appointment have to produce a health certificate from a competent medical authority without which pay cannot be drawn, and if so, why a fee of Rs. 16 has been recovered from them? Is any fee, at all, recovered from the new recruits into the Post Office for a certificate of health?

The Honourable Sir Bhupendra Nath Mitra: (a) No. In reply to the second part of the question, the Honourable Member is referred to the reply to (b) of his previous question.

(b) No. The reply to the second part of the question is given in my reply to (b) of the previous question.

(c) No information can be given unless the Honourable Member will please state definitely the examination or examinations he has in view.

(d) The reply to the first part of the question is in the affirmative. The second part cannot be answered unless the appointments which the Honourable Member has in view are specified. The reply to the third part is in the negative.

MR. HARDY'S REPORT ON COTTON PIECE-GOODS DUTIES.

308. ***Mr. B. Das:** (a) Has the attention of Government been drawn to the reply given by Mr. Wedgwood Benn to a question of Major Graham Pole in the House of Commons concerning Mr. Hardy's Report on the question of substituting specific duties for *ad valorem* duties on imported cotton piece-goods to India?

(b) Will Government be pleased to state what will be the increase or loss of revenue by adopting Mr. Hardy's method of charging specific duties on imported cotton piece-goods?

(c) Will Government be pleased to state the proposals they wish the House to adopt on the recommendations of the Hardy Report?

(d) Do Government propose to bring forward a specific motion in the Legislative Assembly to discuss the Hardy recommendations? If so, when?

The Honourable Sir George Rainy: (a) Yes, Sir.

(b) The revenue effect of a change to specific duties must depend upon the rates of duty as well as the method of charging duty adopted. Mr. Hardy's Report made suggestions as to method only and the question cannot therefore be answered.

(c) and (d). Mr. Hardy's Report contains no recommendations.

TRADE DEPRESSION IN COTTON MILLS.

309. ***Mr. B. Das:** Are Government aware that only the Bombay group of cotton mills suffer from trade depression and is it a fact that all agitation for compassion and help proceeded only from the Bombay Mill-owners' Association?

The Honourable Sir George Rainy: Reports which Government have received indicate that cotton mills at other centres than Bombay are also suffering in varying degrees for lack of demand for their goods.

Requests made for assistance to the cotton mill industry have not been confined to the Bombay Millowners' Association.

TRADE DEPRESSION IN COTTON MILLS.

310. ***Mr. B. Das:** (a) Will Government be pleased to state if they received any representation from mills situated at Ahmedabad, Delhi, Bengal, Cawnpore and the Punjab regarding external competition and consequent trade depression?

(b) What is the finding of Mr. Hardy regarding trade depression in those places?

The Honourable Sir George Rainy: (a) Representations have been received recently from the cotton mill industry at Ahmedabad, Delhi and Cawnpore and in Bengal.

(b) I would refer the Honourable Member to the Report.

ENHANCEMENT OF DUTY ON IMPORTED COTTON YARN.

311. ***Mr. B. Das:** Will Government be pleased to state the amount of revenue accruing to Government from the additional levy of duty on imported cotton yarn on the recommendations of the Tariff Board Inquiry (Cotton Textile Industry Inquiry) during:

(1) 1927-28:

(2) 1928-29: and

(3) 1929-30?

The Honourable Sir George Schuster: On the quantities actually imported since the new duty on cotton yarn came into force in October, 1927, the amounts by which actual collections of duty exceeded what would have been collected at the former rate have been:

	Lakhs.
(1) 1927-28 (October to March)	5.9
(2) 1928-29	10.8
(3) 1929-30 (nine months)	7.9

This calculation, however, does not allow for the reduction of imports consequent upon the restrictive effect of the new duty, and it would be more correct to compare actual collections with the duty at the old rate on an estimate of the quantities that would have been imported if that

rate had remained in force; on this basis, the additional revenue secured is calculated to be as follows:

	Lakhs.
(1) 1927-28 (October to March)	2½
(2) 1928-29	7½
(3) 1929-30 (nine months)	5

ENHANCEMENT OF DUTY ON IMPORTED COTTON YARN.

312. ***Mr. B. Das:** (a) Will Government be pleased to state to what extent the Bombay millowners derived assistance to meet, (i) external competition, (ii) internal competition from India by such enhancement of duty on imported cotton yarn?

(b) Will Government be pleased to state whether Mr. Hardy was instructed to inquire into this aspect of the question, and if so, what are his conclusions?

(c) Is it not a fact that the Bombay millowners were the only party that cried for this protection in 1927?

The Honourable Sir George Rainy: (a) I would refer the Honourable Member to my reply to Mr. Duraiswamy Aiyangar's question No. 34, dated the 20th January, 1930.

(b) Mr. Hardy was not so instructed.

(c) No.

OVER-CAPITALISATION OF THE BOMBAY COTTON MILLS.

313. ***Mr. B. Das:** (a) With reference to paragraph 39 of the Tariff Board's Report (Cotton Textile Industry Enquiry, 1927) on over-capitalisation of the Bombay group of mills, will Government be pleased to state if Mr. Hardy was instructed to inquire whether the Bombay group of mills had taken any steps to reduce their war boom capitalisation, and if so, what is the conclusion of Mr. Hardy on the subject?

(b) Is it not a fact that the tendency of over-capitalisation was only observed in the Bombay group of mills?

(c) Is it a fact that the Tariff Board found the following abnormal conditions in the Bombay mills?

	Ahmedabad.	Bombay.
No. of Mills	54	54
Spindles	1,311,939	3,456,233
Looms	28,507	72,266
Paid up capital	Rs 3.25 crores.	Rs. 19.21 crores.
Ratio of looms and spindles of Ahmedabad/Bombay		3 times.
Do. paid up capital		6 times.

The Honourable Sir George Rainy: (a) Mr. Hardy was not so instructed.

(b) The conclusion stated by the Tariff Board in its Report on the Cotton Textile Industry Inquiry was that the tendency to over-capitalisation in the boom period was much more marked in Bombay than elsewhere.

(c) The figures quoted by the Honourable Member are as given by the Tariff Board, except that the number of mills in Bombay quoted by him should be 79 instead of 54.

Mr. H. P. Mody: Has the Honourable Member recently received statements showing that, whatever over-capitalisation took place during the boom period, in recent years a very considerable reduction of capital has been effected in the Bombay mills?

The Honourable Sir George Rainy: That is so, Sir; but I wish to make it clear that I was merely stating what the view expressed by the Tariff Board was: I was not expressing any view on behalf of the Government.

Mr. H. P. Mody: I quite recognise that, Sir.

FINANCES OF BOMBAY COTTON MILLS.

314. ***Mr. B. Das:** (a) Are Government aware that the Tariff Board reached the conclusion in paragraph 40 of their Report that the dividends paid during the boom years (by Bombay mills) were unduly high?

(b) Is it also stated in that paragraph that the Bombay group of mills did not provide sufficient funds for depreciation (*vide* paragraph 40 of the Report) as given below:

				Bombay.	Japan.
				(Depreciation allowed in per cent.)	
Buildings	..	..	..	2½%	} 10 to 15% average being 13·6%
Machinery	..	..	..	5 %	

The Honourable Sir George Rainy: (a) Yes, Sir.

(b) The Board's statement was that Japanese mills had shown greater foresight than the Bombay mills in regard to amounts written off to depreciation.

HARDSHIPS OF HANDLOOM WEAVERS.

315. ***Mr. B. Das:** (a) Will Government be pleased to state if they made any inquiry as to the extent to which the handloom weavers suffered in their income due to the levy of additional duty on imported cotton yarn?

(b) Will Government be pleased to state if they are aware that the prices of handloom woven cloth have remained stationary and in some places gone down since 1927?

(c) Are Government aware of the hardship to handloom weavers all over the country owing to the increased price of yarn, both imported and indigenous?

(d) Is it a fact that the Directors of Industries of provinces with a majority of handloom weavers drew the attention of Government to this hardship?

(e) Did Government address any inquiry to the provinces, after the yarn duties were raised, as to the loss of trade and income to the handloom weavers?

(f) Is it a fact that the Indian millowners raised the prices of their yarn after the increment of duty on imported cotton yarn.

(g) Are Government prepared to consider the question of abolishing the duty on imported cotton yarn?

The Honourable Sir George Rainy: (a), (b), (c) and (e). Government have made two inquiries into the effect of the duty on handloom weavers. Copies of the replies received from the Local Governments to the first inquiry, and the replies so far received to the second inquiry have been placed in the Library. The replies do not indicate that the interests of handloom weavers have been seriously affected by the duty.

(d) No.

(f) The exact effect of the duty on the price of cotton yarn is difficult to trace, but presumably it must have operated to keep the price at a higher level than it would otherwise have reached.

(g) Government will announce their intentions at an early date.

Mr. B. Das: May I inquire, Sir, whether from the reports received by the Government of India in reply to their inquiry, any Provincial Government has pointed out that there has been no increment in the price of handloom woven goods?

The Honourable Sir George Rainy: I must ask for notice of that.

Mr. N. C. Kelkar: May I put the questions on behalf of Rai Sahib Harbilas Sarda?

Mr. President: Mr. Kelkar.

RELICS OF BUDDHA.

316. ***Mr. N. C. Kelkar** (on behalf of Rai Sahib Harbilas Sarda): (a) Has the attention of Government been drawn to the news published in the *Hindustan Times* of the 31st January, 1930, that a bone relic of Buddha has been discovered during the excavation on Nagarjunikonda in the Palnad Taluk of the Guntur District?

(b) Are Government aware that great dissatisfaction and resentment was produced amongst the Hindus in India by the removal by Government a few years ago of Buddha relics found near Peshawar to places in Burma and Ceylon?

(c) Are Government aware that Buddha is worshipped by Hindus as one of the ten incarnations of God?

(d) Are Government aware that Hindus strongly resent the removal from India of any part of the remains of the greatest man that India has produced?

(e) Will Government give reasons why these relics are removed from stupas reverently built by ancient Indians as sacred places?

(f) What steps do Government propose to take to preserve in India this bone relic of Buddha, which is one of the greatest and most sacred heirlooms of India?

Sir Frank Noyce: (a) Yes. The information referred to by the Honourable Member was published with the approval of the Government of India.

(b) The Buddha relics found in a stupa near Peshawar in 1908-09 were presented to the Buddhists of Burma, which is a province of India. No portion of these relics was sent to Ceylon. Applications were received from certain Hindu Associations and individuals requesting the retention of these relics in India proper, as distinct from Burma, but in view of the

much larger population of Buddhists in that province, the relics were presented to it to be preserved in a special pagoda at Mandalay.

(c) Yes.

(d) and (e). I have already explained to the Honourable Member the reasons for the removal to another province of India of the relics discovered near Peshawar. I can assure him that it is not the policy either of Government or of the Archaeological Department unnecessarily to disturb or to export sacred objects that come into their possession. Where legitimate archaeological activity puts them in possession of such relics, their one object is to utilise them in such a manner as to enhance their accessibility to all who may be interested in them.

(f) Presumably the Honourable Member is referring to the relic recently unearthed at Nagarjunikonda. The question of its disposal is under consideration.

BIRTH AND DEATH RATES IN THE TOWNS OF BEAWAR AND AJMER.

317. ***Mr. N. C. Kelkar** (on behalf of Rai Sahib Harbilas Sarda): With reference to the answer given to me on the 11th September, 1929, to my question No. 385, regarding figures for birth and death rates, that information was being collected and would be supplied to me, will Government state if the information has been collected now that four months have passed? In view of the grave nature of the matter will Government supply me this information within the next ten days?

Sir Frank Noyce: The information has recently been communicated to the Honourable Member. I must express my regret that it was not possible to supply him with it earlier.

BIRTH AND DEATH RATES IN THE TOWNS OF BEAWAR AND AJMER.

318. ***Mr. N. C. Kelkar** (on behalf of Rai Sahib Harbilas Sarda): (a) Has the attention of Government been drawn to the fact that while the average mortality of children below 10 years of age in the town of Beawar during the years 1921 to 1928 was 662.11 per thousand and the infantile mortality during the first year of birth 408.04, the child mortality under 10 years has arisen from 539.9 in 1928 A.D. to 573.82 in 1929 A.D.?

(b) Is it a fact that in 1929 the total number of births in Beawar with a population of 22,362 was 705 and the total number of deaths 955, showing a ratio of 135.4 deaths for every 100 births and that while the birth rate per thousand was only 31.52 the death-rate was 42.70?

(c) In view of the above facts and the statement made regarding the unsatisfactory sanitary conditions obtaining in and the consequent abnormal death rate prevailing in Ajmer and Beawar in the book "*Beawar, ki Bheeshna Mritu Sankhya*" published last year, do Government propose to make an inquiry into the causes of this grave state of affairs or to take any other action in the matter?

(d) Is it a fact that lack of money alone stands in the way of the Local Government of Ajmer-Merwara improving the sanitation of Ajmer and Beawar? If so, do Government propose to give financial assistance to the Local Government to enable it to take measures to reduce the appalling death-rate in Ajmer and Beawar?

Sir Frank Noyce: (a) and (b). Official figures for births and deaths for 1929 are not yet available and the necessary information, which has been called for, will be supplied to the Honourable Member on receipt.

(c) and (d). Schemes for the improvement of sanitary arrangements at Ajmer and Beawar are under the consideration of the local Municipal Committees. The Government of India are also alive to the necessity for removing the existing defects and deficiencies. The programme of medical and public health improvement in areas directly administered by the Government of India recently approved by the Standing Finance Committee provides for a grant-in-aid from Central revenues of Rs. 1,55,000 and Rs. 70,000 for the improvement of sanitation in Ajmer and Beawar, respectively. The total cost of the schemes is estimated at Rs. 3 lakhs in Ajmer and Rs. one lakh in Beawar. The Government grant can be paid only after plans and estimates have been approved by the Government of India and an assurance is given that the local body is able to meet the balance either from its existing funds or by raising a loan. I regret, however, to add that, owing to the severe financial stringency prevailing at present, Government have not found it possible to make any provision in the next year's Budget for these schemes.

Mr. B. Das: Will it not be better for the Government to wait till they see the effects of Rai Sahib Harbilas Sarda's Child Marriage Act before they give further assistance to any measures he proposes?

(Mr. President called the next question.)

AMENDMENT OF THE PRESIDENCY-TOWNS INSOLVENCY ACT.

319. ***Mr. Lalchand Navalrai:** With reference to my starred question No. 3, asked on the 2nd September, 1929, with regard to the amendment of the Presidency-towns Insolvency Act, section 55, and the Provincial Insolvency Act, section 53, will Government be pleased to state if they have by now considered the matter and whether they propose to introduce a Bill amending the same during this Session? If not, when is it likely to be introduced?

The Honourable Sir James Crerar: Government propose to introduce tomorrow a Bill to make certain amendments in the Insolvency Law.

BOAT HIRE OF POSTMEN IN THE DACCA DISTRICT.

320. ***Mr. Anwar-ul-Azim:** (a) With reference to Government's reply to unstarred question No. 119 in the Legislative Assembly on the 2nd September, 1929, will Government be pleased to state the result of the inquiry held in 1927 by Rai H. K. Raha Bahadur, the late Postmaster General, Bengal and Assam Circle?

(b) Is it a fact that he recommended an increase of boat hire to a sum not less than Rs. 4 a month to all postmen who have to travel by boats in the Dacca District and the engagement of rowers?

(c) Are Government aware that Mr. F. T. deMonte, the present Postmaster General, Bengal and Assam Circle, in an interview with the General Secretary, All-India Postal and Railway Mail Service Union, Bengal and Assam Provincial Branch, on the 10th May, 1929, stated that the question of increasing instead of curtailing the monsoon charge is under consideration?

(d) Has the attention of Government been drawn to letter No. 5431, dated the 5th September, 1927, and letter No. 4531, dated the 27th August, 1927, respectively, from the District Magistrate and District Judge, Dacca, stating that they pay Rs. 25 a month to their menials for a single *dingi* boat and boatman copies of which have been forwarded by the Secretary of the Dacca Postal and Railway Mail Service Union to the Director General of Posts and Telegraphs and the Honourable Member, Industries and Labour, and the remarks made by the Sub-Divisional Officer, Manikganj, in presiding at the annual meeting of the Dacca Branch Postal and Railway Mail Service Union on the 4th August, 1929, and published in the *Samitee*, a registered organ of the Dacca Union in its issue of August, 1929?

(e) Will Government be pleased to state the amount of reduction, if any, made in the year 1929-30 in the monsoon charges in the Dacca Division and other divisions within the Dacca Range and what were the grounds for the reduction?

(f) Are Government aware that the postmen in rural post offices have to travel in several places in Bengal at their own expense? If not, have Government investigated the matter, and if so, what steps do they propose to take in the matter?

(g) What steps do Government propose to take in order to increase the boat hire and rowers' allowance with effect from 1930-31? If it is not proposed to take any action in the matter, will Government be pleased to quote the enactment under which Government can compel the postmen and runners to pay the taxes imposed on them in the shape of monsoon charges?

The Honourable Sir Bhupendra Nath Mitra: (a), (b) and (g). Government are not prepared to disclose or discuss the recommendations of particular officers. I would, however, inform the Honourable Member that orders have already been issued revising the rates of boat hire and rowers' allowance at certain stations in the Bengal and Assam Circle, where justified, after considering the advice of Rai Bahadur H. K. Raha and others.

(c), (e) and (f). Inquiries are being made and the Honourable Member will be informed in due course.

(d) Government have seen the remarks of the Sub-Divisional Officer, Manikganj, and copies of the letters referred to. The latter do not however contain the statements alleged by the Honourable Member.

ABOLITION OF THE RANGE OFFICE AT DACCA.

321. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state the result of the inquiry regarding the abolition of the Range Office at Dacca in the charge of a Deputy Postmaster General? (*Vide* Government reply to the starred question No. 82 on the 3rd September, 1929)?

(b) Will Government be pleased to state whether there are any more Range Offices in any province in India? If not, what really justifies the retention of the office at Dacca?

(c) Will Government be pleased to state what is the monthly cost of establishment, including the Range Officer's travelling allowance and other relevant expenditure of maintaining the Range Office at Dacca?

(d) What delays so long the abolition of the Range Office, which was strongly recommended by the Inchcape Committee long ago?

(e) Will Government be pleased to state when the Range Office is expected to be abolished?

The Honourable Sir Bhupendra Nath Mitra: (a) The inquiry is not yet complete.

(b) There is another Range Office in Assam. The latter part of the question does not arise.

(c) The information is being collected and will be supplied to the Honourable Member in due course.

(d) I would invite the attention of the Honourable Member to the reply given to part (b) of his unstarred question No. 82 in the Legislative Assembly on the 3rd September, 1929.

(e) In view of the reply to part (a) above, Government are not in a position to give the information asked for by the Honourable Member.

APPOINTMENTS IN THE POSTAL DEPARTMENT.

322. ***Mr. Anwar-ul-Azim:** (a) With reference to Government's reply to starred question No. 310 in the Legislative Assembly on the 27th February, 1928, will Government be pleased to state whether they have arrived at any decision on the question of the reservation of a certain percentage of vacancies for the sons and relatives of departmental officials?

(b) Are Government aware that the Divisional Superintendents and first class Postmasters take in recruitment their own nominees, superseding the claims of the sons and relatives of the departmental officials, although their nominees are not superior to them in educational or other qualifications?

The Honourable Sir Bhupendra Nath Mitra: (a) I understand that the question refers to the recruitment of upper division clerks in the post offices. It is hoped soon to issue revised recruitment regulations in which provision will be made for preference to be given to a reasonable extent to relations of departmental officials.

(b) No. The officers referred to have full discretion to recruit the best candidates available, with due regard to the interests and claims of relatives of departmental employees.

RESIDENCE AND OFFICE OF THE SUPERINTENDENT OF POST OFFICES, DACCA DIVISION.

323. ***Mr. Anwar-ul-Azim:** (a) With reference to Government's reply to starred question No. 357 on the 14th September, 1927, will Government be pleased to state the result of the inquiries?

(b) Is it a fact that after that reply, the office of the Superintendent of Post Offices, Dacca Division, has been shifted twice?

(c) Is it a fact that on receipt of information to the effect that Mr. N. Banerjee, the then Superintendent of Post Offices, Dacca Division, was looking out for a house to shift the office to suit his personal interest and comfortable residence, the Secretary, Postal and Railway Mail Service Union, Dacca Branch, in his communication No. P. R.-22/13, dated the 7th November, 1928, requested the Deputy Postmaster General, Dacca Range, to put a stop to the proposal and that the latter did not take any action?

(d) Is it a fact that Mr. F. T. deMonte, Postmaster General, Bengal and Assam Circle, during his visit to Dacca, found the office on the ground floor and the Superintendent's residential quarter on the first floor, for which he has to pay less rent than the office and the office has also to pay the entire municipal tax?

(e) Is it a fact that the Secretary, Postal and Railway Mail Service Union, Bengal and Assam Provincial Branch, in his letter No. P. R.-5/S. B., dated the 8th July, 1929, requested him to prohibit the joint tenancy of the house, but that on a representation of the fact that no house was available at a rent of Rs. 40 only for the office, the Postmaster General was not inclined to take action on the suggestion although the Secretary of the Dacca Branch Union assured him that a house could be hired for the office at a rent of Rs. 40?

(f) Is it a fact that the officials are not only compelled to occupy the inferior portion of the building but are also made to work under disadvantages arising from extreme heat and the absence of the orderly peon from the office on the plea of the domestic work of the Superintendent?

The Honourable Sir Bhupendra Nath Mitra: (a) It is presumed that the Honourable Member is referring to question No. 357 of the 14th February, 1927. If so, the result of the inquiries was communicated to Khan Bahadur Sarfaraz Hussain Khan in reply to his starred question No. 391 of the 25th August, 1927, in the Director General's letter dated the 6th December, 1927, a copy of which has been placed in the Library of the House.

(b) to (f). Government have no information, but inquiries are being made and the result will be communicated to the Honourable Member in due course.

FREE COMMUNICATIONS ON POSTAL SERVICE BY EMPLOYEES OF THE POST OFFICE.

324. ***Mr. Anwar-ul-Azim:** (a) With reference to Government's reply to unstarred question No. 211 on the 23rd September, 1929, will Government be pleased to state whether Postmasters can communicate free of charge in the following cases:

- (1) In case of their illness asking for relief with a view to keep the office in working order instead of closing the office.
- (2) In case of casual leave which is treated under the rules of the department as on duty.
- (3) In case of an application for an advance of pay or travelling allowance on transfer in the interests of the public service.
- (4) In case of reference to rectify a shortness, or overdraw of pay or the non-receipt of a salary bill on due date.
- (5) In case of a shortness or overdraw of leave allowance and the non-receipt of leave allowance in time.
- (6) In case of the deduction of a subscription or retrenchment made from the pay bill without knowledge of the payee.

(b) Is it a fact that subordinate employees of all offices have to communicate free on postal service through the postmasters?

(c) Is it a fact that the Government reply to the aforesaid question (e) has been given on wrong information and the fact is that Mr. N. N. Banerjee, the Superintendent, infringed the rule and took advantage of free service?

(d) Is it a fact that the Secretary, Dacca Postal and Railway Mail Service Union, in his letter No. P. R.-10, dated the 5th November, 1928, requested the Deputy Postmaster General, Dacca Range, to take action to relax the rule in case of employees in active service but that he has not even acknowledged the letter?

(e) Have Government considered the question of relaxing the rule in the cases mentioned in items (1) to (6) of part (a) of this question?

Mr. H. A. Sams: (a) No, except in the case of a single-handed office where, owing to serious illness, the Postmaster has to ask for relief to avoid closing the office.

(b) Yes.

(c) No.

(d) No. The Deputy Postmaster General, Dacca, received no such representation.

(e) No. Government do not propose to relax the existing rule on the subject.

CONSOLIDATION OF THE INDIAN ARBITRATION LAW.

325. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state whether their attention has been drawn to the ruling in Indian Law Reports, 56, Calcutta, at page 761 where Mr. Justice Williams has remarked that the law on section 19 of the Indian Arbitration Act, 1899, (IX of 1899), is very conflicting and that many other sections of the Act are loosely drawn and are difficult to be reconciled and construed?

(b) Are Government aware that the late Mr. Harchandrai Vishindas sought to introduce in this House a Bill to consolidate the arbitration law in India, and is it a fact that Government was then inclined to introduce a Government Bill to consolidate the Indian arbitration law?

(c) Do Government propose to introduce such a Bill during this Session of the Assembly or at any other early date?

The Honourable Sir James Crerar: (a) Yes.

(b) and (c). Before his death, the late Mr. Harchandrai Vishindas desired to re-introduce a Bill regarding the law of arbitration in India which had been circulated for opinion under the orders of the Legislative Assembly in 1926, but had lapsed. At that time the Government of India were considering the question of consolidating and amending the law with special reference to the recommendations of the Civil Justice Committee. Before proceeding with the proposed revision, the Government of India have decided to await any legislation which may be undertaken in England as a result of the recommendations of the recent Committee on the English Law of Arbitration.

INTRODUCTION OF AN EXAMINATION TEST IN THE POSTS AND TELEGRAPHS DEPARTMENT.

326. ***Mr. Lalchand Navarai:** (a) Will Government be pleased to state whether they have introduced an examination test in the Postal and Telegraph Department for the promotion of officials from the time scale pay to the selection grade posts of Rs. 160—250, *vide* Director General, Posts and Telegraphs, G. O. No. 5, dated the 19th July, 1927, as amended by his Special General Circular No. 22, dated the 16th October, 1929?

(b) How was promotion to these selection grade appointments previously regulated?

(c) Was the necessity for the examination pressed by the Director General or any Postmaster General, and if so, how many of the Postmasters General pressed for it and for what reasons?

(d) Is it a fact that the Director General has not made any reference in his Annual Report of the Posts and Telegraph Department about the loss of efficiency and about the necessity for such an examination to improve the efficiency?

(e) Is it a fact that the public have generally expressed their praise about the efficiency of the Postal Department?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) By selection made by the Head of the Circle on the basis of past records and his personal knowledge of the official's capabilities.

(c) The suggestion did not come from the Postmasters General, but from the Director General, who was of opinion, in which the Government of India agreed, that it was imperative to have an examination in order to secure that the best men should fill the selection grades, the pay of which had been considerably increased. The Heads of Postal Circles did however, in their Conference of 1926, express the opinion that promotion to the selection grades was far too easy.

(d) Yes.

(e) Yes.

APPOINTMENTS AND PROMOTIONS IN THE POSTAL DEPARTMENT.

327. ***Mr. Lalchand Navarai:** (a) Is it a fact that generally no one is entertained in the clerical rank in the Postal Department unless he has passed the entrance examination of any of the recognised Universities in India and Burma?

(b) Is it a fact that no postal official is allowed to draw the first increment in the time scale until he has passed an oral and written examination test?

(c) Is it a fact that before an official reaches the maximum in the time scale of pay he has to pass two efficiency bars, to cross which the supervising officer of the official has to testify that the official has a thorough knowledge of the work of all the departments and that he has efficiently managed a department and a sub-office?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes, generally speaking.

(b) Yes.

(c) Yes. The facts stated by the Honourable Member are substantially correct.

EXAMINATION TEST IN THE POSTS AND TELEGRAPHS DEPARTMENT.

328. ***Mr. Lalchand Navarai:** (a) What is the necessity to introduce the examination test in the Postal and Telegraph Department for the promotion of officials from the time scale pay to the selection grade posts of Rs. 160 to Rs. 250?

(b) Is it a fact that the Government of India, in their Resolution No. 4863, dated the 4th December, 1891, have laid down that whenever there is a change of procedure, the new conditions should not be made to operate harshly on officials affected by the change?

(c) Is it a fact that, when some conditions of service were changed in the Telegraph Department as a result of the recommendations of some departmental committees, such as the Ryan Committee, the existing telegraphists were told that the new changes would not apply to the existing men?

The Honourable Sir Bhupendra Nath Mitra: (a) The examination has been introduced with the concurrence of the Standing Finance Committee in the interests of efficiency and to provide a uniform and safe-guard for making selections for promotion beyond the time scale of pay.

(b) Yes.

(c) A pledge safeguarding the prospects of the existing members of the staff was given in the specific case mentioned. This has no bearing on the present case, which relates to the introduction of a test to ensure that the most suitable men shall be promoted to posts the pay of which has been improved. The prospects of the staff have not been impaired.

EXAMINATION TEST IN THE POSTS AND TELEGRAPHS DEPARTMENT.

329. ***Mr. Lalchand Navarai:** (a) Is it a fact that numerous telegrams were received by H. E. the Viceroy, the Honourable Member in charge of the Department of Industries and Labour and the Director General from officials over 35 years of age from all over India and Burma asking for exemption from the examination referred to in part (a) of my immediate preceding question, and if so, what action was taken on them?

(b) Is it a fact that when the system of examination was first introduced in the Audit Office for promotion to higher grades, Sir Frederic Gauntlett, the then Auditor-General, exempted officials of over forty years of age from such examination?

(c) Is it a fact that when an examination test was introduced in the Customs Department, the Collector of Customs, Madras, under instructions from the Central Board of Revenue, exempted officials of over 40 years from the examination?

(d) Have the Government exempted recently some junior Inspectors of Post Offices from the examination, and if so, why? And why was not similar treatment accorded to officials who acted for three years in the selection grade?

(e) Have Government perused the numerous contributions that have appeared in the various newspapers, pointing out the serious injustice done to senior postal officials by introducing the examination test?

(f) Have Government perused the editorial articles in the *Statesman* (Calcutta), dated the 23rd August, 1929; *Basumati* (Calcutta), dated the 25th August, 1929; *Amrita Bazar Patrika* (Calcutta), dated the 13th September, 1929; *Swarajya* (Madras); dated the 4th December, 1929, and *Justice*

(Madras), dated the 7th December, 1929, pointing out the hardship involved to the senior officials of advanced age to memorise rules and regulations and answer theoretical questions on audit, the grave dissatisfaction prevailing among the members of the service and sympathising with their lot and appealing to the Government to repeal the order?

(g) Are Government prepared to cancel the examination or at most make it applicable to the new recruits only? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. No action was taken on them, because the telegrams did not disclose any new facts justifying a reconsideration of the decision already reached.

(b) and (c). Yes, but the examination was not one of promotion from the time scale of pay to selection grade posts.

(d) By "junior Inspectors", the Honourable Member perhaps means Town Inspectors attached to first class Head Offices. If so, his attention is invited to the reply to part (f) of the question No. 1334, dated the 2nd April, 1929.

(e) and (f). Yes, Government have read some of the newspapers mentioned.

(g) No. The examination was introduced after very careful consideration of all the points that could be urged against it. Nor are Government prepared to exempt *ad hoc* officials over 40 years of age. An official, who knows his work and is suitable for the selection grade, should have no difficulty in passing the examination, even if he be over 40 years of age.

CLERICAL POSTS IN OFFICES OF SUPERINTENDENTS OF POST OFFICES.

330. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state whether the views of the Director General of Posts and Telegraphs in connection with Mr. G. V. Bewoor's report have since been received? (*Vide* Government reply to starred question No. 137 on the 12th September, 1929)? If the reply be in the negative, have Government requested the Director General to hasten the submission of his views?

(b) Will Government be pleased to state the principle which is followed in the revision of the clerical posts in the offices of the Superintendents of Post Offices?

The Honourable Sir Bhupendra Nath Mitra: (a) The reply to the first part is in the affirmative. The second part does not arise.

(b) The clerical staff in the offices of Superintendents of Post Offices is fixed by the Head of the Circle concerned after a careful consideration in each case of the amount of work to be done.

SUNDAY AND HOLIDAY ALLOWANCE FOR POSTAL EMPLOYEES.

331. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state if any statistics were called for in respect of Sunday and holiday allowance? If the reply be in the affirmative, will Government be pleased to state the year for which the statistics were called for?

(b) Is it a fact that this was a matter considered by the deputation of Postal and Railway Mail Service employees that waited upon the Honourable Member in charge of the Department of Industries and Labour and

the Director General of Posts and Telegraphs and that the representatives were assured of consideration?

(c) Will Government be pleased to state who has been deputed to examine the question and with what result? If no decision has yet been arrived at, why has the consideration of this matter been postponed so long?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) The attention of the Honourable Member is invited to item 3 (b) of Part I of the statement of grievances represented by the deputation of the All-India Postal and Railway Mail Service Union and of the conclusions arrived at thereon, as laid on the table of this House on the 4th March, 1926.

(c) Government have reviewed the position and have come to the conclusion that it is not possible to introduce, in the immediate future, any measure of relief involving additional expenditure.

LEAVE AND PENSIONS FOR INFERIOR SERVANTS OF THE POSTS AND TELEGRAPHS SERVICE.

332. ***Mr. Anwar-ul-Azim:** (a) Is it a fact that the Post Office employees have to work for a much longer period in a year than the employees of other Departments of the Government for want of holidays in the Posts and Telegraphs Department?

(b) Is it a fact that, in consideration of this, Government was pleased to raise the status of the postmen and grant them the benefit of leave and pension?

(c) Do Government intend to extend this concession to the case of the menials of the Posts and Telegraphs service? If the reply be in the negative, will Government be pleased to state the reasons, and do Government propose to take any other alternative measure?

The Honourable Sir Bhupendra Nath Mitra: (a) It is a fact that postal employees enjoy fewer holidays than Government servants in some other Departments of Government, but this has been recognised both in fixing the pay and in the grant to them of certain other concessions, *e.g.*, 20 days' casual leave?

(b) No. Postmen have been graded as superior servants purely on account of the nature and responsibilities of their work.

(c) The reply to the first part is in the negative; as regards the second part, the Honourable Member's attention is invited to item 14 of Part I of the statement of grievances represented by the deputation of the All-India Postal and Railway Mail Service Union, to the conclusions arrived at, and to the action taken thereon, as laid on the table of this House on the 4th March, 1926.

OUTSTATION ALLOWANCES OF RAILWAY MAIL SERVICE EMPLOYEES.

333. ***Mr. Anwar-ul-Azim:** (a) Has the attention of Government been drawn to the resolution No. 30, passed at the All-India (including Burma) Postal and Railway Mail Service Conference held at Peshawar on the 10th November, 1929?

(b) Is it a fact that at present a low rate of outstation allowance is granted to the Railway Mail Service employees in case they are required

to stay out of headquarters for 12 hours or more, viz., 0-4-0 to the sorters, 0-2-0 to the mail guards and 0-1-0 to the van peons? Is it paid for their extra expenditure required for meals and tiffins outside the headquarters? Are Government prepared to increase these rates?

Mr. H. A. Sams: (a) Yes.

(b) For absence from headquarters in excess of 12 hours, but not exceeding 24, the rates are as stated by the Honourable Member, but as the allowances are paid merely as a contribution towards the extra expenditure which has to be incurred in taking meals away from home, Government do not consider that the existing rates are inadequate and are not therefore prepared to increase them.

APPOINTMENTS IN THE NARAYANGANJ RECORD AND SORTING MAIL OFFICES.

334. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state whether the Postal Inquiry Committee recommended that where there are seven sorters there should be a selection grade appointment?

(b) If the reply to part (a) be in the affirmative, is it a fact that the Narayanganj sorting mail office has to work with eight sorters and the sub-record clerk has six sorters, daily for the office work?

(c) Is it a fact that in the Manual of Appointment and Allowances of Officers of the Indian Posts and Telegraphs Department three selection grade appointments have been shown for the "S" Division, whereas only one accountant at Silchar and one sub-record clerk at Barisal in the selection grade have been shown?

(d) Is it a fact that the Barisal Sub-Record Office has to work with a smaller number of sorters than the Narayanganj Sub-Record Office and in comparison of the selection grade appointments in the Post Office the number of selection grade appointments in the "S" Division is small?

(e) Are Government prepared to sanction two selection grade appointments for the Narayanganj record and sorting mail offices?

The Honourable Sir Bhupendra Nath Mitra: (a) The Postal Inquiry Committee recommended that Head Sorters of stationary mail offices with seven or more sorters and Head Sorters of travelling sets consisting of six or more sorters should be in the selection grade.

(b) and (d). Government have no information but inquiries are being made and the result will be communicated to the Honourable Member in due course.

(c) No, four selection grade appointments have been shown in the Manual referred to but this is incorrect, as there are actually only three, namely, two on Rs. 160—250 and one on Rs. 250—350. Steps have already been taken to have the Manual corrected.

(e) The matter is within the competence of the Director General, Posts and Telegraphs, who, I understand, will consider the question when the information referred to in my reply to parts (b) and (d) above has been received.

HOURS OF DUTY IN RAILWAY MAIL SERVICE OFFICES.

335. ***Mr. Anwar-ul-Azim:** (a) Are Government aware that in the Railway Mail Service stationary offices at Barisal and Narayanganj, the officials have to work from 8 P.M. to 6 A.M. each alternate day?

(b) Will Government be pleased to state the working hours of night and day sorters of the officials of the Railway Mail Service stationary offices?

Mr. H. A. Sams: (a) Yes. The working hours of the offices in question are as stated by the Honourable Member.

(b) 35 and 49 hours per week per sorter, respectively.

GRANT OF HOUSE RENT FOR OFFICES OF RAILWAY MAIL SERVICE INSPECTORS.

336. ***Mr. Anwar-ul-Azim:** (a) Are Government aware that the Railway Mail Service Inspectors have to maintain their records and that they are in need of a house for their office?

(b) Is it a fact that the Post Office Inspectors have been granted house allowance for the purpose of locating their offices?

(c) Have Government considered the question of sanctioning a house allowance to the Railway Mail Service Inspectors?

Mr. H. A. Sams: (a) The answer to the first part of the question is in the affirmative and to the second part in the negative.

(b) In places where no provision for office accommodation exists and at which Sub-Divisional Inspectors of Post Offices have consequently to make their own arrangements, they are granted house rent allowance.

(c) Yes, and it was decided that such an allowance is not necessary in the case of Railway Mail Service Inspectors, as they are required to work at their headquarters in the Railway Mail Service offices located at railway stations.

SUNDAY AND HOLIDAY ALLOWANCE FOR POSTAL OFFICIALS.

337. ***Mr. Anwar-ul-Azim:** (a) With reference to Government's reply to unstarred question No. 120 in the Legislative Assembly on the 2nd September, 1929, will Government be pleased to state if they have since come to any decision regarding the grant of Sunday and holiday allowance to Post Office and Railway Mail Service employees?

(b) If so, will they please state what their decision is, and if not, when the decision is expected to be reached?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The Honourable Member's attention is invited to part (c) of the reply which I have just given to his starred question No. 331.

QUARTERS, ALLOWANCES AND DUTIES IN THE BENGAL AND ASSAM POSTAL CIRCLE.

338. ***Mr. Anwar-ul-Azim:** (a) With reference to Government's reply to unstarred question No. 61 in the Legislative Assembly on the 15th February, 1928, will Government be pleased to state the places where residential quarters have been provided in the vicinity of the Post Office in the Bengal and Assam Circle during the last two years?

(b) What are the particulars of conveyance allowance sanctioned in that circle?

(c) What is the number of additional staff sanctioned and the number of places where such staff have been sanctioned in the Assam and Bengal Circle?

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(d) Are Government aware that in many towns of the Bengal and Assam Circle the split duty system tells upon the health of the employees? If so, what redressive measure has been taken?

The Honourable Sir Bhupendra Nath Mitra: (a) to (d). Information is being collected and will be supplied to the Honourable Member in due course.

APPOINTMENT OF MUSLIM PEONS IN CERTAIN OFFICES.

339. ***Mr. Anwar-ul-Azim:** (a) Is it a fact that there are no Muslim peons employed in some of the offices of Army Headquarters, the offices of the Financial Adviser, Military Finance and the Military Accountant General?

(b) If the reply to part (a) is in the affirmative, are Government prepared to issue orders to appoint Muslims in future permanent and temporary appointments unless the number of this minority community is fully represented in this service? If not, why not?

Mr. G. M. Young: (a) Yes.

(b) No, Sir, the deficiency is due to a lack of applicants.

APPOINTMENT OF MUSLIM POSTAL SUPERINTENDENTS IN THE MADRAS PRESIDENCY.

340. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state the number of Postal Superintendents in the Madras Presidency? How many of them are Muslims?

The Honourable Sir Bhupendra Nath Mitra: There are in the Madras Circle 28 Superintendents of Post Offices and Railway Mail Service. Of this total number, three are Muslims.

Maulvi Sayyid Murtuza Saheb Bahadur: Is it a fact that for the last ten years or so there has not been recruited even a single Muslim to this service?

The Honourable Sir Bhupendra Nath Mitra: No, that is not correct. I know, for instance, that in the year 1929, we recruited three Muslims.

Maulvi Sayyid Murtuza Saheb Bahadur: Were the Muslims from the Madras Presidency?

An Honourable Member: What, as peons?

The Honourable Sir Bhupendra Nath Mitra: It is not possible to confine recruitment to Mussalmans of any Presidency. We follow the standard rules under which one-third of the vacancies are filled from among the minority communities as a whole.

Mr. B. Das: Is the Honourable Member aware that he has neglected the interests of the people of Orissa always whenever the question of minorities has been concerned?

Mr. Abdul Latif Sahib Farookhi: Out of these three Muslims when was the last Muslim appointed?

The Honourable Sir Bhupendra Nath Mitra: I cannot say, Sir, because I have not got the list with me.

GRANT OF OVERTIME ALLOWANCES TO POSTAL OFFICIALS.

341. ***Mr. Anwar-ul-Azim:** (a) Has the attention of Government been drawn to letter No. P. R.-19, dated the 3rd October, 1929, from the Secretary, Dacca Postal and Railway Mail Service Union, to the General Secretary, All-India Postal and Railway Mail Service Union, Bengal and Assam Provincial Branch, published in the *Samitee*, an organ of that Union, in its issue of November, 1929, and a copy of which has been forwarded to the Postmaster-General, Bengal and Assam Circle, in which it has been stated that under the *bona fide* orders of Mr. N. N. Banerjee, the then Superintendent of Post Offices, Dacca Division, officials under him were frequently compelled to work over-time on account of working short-handed and that an over-time allowance of Rs. 1,359-6-0 should be paid to them?

(b) Are Government aware that, owing to a compulsory order of the Deputy Postmaster-General, Dacca Range, and the Postmaster, the Dacca delivery of the Calcutta mails is made at unusually late hours due to the late arrival of the Calcutta mails during the winter season and that the officials attached to the delivery, sorting, registration, and parcel branches have to work over-time?

(c) Is it a fact that, under rule 283 of the Posts and Telegraphs Initial Account Code, certain officials except those of the Post Office get over-time allowance, and the same is also paid to the postal officials working in the Presidency towns on foreign mail days?

(d) Is it a fact that over-time allowance for the telegraphists is calculated at a higher rate under rule 221 of the Telegraph Manual, Vol. IV (old edition), while the same for the postal signallers is calculated at a much lesser rate?

(e) Are Government aware that post office officials are always required to work over-time on account of the irregular arrival of mails, and sudden increase of work, and are compelled to work short-handed, but in no case are they paid over-time allowance?

(f) Do Government propose to grant to the postal officials over-time allowance and to issue uniform rules on the subject? If the reply be in the negative, what are the reasons?

The Honourable Sir Bhupendra Nath Mitra: (a) No. Government have not seen the letter referred to.

(b) Government are not aware of the fact, but will inquire into the matter.

(c) No. The rule in question merely lays down in what form overtime allowance bills should be drawn.

(d) No. Overtime allowances paid to departmental telegraphists and postal signallers are calculated at the same rates on the basis of pay.

(e) and (f). No. The grant of overtime allowance to postal officials working in some offices is already provided for by certain definite rules, while in other cases the special orders of Government are obtained from time to time as required.

The conditions of service in the postal and telegraph branches of the Department are not uniform, and Government do not therefore consider that it is necessary to lay down uniform rules for the grant of overtime allowances to both branches.

CIRCULAR ORDERS RELATING TO THE GOVERNMENT EXAMINER OF QUESTIONED DOCUMENTS.

346. *Lala Rang Behari Lal: Will Government be pleased to place on the table all the circular orders relating to the office of the Government Examiner of Questioned Documents since its inception, and state the period of services of each successive examiner and the reasons for his severance or retirement from service?

The Honourable Sir James Crerar: I am afraid I cannot undertake to lay on the table all the orders relating to the office of the Government Examiner of Questioned Documents, but if the Honourable Member will let me know what particular point he is interested in, I will see whether the information can be supplied. Mr. Hardless was Handwriting Expert from February, 1904, and he retired in August, 1917. Mr. Brewster held the post from August, 1915, to June, 1926. Mr. Hardless retired after completing 30 years' service. Mr. Brewster was allowed by Government to resign, after pleading guilty to several grave charges in connection with his private practice, involving systematic disobedience of standing orders.

APPOINTMENT OF ASSISTANT GOVERNMENT EXAMINER OF QUESTIONED DOCUMENTS.

347. *Lala Rang Behari Lal: (a) Will Government be pleased to state the manner of appointment of the present Assistant Government Examiner of Questioned Documents, viz., Mr. Hodgson, in London?

(b) Did the said Mr. Hodgson qualify himself before entering the service or did he qualify himself after joining in India, and if so, how long did Mr. Hodgson take to qualify himself and how before giving evidence as an expert in court?

The Honourable Sir James Crerar: (a) Attention is invited to the answer which I gave to the questions by Mr. Mukhtar Singh on this subject on the 1st February, 1928.

(b) Mr. Hodgson joined his appointment in March, 1928, and gave evidence in Court for the first time in May, 1929.

METHOD OF REMUNERATION OF THE GOVERNMENT EXAMINER AND ASSISTANT EXAMINER OF QUESTIONED DOCUMENTS.

348. *Lala Rang Behari Lal: Will Government be pleased to describe the method of remuneration of the Government Examiner of Questioned Documents and his Assistant, that is to say whether they are paid on the basis of a percentage of the income of the Department or by monthly salaries and allowances?

The Honourable Sir James Crerar: The Examiner and his Assistant receive monthly salaries on scales sanctioned for their posts.

SERVICE AND QUALIFICATIONS OF THE GOVERNMENT EXAMINER OF QUESTIONED DOCUMENTS.

349. *Lala Rang Behari Lal: (a) Will Government be pleased to state the date of joining service of the present Government Examiner of Questioned Documents, Mr. R. Stott?

(b) Will Government be pleased to state the length of time for which as well as the name of the place where the present Government Examiner of Questioned Documents qualified himself for the post?

(c) Will Government be pleased to state the date on which the present Examiner of Questioned Documents took service in the capacity of the official Assistant Expert as well as the number of the first case, parties' names, name and address of the Court and the Province in which he deposed as an expert?

(d) Will Government be pleased to state if a record is kept as to how many times the official expert's opinions have prevailed in Courts in preference to the opinions of independent experts?

The Honourable Sir James Crerar: (a) to (c). Mr. Stott was a member of the Military Accounts Service, which he joined in May, 1915. He was appointed Assistant Government Examiner of Questioned Documents in September, 1920. He had studied the subject privately in India for about two years prior to his appointment. The particulars of the first case in which he gave evidence are not available.

(d) No.

RETIREMENT OF MR. FRANK BREWSTER, GOVERNMENT EXAMINER OF QUESTIONED DOCUMENTS.

350. *Lala Rang Behari Lal: Will Government be pleased to state if any circular letter was issued in January, 1928, from the Government of India, Home Department, addressed to Provincial Governments, notifying the disqualification from further Government service of Mr. Frank Brewster, Government Examiner of Questioned Documents, and, if so, will Government be pleased to place on the table a copy of any such letter and as to what action, legal or otherwise, has been taken or is in contemplation against the said Mr. Frank Brewster and as to when the said Mr. Frank Brewster set up in practice in Calcutta after his retirement?

The Honourable Sir James Crerar: The circular letter referred to was a confidential document, which I am not prepared to lay on the table. The Local Governments were informed of the circumstances in which Mr. Brewster left Government service, but no further action was taken. He is understood to have commenced practice in Calcutta about the beginning of 1928.

PROVINCIAL EXAMINERS OF QUESTIONED DOCUMENTS.

351. *Lala Rang Behari Lal: (a) Will Government be pleased to state the names of such provinces, if any, which maintain their own experts as Examiners of Questioned Documents as wholetime servants or as consultants and their names and addresses?

(b) Will Government be pleased to state whether the Provincial Governments are free to appoint or recognise persons who have qualified themselves as experts, and if the answer is in the negative, will Government be pleased to state the reasons?

The Honourable Sir James Crerar: The Government of India have no information whether any Provincial Governments maintain their own experts. The Government of India have issued no instructions which fetter the discretion of Provincial Governments in this matter.

RECREATION CLUBS FOR POSTAL AND TELEGRAPH EMPLOYEES.

352. ***Mr. Anwar-ul-Azim:** (a) Is it a fact that certain recreation clubs of postal employees were granted a small donation during the year 1927-28?

(b) Will Government be pleased to state the amount granted to the clubs of the telegraphists for the last three years and the same to the clubs of the postal employees?

(c) Is it a fact that equipped halls are provided for such clubs of the telegraphists free of charge?

(d) Is it a fact that a certain club of the postal employees applied for construction of a house at the expense of the club on a plot of land attached to the post office?

(e) Do Government propose to continue the donation to the postal clubs and to lease out land for construction of club houses at the expense of the clubs?

Mr. H. A. Sams: (a) No, the first donations to Postal Clubs were made in 1928-29.

(b) The amounts granted to Telegraph Recreation Clubs during the last three years are: 1926-27, Rs. 4,000; 1927-28, Rs. 4,000, 1928-29, Rs. 4,795. No donations were made to Postal Clubs in 1926-27 and 1927-28, as stated in reply to (a) of this question. In 1928-29, Rs. 7,070 was granted to Postal and Railway Mail Service Clubs.

(c) Certain telegraph recreation clubs have been provided with partially equipped halls free of rent, but they are required to pay rental charges on the capital cost of electric installations in addition to the cost of current consumed. They also pay proportionate municipal taxes.

(d) Yes.

(e) The reply to the first part is in the affirmative; as regards the second part, Government cannot give any general undertaking, but they are prepared to consider sympathetically applications for such leases, if and when Government land is available.

THE POST OFFICE GUARANTEE FUND.

353. ***Mr. Anwar-ul-Azim:** (a) Is it a fact that, in reply to unstarred question No. 45, in the Legislative Assembly on the 4th September, 1928, Government stated that the Post Office Guarantee Fund was started in the year 1873 by the recovery of the fixed rate of subscription of Rs. 2 and Re. 1 per annum according to pay with the purpose of meeting with emergent expenses among which one of the items was for compensation not exceeding one month's pay to postal officials for loss of private property due to accidents, e.g., fire, floods, suffered by them while on duty?

(b) Is it a fact that as the fund, amounting to about eleven lakhs of rupees, was not sufficient to meet these charges, it has been credited to the Post and Telegraph Capital Account with the intention that in future, expenditure under the various heads enumerated above should be budgeted for in full in the working expenses budget of the Department in the ordinary way?

(c) Are Government aware that the Postmaster-General, Bengal and Assam Circle, has started a charity fund in aid of the flood distressed officials in Assam, Comilla and Chittagong? If the reply be in the affirmative, will Government be pleased to state the number of officials affected in those places, the total amount of their monthly pay and the total amount budgeted for their relief?

(d) Will Government be pleased to state the amount budgeted for the following items in the account in the year 1929-30:

- (1) Losses caused by the negligence or misconduct of postal staff,
- (2) Rewards for specially honest service,
- (3) Compensation to postal officials for loss of private properties due to accidents?

(e) Will Government be pleased to state the particulars of the officials to whom such compensation has been made out of the fund in the affected area? If the reply be in the negative, will Government be pleased to state the reason and when the employees can expect to get the help?

(f) Will Government be pleased to state the manner in which the fund started by the Postmaster-General, Bengal and Assam Circle, will be expended?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The Honourable Member appears to have misread the reply given by the Honourable Sir Arthur McWatters to the question quoted by him. If he will kindly read it again, he will find the answers to parts (a) and (b) of his present question.

(c), (e) and (f). It is understood that the Postmaster General, Bengal and Assam Circle, started a private fund in aid of the officials affected by the floods in Silchar and other places in Eastern Bengal and Assam, but Government are not concerned with this, nor have they any detailed information on the subject.

(d) (1) Rs. 34,100.

(2) Rs. 4,000.

(3) This expenditure is not specifically budgeted for, but is met from the grant for contingencies as occasion arises.

ADMISSION INTO POST OFFICES OF SECRETARIES OF POSTAL UNIONS.

354. ***Mr. Anwar-ul-Azim:** (a) Is it a fact that under rule 72 of the Post Office Manual, Vol. I (old edition), strangers are not allowed inside post offices? If the reply be in the affirmative, will Government be pleased to state whether or not the Secretaries of the District Postal and Railway Mail Service Unions, who are well known to the post office, may be allowed inside the post office? If the reply be in the negative, will Government be pleased to cite the rule which can be applied against their admittance inside the post office?

(b) Are Government aware of the letter No. D. O., dated 22nd November, 1927, from the Director-General of Posts and Telegraphs, to the General Secretary, All-India Postal and Railway Mail Service Union to the effect that before a grievance is put up in the form of a resolution the local secretaries should inquire and ascertain the facts from the district authorities?

REVISION OF THE LAND REVENUE POLICY OF THE GOVERNMENT OF INDIA.

357. *Mr. Mukhtar Singh: (a) Have the Government of India revised their land revenue policy since the publication of their Resolution, dated the 16th January, 1902?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to place a copy of that Resolution on the table? If the answer be in the negative, will Government be pleased to state if they have any intention to revise their policy now? If so, when?

Sir Frank Noyce: (a) and (b). The Government of India have issued no Resolution subsequent to the one referred to by the Honourable Member. Under the present constitution, Land Revenue is a provincial subject, and several Local Governments have already taken action to regulate by statute the process of revising land revenue assessments. I would refer the Honourable Member to the legislation enacted recently in the Punjab, the United Provinces and the Central Provinces, from which it will be seen that provisions regarding the pitch of assessment, limitation of enhancement and duration of settlement have all now been embodied in law and are not left to be regulated by rules.

RULES FOR THE ASSESSMENT OF LAND REVENUE.

358. *Mr. Mukhtar Singh: (a) Will the Government of India be pleased to state the land revenue policy adopted in different provinces in assessing land revenue on lands improved at owner's cost or at cultivator's cost?

(b) Have Government promulgated any rules for the guidance of the Local Governments for the assessment of revenue on lands improved at owner's or cultivator's cost as they promised to do in their Resolution, dated the 16th January, 1902?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to lay a copy of these rules on the table? If the answer be in the negative, will Government be pleased to state why such rules have not yet been framed?

Sir Frank Noyce: (a) All improvements made by the expenditure of private capital are exempt from assessment in Madras. In Bombay, increase in the value of land or the profits of cultivation due to any improvement made during the currency of a previous settlement at the expense of the landholder is not taken into account in fixing the revised assessment. In the United Provinces, the settlement officer is required to make deduction from the calculated assets, for improvements constructed by or at the cost of the proprietor or under proprietor, or at the cost of a tenant, if the tenant could claim an allowance for the improvement in a suit for enhancement of rent. In the Punjab, land which benefits from irrigation works constructed at private expense or with the aid of a Government loan is exempted in respect of the benefit due to such improvement for periods which vary according to the nature of the improvement. In the Central Provinces, lands improved by the construction of substantial embankments for the *rabi* crop or of irrigation works are rated at the value they would bear if unimproved, provided the improvements have been made since the last preceding settlement, or have been specially exempted from assessment for a term which, at the time of settlement, has not expired. In Assam, also, the settlement officer is not allowed to enhance

the land revenue of an estate on the ground of drainage or irrigation works, or similar improvements which have been carried out at the landlord's expense during the currency of the expiring settlement.

(b) and (c). Certain principles were formulated by the Government of India for the guidance of Local Governments in dealing with the assessment of improvements made by private enterprise. These principles were embodied in the Government of India Resolution No. 6-193-2, dated the 24th May, 1906, a copy of which has been placed in the Library of the House.

SALE OF PARCHED GRAM AND JAGGERY AT STATIONS ON THE NORTH-WESTERN RAILWAY.

359. *Mr. Mukhtar Singh: (a) Is it a fact that contracts for the sale of *chabena* (parched gram and jaggery) are given on stations of the East Indian Railway?

(b) Is it a fact that no such contracts are given on the North Western Railway and that after a representation was made such a contract was only given for the Delhi Division?

(c) Are Government aware that in these days of scarcity and famine the want of such a contract is being felt by the poor people who are forced to buy food at more than double the price for which they would have purchased parched gram and jaggery and would have satisfied their hunger?

(d) Are Government prepared to issue orders that provision be made for the sale of *chabena* on stations situated on the whole of the North Western Railway?

(e) If the answer to part (d) be in the negative, will Government be pleased to state their reasons for not doing so?

Mr. A. A. L. Parsons: (a) Yes.

(b) to (e). The Agent, North Western Railway, reports that there is no objection to *chabena* being sold by the food vendors who now hold contracts for stations on the North Western Railway. No representation on the subject has been received by him, but it is understood that the Divisional Superintendent, Delhi, received a representation last year and agreed to vendors at the principal stations on that division selling *chabena*. If vendors on other divisions wish to sell this article, all that they have to do is to address the Divisional Superintendent concerned and obtain his consent.

There would not therefore seem to be any necessity for special contracts for the sale of *chabena*. A copy of the Honourable Member's question will be sent to the Agent of the North Western Railway and he will be asked to arrange for this edible to be included in the sanctioned price list provided for all food vendors on that Railway.

NUMBER OF MUSLIMS EMPLOYED IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

360. *Maulvi Abdul Matin Chaudhury (on behalf of Mr. Muhammad Rafique): (a) Is it a fact that Government have always refused to give the figures about the staff of the Railway Clearing Accounts Office on a

stations when necessary. The inconvenience referred to by the Honourable Member is a matter which might usefully be brought to the notice of the Administration by a member of the Local Advisory Committee and I am sending a copy of the Honourable Member's question to the Agent of the South Indian Railway.

RATES FOR TELEPHONES IN MADRAS.

366. ***Mr. M. K. Acharya:** (a) Will Government be pleased to state whether they have received any proposals for the reduction of the rate for telephones now charged by the Madras Telephone Company in the City of Madras?

(b) If the reply to part (a) is in the affirmative, have Government approved of the reduction of the rate for the same?

(c) What is the reduction proposed to be made?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. The Madras Telephone Company have proposed the introduction of the message-rate system which would secure the subscribers more favourable terms than obtain at present.

(b) Not yet. The Company have been asked to refer their proposals to the Local Government and public bodies in Madras for their views.

(c) The present and proposed charges are as follows:

	Present.	Rs.	A.	P.
Connection fee		40	0	0
Rental (60 free calls)		17	8	0 per month.
Next 40 calls.		0	1	0 each.
Other calls		0	0	10 „
<i>Proposed.</i>				
Connection fee		20	0	0
Rental (No free calls)		12	0	0 per month.
Up to 200 calls		0	1	0 each.
After 200 calls		0	0	10 „

DROP IN THE PRICE OF AGRICULTURAL PRODUCE.

367. ***Mr. E. F. Sykes:** (a) Has the attention of Government been drawn to the unprecedented fall in the price of agricultural commodities, especially wheat, cotton and ground-nuts?

(b) Is it a fact that the Karachi parity of wheat is under four rupees a maund?

(c) Are Government aware that this drop in the price of agricultural produce seriously affects the earnings of the masses of India and causes them grave anxiety?

(d) Do Government think of taking any steps to prevent further loss to the masses of their earnings, and if so, will Government be pleased to indicate what steps they intend to take?

(e) Does this depreciation of the earnings of the masses of India give any anxiety to Government? If so, do Government feel that effective and substantial efforts to prevent further depreciation of the hard earned produce of the masses are desirable?

Sir Frank Noyce: (a) Government have naturally been following the course of prices of agricultural commodities. They would not call the recent fall in prices unprecedented. In January 1924, the price of wheat was Rs. 35-8-0 per candy as against Rs. 36-8-0 on the 1st of February, 1930. In January 1927, the price of Broach cotton was Rs. 253 per candy as against Rs. 265 on the 10th of February, 1930. Cotton, except for short periods, has been expensive as compared with other commodities ever since 1919. World's prices for cotton are now approximating to the level of prices for other commodities in relation to pre-war prices.

(b) If the Honourable Member means by "Karachi parity", the price at which wheat would have to be purchased in Karachi in order to export it profitably to London, his statement is approximately correct. The actual price of wheat in Karachi is about Rs. 4-9-0 per maund. The Karachi parity is, however, purely of theoretical interest, as there is at present no exportable surplus of wheat.

(c) The drop in the price of the commodities they produce must obviously affect the earnings of agriculturists. In this respect, India has felt at a later date than many countries the prevalent agricultural depression throughout the world.

(d) Government consider that no steps which they could take could have any material influence on the course of the real price of commodities, which is governed by factors which are outside their control and for the most part outside India.

(e) In common with other Governments throughout the world, the Government of India have observed with anxiety the fall in the relative prices of agricultural products as compared with those of other commodities. They have already taken measures, by the promotion of agricultural research and agricultural improvement generally, to increase the effectiveness of agricultural production, which is the most obvious method of placing the producer in a stronger position to face lower prices with equanimity. It is their hope to develop and intensify their efforts in this direction.

Mr. Mukhtar Singh: Are Government aware that a committee of inquiry for the stabilisation of prices was appointed in England 12 NOON. and it was found that the drop in prices was generally due to the manipulation of the money market, especially of exchange and currency?

Sir Frank Noyce: I have no information on that point.

Mr. Mukhtar Singh: Are Government aware that the drop in prices is due to the contraction in currency?

The Honourable Sir George Schuster: Perhaps that is a question which concerns me rather more than my Honourable colleague. I suggest that a series of questions on this topic may lead to a long debate and it is perhaps not a suitable subject for question time. The only answer that I can give, and it is a full answer really to my Honourable friend's question, is as pointed out by Sir Frank Noyce in his answer, that we are now facing a world drop in prices. There has been a general fall in the prices of agricultural commodities throughout the world, which is due to world conditions, and it would be, I think, a very exaggerated view of the situation to suggest that any action by the Government of India has had any effect on the prices of such commodities as cotton and wheat throughout the world.

Mr. Mukhtar Singh: Are Government aware that in the inquiry made in England in 1924, it was found that the drop in prices was due to the contraction of currency, and if it was so, why can it not be assumed that the drop in prices in India is also due to the contraction of currency?

The Honourable Sir George Schuster: I am afraid, I am not familiar with the particular Report which my Honourable friend refers to, and therefore, I should like to have notice of any question which refers to that particular Report.

Mr. Mukhtar Singh: Will the Honourable Member refer to that Report?

An Honourable Member: He wants notice.

Sardar Bahadur Honorary Captain Hira Singh, Brar: When the price is very low, will Government consider the question of fixing import duties on wheat and cotton and other products?

The Honourable Sir George Rainy: If any specific proposal were placed before the Government of India, I have no doubt it would be considered, but obviously when it comes to a question of imposing a duty on food products, it would require the most careful consideration in view of the very large body of consumers in India.

Mr. Mukhtar Singh: Do Government care to inquire as to what specific steps have been taken in order to guard against a drop in prices in other foreign countries?

Sir Frank Noyce: I am not aware that any such steps have been taken in any country, but I will make inquiries on the point.

Mr. Mukhtar Singh: Will the Honourable Member kindly inquire about the United States of America?

Sir Frank Noyce: Yes.

Sardar Bahadur Honorary Captain Hira Singh, Brar: When the prices are very low, will Government kindly consider the question of a substantial help to the farmers by giving part remission from the revenue?

The Honourable Sir George Schuster: That question brings me up again. I am afraid that our revenue is not inexhaustible and if remissions were made under any particular head, it would be necessary to supplement the gap by imposing an increasing burden under other heads. I presume that the question refers chiefly to land revenue which, of course, is not a question for the Central Government, and therefore I am afraid, I cannot give a very satisfactory answer now.

SHORT NOTICE QUESTION AND ANSWER.

ARREST OF SARDAR ABDUL HAKIM KHAN AND SARDAR AMINULLAH JAN.

Maulvi Abdul Matin Chaudhury (on behalf of Mr. Abdul Haye): (a) Is it a fact that Sardar Abdul Hakim Khan, late Afghan Trade Agent, and Sardar Aminullah Jan, a step brother of the ex-King Amanullah Khan, have been taken under custody by the Police at Peshawar?

(b) If so, why have they been arrested?

(c) Do Government propose to prosecute them or only to detain them at the King's pleasure?

The Honourable Sir James Crerar: Sir, in the absence of my Honourable friend Mr. Howell owing to illness, I have been asked to answer the question on his behalf.

(a) Yes.

(b) As stated in the North-West Frontier Province communiqué of February 8th, there is reason to believe that both men were concerned in a conspiracy to disturb the peace of the friendly Kingdom of Afghanistan.

(c) Inquiries are still in progress and Government is not yet able to declare its intentions.

UNSTARRED QUESTIONS AND ANSWERS.

AUTHORISED LOADS FOR LOCOMOTIVES BETWEEN ASANSOL AND GAYA.

153. Mr. E. F. Sykes: Will Government be pleased to state what the authorised loads are in the different classes of locomotives between Asansol and Gaya on the East Indian Railway by:

- (a) the main line; and
- (b) the Grand Chord?

Mr. A. A. L. Parsons: I am placing in the Library a statement containing information obtained from the Agent, East Indian Railway, in connection with the Honourable Member's question, and sending him a copy.

GRADIENTS ON CERTAIN RAILWAYS.

154. Mr. E. F. Sykes: Will Government be pleased to state the percentage of the mileage of the following railways having gradients steeper than 1 in 200, that is, gradients up to 1 in 199:

- (i) North-Western Railway,
- (ii) East Indian Railway,
- (iii) Bengal Nagpur Railway.
- (iv) Rohilkhand and Kumaon Railway?

Mr. A. A. L. Parsons: It is presumed the Honourable Member desires to know what proportion of the route mileage is on a grade steeper than 1 in 200. Particulars of the total length of gradients on Class I Railways are given in Statement 9 of Volume II of the Report by the Railway Board on Indian Railways for 1928-29. The percentage of the total length of gradients up to 1 in 200 to the total route mileage on the 31st March, 1929, was as follows:

(i) North Western Railway (broad gauge)	13.58
" " " (narrow gauge)	51.8
(ii) East Indian Railway	9.41
(iii) Bengal Nagpur Railway (broad gauge)	44.5
" " " (narrow gauge)	41.7
(iv) Rohilkund and Kumaon Railway	4.76

ASSISTANT STORE-KEEPERS IN ARSENALS.

155. **Sardar Kartar Singh:** (a) Is it a fact that the stores sections of arsenals in India are being gradually Indianised and that the scheme of Indianisation has been tangibly translated into action by the appointment of Indian civilian assistant store-keepers to replace British non-commissioned officers to the extent of 25 per cent.?

(b) Do the Indian assistant store-keepers, who are replacing British non-commissioned officers, get the same pay, status and other concessions, which the latter get, and if not, why not?

Mr. G. M. Young: (a) Yes.

(b) Civilian assistant store-keepers, whether Indian, Anglo-Indian or domiciled European, do not get the same rates of pay and allowances as the British non-commissioned officers whom they are replacing. One of the objects of the scheme is to reduce expenditure. The Government of India are however satisfied that the terms offered to the civilian assistant store-keepers are adequate, and this view is confirmed by the large number of applications which are received for these appointments.

EMPLOYMENT OF INDIAN STOREMEN IN ARSENALS.

156. **Sardar Kartar Singh:** (a) Is it a fact that Indian storemen will shortly be introduced in arsenals in India to relieve the British military subordinates in storekeeping?

(b) If the reply to part (a) is in the affirmative, will a certain number of British military subordinates be rendered surplus, and how is it proposed to employ the latter class of men?

Mr. G. M. Young: (a) and (b). A scheme is under consideration for the employment of Indian storemen in arsenals. I am afraid I cannot inform the Honourable Member of the details of this scheme until they have been settled.

APPOINTMENT OF INDIANS TO GAZETTED POSTS IN ARSENALS.

157. **Sardar Kartar Singh:** (a) Is it a fact that the civilian Indian clerical establishment of the Indian Army Ordnance Corps have been for some years past clamouring for gazetted appointments at the rate of one per each arsenal in India?

(b) If so, what attempts have been made to meet this demand?

(c) Is it a fact that there is not a single gazetted Indian civil officer in any arsenal in India?

(d) Is it a fact that an Indian gazetted officer will cost the State 50 per cent. less than a military officer? Is it a fact that the latter receives lodging and other allowances? If so, have Government considered the question of effecting a saving in the Military Budget by creating gazetted appointments for Indians?

Mr. G. M. Young: Owing to the fact that the Ordnance Branch of Army Headquarters is in Simla, I have not been able to obtain a full reply to the Honourable Member's question, but will send him one shortly.

APPOINTMENT OF INDIANS AS ESTABLISHMENT OFFICERS IN ARMY HEAD-QUARTERS.

158. **Sardar Kartar Singh:** (a) What are the duties in the Branches of Army Headquarters of the Establishment Officer? Is it a fact that he is a British military officer risen from the ranks?

(b) Have Government considered the question as to whether these duties can be efficiently performed by an Indian gazetted officer, with only Rs. 500 pay without any allowances?

Mr. G. M. Young: (a) The Honourable Member is referred to the answer given to starred question No. 1340, asked by Khan Bahadur Alimuzzaman Chowdhry on the 22nd March, 1926. The present Establishment Officer rose originally from the ranks, but he is a civilian and not a military officer.

(b) Government do not consider that the duties could be efficiently performed by any officer with a salary of Rs. 500 only.

BRITISH MILITARY CLERKS REPLACED BY INDIANS.

159. **Sardar Kartar Singh:** (a) Is it a fact that Indian clerks have replaced 28 British military technical clerks at Army Headquarters? If so, how have the latter been disposed of?

(b) If the ex-British military technical clerks have been drafted into arsenals, are they surplus to the existing authorized strength of each arsenal? If so, how are they being employed? If they are surplus, have Government considered the question of reverting them to regimental duties or of providing for them in other functions in existing vacancies?

Mr. G. M. Young: (a) and (b). 28 British military technical clerks at Army Headquarters have been, or will shortly be, replaced by Indian clerks, Indian Assistant Storekeepers of the Indian Army Ordnance Corps or British soldier clerks who will take civilian status on confirmation. The technical clerks have been absorbed in the authorised strength of British other ranks in the Indian Army Ordnance Corps with the exception of four, who are at present employed on the normal duties of storeholders or assistant storeholders and will be absorbed in the authorised cadre during 1930. They have not been reverted to regimental duty.

APPOINTMENT OF CHIEF CLERKS IN ARSENALS.

160. **Sardar Kartar Singh:** (a) Is it a fact that it is contemplated to employ the surplus military subordinates as Chief Clerks in all principal arsenals in India and to relegate the Head Assistants as subordinates? If so, will this deprive the Head Assistants of their existing status?

(b) Is it a fact that Indian Head Assistants have successfully carried out their duties from time to time, and specially during the difficult period of the Great War?

(c) Is it a fact that the Head Assistants have up till now acted as liaison officers to the Chief Ordnance Officer in the matter of complaints, petitions and other grievances of all Indians, and that he has been the interpreter of all representations affecting pay, budget, leave, etc.?

Mr. G. M. Young: (a) The answer is in the negative. As already explained in my reply to the previous question, the surplus British military technical clerks at Army Headquarters are being absorbed in the cadre of the Indian Army Ordnance Corps.

(b) Yes.

(c) Head Assistants are certainly consulted on these matters so far the clerical establishments are concerned.

RACIAL DISCRIMINATION IN ORDNANCE OFFICES.

161. Sardar Kartar Singh: Is it a fact that Indian clerks are not permitted to carry their bicycles inside an ordnance establishment, while European personnel have no such restrictions? Is it a fact that even Anglo-Indian men on daily rates of pay bring their bicycles inside the arsenal premises?

Mr. G. M. Young: I am making inquiries and will communicate the result to the Honourable Member in due course.

ELECTION OF MEMBERS FOR THE SELECT COMMITTEE ON THE AMENDMENT OF STANDING ORDERS.

Mr. President: I have to inform the Assembly that up to 12 Noon on Saturday, the 15th February, 1930, which was the date fixed for receiving nominations for the Select Committee on the amendment of Standing Orders only five nominations had been received. As the Select Committee will consist of seven members in addition to the President and the Deputy President and only five Members have been nominated, I appoint a further period up to 12 Noon on Tuesday, the 18th February, 1930, within which nominations will be received. The election, if necessary, will take place in this Chamber on Thursday, the 20th February, 1930.

STATEMENT LAID ON THE TABLE.

THE DACCA ARICHA RAILWAY PROJECT.

The Honourable Sir George Rainy (Member for Commerce and Railways): With reference to part (f) of my reply on the 3rd September, 1929, to question No. 61 by Mr. K. C. Neogy, I lay on the table the representation received from the Bengal Chamber of Commerce, and the reply which was sent, regarding the Dacca-Aricha Railway project.

COPY OF LETTER NO. 1938-1929, DATED 4TH JUNE 1929, FROM THE SECRETARY, BENGAL CHAMBER OF COMMERCE, TO THE SECRETARY, RAILWAY BOARD.

I have the honour to invite a reference to the Committee's letter No. 1647, dated the 2nd May, 1929, on the subject of the Dacca-Aricha Railway. In that letter the Committee explained that the proposal to undertake the construction of the railway had been engaging the serious attention of the Chamber, and they requested that, until their views had been received by the Board, any action committing Government definitely to the construction of the line should be suspended. The Committee are

now in a position to submit their considered opinion in the matter, and they instruct me to communicate it to the Board.

2. The policy of the Board in regard to capital expenditure on new construction is defined in paragraph 28 of the Explanatory Memorandum of the Railway Budget for 1929-30. "In framing our programme of capital expenditure for next year", the Memorandum says, "We have acted on the principle that Railway Administrations should concentrate their efforts on a smaller number of new schemes, in order to push them through as rapidly as possible to completion, and obtain an early return on the money expended on them, instead of dissipating their energies by using up the funds available on a large number of projects and consequently lengthening the period before which they can be completed, piling up interest charges and postponing the date by which they will begin to yield a return on their cost". In view of the principle laid down in this paragraph, it is, the Committee think, reasonable to assume that a scheme would be selected for active prosecution only, if, in the opinion of the Board, it was considered to be urgently required in the interests of the area to be served, and if a fair return on the money expended was probable. It is the object of this letter to show that, in the opinion of the Chamber, neither of these criteria is applicable to the proposed Dacca-Aricha Railway.

3. Before dealing with the project itself, it is desirable to review very briefly certain matters in connection with it which were referred to in correspondence on the subject a few years ago. In the marginally noted letter the Board stated that it was for the Government of Bengal to decide whether the construction of a railway line in the area must be ruled out for reasons connected with the public health, and whether the requirements of the area in the way of communication could not best be met by an improvement of waterways. But if the decision should be in favour of some kind of railway communication, the Railway Board recorded the opinion that a light railway would sufficiently meet the requirements of the area. It may be recalled in this connection that at this date the scheme under consideration was for a metre-gauge line: there was no suggestion for a broad-gauge railway such as is now contemplated. The Board were themselves sceptical of the financial possibilities of a railway in the area; "they are bound to say", the letter remarks, "that they share Mr. Laughton's doubts whether the construction of a railway could be justified on ordinary commercial grounds..... the initial cost would be heavy, interruptions would be frequent, and maintenance would be expensive". Mr. Laughton (at the time Chief Engineer of the Eastern Bengal Railway) considered the area to be unsuitable for a railway link. The Chamber is not aware if the Government of Bengal came to the conclusion that the construction of the line could safely be undertaken without prejudicing the public health of the district, and whether Government were also of opinion that the requirements of the area could not be adequately provided for by an improvement of the waterways; for so far as they know, a public investigation of the whole position has never been conducted.

4. Particulars of the scheme are given in the Memorandum by the Financial Commissioner of Railways which is incorporated in the proceedings of the meeting of the Standing Finance Committee for Railways on 3rd and 4th January, 1929 (Vol. V, No. 5). The Memorandum frankly admits that the chief competitor of the Railway will be the water transport services, as the country is surrounded by rivers: in other words, even the modest return that is expected is dependent on the Railway appropriating traffic for which other means of transport are already available. The Memorandum explains the choice of a broad-gauge instead of a metre-gauge line, and estimates the total capital cost, including interest during construction, at Rs. 203 lakhs; and for the current year the Railway Budget provides a sum of Rs. 27 lakhs for expenditure in connection with the project. The anticipated return on capital, after the line has been opened for some years and has established itself as a through route between Bengal and Eastern Bengal and Assam, is 5.14 per cent. The Financial Commissioner's Memorandum does not explain how the figures of earnings are arrived at, but it is noted that the net earnings of the Dacca-Aricha line itself are estimated at Rs. 4½ lakhs, and that the additional net earnings of the existing main lines due to the new connection, are estimated at Rs. 10½ lakhs.

5. As is stated in the previous paragraph, the Financial Commissioner's Memorandum candidly admits that the line is expected to attract traffic from the inland steamer companies, and this matter is referred to at greater length in paragraphs 9 and 10 below. So far as the expectation is to attract a large share of the traffic

to and from the Mymensingh area—principally coal inwards and jute outwards—the main incentive will be the somewhat shorter route that will be available as compared with the route by which the traffic is now conveyed. So far as the Narainunge-Dacca area is concerned, the object in view will be to compete with the inland navigation route between Narainunge-Dacca and Calcutta, and to deprive it of traffic that has been efficiently and adequately handled for many decades. It cannot be a matter for surprise if there is, in these circumstances, a marked feeling that in questions relating to the development of communications the possibilities and the achievements of inland water transport do not receive adequate consideration when the launching of new railway schemes in competition with existing water services is being examined.

6. It is desirable to analyse some of the important factors which bear on this scheme, and in the first place the geographical features of the area call for examination. The greater portion of the area to be traversed is bounded by the Padma and the Dhalleswari Rivers. Between Aricha and the site of the bridge over the Dhalleswari at Rajphulbari the country is a narrow strip entirely composed of alluvial soil, and liable to be cut through by the rivers during any monsoon. Such country is not suitable for a broad-gauge line, and can be better served by a system of tramways connecting the interior with the river ports. The Financial Commissioner's Memorandum states that no serious competition is anticipated from road services, but the Chamber is not so sure that this anticipation will prove to be sound. The extraordinary development of motor road services within recent years has falsified many anticipations, and although some of the services in the area have to close down during the rains—when, on the other hand, water transport is available to a greater extent—they are able to operate for the greater portion of the year, and the Chamber does not think it would be correct to assume that motor competition for local traffic—particularly passenger traffic—can be ignored.

7. As has already been mentioned, the greater portion of the area to be traversed is bounded by the Padma and the Dhalleswari Rivers, both of which have to be crossed. The Padma is to be crossed by a wagon ferry at Aricha, and this site is, in point of fact unusually exposed, being open to the storms which periodically sweep up the river. There is much less natural protection at this point than there is lower down at the present site of Goulundo Ghat, where the inland steamer companies already find it difficult enough at times to protect their vessels; and the Chamber thinks it is open to serious doubt whether it will be practicable to maintain a regular wagon ferry service at Aricha. They cannot but think that this feature of the project has not attracted the consideration which should be given to it.

8. In the case of the Dhalleswari, the line is to be carried over the river by a bridge. The Dhalleswari River bridge, and the design of the bridge will probably offer some difficulties as the river is a shifting one. On this account an opening span, or a single span bridge with a sufficiently high headway, would not be adequate, unless at any rate extensive training works were undertaken to ensure that the river keeps within a fixed channel. In either case—whether by the provision of training works, or by providing a bridge with a sufficient number of spans to ensure reasonable certainty that it will not be deserted by the river—the bridge and the works connected with it will prove to be a costly feature of the scheme. While on the subject of the Dhalleswari, it may be mentioned that the river is at present showing signs of opening out to an extent that has been unknown for many years past. This development has taken place during the current dry season, and there are indications that further changes are likely, resulting in a much greater depth of channel throughout the river from the Brahmaputra (Jamuna) to Dacca; the development may also result in changes in the course of the river which cannot at present be foreseen, and which might seriously affect the contemplated alignment of the railway and render it maintainable only at a cost of revetment of the river banks out of proportion to the financial possibilities of the railway. In the past, the lack of water has compelled the closure of the steamer service above Manickgunge during the dry season but, if the developments go on as they now promise to do, there appears to be no reason why a service of fast motor passenger vessels should not establish a line of communications equal in value to the railway. The inland steamer companies have stated that they would be prepared, with the sanction and support of Government, to provide such a service within a reasonable period, a step which they would have considered before this time had they not been prevented from doing so by (a) navigation difficulties, which a reasonable

measure of waterways conservancy would go far to remedy, (b) the post-war financial stringency and (c) the problem of providing adequate block to meet the insistent demands for improved connections in the areas served by them.

9. Without going into the question in any detail, it is obvious that the financial results of the proposed railway must depend to a very large extent on the share it can attract of the

Jute traffic. jute and coal traffic, a subject that has already been touched on in paragraph 5 above. Much of the jute goes direct to the jute mills, and it may not be appreciated that all jute mills prefer river delivery of their jute to delivery by rail. The reasons for this attitude on the part of mills are these:

- (a) that large consignments of jute can be brought alongside mill jetties by flat at one time;
- (b) that such consignments are properly arranged and loaded, with the result that unloading and storing operations are facilitated; and
- (c) that railway siding accommodation at practically all mills is limited, and consequently during the busy season great difficulty is experienced in handling jute arriving by rail, a position which is complicated by the fact that coal in practically all cases is received thus. The sidings are already rated to their full capacity.

In these circumstances jute mills could not cope with any increase in rail deliveries of jute, and on this account alone it is open to question whether the Dacca-Aricha line would be used to any appreciable extent for the carriage of jute to the Calcutta mills, particularly when the continuous trouble which would arise with regard to wagon demurrage is borne in mind.

10. The position is very similar with regard to much of the inward coal traffic to places like Narainunge and Dacca. The great bulk of the Dacca coal requirements is for brick burning, and the delivery of all this coal, and of the coal for jute firms there and at Narainunge, is required at scattered places on the river banks, many of which are not accessible to the railway: and in these circumstances it is unlikely that, apart from its own requirements, the railway would carry more than a very small share of the coal imported into the area.

11. A matter that is deserving of very serious consideration in connection with the scheme is the effect of an increase of the traffic over the main Eastern Bengal Railway line. Every year, during the height of the jute season, there is serious congestion, and it is sometimes impossible to obtain wagons, particularly in Northern Bengal, where large quantities of jute are held up indefinitely. In the unlikely event of much of the jute traffic to Calcutta being diverted by the new line to the railway—and on any other supposition the line could not show the estimated profit—the congestion would be multiplied, and the existing marshalling yards on the broad-gauge section of the line, already inadequate to cope with the traffic, would be hopelessly blocked.

Effect of increased traffic on existing railway facilities.

12. Without exaggerating the objections that can be brought against the project, the Chamber has endeavoured to show that these are material, and that due consideration has apparently not been given to them. The Chamber feels that a very large sum of public money is being risked in a scheme which is certainly not one of urgency, and which can show even the smallest return only if it succeeds in attracting traffic already adequately provided for by the inland steamer companies. It is instructive to note in this connection that the Indian Jute Mills Association, which might have been expected to welcome the possibility of competition with the steamer companies, is strongly opposed to the project and deprecates the expenditure of public money on an undertaking that is, comparatively speaking, so little needed. It is a matter of regret to the Chamber that a fuller opportunity was not given to the public to express their views on the scheme before it received sanction, and they hold very decidedly that all further proceedings in connection with the project should be suspended forthwith, and a public enquiry instituted. At such an inquiry the trading interests represented in the area should be given the fullest opportunity of expressing their views on the scheme, and details should be furnished showing how the various estimates have been arrived at, in particular the estimates of earnings. The Committee hope that they may be informed at an early date that it has been decided to withhold any further action in regard to the scheme until an inquiry such as they have asked for has taken place.

Letter No. 412-P., dated 4th February, 1930, from Mr. J. F. Blackwood, Secretary, Railway Board, to the Secretary, Bengal Chamber of Commerce.

"I am directed to reply to your letter No. 1938/129, dated the 4th June 1929, in which the Committee of the Bengal Chamber of Commerce protest against the construction of the Dacca-Aricha Railway.

2. I am to refer at the outset to the contention of your Committee that the construction of the line cannot be justified, unless it can be shown that it is urgently needed in the interests of the area to be served, and to the view they express that the road and river facilities in this part of the Bengal Presidency are adequate for the public needs. The original project for a railway in this tract was mooted more than 50 years ago, and it has been revived on several occasions since then. For many years past indeed the demand for railway facilities by the inhabitants of the western part of the Dacca district has been strong and persistent. In 1920 the Government of Bengal appointed a committee to make a special investigation into the feasibility of railway construction in that area, and though at the time the Railway Board were not prepared to proceed with the project, it was very speedily revived. In 1924 the Government of Bengal again impressed on the Railway Board the desirability of constructing the Dacca-Aricha Railway, offered to bear the cost of a survey, and asked to be informed of the amount of the guarantee that would be required in case objection was raised to the project on the ground that it would be unremunerative. Since then the Local Government have consistently placed the Dacca-Aricha Railway high in order of importance among the projected railways in the Presidency. It will be evident therefore that neither the Government of Bengal nor the inhabitants of the Dacca district share your Committee's view as to the adequacy of existing road and river communications, and it seems to the Railway Board that the need for a railway to improve the district communications has been established.

3. It is not, however, as a local feeder line only that the Dacca-Aricha Railway must be considered, but also as an essential link in a trunk system of communication. This new aspect of the case was clearly brought out as a result of the inquiry undertaken at the instance of the Government of Bengal after 1924, and this was the principal reason which led the Railway Board to modify their earlier view (formed after considering the report of the Committee which sat in 1921) that it was doubtful whether the construction of a railway could be justified on ordinary commercial grounds. The Dacca-Aricha Railway is closely linked with two other projects, viz., (1) the establishment of a through railway connection between the Eastern Bengal and Assam Bengal Railways by bridging the Megna river at Bhairab, and (2) the opening out of a direct route from the coal-fields to Eastern Bengal and Assam by means of the Sainthia-Halsaling. It is this development, actual and prospective, which has given a new importance to the Dacca-Aricha Railway.

4. I am now to turn to the doubt expressed by your Committee whether the line is likely to be remunerative and whether a fair return on the money to be invested in its construction can be expected. I am to say that the investigations made were such as to satisfy the Railway Board that, if account was taken, not only of the local traffic but of the through traffic which was likely to develop in the future, there were good grounds for believing that the line would more than pay its way. In reaching this conclusion they were influenced by the remarkable growth of traffic of the railways operating in Eastern Bengal and Assam, a growth which must be ascribed in part to the substantial additions which have been made to these railways in recent years. During the period from 1922-23 to 1928-29, the earnings of these railways have increased by about 44 per cent., and there can be little doubt that, with further extensions in contemplation when money can be found for them, the traffic will continue to grow. It is not proposed to discuss the estimate of earnings in any detail at this stage, but since your Committee evidently attach some importance to the point, I am to explain that the traffic estimate of the new line assumes that only a small proportion of the jute traffic will be transferred from the inland steam vessels to the railway.

5. The Railway Board, as a result of all the investigations made, came clearly to the conclusion that the Dacca-Aricha Railway would meet a real local need, that it was an eventual link in a trunk system of communication, and that the project was likely to be remunerative. It was on this basis that the construction of the line was sanctioned. A consideration of the arguments advanced in your letter has not led the Railway Board to modify their views, and the Government of Bengal, to whom a copy of your letter was forwarded, have stated that their support of the project is not affected by the representation of the Bengal Chamber of Commerce. In the ordinary course, therefore, the construction of the line would have proceeded. But, owing to financial circumstances, it is impossible to allot funds in 1930-31 for the commencement of the actual work of construction, and opportunity has thus presented itself to make sure—and, as your Committee suggest, in a project of such magnitude this was in any case desirable—that the construction and traffic estimates are as accurate

as they can be made. The detailed estimates of the work are at present under preparation and the only expenditure to be incurred in 1929-30 and 1930-31 is in connection with the final location and the acquisition of land. The Agent of the Eastern Bengal Railway has been instructed that, in preparing the detailed estimates, no pains must be spared in ascertaining the probable cost of the line, and he has also been asked to review carefully the traffic estimate, including the jute and coal traffic, about which your Committee are specially concerned. His special attention has been directed to the difficulties your Committee anticipate in the working of the Padma wagon ferry, and the doubts they express regarding the bridge over the Dhaleshwari River. I am, however, to add that the information at the disposal of the Railway Board as regards the working of other wagon ferries does not lead them to endorse the views of your Committee on the former point.

6. Another matter to which your Committee have referred is the effect which the construction of the line may have on river conservancy and the public health. Both these matters closely concern the Government of Bengal, and the Government of India cannot doubt that they were taken into account by that Government before they gave their support to the project. Both of them, however, will be examined again while the detailed estimate is under preparation, by the Agent of the Eastern Bengal Railway, who has been directed to work in the closest consultation with the Government of Bengal and their expert advisers. The actual construction of the line will not be commenced until the Railway Board have received and considered fully the report of the Agent on the detailed estimate.

7. Finally, I am to refer to the suggestion of your Committee that the facilities on the Eastern Bengal Railway may not be adequate for dealing with the increased traffic which the new line is likely to bring into Calcutta. I am to say, for the information of your Committee, that the programme of development of the Eastern Bengal Railway makes provision for handling the increased traffic which may arise not only from the construction of the Dacca-Aricha Railway, but also from other new lines, also under construction or projected.

8. In view of the public interest which is taken in this matter, the Government of India propose to publish this letter."

RAILWAY BUDGET FOR 1930-31.

The Honourable Sir George Rainy (Member for Commerce and Railways): It is my duty today to present to the House the Railway Budget for the year 1930-31. No change of importance has been made in the form of the statements submitted, and I do not think it is necessary that I should refer to certain minor alterations, especially as they are rather technical in character. The Railway Board's Memorandum contains detailed explanations of the various figures, and in what I say I shall attempt to survey the position on somewhat broader lines. The main burden of the preparation of the Budget has, of course, fallen on the Financial Commissioner, as usual, and I should like to take this opportunity to thank him, the Chief Commissioner and the Members of the Railway Board for the assistance which they have given. While Mr. Parsons was on leave in summer, the post of Financial Commissioner was held by Mr. Rau, and I know the House will pardon me if I acknowledge in a word the competence and energy displayed by the first Indian who has held the office of Financial Commissioner. (Applause.) I should like also to pay my tribute to the Standing Finance Committee who have, as we are accustomed to expect, never failed throughout the year to render valuable assistance in the control of railway finance.

2. May I express the hope that, as in previous years, Honourable Members who give notices of motions for reductions in the Demands will indicate briefly in their notices the questions they wish to raise? It must obviously lighten the task of the Government Members, if they know in advance on what points they will be expected to reply.

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Financial results of 1928-29.

3. When I presented the current year's Budget to the House, we expected that the surplus for the year 1928-29 on all lines would be nearly Rs. 9 crores. Both receipts and expenditure fell short of the estimate, but the shortage on the receipt side was the more serious, and the year closed with a net gain from the Railways of less than Rs. 8 crores. The result was that we were able to add Rs. 2½ crores to the reserve after paying the fixed contribution.

Revised estimates for 1929-30.

4. The falling off in traffic receipts in February and March 1929, was unfortunately symptomatic of what was to come, and the financial results of the current year can only be described as disappointing. We budgeted for a total revenue of about 1,06½ crores and a total expenditure of 95½ crores, and had this result been achieved, we should have closed the year with a surplus of Rs. 11¼ crores on the commercial lines. We now expect that the actuals will be more than Rs. 4 crores worse than the estimate so that the final surplus is likely to be little more than Rs. 7 crores. There has been a serious decline in the loadings of grain and pulses; oilseeds did well in the first half of the year and badly in the second, and with two exceptions all classes of traffic have been lower than in the previous year. The two exceptions are cotton and coal. The increase in the cotton traffic appears to be due not to a larger crop, but to the fact that it has moved unusually early, and we must expect a decline in the coming months. The increased traffic in coal, on the other hand, is, I am glad to say, the visible sign of improved conditions in the coal industry and the lifting of the depression which has so long overshadowed it. The increase in the number of coal wagons loaded up to date is 5 per cent. or if the coal carried by the East Indian and Bengal Nagpur Railways is included, 6 per cent. Conditions are now totally different from those prevailing three or four years ago. The large stocks which had accumulated at the coalfields have disappeared, and since May last the railways have been moving the coal as fast as it could be raised to meet an insistent public demand. An important feature of the improved trade conditions is the recovery of India's export trade in coal, and this recovery is unquestionably due in large measure to the admirable work of the Coal Grading Board, of which the Railway Board's Chief Mining Engineer is the Chairman. In November and December last, owing to an abundant rice harvest, there was a serious shortage of labour in the coalfields, and the pressure on supplies became acute. Indeed the maintenance of adequate stocks of coal on the railways became difficult, and had it not been for the existence of the State Railway collieries, it would have been necessary to take steps which might have endangered the export trade. Firms with contracts to supply coal to the railways found themselves unable to supply both the railways and the export market, and as the railways clearly could not be allowed to go short, it would have been necessary to insist on supplies in accordance with the contracts. Actually we were able to avoid any action of that kind by increasing the output of the railway collieries.

5. I do not propose to analyse in detail the causes to which the reduction in earnings should be ascribed. The heavy falling off in grain traffic is clearly due to the unsatisfactory harvests of recent years in Northern India, but under other heads it is not so much that traffic has fallen off heavily as that it has failed to expand to the extent we hoped. India, like other countries, is passing through a period of trade depression due to falling prices, when buyers naturally adopt a cautious policy and goods move slowly. Conditions

such as these must inevitably be reflected in the railway traffic returns, and the falling off in traffic might easily have been worse than it is. It must not be forgotten that the reductions in rates and fares made in the last five years were estimated to involve a loss of revenue exceeding Rs. 5 crores in a full year, a loss which we hoped to make good from the expansion of traffic. For the present our hopes have not been realised, for when traffic is inelastic, reductions in rates and fares must inevitably bring down receipts. But there is no ground for despondency, and I do not doubt that when trade conditions improve, our expectations will prove to have been well founded. Our reduced rates for long distance coal announced last year have certainly acted as a stimulus to the coal trade and the lower fares for third class passengers have been accompanied by a growth in traffic. The passenger mile figure has gone up by 5½ per cent. and the passenger earnings this year are likely to exceed those of the previous year by about two-thirds of a crore.

6. On the expenditure side, we budgeted for total working expenses of Rs. 64½ crores, but actually they are likely to be 2¼ crores of rupees higher. Detailed explanations have been given under the various heads in the Railway Board's Memorandum, and I will not attempt to do more than notice the salient points. As the mileage of the Indian Railways increases—and we expect to open 600 miles of line this year—expenses inevitably go up, for the new lines have to be staffed and more train miles are run. Again, we have begun to spend money on the improvement of service conditions of our lower paid staff, and I shall have more to say on this subject at a later stage. Flood damages have been unusually severe and have helped to swell our repairs and maintenance bill. The stocks of coal on the railways had fallen to a low level in March last, and the raising of them to an adequate figure has increased the expenditure on fuel. Finally, the taking over of the Southern Punjab line from the 1st of January means an apparent increase in working expenses of about a quarter of a crore. I say an apparent increase, for the expenditure on that line was formerly recovered from the Company and the recoveries shown as a 'deduct' entry under working expenses, while from now onwards there will be no recoveries and both receipts and expenses will be increased proportionately.

7. I have mentioned the principal factors which have tended to raise our working expenses, but during the last two years the growth of expenditure has been rapid, and I recognise the obligation resting on those who administer the railways to take all possible measures to keep down expenses and enforce economy in every branch of the administration. This is necessary at all times, but when trade is poor and revenue is inelastic, there is particular need to apply to every proposal, which means higher working expenses, the test whether it ought to be put in force at once, or whether it can be postponed with advantage. It may be, for example, that a workshop could undertake a larger programme of repairs, and that, if it did so, it might in some respects be advantageous to the railway to put the work through quicker, but it may be wholly inadvisable to assent to such a scheme during a year when railway receipts show a downwards tendency. I am far from advocating that false species of economy which postpones necessary expenditure only to be faced by higher costs at a later date. But in present circumstances I feel that working expenses must be watched with a specially vigilant eye, and the Railway Board some months ago drew the attention of Agents to the matter and impressed on them the importance of keeping the financial aspect constantly in mind. Their attention will again be directed to the matter when they meet at Delhi in March. The repair of rolling stock is a branch of railway work in which much may be done to reduce expenditure by constant care

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and attention, and I am glad to be able to inform the House that both the average cost of standard repairs and the period during which an engine, wagon or carriage is detained in the shops continues to fall. In this region the results achieved by the East Indian Railway are particularly good and deserve special notice.

8. On the expenditure other than working expenses I need not dwell. As compared with 1928-29, interest and depreciation charges are up by Rs. 1,09 lakhs and Rs. 58 lakhs respectively, and the expenditure under surplus profits paid to Indian States and Railway Companies has been swollen by an unexpected throw forward into the current year of the surplus profits payable to the Burma Railways Company for the last nine months of 1928. On the basis of the revised estimates, we expect that at the close of the current year the figures will stand as follow. The total receipts from commercial lines we put at nearly Rs. 1,05 crores, which is Rs. $1\frac{1}{4}$ crores above the receipts for last year. The expenditure is estimated to be nearly Rs. 98 crores—an increase of Rs. $3\frac{3}{4}$ crores. The net gain from the commercial lines will then be Rs. 7 crores, out of which the loss on the strategic railways amounting to Rs. 1,81 lakhs has to be met. The balance of Rs. 5,26 lakhs is insufficient to meet the contribution of Rs. 6,12 lakhs to General Revenues, and we shall have to draw on our reserves to the extent of Rs. 86 lakhs.

Budget estimates for 1930-31.

9. The Budget figures for the coming year do not disclose any startling differences from the revised estimates. Our total receipts will, we estimate, amount to nearly Rs. 1,08 crores, a figure which is nearly Rs. 3 crores more than the revised estimates for the current year. The total expenditure we put at nearly Rs. 1,00 crores, an increase of slightly over Rs. 2 crores on the revised estimates. The final result is a net gain to the Railways of nearly Rs. 8 crores, which is about three-quarters of a crore better than the revised estimates of the current year. Out of the surplus, we shall have to meet the net loss on the strategic railways amounting to Rs. 1,80 lakhs and the contribution to general revenues amounting to Rs. 5,74 lakhs. Only a small balance of Rs. 34 lakhs will then remain to be added to the Reserve Fund.

10. One important change, which affects the figures both of receipts and expenditure, deserves special mention, I mean the purchase of the Southern Punjab Railway. Had we not taken advantage of the opportunity to purchase this year, our receipts in 1930-31 would be lower by about Rs. 1,44 lakhs and our working expenses by about Rs. 88 lakhs. It will be seen therefore, that our net receipts will be 56 lakhs higher owing to the completion of the purchase; and, since our charges for interest on the purchase price are only 37 lakhs, we make a clear profit of 19 lakhs from the transaction. I have thought it worth while to mention the matter in order to make it clear that though the purchase of the line in the current year has meant a heavy drain on our capital resources, it is in itself a most profitable transaction resulting in a substantial increase in our railway revenues.

11. If we eliminate the increase in our traffic receipts ascribable to the purchase of the Southern Punjab Railway (making due allowance for the fact that the purchase affected also the last three months of 1929-30), it will be found that we are budgeting for an increase in gross traffic receipts of only about 2 crores. This, I think, is a reasonable estimate, for while we may fairly

hope for a normal year, we are unfortunately not justified at present in anticipating any marked improvement in trade conditions. On the expenditure side, we anticipate an increase of Rs. 1 crore in the charge for interest and two-thirds of a crore under depreciation. Both these charges of course follow automatically from the increase in the capital at charge. For the rest, we expect an increase of three-quarters of a crore under working expenses (excluding depreciation). But here I must remind the House that not only revenue, but expenditure also is increased by the purchase of the Southern Punjab Railway, and if that factor is eliminated, the increase is only a quarter of a crore. That increase I can most conveniently discuss at a later stage. For the moment I will only say that, while we expect fairly substantial increases under Administration and Operation, we believe that these will to some extent be counter-balanced by a reduction under Repairs and Maintenance.

Capital Expenditure.

12. I turn now to the Capital Programme. We expected to spend during the current year Rs. $26\frac{1}{2}$ crores on works the cost of which is debitable to capital, and we now estimate that the actual expenditure will be a little more than Rs. 24 crores. Next year the capital expenditure is placed at Rs. $16\frac{1}{2}$ crores. These figures show clearly how greatly the position has changed since 1927, when it still seemed possible that funds would be forthcoming to meet all reasonable requirements for railway development. It has now become evident that the most drastic reduction in the capital programme is inevitable, and that in present circumstances there is nothing for it but to cut our coat according to our cloth. I need hardly say how deeply the Railway Board, and I personally, regret that it should be necessary to call a halt and to postpone the initiation of new projects urgently required to meet the need for improved traffic facilities, knowing as we do how great that need is. But financial exigencies have made retrenchment imperative.

13. How the Railway Board propose to deal with the situation is best explained in their own words, and I make no apology for quoting what is said in paragraph 25 of the Railway Board's Memorandum:

"It has become apparent that owing to existing conditions, not only in India but outside India as well, we are unlikely to obtain funds for capital expenditure on railways in the near future except at rates of interest substantially higher than those at which they have been procurable in the last three or four years. A rise in the rate of interest not only makes some projects either for extensions to the railway system or for improvements to the existing system unremunerative; it also makes it necessary to consider whether it is not wiser to postpone the inception of other projects which, even with a higher rate of borrowing, may still be remunerative, rather than to burden the railways of India with a large volume of indebtedness for money raised at a period of high interest rates. Consequently we have this year, and propose next year, to concentrate almost entirely on pushing schemes already in hand through to completion, so that we may obtain an early return on the money spent on them, and have avoided adding to our commitments at a time when the future is so uncertain by undertaking new schemes."

The Railway Board in the words quoted accurately express the policy laid down by the Government of India, but in one respect I am in a position to supplement what they say. When the scale of development expenditure is for any reason subjected to sudden and drastic curtailment, the danger always is that works in progress may have to be abandoned or postponed for an indefinite period when they are half way to completion,

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and if that happens, the inevitable consequence is that the money already spent is largely wasted because it cannot come to fruition until long after the due date. I am glad to be able to say that this result will not occur on the Indian railways to-day. In order to bring about the necessary reduction in capital expenditure, it has not been necessary to bring to a standstill important works in progress, and it has sufficed to refrain from the commencement of new projects which would have involved the railways in heavy commitments for future years. That this danger should have been averted is a satisfactory element in a difficult situation, and much credit is due to the Railway Board, and in particular to the Financial Commissioner, Mr. Parsons. But for the fact that, during the last four or five years, constant attention has been given to restricting the magnitude of our future commitments, it would have been impossible to avoid very serious dislocation in our plans.

14. Compulsory abstention from the initiation of new projects provides an opportunity for taking stock of the railway construction programme as a whole and for laying down the broad lines of policy which for the next three or four years we ought to try to follow. It is intended to take full advantage of this opportunity and to consider deliberately the best use which can be made of such funds as are likely to be available during that period. It is in connection with the Capital programme that the operations of the Railway Department chiefly affect the general finances of the Government of India, and in any review of policy the Finance Department must take its full share. The Government of India have decided that, in order that the position may be kept under control and that the best use may be made of all sums available for capital expenditure, the general questions of railway policy in their financial aspect should be brought under review at half-yearly intervals by the Finance and Railway Members of the Government in consultation—once at the beginning of the Simla season and once at the time of the Agents' Conference in the autumn. I believe that very real advantages will result from this new arrangement and I am sure it will go far to relieve any anxiety felt by Members of this House that the Railway Department is a law unto itself and not amenable to salutary financial control. I ought perhaps to add that, while probably it will be matters connected with the capital programme which will most frequently come under review, that does not by any means exclude from consideration all proposed expenditure on the revenue side which is likely to affect substantially the financial results of the railways.

15. In a year like the present when we are rigidly restricting our capital expenditure, it is natural that there should not be much to say as regards particular projects. Of the works now in progress I need only mention the electrification of the ghat sections of the Great Indian Peninsula Railway and of the suburban railways at Madras, the new Perambur workshops of the Madras and Southern Mahratta Railway, and the further prosecution of the Raipur Vizianagram Railway, which will ultimately provide the Central Provinces with a new outlet to the sea at Vizagapatam. The only new work of any magnitude which it is proposed to initiate is the doubling of the East Indian Railway line between Cawnpore and Tundla, which has become a matter of some urgency. A sum of Rs. 20 lakhs has been provided in the next year's Budget for doubling the most congested section between Shikohabad and

Tundla. Of the works which we should like to have commenced but are unable to do so, I might perhaps mention the Dacca-Aricha Railway in Eastern Bengal (Shame) and the branch lines intended to serve the cotton growing tracts north and south of Akola in Berar.

16. Having dealt with the Capital programme, I have in one sense completed my review of the railway finances for the year, but there are one or two matters about which I have hitherto said little or nothing, and to these I must refer before I close. One of them may be dismissed briefly in a sentence or two. In two successive years I was so fortunate as to be able to announce, at the time of the presentation of the Budget, substantial reductions in railway rates and fares. From the figures already given it must have been evident to Members of this House that on this occasion I shall not be able to make any similar announcement. At a time when we are compelled to draw upon the Reserve Fund in order to pay our contribution to General Revenues, it is obvious that we cannot contemplate any further reduction in rates and fares. Our first duty is to ensure the solvency of the railways and reductions which we should like to make in order to facilitate the movement of traffic must await the coming of better times. But apart from that, at the present juncture there is a prior claim upon such surpluses and this brings me to the second subject to which I wish to allude.

17. When I presented the Railway Budget last year, I promised that we would set on foot a systematic examination of the service conditions of our lower paid employees in order to ascertain what were the measures most urgently called for in order to bring about an improvement, and I mentioned, amongst matters which required to be examined, not only the rates of pay and wages but also reductions of working hours, the extension of provident fund benefits to classes who do not at present enjoy them, and improvement in housing conditions and so on. In order to make this examination possible, the Assembly agreed, on the recommendation of the Government of India, to the creation of a new appointment of Member of the Railway Board who would be specially charged with responsibility for all matters connected with the welfare of the enormous staff employed by the railways of India. It is right that I should attempt, however imperfectly, to convey to the House what has been done in order to carry out that promise.

18. Mr. Hayman assumed charge of his duties at the beginning of April last, and since then he must have been, I suppose, the busiest man at the headquarters of the Government of India. His work may be said to have fallen under five principal heads relating to :

- (1) improvement in the service conditions of the staff generally, and in particular of the lowest paid employees ;
- (2) the Indianisation of the railway services and the elimination of racial discrimination ;
- (3) the revision of the cadres of the superior services and of the methods of recruitment ;
- (4) the relations of the railway management with the organisations of workmen, and
- (5) the preparation of material, so far as the railways of India are concerned, for the Royal Commission on Labour.

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It would take me much too long to attempt to enumerate in detail all the matters which have come up for review under the various heads. That would require a speech to itself, and some of the subjects can only be briefly referred to.

19. Under the head of Indianisation, I should like to mention the special efforts which have been made to bring the Transportation (Power) and the Mechanical Engineering Branches into line with the Civil Engineering and Transportation (Traffic) and Commercial Branches in the matter of Indianisation. A scheme for the training of apprentices has been in force since 1926, but the period of training being six years, it could not provide fully qualified officers until the end of 1932. In order to accelerate progress in this direction, when it became necessary to fill eight vacancies in the Transportation (Power) and Mechanical Engineering branches, it was decided to invite applications both in India and in the United Kingdom specifying the qualifications which represented the minimum which could be considered, in the hope that Indian candidates might be forthcoming who would be likely to develop into efficient officers. The age limit was also relaxed, so that the field of selection might not be limited. The result has been that four Indians have been appointed to the Transportation (Power) Department and three to the Mechanical Engineering Department. Although there were only two vacancies in the latter branch, a third Indian has been appointed as a special probationer in anticipation of the occurrence of a vacancy. It is proposed to continue similar arrangements until 1933 when the scheme for the training of apprentices will bear fruit and provide the requisite number of Indians for these Departments.

20. Under this head I must also refer to the elimination of racial discrimination, but I can only do so briefly. The whole question has been systematically considered and we have now reached a stage when the material has been digested and consultation with the Central Advisory Council is likely to be both helpful and fruitful.

21. I must now turn to the most important head of all, namely, the improvement of the service conditions of the lowest paid railway servants, and here there are several questions which demand more detailed notice. In May last, I received a deputation of the All-India Railwaymen's Federation when a number of important subjects were fully and frankly discussed and our examination of service conditions has proceeded largely on the basis of the representations then made. First, I may mention the matter in which we have been able to make the most rapid progress, I mean what is sometimes called security of tenure and which arises out of the complaints of alleged wrongful dismissal or discharge from railway service. This was a matter to which the Federation attached great importance, and a new set of rules has been issued which it is believed will go far to meet the complaints made on this subject. I cannot enter into details now, but copies of the rules have been placed in the Library, and it is my intention also that copies should be supplied to all members of the Central Advisory Council.

22. Next comes the revision of the leave rules. That is a question which has been under consideration since 1924, but it proved impossible, owing to the defective organisation of the Railway Board, to bring the matter to a head until the new Member was appointed. The rules hitherto in force have been defective in two vital particulars. In the first place, the

rules applicable to staff taken over with the East Indian, Great Indian Peninsula and Burma Railways when they were acquired by the State were manifestly open to the charge of racial discrimination, and, in the second place, the existing rules in force on the old State Railways are liberal enough in theory but operated in practice to the prejudice of employees in inferior service, owing to the condition that the grant of leave must impose no extra cost on the State. The new leave rules have now been settled and are on the eve of publication.

All new recruits will come under the new rules and those at present in service will be given the option of electing to be brought under them. These rules eliminate the objectionable features involving racial considerations of the existing leave rules on the East Indian, Great Indian Peninsula and Burma Railways.

So far as the inferior servants are concerned, the no extra cost condition is abandoned and the effect will be that a number of daily-rated employees, particularly in the workshops, will be admitted to privileges which they had not previously enjoyed. I may add that instructions will be issued to Agents that where necessary in order to enable inferior servants and other subordinate staff to take the leave admissible under the new rules, additional staff must be recruited in order to form a leave reserve. Here again as soon as the new rules are issued, I shall be glad to place copies in the Library and to furnish copies to members of the Central Advisory Council.

23. Next I would refer to the question of hours of employment and periods of rest, and here my reference must be brief, for the Bill which is intended to secure the application to railway servants in India of the 60 hour week and the weekly rest day provided for in the Washington and Geneva Conventions will come before the Assembly at an early date. Before the details of the scheme could be worked out, an immense amount of spade work has been necessary, the whole burden of which has fallen upon the Labour Member of the Board. The recurring expenditure which the scheme will involve will certainly be not less than Rs. 50 lakhs per annum and may amount to as much as Rs. 60 lakhs. It also necessitates the expenditure of something like Rs. 50 lakhs on the capital side, in order to provide quarters for the additional staff.

24. There are other matters which have come under review under these heads such as improvement in the service conditions of workshop employees, the acceleration of the payment of monthly wages, and welfare subjects such as education, co-operative credit societies and the staff benefit fund, but the only one upon which I can attempt to enlarge is the revision of the wages of the lower paid staff. This is obviously a question of great importance, but if unnecessary expenditure is to be avoided it also requires the closest and most systematic examination. Mr. Hayman, rightly I think, commenced his investigation on the Calcutta railways, and the principal question which he discussed with the Agents was the wage which should be paid to the lowest unskilled class of labour comprising gangmen, porters, bhistis, watermen, sweepers, etc. After the discussions with the Agents, a detailed scheme was prepared in the first instance for the Eastern Bengal Railway, and in broad outline this has now been approved by the Railway Board, though certain details have still to be worked out. It has taken time to settle, because it was all important in the first case which came under consideration, to lay down the general principles which ought to regulate such matters, for if schemes are adopted without sufficient consideration, there is a very real

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danger that public money may be wasted. Now that the first scheme has been passed and the general principles laid down, progress should be much more rapid upon other railways.

25. I have attempted, very imperfectly I fear, to give the Assembly some idea of the magnitude and complexity of the problems with which the Labour Member of the Railway Board has had to deal. I wish it had been possible, before the discussion of the Railway Budget, to lay on the table of the House a memorandum giving a full account of all that has been done. It is my intention in any case to submit such a memorandum for the information of the Central Advisory Council, but it was impossible to get it into shape before the presentation of the Railway Budget, since the inevitable result must have been to delay progress in the schemes under consideration, and that had to be avoided at all costs. In winding up this part of my speech, I will only say this, that it is open to any Member of the Legislature to blame the Government of India because these matters were not taken in hand in earnest at an earlier date, and if that charge were made, I should not be too much concerned to reply to it. But if the accusation be that since the new Member of the Railway Board was appointed to deal with all the staff questions there has been any avoidable delay in subjecting them to a scrutiny at once sympathetic and systematic and taking all possible steps to bring about the earliest possible solution, then I would only say that that charge is without foundation and could only be made by those who are unacquainted with the facts. During the last eleven months Mr. Hayman has thrown himself whole-heartedly into the discharge of the important duties which have fallen to his lot. He has given his whole energies unsparingly to their successful accomplishment. I should like to take this opportunity of making clearly known the high value which the Government of India place on the services he has rendered.

26. I turn now to the question of the expenditure involved in giving effect to the various schemes of improvement. In the first place, there is the cost of the additional staff required in order to secure compliance with the Washington and Geneva Conventions and the capital cost of the quarters for that staff. In the second place, there are the schemes for the revision of pay of the lowest paid employees of the railways which must obviously involve extra expenditure, and in the third place, there is the extra staff which will be needed if the new leave rules are to effect a real as distinct from a nominal improvement in service conditions. Very naturally and properly Members of the Assembly may ask what provision has been made in the Budget to cover this expenditure. It will be seen from the Railway Board's Explanatory Memorandum that of a provision of Rs. 28 lakhs under Revenue in the current year's Budget it is not expected that much more than Rs. 18 lakhs will be spent before the 31st of March next and in the Budget for the next year there is provision for Rs. 25 lakhs in all under Revenue and a similar sum under Capital for the construction of quarters. Are these sufficient, it may be asked, to meet the expenditure likely to be incurred?

27. I may say at once that quite possibly these sums will prove to be insufficient, and I should like to explain to the House the reasons why Government have not included in the estimates a larger provision. One reason is that at the present stage of our inquiries it is not possible to estimate with any accuracy the magnitude of the sums involved. Take

for example, the introduction of the new leave rules and the recruitment of additional staff to provide the leave reserve. These rules will apply automatically only to new recruits, and officers already in service will not come under them, unless they elect to do so. We do not know what number of officers may choose the new rules, nor can we tell whether in all cases recruitment of additional staff will be necessary. If, for example, in a workshop the existing staff is redundant having regard to the volume of work to be done, it may be quite possible to introduce the new rules without any increase in expenditure. In the second place, experience has almost invariably shown that when new schemes are being introduced the money is never spent so fast as was originally anticipated, and allowance must be made for that factor. Finally, I must mention the need for economy in the working expenses of the railways to which I alluded at an earlier part in my speech. It would have been quite possible to make larger provisions in the Budget and thereby swell the total working expenses, but this we did not consider advisable. I am anxious to make plain to the Railway Administrations the importance which Government attach to keeping revenue expenditure within bounds. I am inclined to think that an effective means of securing this is to keep the estimate of working expenses on the low side. One point, however, I desire to make clear. If and when we are satisfied that the introduction of well-considered schemes involving expenditure are necessary in order to secure the welfare and contentment of our staff, and if we find that the cost of these schemes cannot be met without raising our working expenses to a higher figure than is set down in the Budget, we shall not hesitate to place supplementary estimates before the Assembly and ask the House to sanction the additional expenditure. I am anxious to make this clear, because when our review of service conditions discloses the fact that there are legitimate grievances, then it is the desire of the Government of India and of the Railway Board that they should be redressed with as little delay as possible.

28. I will not apologise, Mr. President, for dwelling at some length on these matters which so deeply concern the interests of the great body of railway servants in India. It is impossible for me, however, to dilate upon them longer to-day. I desire only, before bringing my speech to a conclusion, to thank the House for the patience with which they have heard me, and if I may, to acknowledge the friendliness and courtesy with which the Members of this House have always listened to what I could tell them about the affairs of our railways.

PANEL OF CHAIRMEN.

Mr. President: Order, order: Under rule 3 of the rules for the conduct of business of this House, I nominate Pandit Malaviya, Mr. M. A. Jinnah, Sir Darcy Lindsay and Sir Zulfiqar Ali Khan on the panel of Chairmen for the ensuing Sessions.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 18th February, 1930.

[Sir George Schuster.]

I had already decided that these objections raised to the earlier proposal were reasonable, and I thought it was reasonable to allow as a business expense all payments of bonus or commission, whether contractual or otherwise, provided that they satisfied certain conditions, that is to say, provided that the person remunerated was really an employee, and that the bonus or commission was really paid for services rendered and was of a reasonable amount, both with reference to pay of the employee, the conditions of his employment and the profits of the business of the year in question, and having regard to the general practice in similar businesses. We proposed to give effect to this by means of a notification under section 60 of the Indian Income-tax Act, but the Legislative Department held that such a notification would not fall within the scope of the section and that the exemption could only be granted by legislation. It is therefore proposed to secure the object in view by amending section 10 of the Indian Income-tax Act by an appropriate addition relating to the expenditure in question and embodying the safeguards which I have mentioned. Sir, I move.

(Mr. Vidya Sagar Pandya rose in his place.)

Mr. President: Does the Honourable Member wish to oppose? This is only the introduction stage.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): I wish to obtain some information.

Mr. President: There are other stages to the Bill when the Honourable Member will have full opportunity.

The motion was adopted.

The Honourable Sir George Schuster: Sir, I introduce the Bill.

THE INSOLVENCY LAW (AMENDMENT) BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I move for leave to introduce a Bill to amend the law relating to insolvency for certain purposes. I shall shortly state the purposes of the Bill. They are three. First, we are providing for the appointment of Deputy Official Assignees in the High Courts in view of increased work, particularly in Calcutta and Bombay. Secondly, we are proposing to empower the High Courts to stay or annul insolvency proceedings in subordinate courts. This power wanted by the Calcutta High Court and all the other High Courts support the claim. The third purpose is the settlement of a conflict as to the *terminus a quo* for the calculation of the period of two years in case of avoidance of voluntary transfers. The better opinion is that the *terminus a quo* should be the date of the presentation of the petition and not the date of the order of adjudication. We are proposing to give effect to that opinion. These are the purposes of the Bill. Sir, I move.

The motion was adopted.

The Honourable Sir Brojendra Mitter: Sir, I introduce the Bill.

THE INDIAN TARIFF (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that the Bill further to amend the Indian Tariff Act, 1894, for certain purposes, be referred to a Select Committee consisting of the Honourable the Law Member, Mr. K. C. Neogy, Mr. B. Das, Sir Purshotamdas Thakurdas, Mr. Anwar-ul-Azim, Mr. W. Alexander, Mr. H. P. Mody, Mr. G. W. Chambers and the Mover, with instructions to report on or before the 27th February, 1930, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

Sir, I explained when I introduced this Bill that it dealt with a number of comparatively minor changes in the tariff schedule. One of these changes, which I singled out for special notice on that occasion, was the proposal to remove the duty on barks for tanning. That is a proposal which is of some importance and it gives effect to the expressed desire of the tanning industry which has been pressed upon Government on more than one occasion. For the rest, it is hardly possible to attempt at this stage to give an account of the various changes which are proposed, because some of them at any rate are so minute or so technical that they hardly admit of detailed exposition in a speech. I might however mention three or four of the proposals covered by this Bill. One of them relates to the duty on saccharine. Our attention was drawn to the fact that it might be possible to evade the duty on saccharine by importing substances from which saccharine could be made with comparative ease after importation into India, and we have taken the opportunity to make these substances subject to the higher rate of duty. In doing so, we are following the practice which has already been introduced in the United Kingdom.

There are also two or three proposals in the Bill to remove the duty from agricultural appliances and dairy and poultry farming appliances. These merely give effect to what has for long been the established policy of the Government of India as regards such matters.

Finally, I would refer to the proposal to make all domestic refrigerators subject to the 15 per cent. duty. As the law stands at present, some domestic refrigerators pay duty and some are exempt from duty, because they come under the definition of machinery. Now, the object of allowing the free importation of machinery into India was to encourage the importation of articles representing fixed capital employed in production industries. Quite clearly, domestic refrigerators do not fall within that class, and, since some of them already have to pay duty, it was thought reasonable and equitable that all should be subjected to the same rate of duty.

I do not think that I need enlarge further upon the provisions of this Bill, but naturally all the specific proposals made in it will be subjected to close examination by the Select Committee.

Sir, I move.

The motion was adopted.

THE STEEL INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that the Bill to amend the law relating to the fostering and development of the steel industry in British India, for certain purposes,

[Sir George Rainy.]

be referred to a Select Committee consisting of the Honourable the Law Member, Mr. K. C. Neogy, Mr. B. Das, Sir Purshotamdas Thakurdas, Mr. Anwar-ul-Azim, Mr. H. P. Mody, Mr. W. Alexander, Mr. G. W. Chambers and the Mover with instructions to report on or before the 27th February 1930, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

As I explained, when I introduced the Bill, it is intended to put right two defects which have come to notice in the law relating to the protection of the steel industry in British India. In the first place, there is the question of tie-bars. The function of the tie-bar in every case is to maintain the distance between the two rails on a railway line. It is for that purpose that it exists. The commonest case is when cast-iron sleepers are used. These consist of two pots or plates on which the rail rests and these two pots or plates are connected by a steel tie-bar. Again, wherever there are points on the railway, where trains can be moved from one line to the other, there is a moveable rail which is known as a "switch" and these switches are invariably connected together in pans by steel tie-bars. Finally, it is not a regular thing but it happens occasionally, where there are stiff curves to be negotiated, the rails themselves are directly connected up by tie-bars, so that they may be kept in alignment. Now, the intention of the Legislature—I do not think there is any doubt about that—when the Act of 1927 was passed was that all these tie-bars should be subject to the protective duty. That was so under the Act of 1924, and it is quite clear from the Report of the Tariff Board that they did not intend to propose any change in that respect. Unfortunately, as the entry in the Schedule was actually worded in the Act of 1927, full effect was not given to that intention, and it has been held by the revenue authorities that, whereas the tie-bars which connect up a pair of switches or a pair of rails directly are subject to the duty, tie-bars which connect up the two plates of a cast-iron sleeper are not subject to the duty. It seems to the Government of India necessary that that mistake should be corrected and therefore provision is made accordingly in the Bill.

The second question is the duty on steel bars. As the law now stands, round bars less than half an inch in diameter and square bars the side of which is less than half an inch are exempt from the protective duty. This decision was deliberately taken on the ground that the half inch bar was the smallest size of a bar made in India, and that it would serve no purpose to impose a protective duty on the classes of materials which were not made in India and where consequently there was nothing to protect. Now, in October last, the Tata Iron and Steel Company approached the Government of India on this question. What they said was this that, whereas the next standard size below half an inch was 7/16ths of an inch, it had come to notice that during the last two years there had been substantial and increasing imports of bars which were described as 15/32nds of an inch or 31/64ths of an inch. They explained that these bars could be used for the same purposes as the half inch bars which they made and that owing to the fact that the imported bars of these intermediate sizes were not subject to the protective duty, they were finding it very difficult to sell their half inch bars. Before that, the attention of Government had already been drawn to the matter by the Collector of Customs at Karachi, and for some time past continuous records had been maintained of the importation of these particular sizes. I find that, whereas in July and August, 1928, the

imports of these sizes in all the ports came to something less than 400 tons a month, in November and December, 1928, and January, 1929, we got over 1,000 tons a month and in August and September of last year the imports amounted to over 2,000 tons a month. It became evident that here was a loophole in the law through which steel bars, which definitely competed with the Indian product, were entering India at the ordinary revenue duty of 10 per cent. and not subject to the protective duty. Naturally, the merchants were perfectly entitled—no one has any right to complain of their conduct so long as they complied with the law—to import these bars. But it seemed to the Government of India that here was a case, where a defect in the law, required to be corrected, and that these bars of 15/32nds of an inch or 31/64ths of an inch diameter should be made subject to the protective duty so that the protection which the Legislature intended to give to the steel industry should be fully effective. These are the only two objects of the Bill, and it is unnecessary, I think, that I should enlarge upon them further.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I welcome the protective duty levied on the tie-bars. I would only ask the Honourable Member to see that people importing large quantities of similar sections of steel tie-bars, for other purposes do not come under the protective tariff. Of course, I know there are two firms in Jamshedpur, the Tatas and the Tatanagar Foundry Company, who manufacture large quantities of cast-iron sleepers, and it is necessary that they should also get tie-bars under this protective tariff, so that they can compete with the imported cast-iron sleepers. That would avoid competition, and I do hope the Railways in future will buy all cast-iron sleepers of Indian origin.

Sir, I will make a few observations regarding the second part of the protective duty on iron rods. I do not know, and the Honourable the Commerce Member has not told us, whether the Tatas manufacture in large quantities half-inch iron bars so as to meet the demand of the Indian market. If Continental and British manufacturers are manufacturing just the size smaller than half-inch rods, i.e., 15/32nds inch and 31/64ths inch sizes to meet the demands of the large numbers of consumers in India. I think such sections ought not to be subject to this protective duty. I have received wires from the Bombay Iron Merchants' Association, which strongly protests against this further encroachment on the trade. From what I know, I can say of these small sections that they are used all over the country for domestic purposes, for windows, doors and for other purposes in private dwelling houses. If the Government and the Public Works Department require half-inch iron rods, they can always buy them from the Tatas and use them for their purposes according to standard specifications. But from what I know of the Tatas, they have very little surplus of half-inch rods which they can supply all over the country. Taking my own town, I have very seldom seen half-inch rods of the Tatas in my town of Cuttack. When such is the case, why are the Tatas coming to the Government for further protection when they themselves cannot supply the total requirements of the market? I know that the imports of 15/32 and 31/64 of an inch iron rods have increased, but they may have increased owing to the larger requirements of the ordinary users, who are now using these rods in their buildings instead of the costly half-inch rods. So my submission is that this protective duty is sought to be levied, not to benefit the public, but to fill the coffers of my Honourable friend Sir George

[Mr. B. Das.]

Schuster, the Finance Member. The protection which is being given does not help in any way the steel manufacturers, that is the Tatas, because they have done very little to capture the Indian market in this section or in other sections which they manufacture. I do not know if the Honourable Member has received any telegrams from the Calcutta Iron Merchants' Association, but I believe they will have the same tale to tell as the Bombay Iron Merchants' Association have. I received a letter from the Secretary of the Bombay Iron Merchants' Association last evening where he says that they are willing to send a representative to appear before the Select Committee if the Honourable the Commerce Member will be so inclined to hear the other side of the question. I submit that, before any protective tariff duty is levied, the Government will have to inquire whether it in any way affects the large requirements of the Government, in the Railways and the Public Works Department, and if it does not, and if the total manufacture of the Tatas does not meet the requirements of the Indian markets, then I submit these two sections should not be brought under the protective tariff. It tells hardly on private users who usually do not stick to standard sections, and at the same time it gives no protection to the steel manufacturer—the Tatas.

The Honourable Sir George Rainy: I have only one or two words to say in reply to what has fallen from my Honourable friend, Mr. B. Das. I should like to make it plain that it is not a question of giving additional protection, but merely taking steps to make effective the protection which the Legislature intended to give in 1927. Mr. Das suggested that the Tatas might be unable to meet the needs of the Indian markets in respect of these small size bars, and he said that he very seldom saw, in his own town, iron rods—I think he meant steel bars—manufactured by the Tata Iron and Steel Company, on sale. I have got two things to say about that. In the first place, the imports of these intermediate size bars between 7/16 inch and half-inch is now approaching the figure of 20,000 tons a year, and they are not subject to protective duty. That, of itself, will serve to explain why the half-inch bars of the Tatas are not on sale.

The second thing I should like to point out is that the output of steel by the Tatas is steadily increasing, and it becomes more and more important that they should have a full outlet for all the steel they can make. At earlier stages, they might be able to sell their full output within a limited range of products, but as their output increases, it becomes more and more necessary for them to find an outlet for all the different sections which they are in a position to roll. If this were a proposal to extend the protection which was intended to be given in 1927, then I think there might be something in what the Honourable Member urged, but that is not so. We are merely making effective what was actually sanctioned by the Legislature in 1927. I do not think, Sir, I need enlarge upon the matter any further.

Mr. President: The question is:

"That the Bill to amend the law relating to the fostering and development of the steel industry in British India, for certain purposes, be referred to a Select Committee consisting of the Honourable the Law Member, Mr. K. C. Neogy, Mr. B. Das, Sir Parshotamdas Thakurdas, Mr. Anwar-ul-Azim, Mr. W. Alexander, Mr. H. P. Mody, Mr. G. W. Chambers and the Mover, with instructions to report on or before the 27th February, 1930, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four."

The motion was adopted.

THE INDIAN LAC CESS (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to move that the Bill to provide for the creation of a fund for the improvement and development of the cultivation, manufacture and marketing of Indian lac, be referred to a Select Committee consisting of the Honourable the Law Member, Dr. B. S. Moonje, Mr. Gaya Prasad Singh, Mr. A. Q. Siddiqi, Mr. Yamin Khan, Sir Darcy Lindsay, Mr. H. P. Mody, Mr. G. W. Chambers and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

The present Lac Cess Act, Mr. President, was passed by the Legislature in the year 1921. It imposed a small cess on exports of lac, and the proceeds of that cess were to be spent on measures to promote improved methods of cultivation and manufacture. The administration of the cess was entrusted to the Lac Association, a registered society with its headquarters in Calcutta, for the membership of which any firm or individual directly connected with the lac trade was eligible. That would cover cultivators, manufacturers, shippers, dealers or brokers. The constitution of the Committee of the Association which actually controlled the expenditure of the cess was as follows: two Indian manufacturers, two Indian brokers, two Calcutta shippers, one European manufacturer and one European broker. That Act was originally to remain in force for a period of five years up to 1926, but power was given to the Government of India to extend its application for further periods of five years on the recommendation of the Association. It was actually extended in 1926, and the question of its further continuance would, in the ordinary course, have come up in 1931. What has actually been done by the Association in order to carry out the objects of the Act is to establish at Nankum near Ranchi a Research Institute, and at that Institute a great deal of valuable work has already been done under the very able direction of Mrs. Norris, the Director, and especially in the way of the discovery of suitable host trees for the lac insect, the cultivation of the best types of lac and the prevention of parasites that destroy the lac. Up till now, I think it would be true to say that it is the cultivation of lac which has received most attention, but improved methods of manufacture have also received attention and I think there is a growing sense on the part of those connected with the trade that that is becoming increasingly important. The proceeds of the cess amount to about two lakhs a year.

Now, during the course of its tours in India the question of the Lac Research Institute attracted the attention of the Royal Commission on Agriculture, and in a paragraph of their Report they drew attention to the fact that in the Indian Central Cotton Committee, which is in some respects an analogous body, there was a much wider representation of interests, and they recommended that the Lac Committee should be reconstituted and strengthened by the addition of nominees of the Government of India, the Government of Bihar and Orissa and an official to represent the cultivators. I think the actual officials they suggested were the Imperial Entomologist, the Conservator of Forests in Bihar and Orissa and the Commissioner of Chota Nagpur. These proposals of the Royal Commission did not at once find acceptance, and there was a good deal of correspondence between the Government of India and the Government of Bihar and

[Sir George Rainy.]

Orissa and the Lac Association on the subject, because this is obviously a matter in which it is hardly possible to move at all unless we can move with general approval and consent. However, in August last the matter was brought to a head by a letter which we received from the Indian Lac Association, and I should like to quote certain passages from that letter. They said:

"The Committee have felt for some time past that they are not in a position to control effectually and to the best advantage to future conduct of research in the lac industry. The Association has now reached a stage beyond which the trade is unable without assistance to guide it. The Committee find that they have neither the knowledge nor the practical experience on which to criticise effectively the various schemes of research submitted to them; nor have they at their disposal the time which the work of the Association demands. Particularly do the Committee feel their inability to carry the results of the research home to the cultivator, and on this point they are bound to say that they realise that, until the methods of the cultivator are improved, it is not possible to speak of actual progress. This is also the point of view of the Royal Commission on Agriculture, whose opinion the trade largely shares. The Association must be reconstituted and strengthened if it is to attain the objects for which it was formed."

They then went on to say that there were certain difficulties about re-constituting the Association and they finally said that they feel:

"that it is only proper to indicate to the Government of India that the industry is unlikely to recommend a continuance of the Act in its present form after 1931."

On the other hand the trade would not, they thought, be averse to the continuance of the cess with effect from 1932, on the understanding that the funds thereby made available were utilised as effectively as possible to attain the objects in view, namely, the improvement of the quality of lac at present produced and the extension of cultivation for the ryot. They therefore urged the Government of India to take early steps for the re-organisation of the whole system. That made it clear to the Government of India that it was necessary to take steps to put things on a more permanent and a more satisfactory footing. We are all indebted to the Committee of the Lac Association for the very valuable work it has already done, but when that Association expressed the view that things had reached a stage when they were no longer able to carry on the work effectually, then clearly the obligation rested on the Government of India to endeavour to provide for it otherwise.

This question of research in the lac industry is becoming of vital importance, because the competition of synthetic substitutes for lac is becoming keener and keener every year, and if the Indian lac is to maintain the position it has held in the past, then undoubtedly there will have to be improvements and in particular the question will have to be considered whether arrangements cannot be made for the standardisation of lac. One of the complaints of the manufacturers abroad about Indian lac is that it is unequal in quality, whereas the synthetic product, which in other respects is not so good has this advantage that the manufacturers know exactly what they are getting. It is for that reason that it is important that the Committee should be remodelled on a satisfactory basis, so that research work can be carried on effectively. What we did was that we drafted a Bill which was in all essentials identical with the Bill now before the House. We circulated it to the Local Governments concerned, and obtained their opinions, and in principle it was accepted by all, the only suggestions for amendments made being on matters of detail.

I hope the House will accept the principle of the Bill. Its provisions are very largely modelled on those of the Cotton Cess Act, and although there are a good many clauses in the Bill, I do not think there is anything of great novelty in them. The only important change of importance is this, that among the objects on which the cess may be spent, in addition to cultivation and manufacture, the Bill now includes also improvements in the methods of marketing. That may be an important matter to the interests of the industry.

I hope that what I have said, Mr. President, will serve to explain to the House what the object of the Bill is and I hope that it will be a Bill which will be generally accepted and passed with general approval.

The motion was adopted.

ELECTION TO THE GOVERNING BODY OF THE INDIAN RESEARCH FUND ASSOCIATION.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, I move that this Assembly do proceed to elect, in such manner as the Honourable the President may direct, two Members to sit on the Governing Body of the Indian Research Fund Association.

Sir, in bringing forward this motion, I do not think, I need do more than repeat to the House the assurance I gave it on the 8th February that the motion does not in any way prejudice the question of the ultimate constitution of the Governing Body of the Indian Research Fund Association. As I explained on that occasion, it is the intention of the Government to refer that with two other important questions to the Conference which they will summon in due course. In the meantime, they wish to take this, which is the earliest opportunity they have had since they decided to reconstitute and very considerably enlarge the Governing Body, of associating this House with its activities. Sir, I move.

The motion was adopted.

ELECTION OF MEMBERS FOR THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that this Assembly do proceed to elect in such manner as may be approved by the Honourable the President, eleven Members from the Assembly who shall be required to serve on the Standing Finance Committee for Railways, as provided for in clause 6 of the Resolution adopted by the Legislative Assembly on the 20th September, 1924, on the subject of the separation of Railway Finance.

The motion was adopted.

ELECTION OF A PANEL FOR THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that this Assembly do proceed to elect in such manner as may be approved by the Honourable the President, a panel consisting of eight Members, from which six shall be selected to serve on the Central Advisory Council for Railways, as provided for in clause 6 of the Resolution adopted by the Legislative Assembly on the 20th September, 1924, on the subject of the separation of Railway Finance.

The motion was adopted.

DEMANDS FOR SUPPLEMENTARY GRANTS.

A.—Expenditure charged to Revenue.

CUSTOMS.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 4,64,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Customs'."

I have the usual somewhat large number of Demands for supplementary grants to move, and I do not propose to give any special explanations, in advance, of these Demands. They have all been considered fully by the Standing Finance Committee and full particulars have been supplied to Honourable Members. Sir, I move.

The motion was adopted.

IRRIGATION, NAVIGATION, EMBANKMENT AND DRAINAGE WORKS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 10,31,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Irrigation, Navigation, Embankment and Drainage Works'."

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I will make a few observations on this particular Demand. This is a supplementary Demand for money required to repair the damages on account of floods in the North West Frontier Province. I congratulate the Government for taking speedy action and in adopting such measures as were required to repair the flood damages in the North-West Frontier Province. Sir Frank Noyce, in reply to a question of mine, laid a statement on the table, which was a comprehensive statement, and an actual statement and was not understated. It is stated there that the loss of life during the last floods in the North West Frontier Province was 121 and the loss of property amounted to rupees one crore, ten lakhs and odd. Sir, I am one of those who have always maintained on the floor of this House that it is the Government's imperative function to try to prevent causes of floods and to render all help at the time of floods and thereafter by monetary help and by proper maintenance of

drainage of waterways and embankments thereof. I am glad that the Government took action in the North West Frontier Province, and I hope in future when we discuss such subjects on the floor of this House, they will exercise their prerogative of control over the Provincial Governments and see that they always bring forward correct statements of facts about flood damages, and do not issue wrong statements, as my Government of Bihar and Orissa did at the time of the Orissa floods.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 10,31,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Irrigation, Navigation, Embankment and Drainage Works'."

The motion was adopted.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 9,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Indian Posts and Telegraphs Department'."

The motion was adopted.

INTEREST ON MISCELLANEOUS OBLIGATIONS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Interest on Miscellaneous Obligations'."

The motion was adopted.

LEGISLATIVE BODIES.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Legislative Bodies'."

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I had given notice of a motion for reducing this grant by Re. 1, but, as I understand that the matter which I wanted to discuss is likely to be solved satisfactorily in a day or two and that there is a prospect of its early solution, I do not propose to raise the question by means of a motion on a supplementary grant.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Order, order. Is the Honourable Member at all in order, Sir; in proposing to raise a discussion on a subject that has nothing to do with this motion?

Mr. President: The Honourable Member has not moved.

Mr. B. Das: But the Honourable Member made certain observations which were uncalled for.

Mr. President: I desire to state in this connection that Honourable Members who feel aggrieved at the order of the Honourable the President, directing the Galleries to be closed, may make any representations they like to him, and I assure them that such representations will be fully considered by the President. Honourable Members are not entitled to raise a debate on it on the floor of the House in this way.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Legislative Bodies'."

The motion was adopted.

FINANCE DEPARTMENT.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Finance Department'."

The motion was adopted.

DEPARTMENT OF INDUSTRIES AND LABOUR.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Department of Industries and Labour'."

The motion was adopted.

CENTRAL BOARD OF REVENUE.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 5,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Central Board of Revenue'."

The motion was adopted.

PAYMENTS TO PROVINCIAL GOVERNMENTS ON ACCOUNT OF ADMINISTRATION OF AGENCY SUBJECTS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Payments to Provincial Governments on account of Administration of Agency Subjects'."

The motion was adopted.

AUDIT.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 2,43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Audit'."

The motion was adopted.

POLICE.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 3,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Police'."

The motion was adopted.

PORTS AND PILOTAGE.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 18,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Ports and Pilotage'."

The motion was adopted.

SURVEY OF INDIA.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 1,97,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Survey of India'."

The motion was adopted.

METEOROLOGY.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 1,16,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Meteorology'."

The motion was adopted.

MINES.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 4,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Mines'."

The motion was adopted.

OTHER SCIENTIFIC DEPARTMENTS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 2,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Other Scientific Departments'."

The motion was adopted.

EDUCATION.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 41,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Education'."

Nawab Sir Sahibzada Abdul Qaiyum (North West Frontier Province: Nominated Non-Official): Sir, I should like to avail myself of this opportunity and draw the attention of the Honourable the Finance Member to the conditions imposed by the Government of India on certain grants sanctioned by them for building purposes at the Islamia College, Peshawar in the North West Frontier Province. In view of the very heavy losses that the Province has suffered as the result of the recent floods and to which my friend, Mr. B. Das, has referred on a previous motion, the loss being over a crore of rupees in property and a couple of hundred lives, almost unbearable for a small province like ours. I trust that the Honourable the Finance Member will find it possible to relax the conditions imposed on the grants for the Islamia College, Peshawar, and will not be so exacting as his Department has so far been in that connection.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): Sir, I expected that this time the supplementary grant would be about a lakh of rupees for the Muslim University, as had been promised by the Government last year during the budget time. That, as far as I remember, was the promise given by the Honourable the Finance Member.

Mr. President: Order, order; the Honourable Member cannot raise that question on this grant.

Mr. Muhammad Yamin Khan: My point is that this supplementary grant of Rs. 41,000 for the Aligarh Muslim University is insufficient. And I want to point that out to the Government that it ought to have been a lakh.

Mr. President: That is a general question of policy which can be discussed at the time of the main Budget.

The question is:

"That a supplementary sum not exceeding Rs. 41,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Education'."

The motion was adopted.

CIVIL VETERINARY SERVICES.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 61,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Civil Veterinary Services'."

The motion was adopted.

MISCELLANEOUS DEPARTMENTS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 41,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Miscellaneous Departments'."

The motion was adopted.

MINT.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 6,32,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Mint'."

The motion was adopted.

SUPERANNUATION ALLOWANCES AND PENSIONS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 9,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Superannuation Allowances and Pensions'."

The motion was adopted.

STATIONERY AND PRINTING.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 7,11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Stationery and Printing'."

The motion was adopted.

MISCELLANEOUS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 3,93,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Miscellaneous'."

Munshi Iswar Saran (Lucknow Division: Non-Muhammadian Rural): Sir, I understand that this amount includes certain items of expense for the Indian Statutory Commission. I make this statement subject to correction. If I am wrong, I hope the Finance Member will correct me. When we turn to the pamphlet called "Supplementary Demands for Grants", which has been supplied to us, we find a very significant circumstance

[Munshi Iswar Saran.]

and it is this. While giving the details of the Special Commissions of Inquiry, the Royal Commission on Agriculture, the Royal Commission on Labour, and then "Other Commissions and Committees" are mentioned, but the Indian Statutory Commission has not been mentioned. I do not wish to suggest that this omission is deliberate; I should be very sorry to say that; but then the omission to mention the Indian Statutory Commission in the details in this pamphlet does give rise to an idea that, either there has been a conscious effort not to mention it, or that Government no longer attach any importance to this Commission. Be that as it may, what I find is this

Mr. President: Is it worth while raising this question now? It is flogging a dead horse.

Munshi Iswar Saran: No, Sir; I agree, it is not worth while raising the question of the Commission, but it is certainly worth while not to allow this sum to be granted without a protest. By turning to the proceedings of the Finance Committee, I am glad to find that the Indian Members, Mr. Amar Nath Dutt, Maulvi Sayyid Murtuza Saheb and Mr. Muhammad Ismail Khan, raised their protest against the expenditure in connection with the Statutory Commission. Sir, I accept your suggestion, more especially because the House is very thin at present and therefore I will not press for a division; but I do submit that we should not allow this sum to go unchallenged. Therefore I do lodge my protest against it.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, I should also like to add my word of protest to this supplementary Demand being granted by this House. This House has recorded its protest on more than one occasion, and recorded it in a most effective manner against the Statutory Commission, and any grant being made to it. Now, this thing has come up in a very guileless way, as has been pointed out by the previous speaker. The significance of this Demand has been attempted to be covered under the heading, "other commissions and committees". I should like my Honourable friend, the Finance Member, to tell this House as to why the words, "Indian Statutory Commission" have not been used. You have rightly pointed out, Sir, that this issue is a dead issue; it is like flogging a dead horse; but this House must record its protest and must not pay anything even for the burial of that dead horse. On more than one occasion

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): The horse is very much alive and kicking.

Mr. Gaya Prasad Singh: In your personality that particular animal may be quite alive and kicking (Laughter); but so far as this House is concerned, our protest is already on record, and I therefore strongly object to any sum being granted for the purpose of this Statutory Commission, which has been boycotted by every honourable man inside the House and every honourable man outside the House.

The Honourable Sir George Schuster: Sir, I think there is some misapprehension in the minds of my Honourable friends who have just spoken; we are not dealing with the Budget now, or a complete account of the expenditure of the Government. We are only dealing with certain supplementary Demands. These details that are given in the pamphlet only purport to give information necessary to explain what supplementary

DEMANDS FOR SUPPLEMENTARY GRANTS.

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Demands are required. The point had not been brought to my notice beforehand, but I am quite certain that I am correct in stating that no supplementary Demand is required in connection with the Statutory Commission this year, and that is why it is not included in this list. I am quite at a loss to understand the reason of the protest which we have received.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 3,93,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Miscellaneous'."

The motion was adopted.

NORTH WEST FRONTIER PROVINCE.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 87,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'North West Frontier Province'."

The motion was adopted.

BALUCHISTAN.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 28,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Baluchistan'."

The motion was adopted.

DELHI.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Delhi'."

The motion was adopted.

HYDERABAD.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 3,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Hyderabad'."

The motion was adopted.

B.—Expenditure charged to Capital.

IRRIGATION WORKS—NOT CHARGED TO REVENUE.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 1,04,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Irrigation Works—Not charged to Revenue'."

The motion was adopted.

CAPITAL OUTLAY ON CURRENCY NOTE PRESS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 22,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Capital Outlay on Currency Note Press'."

The motion was adopted.

COMMUTED VALUE OF PENSIONS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 4,34,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Commuted Value of Pensions'."

The motion was adopted.

DELHI CAPITAL OUTLAY.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 11,95,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Delhi Capital Outlay'."

The motion was adopted.

C.—Disbursements of Loans and Advances.

LOANS AND ADVANCES BEARING INTEREST.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 81,78,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Loans and Advances Bearing Interest'."

The motion was adopted.

ELECTIONS TO THE GOVERNING BODY OF THE INDIAN RESEARCH FUND ASSOCIATION, THE STANDING FINANCE COMMITTEE FOR RAILWAYS AND THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

Mr. President: I may inform the Members that for the purpose of election of Members to the Governing Body of the Indian Research Fund Association, the Standing Finance Committee for Railways and the Central Advisory Council for Railways, the Assembly office will be open to receive nominations up to 12 Noon on Saturday, the 22nd February, 1930. The elections, if necessary, for the Governing Body of the Indian Research Fund Association and the Standing Finance Committee for Railways will take place in this Chamber on Thursday the 27th February, while the election for the Central Advisory Council for Railways will be held on Thursday the 6th March, 1930. The elections will be held in accordance with the principle of proportional representation by means of the single transferable vote.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 19th February, 1930.

LEGISLATIVE ASSEMBLY.

Wednesday, 19th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

ELECTION OF MEMBERS TO THE SELECT COMMITTEE ON THE AMENDMENT OF STANDING ORDERS.

Mr. President: I have to inform the Assembly that up to 12 noon on Tuesday, the 18th February, 1930, the time extended for receiving nominations for the Select Committee on the amendment of Standing Orders, the number of candidates nominated for election is equal to the number required. I therefore announce that the following seven members are declared to be duly elected:

1. The Honourable Sir James Crerar.
2. The Honourable Sir Brojendra Mitter.
3. Mr. A. H. Ghuznavi.
4. Sir Hari Singh Gour.
5. Sir Darcy Lindsay.
6. Mr. K. C. Neogy.
7. Mr. M. S. Aney.

THE RAILWAY BUDGET—GENERAL DISCUSSION.

Mr. President: We shall now take up the general discussion of the Railway Budget. I hope that no Honourable Member will exceed 20 minutes in his speech.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): I am lucky in catching your eye at the very beginning. Sir, Sir Hugh Cocke, speaking on the 22nd February, 1928, while discussing the Railway Budget, said that sufficient time was not allowed to the Honourable Members to study the huge Budget which the Honourable the Railway Member presents to the Members of this House and he said that it was very difficult for the Honourable Members to digest all those various volumes in about 24 hours' time. With your permission I will just read what Sir Hugh Cocke said:

"There has not been a great deal of time for us to examine the very voluminous figures and statements made in connection with the Railway Budget this year. We had it on Monday morning and here we are on Wednesday morning expected to have learnt it by heart or at any rate to have studied it so thoroughly as to enable us to criticise it."

[Mr. A. H. Ghuznavi.]

Exactly the same thing has happened this year. We had it on Monday morning and we are here to discuss it on Wednesday morning. He said, however:

"While the Indian Navy was being torpedoed yesterday, I was busily engaged in looking through the figures in connection with the railways."

Similarly we were hurried yesterday passing the supplementary demands which the Honourable the Finance Member presented to us. The difficulty was that, after receiving the Railway Budget, it was hardly possible for any Member of this House to consider all the supplementary demands that were placed before the House, and we had to accept them as a whole without discussing them any further. Therefore, I agree with Sir Hugh Cocke that the time allowed by the Honourable the Railway Member for us to digest the Budget is very short. In this connection, I am reminded of a larger issue, and that is the separation of the Railway finance from the Central finance, which has resulted in the presentation of a separate Railway Budget. This was adopted by a Resolution in the Assembly on the 20th September, 1924. We have now got a separate Budget in pursuance of that Resolution and, therefore, I say that it is very difficult to go through the Railway Budget and also the General Budget that is coming on. It takes us some time to study those figures and when we know that we have again to study the General Budget that is coming before us it makes us very much upset. I would, therefore, suggest that it would be very convenient if the Honourable the Railway Member could present his Budget in the Autumn Session of the Assembly, when the Members have more time for studying it at Simla. The climate of Simla is very good and we will spare the Honourable the Railway Member very many of the criticisms that he will receive in this Session. We know that it is not possible for the Railway Member to do this without the sanction of the Secretary of State. If that is so, I would suggest, Sir, that this aspect of the question may be fully considered before the new constitution is introduced. This separation of Railway finance from General finance is, to my mind, merely on paper. It is not an effective separation at all. Formerly the Government of India had one pocket, or I should say one purse, where they could put in all the money. By this separation they have got two pockets. In one pocket they put in the railway money and in the other the general revenues. Otherwise I do not see how the separation has done any good to the railways as a whole. For all effective purposes it is no separation at all, for the railways cannot raise any loan independently, nor can they work independently. They are interdependent with the Government in their good and bad years, although for no fault of their own. The railways are commercial concerns and must stand on their own legs. If there was real separation, they could go a very long way without any hindrance to their progress. For example, we had recently a very good case to cite, and if the Honourable the Railway Member had not then given way with folded hands to the Honourable the Finance Member, at any rate for this year, the construction of the Dacca-Aricha Railway would have commenced. It is a railway which, according to the Railway Board, has been wanted by the public for over 40 years, a railway which the Railway Board admits would be a paving concern, a railway which will add enormously to the income of the Eastern

Bengal Railway and, in the words of the Honourable the Commerce Member himself, it is a railway the construction of which he "should like to have commenced" himself but, as he said, he is "unable to do so."

Now, Sir, if the separation was real, the Member in Charge of the Railways could at once float a loan on his own securities and go on with the schemes which he should have liked to commence, such as we see in the floatation of loans by the Corporations, the Municipalities, the Port Trusts and similar bodies. Therefore, I say that if the House is of opinion that this separation of Railway finance from the Central finance should continue, then I venture to say it must be real and effective and not merely on paper. The Honourable Member in Charge of Railways should in that case see that, in the new constitution, the separation of Railway finance is effective, and that the railways in India are an independent body, and that the Railway Board is a body of Directors directly responsible to the House, the representatives of the shareholders.

Sir, I have not said the last word about the Dacca-Aricha Railway. I have yet a lot to say and I shall do so when I move my cut. All I wish to say now is that we, the Members from Bengal, will not give peace to the Honourable the Railway Member until he gives us an assurance on the floor of the House that the Dacca-Aricha Railway is a settled fact, and that land acquisition for that line shall commence at once.

Sir, then I come to the next point, which is very important, namely, the question of the State Railways running steamer services between important points. I shall venture to show how Incheape influence has paralysed the State Railways by preventing them from running steamer services between important points in the railway system. On this point also I shall exhaustively dwell at a later stage

Mr. President: The Honourable Member has only five minutes more; there is no later stage.

Mr. A. H. Ghuznavi: Not today, Sir, but when I shall move my cut. I will try to finish my speech now in five minutes. But, Sir, before I pass on, I must admit that my difficulty in this matter is very great and that difficulty is like that of my Honourable friend the Commerce Member, who is anxious to pay court at the same time to two twin sisters.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Court two twin sisters?

Mr. A. H. Ghuznavi: The two sisters are the "State Railways" and "private enterprise". But Sir George may be reminded that marriage with two sisters is not permissible under any law.

Mr. B. Das (Orissa Division: Non-Muhammadan): But the Honourable Member is not yet married!

An Honourable Member: It is not marriage; it is courtship!

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Why not have another Sarda Act?

Mr. A. H. Ghuznavi: And he cannot bestow equal attention on both the sweethearts. Sir, it is there that my difficulty lies. The Honourable Sir George Rainy himself said the other day that he was bound to fight, as a

[Mr. A. H. Ghuznavi.]

Railway Member, like a lion on behalf of the railways, and yet there is the rub. The Inchcape steamer companies—the private enterprise—the stronger of the Siamese twins, give him trouble, and if the interests of the steamer companies clash with those of the railways, Sir George Rainy collapses.

There is another matter of public importance, and that is railway accidents entailing loss of human lives. Sir, the Railway Act provides for no inquiry worth the name and I shall take up this matter when my cut is reached and shall then demonstrate exhaustively how railway accidents, entailing loss of human life, require more sifting and satisfactory inquiries.

Then, Sir, there is the question of the larger employment of Muslims on the Railways. I shall demonstrate from facts and figures that nothing has been done up to this time to add to the employment of Mussalmans on the State Railways. I hope I shall be able to demonstrate fully how niggardly the Mussalmans have been treated in the matter of their larger employment on the State Railways.

Sir, there is one more matter and I have done, and that is the stores purchase policy, and particularly the appalling condition of the Stores Department in the East Indian Railway. Sir, at a later stage of the Budget, I shall be able to show to this House that crores of rupees have been lost by the negligence of the East Indian Railway, and that crores of rupees have been locked up giving no return whatsoever for the money that has been locked there.

Sir Purshotamdas Thakurdas: Sir, the Budget presented by the Honourable the Railway Member to this House bears unmistakable proofs of the atmosphere that prevails around us,—I mean unmistakable proof of the condition through which the country is passing. Depression is a word which is not very much appreciated and people want to hear something more cheering, but I doubt if the Honourable Member could present a picture regarding the condition of the country more true than what the hard facts and figures given in the Budget indicate. The financial results of 1928-29 indicate a shortage on the receipts side which was serious, and the final figure of surplus is less than the revised estimate to the extent of very nearly one crore of rupees. The revised estimates of 1929-30 are rupees 4 crores less than the Budget figures, with the result that the contribution to the general revenues which amount to Rs. 6,12,00,000 for that year can be met only by drawing on the reserves to the extent of Rs. 86 lakhs. Since the separation of the Budget, this is the first year, as far as I remember it, when there has been what would be called a deficit in the year's result. The cause of this, if analysed properly and in detail, would be very instructive, but from what the Honourable the Railway Member says in paragraph 5 of his speech, it appears that it is not so much that traffic has fallen off heavily, as that it has failed to expand to the extent it was hoped. This cessation of expansion of traffic is a serious aspect and should be taken into consideration both by the Railway Board and also by this House. We are told that the reduced rates for long distance coal announced last year have acted as a stimulus to the coal trade. I venture to inquire why, in view of this encouraging result of the experiment with the coal trade, the Government of India have not thought of trying reduction of railway rates

for some other commodities. It is admitted that our railway goods tariff is not based on anything like a scientific basis and it is necessary to make an experiment in one or two directions with some agricultural products in order to stimulate traffic. Perhaps the Honourable the Railway Member will tell us why he has not made this his third Budget in succession, a budget of agricultural railway programme, as the previous two Budgets were styled by himself and by the Chief Commissioner of Railways. Why, I inquire, are the agriculturists' interests conveniently put in the background at the slightest sign of depression in trade and commerce, which is reflected in smaller receipts for the railways as a whole? I very strongly feel that the Honourable the Railway Member owes an explanation to this House as to why he does not propose to try, in connection with agricultural produce of this country, the same experiment, which he admits he has been able to try so successfully in connection with coal.

Sir, the Budget for 1930-31 can, to my mind, be regarded as just balanced, and it is likely that, unless conditions improve very markedly from what they are today, there may have to be another call on the Reserve Fund of the railways of India. (Hear, hear.) In the Budget they count on an increasing traffic which will bring in about 2 crores more receipts. I venture to ask whether this is what one would call a conservative figure to rely upon. For in an earlier paragraph in his speech, I think it is paragraph 4, the Honourable Member tells us that, as far as cotton traffic this season is concerned, it has been an early crop, and he would not be surprised if there was a falling off in receipts from movement of cotton in the latter part of this year. I would very much wish the Honourable Member the most complete success in all his various hopes regarding increase in traffic, but I feel, Sir, that if one is to judge from the conditions as they prevail at present, and as they seem to an ordinary man in the street likely to prevail for the next few months, or the major part of the next financial year, I am afraid that the modest sum of rupees 34 lakhs, which it is anticipated may be added to the Reserve Fund, may disappear. I should consider the Honourable Member lucky if he does not have to make another inroad on the Railway Reserve Fund.

Regarding capital expenditure, I note that the decrease in this from the previous years is as much as feasible. I do not wish to criticise any special item in the capital programme for the next year. But I cannot help feeling that, when one looks at some of the extravagantly built railway stations—I do not wish to name any particularly, because there are such stations in most provinces which one sees when one goes across touring round India—we are perhaps paying the penalty for the comparatively grand scale on which some of these stations were laid out. (Hear, hear.) I notice a very pertinent question put, I think by the Honourable the Finance Member at a Public Accounts Committee meeting in connection with rent charged by the Railway Department to the Postal Department for a room in the Lucknow Station. The Lucknow Station is a very fine looking building and I would perhaps congratulate the persons who built it if the Indian taxpayer had not to pay the money, and I were not included among the taxpayer. I find that the Postal Department is paying Rs. 500 for accommodation in the new station, when previously, with a modest railway station, they were paying Rs. 55 a month as rent. The increase strikes one as such that only a Department of the Government of India can bear and no one else. If the Postal Department were run by private enterprise—not

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question of the railway line which has called for the greatest notice from this House from time to time, I mean the Bengal and North Western Railway. That Railway is one over which the Railway Board appear to have the least control, and that is one which gives the least facilities to third class passengers, leaving aside the question of Indianisation. On no account should that Railway be left with its present management because it has now been conclusively proved that, on that line, Indians have least justice.

The main concession, Sir, in the Budget, is the improvement of the service conditions of the lowest paid of the railway servants. It is some consolation that, whilst the public get no reductions in rates and fares, at least some servants of the railways in India are likely to be treated as they ought to be treated. I feel that although, as representing the commercial community, I would very much have liked to see reductions in rates and fares, I welcome this new departure which the Honourable Member has indicated in his speech. He said that, if one wishes to criticise the Government of India regarding their having been tardy in connection with this somewhat wholesome recognition, which they now propose to make, one is welcome to do so. But he warned us that, if anybody wished to criticise Mr. Hayman about the work that he has done in the past one year, he would say that that critic was ill-informed. I do not wish to criticise either the Government of India in this connection or the Honourable Member of the Railway Board in this House, Mr. Hayman. I fully believe the Honourable the Railway Member when he said that Mr. Hayman has done a very full year's work since his appointment. But my complaint is the Honourable the Railway Member in his speech says in paragraph 24:

"Now that the first scheme has been passed and the general principles laid down, progress should be much more rapid upon other Railways."

I think, Sir, we are entitled to ask who has passed "the first scheme" and what are "the general principles" laid down. He has not indicated that in his speech, nor do the various small leaflets and publications given to us throw any light on this.

Sir Hugh Cocke (Bombay European): They are not small but large.

Sir Purshotamdas Thakurdas: We are going to have a larger instalment later on and that is why I call these small. The various leaflets, not one of them gives us an idea of what the general principle laid down is, nor what the first scheme which has been passed is like. I note that the Honourable Member has stated that he will try and put this before the Central Advisory Council for Railways. At the moment, until the next elections take place, it is my privilege to sit on that Committee from this House, and whilst I realise the difficulties of the Honourable Member in getting together Members of the two Houses, I venture to ask him whether he is not expecting a little too much from this House if he is expecting us to endorse this policy of his and this principle which, for practical purposes, very few on this side of the House at least are aware of. What is that scheme and what is that general principle which he refers to and which he thinks he has firmly laid down and which would accelerate progress? I find, Sir, that until we know the details of this, it is very difficult for us to say whether we can approve of what he has in his mind or not.

Mr. President: The Honourable Member has exceeded his time limit.

Sir Purshotamdas Thakurdas: I will not be very long. I will take only two or three minutes more. In this connection I want only to put before the House what the Honourable the Chief Commissioner of Railways has said in the Council of State in presenting the Budget. He said:

"What we want is a contented staff, and a staff which, because it is contented, is efficient. At the same time, it is our duty to see, and we propose to see, that no concession is given to demands which are unreasonable. It must be realised that it is the railway user who foots the bill and we have his interests also to consider. We feel sure that no one would wish that the railway servant should not receive a fair wage"—(and every section of the House will re-echo this)—"but it must be a fair wage for a fair day's work."

If this idea underlies the principle which has been accepted, perhaps we will not quarrel with him. But I do want to make it plain that as far as this House is concerned, we do not know of it, nor does the Central Advisory Committee know about this, and until we are fully cognisant of the details of the scheme which he has in mind, I fear that we must say. "We will wait and see what your scheme is".

One word more and I have finished. The Committee of my Chamber wish that attention should be drawn to the comparative extravagance in connection with the concessions which are being given to Anglo-Indians as being *pucca* Europeans under the Lee Commission Report. I have, Sir, a statement supplied by the Railway Board to the Committee of my Chamber from which it appears that 40 Anglo-Indians have been given the benefit of the Lee Concession, and the amount involved must be—we have not got the actual amount—running into fairly large sums. They are distributed well over all the Railways in India and one wonders whether many more of such claims are not coming on. Whilst we do not mind justice being done to people where there is not a fair living wage or where the leave rules, etc., are inadequate, I feel that the Railway Member should give a warning to the Railway Board not to fritter away whatever little amount they may have, in any form of luxuries as have been unjustifiably given by the Lee Commission so far as the Anglo-Indian staff are concerned. (Hear, hear.) We protested against the Lee concessions when they were passed and carried against the vote of this part of the House, and I think that when the Railway finances do not look very rosy, we are justified in warning the Government of India that their policy in this connection, even though justified by the recommendations of a Commission like the Lee Commission, is thoroughly unjustified and is nothing short of extravagance.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, it is somewhat difficult to do justice to what one thinks about the different aspects of the Budget in the space of 15 or 20 minutes. But I would like just to contribute one or two points only to this discussion. The Budget presented by the Honourable Member for Railways is a disappointing document. The disappointment may be as great to himself as it is to us, and the disappointment may also be due in part to causes over which he had no control. But in any case the Budget does not call for congratulations, though it may evoke our sympathy. It reflects the condition of general trade depression which prevails in the country. Flood and famine of course mostly account for this and it is unfortunate that the reduction in fares and freights should result in material reduction in the railway revenue. The loss of 2½ crores in the working of the commercial

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lines is aggravated, as usual, by nearly another 2 crores of loss on the working of the strategic railways. The question naturally arises whether the loss on the strategic lines should any longer be debited to the Railway finance, when Government have decided to run the railways as a commercial concern. (Hear, hear.) One may ask, in all fairness, why the loss on the strategic lines should not be debited to the Military Department, though we know that in the ultimate or marginal accounting of the Indian taxpayer, it is the same whether this loss is debited to the Railway or the Military Department. The point, however, about the scientific adjustment of this loss is that the Military Department would have to bear open responsibility for this increased expenditure in their accounts year by year, and pressure of opinion may be brought upon the Military Department to make a corresponding reduction in their expenditure, now that an attempt is being made to fix that expenditure within definite limits.

Apart from this, the Railway Budget is merely a routine budget. It has practically no features to show. There is no further reduction of fares and freights, nor any special concessions to indigenous trades and industries, nor any material advancement in the convenience offered to the principal client or rather the patron of the railways, the third class passenger. Even in matters of negative reform, such as retrenchment in working expenses and the like, the Budget has got no welcome features to show. We are only meeting with apologies when the Railway Board see that they can be taxed with being at fault. The only good feature of the Budget that I have been able to locate in it is that no ambitious projects of railway construction are being taken in hand during the next year. The time has certainly come to cry a halt in this respect, and the misfortune of lower returns of revenue has been attended at least with this blessing. For the last many years the Railway Department was seized with a kind of fury for railway extension. Dovetailed programmes led to commitments, out of which it was apparently difficult or even unwise to withdraw. I do not say that the public demand for extension of railways has stopped. It is a thing which will perhaps never stop of itself. The man in the interior, who is miles and miles away from a railway line, may even legitimately complain that the blessings of railway construction are unevenly distributed under a single administration. Where is there a village who would not like to see the railway pass by his village, or perhaps even by his own house? It has come to be regarded as a vital artery of economic life, and it must continue to be so till the *reductio ad absurdum* is reached. But Government ought to know better in this respect, and for once sanity seems to have dawned on them, when they can openly advert to the difficulty of obtaining funds for capital expenditure on railways and the folly of incurring debts for breathless railway extension. If they were otherwise minded, they could easily get officers put on special duty who could make elaborate surveys and always present projects promising an alluring return. But on how many projects has this promise been really fulfilled? Only apologies, with one kind of reason or another have always been offered in explaining away the inevitable disappointment of expectations. The time has, therefore, come as I said before, for crying a halt and taking a survey of the whole situation, and also for making an honest effort at finding out whether, and in how many cases of projects, the principle of profitable commercialism has been really successful.

The inclusion of Railway finance with General finance had no doubt its own faults, but one wonders whether the separation of the two has not already led to financial extravagance, and established an imperial railway autocracy in the form of the Railway Board, who think that their doings should be above cavil or criticism if somehow they make up the fixed contribution to the general revenues. General finance is, after all, more susceptible to the aggregate pressure of the financial burden of the country than the isolated Railway Department can ever be, and this thought naturally leads to the question about the Committee that was appointed last year to reconsider the question of the separation of Railway from General finances. It is certainly suspicious that no meeting of this Committee has been convened during the last twelve months. One would like to know who was really at fault, namely, the Railway Financial Commissioner in not calling a meeting of the Committee, or the members of the Committee themselves neglecting their business.

Well, Sir, I think an inquiry is due into the expenditure incurred during the last few years by the Railway Department on some of its activities, and it is precisely here that the Members of the Legislature, laymen as obviously they are, would like to have greater enlightenment vouchsafed to them in the Explanatory Memorandum of the Railway Budget, or at least in the Annual Report of the Railway Administration. The Railway Board may look upon this act as they like, either as a duty discharged to their masters, the Legislature, or they may even affect to treat it as a sop to the critical curiosity of the Legislature. But more information must in any case be forthcoming by way of giving clues to facts and figures, to enable us to see how far expenditure in certain matters has really justified itself. To make my point clear, I would give only one or two instances. Two years back I asked for a kind of balance sheet showing, on the one hand, the interest charges on the capital amount spent on the Parsik Tunnels near Thana, and on the other hand, savings effected by building that tunnel rather than using the already existing double line for a short distance between the Kalyan Creek and the hill near Parsik station. I thought a balance sheet like that was possible in the case of a project involving, for aught I know, a crore of rupees. I was told in reply that such a balance sheet could not be made, that is to say, specific *per contra* savings could not be shown in respect of time economy, haulage, fuel, wages, overhead charges, etc., etc., to the tune of about six lakhs of rupees, which obviously represent the recurring charges on account of that tunnel.

The same complaint applies to the enormous sums spent in the name of widening certain station yards, and especially raising stupendous blocks of buildings in the name of remodelling of certain stations at least on the Great Indian Peninsula Railway. I can understand special convenience and amenities in the case of the superior grade passengers, but I plead guilty to the charge of not understanding the extravagance which is exhibited in building luxurious halls and saloons and equipping these with costly fittings, furniture and ornamentation. The very quantity of built up space in these new structures is to my mind out of all proportion to the number of persons actually using them. To take the instance only of the Poona Station, which I have occasionally to use, I will make bold to say the balance of even convenience to passengers is certainly an adverse balance. It may be uncharitable to say so, but there is certainly an element of vain gloriousness lurking behind all this extravagance.

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Another instance in my opinion is the electrification of the Great Indian Peninsula Railway up to Igatpuri on the one hand and Poona on the other. Even to a layman like myself, it appears that electrification of railways is justifiable only where there is competition between different railways running side by side, and that too in suburban, not or inter-urban areas over a limited distance. These two conditions certainly obtain up to seven or eight miles from Bombay northwards, for there is certainly a congestion of traffic and the need for a more speedy and frequent service.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): What about the Poona Races?

Mr. N. C. Kelkar: There is competition between the Bombay, Baroda and Central India Railway and the Great Indian Peninsula Railway over this length, and the suburban passengers will surely be benefited by this reform. But beyond that distance no new traffic can be created,—I repeat that, beyond the distance no new traffic can be created—and a gain in point of revenue can only arise from the growth in the volume or the velocity of traffic. But what about the whole length of electrification from Bombay to Poona? For, howsoever ahead one may look, one cannot see how the traffic between Bombay and Poona is going to be proportionately increased, or how the natural development of traffic could not have been dealt with by a steam railway service as before. Passengers between Poona and Bombay will certainly like to reach their destination an hour before the old scheduled time. But surely the railway fares are not going to be increased in proportion to this accelerated service, nor can I see any chance of many more trains being run between these two terminals. And then again there is the question as to in what particularly economically beneficial manner the passengers are going to use the greater leisure they would get by an hour or so? If I remember

12 Noon. aright, the railway management on the occasion of the opening ceremony of the electric railway between Bombay and Poona claimed, with a kind of pride as it were, that this long distance electrification was an unprecedented achievement in the history of railways and that there was done for the first time something for which there was no parallel in the world. But am I not entitled to say that India is perhaps the only place in the world where things like these can be achieved with other people's money? (Laughter.) This at least can be said in favour of Company-managed railways, that they do not allow their management to perform such costly exploits; but here we are having the disadvantages of State proprietorship and State management of railways without all their corresponding advantages. Even in America, electrification is carried out only for short distances and only for services and terminals and for long tunnels and in negotiating steep mountain gradients, and in regions of dense passenger traffic adjacent to large centres of population. But India is a country in which reckless expenditure may be incurred with impunity, and the irony is all the more glaring when we find a State Railway like the Great Indian Peninsula straining at the gnat of expenditure for bettering the conditions of labour employed on it, while it is in other respects swallowing camels. Here I want to raise definitely the question about the absolute darkness in which we have been kept as to the manner in which the amounts allotted last year for this particular purpose have been actually spent. Here is an instance in which we can legitimately complain that adequate detailed information

has not been supplied to us. We have been told in a general manner that so many lakhs have been spent last year and so many will be spent next year in bettering these conditions; but one would like to know in exact detail what has been spent upon increasing the salaries and the wages of the poor subordinates and the railway workmen (*An Honourable Member*: "Mr. Hayman is still working at it!") and what has been or will be spent upon increasing the staff mainly for the purpose of shortening the hours of daily employment, and giving occasional periods of rest, and how much has been or will be spent in actually building quarters for these particular men. Instead of that, the question of the betterment of the conditions of these people is obtruding itself on us wherever possible, and out of all proportion to the legitimate magnitude of its benefit. Detailed information would be similarly welcome in respect of many other topics about which more than any other the Railway Board will know that we really care. But, for want of time, I would only conclude by suggesting that, instead of putting in the hands of the Legislature speculations which fail, explanations which do not convince, boasts which cannot be justified, and apologies that cannot be accepted, the Railway Board would in future kindly put in the form of inset notes or appendices information and more information on some of the topics in which the Assembly takes a vital and lively interest from the point of view of the taxpayer, the trader, the agriculturist, the merchant, the passenger and the son of the soil, who legitimately aspires to have a hand in the working of the railways in all the grades of service from the bottom to the top.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): Sir, the other day, when the Commerce Member attended a meeting of the Federation of Indian Chambers, he informed us that he was in the throes of the Budget. I thought he had some very remarkable statement and figures in the Budget and I was expecting that we would get some concessions and some reduction in the freights and in other directions. But like the proverbial mountain, he laboured and produced only a mouse. We are told in the Budget Statement that he is in another throe of labour, and that is, that he is trying his best to evolve some scheme for the betterment of the prospects of the lower subordinates in the railway service. I hope his labours in that direction will not be as disappointing as they have been in the presentation of this Budget.

Maulvi Muhammad Yakub: Instead of a mouse he will bring forth a camel!

Mr. Vidya Sagar Pandya: I shall now turn to an important matter which my friend, the Honourable Mr. Ghuznavi, has drawn attention to, and that is that, with reference to the presentation of the Railway Budget, it is generally complained that Members on this side of the House make it a particular habit or hobby to criticise the Government and never come out with any helpful suggestions. Sir, I do not wish to bring any matter before the Assembly if I feel I can get it set right by private conversation with the Members concerned. So, two years ago I went and saw the Secretary in the Finance Department and laid before him certain suggestions regarding the presentation of the General Budget. That gentleman, a very polished and very courteous officer of the Government of India, and a member of the Indian Civil Service, was very kind: he shook hands with me when I went there, and he again shook hands with me when I went out, but sent me out with nothing. I told him that at

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present we were unnecessarily wasting the time of the House in the matter of the presentation of the Budget. Take the Railway and the General Budgets. We are made to come here and waste a whole day simply to listen to the oration of about forty minutes—to the nightingale songs of the Commerce and Finance Members; and every year, or almost every year, either we feel it is our duty to be disappointed, or else the figures are so disappointing that we find that our time is completely wasted. What happens is that, on one side, the Commerce Member reads his long statement of 11 pages containing 28 paragraphs; on the other side, in the other Chamber his Secretary is reading the same thing in 7 pages condensed into 9 paragraphs. What I feel is—I pity even these Members who make these orations. The same thing is given in certain language here and they have to put a great literary strain on their heads to find words to see how they can give the same substance in other words in the other place. I do not see how any useful object is served by making two statements at the same time in two different places.

An Honourable Member: Hold a joint sitting.

Mr. Vidya Sagar Pandya: The rules permit of it, and I suggested to the Secretary that we might have joint sittings, and that there was nothing in the rules against it. Both the Houses might be brought together and a comprehensive statement could be made. Now, in their desire to say something here, and something else there, both the statements are not quite complete. It would be better that we should have one comprehensive statement, giving all the facts and figures plainly, instead of leaving something in this House and something there. Of course in fact the idea is to give as little information as possible to both Houses.

Besides this, I said to that gentleman that, if I was not mistaken, about 20 years ago one Finance Member had started the system of not making a budget oration—he used to have a narrative. I say, Sir, it would be better if these papers were sent to us fifteen days in advance so that we might have ample time to consider them. No doubt the Official Benches have got a large number of Secretaries and armies of clerks behind them, who prepare all these figures, while in our case we have not got all these facilities. We have to sit all the time looking into an enormous mass of papers which come to us in such rapid succession that there is very little interval of time for Honourable Members to go through them and understand and study them. I doubt very much, if we were to throw all these facts and figures on the heads of Official Members, whether they would be in a position to follow them. What I mean is, they should realise our difficulties and give us certain facilities if they really want some healthy criticism from us, non-officials, in the matter.

Now, I do not know whether the suggestion of issuing the Budget Statement to the Members say 15 days in advance will commend itself to the Honourable Member in charge, but what I feel is that, if the one day which is allotted for reading the Railway Budget and another day for reading the General Budget are saved, we can have two more days for the general discussion both of the Railway Budget as well as the General Budget. I understand that the average cost of running this legislative farce comes to about Rs. 3,000 or Rs. 5,000 per day

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadian Rural): Sir, I beg to protest against the use of the word "farce".

Mr. Vidya Sagar Pandya: So if my suggestion is accepted, it will give us more time to read and digest the papers, and the Honourable Members in charge also will be able to get something substantial from this side by way of criticism and comment.

Now, Sir, I should like to come to another point, and that is about the Railway Standing Finance Committee. I should like to have in future, along with the Budget Statement, a statement showing how many of our non-official Members, who are very keen in canvassing to get into the Railway Standing Committees, actually attended the meetings of the Committees, and what amount of work they have done. We all feel, Sir, that we come here for the love of labour, but I am afraid in some cases it has become a love of honour. I have come across some instances in which one Member is a member of three or four Committees like the Railway Standing Finance Committee, the Public Accounts Committee and so many other Committees, and as most of these Committees meet almost at the same time, he sometimes misses most of them and he is not able to do justice to any one of them. I therefore think that we should establish a sort of convention whereby a Member should not if possible be a member of more than one Standing Committee at a time

Mr. B. Das: But that would not apply to Government nominees.

Mr. Vidya Sagar Pandya: It should apply to all. They also stand for the various Committees, and with the solid vote of the Government, they have got a better chance of getting in than we have got on account of our divisions and parties

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): They are nominated.

Mr. Vidya Sagar Pandya: They are nominated, no doubt; but by the joint voting system and with the solid help of Government they succeed in getting into more than one Committee

Mr. K. C. Neogy: You are perfectly right.

Mr. Vidya Sagar Pandya: Now, Sir, we have been furnished with statements about the items which have been passed, but I should like to have a statement of the items which have been rejected. What I mean is this. I want to have a statement of the items which were brought forward by the Government and were not accepted by the Committees, so that we may know if our Standing Committees are merely saying ditto to whatever proposals Government brings forward, or if they are exercising some check on the working, so that we may be in a better position to select our Committees in future.

Then, Sir, I have to make another complaint about the Reports of the Standing Finance Committees. From the copies of the Reports given to us, I find at the back of those Reports the dates on which the Reports of those Committees were printed or published. Some of the Reports were published in December, but they were actually handed to us only this month

Maulvi Muhammad Yakub: Do you mean the Reports of the Railway Accounts Committee?

Mr. Vidya Sagar Pandya: Yes.

Maulvi Muhammad Yakub: There is no Railway Finance Committee.

Mr. Vidya Sagar Pandya: I can show you from the back of some of these Reports the dates on which the Reports were printed. Some of the meetings were held about two months ago, and the Reports of these Standing Committees were given to us in this month, only a few days ago, along with the papers which were given to us for the supplementary Demands for Grants for expenditure. Now, if the Reports of these Committees were supplied to us as and when they were published, immediately after the Committees were over, we would have a better chance to study the papers and we would also be able to devote more time and attention to such matters and be of some help to the Treasury Benches.

An Honourable Member: You get the Reports in time?

Mr. Vidya Sagar Pandya: No, I got some of these Reports quite recently with the Railway Budget papers which were handed to me only a few days ago, and I find, as I stated before, at the back of those Reports that some of them were printed in December and some in January, but they were all handed to us only last week. Of course, some were printed only last week, and we could not expect those Reports to be handed to us so soon, but my complaint is that the Reports of meetings which were held in December and January were handed to us only last week. (*An Honourable Member:* "You are right there").

Then, Sir, my Honourable friend, Mr. Ghuznavi, made a suggestion regarding the presentation of the Budget in the Autumn Session. It is a matter which has been discussed more than once. The statement which was presented to us the other day, and also the speech of the Secretary in the other House say that much depends—about these figures—on a good monsoon. Well, if the time for the presentation of the Budget is altered, and if it is presented after the monsoon is over, I think Honourable Members in charge will be in a better position to give more definite figures than they are able to give us at the present time. I hope the Government will consider this matter seriously and give some serious thought to altering the date of presenting the Budgets, so that they may be able to give more reliable figures instead of giving some figures now and then revising them because, after all, even the revised figures and the other figures are not completely reliable. Everything is explained away by saying that the whole thing is a mere gamble in monsoons. So when we know that the system is bad, I do not see why we should not make an effort to alter the dates of the presentation of the Budgets. In case the Government are not able to do that, it will be better if they prepare the figures only up to 31st December and furnish them in time. So if the Government of India will consider the matter more seriously about altering the dates of the presentation of the Budgets, it will facilitate our work and probably there will be much less criticism on that score.

Now, Sir, so far this is what I have to say to the officials. Now I will turn for a moment to my non-official friends, and that is

Mr. President: Take some other occasion for it.

Maulvi Muhammad Yakub: Accept that suggestion.

Mr. Vidya Sagar Pandya: We all know that the officials have got plenty of time; they have all the information at their disposal; they have also armies of Secretaries and battalions of clerks behind them, and they have

got every facility in these matters, but we, non-officials, labour under certain difficulties, and we have to fight a very well organised enemy which is opposed to us (*An Honourable Member:* "Enemy?"), and as such, should we not organise ourselves and carry out our opposition in a more organised form and in a more systematic and effective manner?

Maulvi Muhammad Yakub: Join some party.

Mr. Vidya Sagar Pandya: I had suggested this to my non-official friends on more than one occasion, and that is why I am taking the time of the House to draw their particular attention to it, that we should organise ourselves and form a bureau of information, set up a secretariat

Mr. President: This can be said privately.

Mr. Vidya Sagar Pandya: No, Sir; it is very difficult, and that is why I wish to draw more public attention to the matter and if you have no objection, I should like to say a few words about it. (*An Honourable Member:* "Please do so.") If we ask the Government, I think they will be in a position to place at our disposal a set of books to form our Library. We must have our own secretariat. (*An Honourable Member:* "We have got a Library.") Yes, but that Library opens only at 9 A.M. and closes at 5 P.M. and we can do our work only before or after these hours. We are busy all day here attending the House. If our Library is situated in some central place, near, say, the Feroz Shah Road or the Western Hostel, we will be in a better position to consult these books, and for that purpose, if necessary, the Members of the Assembly could, by convention, contribute a fixed sum and organise their secretariat, so that they might offer intelligent and well informed criticism. Parties could be sub-divided into various committees, and different subjects could be allotted to different Members who should be held responsible for each item. If anything is done by the Government Benches on the other side, they should be watched vigilantly and carefully, so that nothing may go unnoticed and unchallenged. Now, as things are, every Member wishes to talk on every subject or item contained in the Budget. Every year, instead of going into all the important heads, only a few heads are taken up, and with the conspiracy of the leaders of the various parties, only half a dozen items are discussed, and the Finance Member also joins in this conspiracy, and on the last day crores of money are voted by the Honourable the President reading these items at a speed of probably 200 or 300 words per minute. I do not see why so many crores of public money should be thrown away like that. As non-official Members, we ought to organise ourselves in such a way that we can present an effective opposition to the Government in such matters. I shall now turn to the Railway Budget.

Mr. President: The Honourable Member's time is up. Sir Hugh Cocke.

Sir Hugh Cocke: The diversions of the Honourable Member (Mr. Pandya) are very interesting, but it did not seem to me that he left time to get down to the details of the Budget very much. I hope, however, he may be able to arrange for the Library here to be open for somewhat longer hours rather than start a new one on the Feroz Shah Road or at any other place which is near the Honourable Member's residence.

Sir, I generally inflict a few remarks on the House on this occasion, and there are always numerous subjects which lend themselves to discussion

[Sir Hugh Cocke.]

Last year, we had a considerable debate on the subject of the new Member of the Railway Board and it is very gratifying to me to hear from the Honourable the Commerce Member that the new appointment has proved very satisfactory and that the problems which were ready and urgent for settlement at his hands in connection with the staff of the railways throughout the country have come forward and been dealt with by him satisfactorily. There is no question whatever that, in a vast network of railways such as we have in India, the staff problems are very numerous and very intricate, particularly in view of the fact that some railways made their own rules in days gone by and now we have reached a stage when everything has got to be assimilated and run on uniform lines. It was a great flaw, I think, in the previous system that one of the Members of the Railway Board, who was supposed to be an expert in traffic or transportation, was occupying a very large amount of his time on labour and staff problems. I am glad to see from the Report that the mechanical part of the railway organisation, repairs and so on, is still progressing and that the costs of repairs on locomotives and carriages are still coming down, which is very largely due, I believe, to the reorganisation of the workshops as a result of the Raven Committee's Report. Few committees have been more beneficial in their tangible results than the Raven Committee has proved to be in connection with the savings in railway workshops. Incidentally in paragraph 8 I do not quite understand why the comparison is made between the figures of November, 1929, and those of the previous quarter. The word "quarter" appears in two places. I should imagine that the comparison would have been made with the previous year. That is a small point. If it is a misprint, it is just as well that it should be corrected.

I come now to the question of the capital expenditure on railways and new projects. It is very disconcerting, and I think very unfortunate, that the course of finance in this country has been such that railway developments have had to be cut down. Of course one has always got to remember in this connection that the extent to which road transport has already been developed for short distances has been very considerable, and to some small extent that may alleviate the pain which is caused by a review of the cutting down of expenditure on new projects in the last few years. I have got three maps in front of me here, which were presented with the Explanatory Memoranda for the last three years. Any one who likes to make a study of these maps may be interested to see the course of the yellow lines, representing lines to be surveyed. Three years ago there was a considerable amount of yellow line. Last year there was a certain amount, but rather less. This year practically all the yellow goes out. With one exception in the north west corner of India, there is no yellow line, and therefore, I suppose, no lines are to be surveyed. I hope the Railway Department is looking ahead. The mere fact that money may not be available at the moment does not seem to me a very adequate reason for not looking ahead and getting on with surveying new lines, so that when money is available they can be pushed forward at a very rapid rate. It is in my view very important that we should go ahead in the future, as we have done in the past, and this curtailment of expenditure is unfortunate, particularly when it happens late in the year. I think it happened twice in 1927 and 1928, and again it has happened this year. It has been suggested that railway debentures could be utilised to raise money, and I should be interested to know what return the Railway Department have got on their new lines in the last five years. When I was

on the Standing Finance Committee for Railways, we had frequently estimates put before us of new lines which were to be undertaken, showing a return of 6 to 7 per cent. and we were then borrowing at about 5 per cent. and there was a satisfactory margin of profit. Are we to understand today that there is no margin between the percentage we can earn on our money expended on the construction of new lines and the rate at which we have got to borrow? If there is any margin at all, even though it be a small one, it does seem to me a great mistake that railway expenditure should be cut down. I know, of course, that there is the difficulty of raising money on satisfactory terms. It is not only the railway position which has got to be borne in mind, but if you raise considerable sums at $5\frac{1}{2}$ per cent. or 6 per cent. it affects the level of all your existing securities and that brings down values in the books of banks and so on, and it makes the position very difficult for such institutions as banks, who have got to write-off very heavy depreciation on their securities. But I do hope that this position will be looked into and it will be frequently reviewed whether it is not possible to raise more money for railways which are likely to be progressive and remunerative. One project in which we in Bombay are particularly interested is the Sind-Bombay connection. References have been made to that frequently in the past, but I still find no yellow line on the map to indicate that any further survey is going to be carried out, and I should like to know whether anything is anticipated in that connection. I know, of course, that in the immediate future expenditure is being cut down, but we are not dealing only with the immediate future today. We are dealing with things that may happen two or three years hence in the matter of capital outlay, and it would be beneficial if some little extension could be made in this map to show what is expected to be done in the course of the next two or three years in connection with railway developments, and not merely confine it to the immediate year in advance.

Sir, we have had the question of the transport of fuel oil frequently before this House, and Sir Purshotamdas Thakurdas today has referred also to the transportation of agricultural produce which he urged should be reduced as often and as much as possible. Fuel oil and agricultural produce go very much together because fuel oil is being used more and more by agriculturists for pumps, engines and agricultural machinery, and I hope that that question of fuel oil will be frequently reviewed by the Railway Board. I think it was pointed out a year ago that the cost of a ton of coal from Jherria to Ahmedabad was about one-fifth of the cost of taking an equivalent amount of fuel oil from Bombay to Ahmedabad, a difference which rather staggers one.

Sir, I think that exhausts my few remarks. There is one little suggestion I should like to make and that is on the Memorandum with which we are presented. In this Memorandum one or two more comparisons might be made with previous years instead of Members having to look up the previous books. I think some of these figures should give results for five years instead of merely the actuals of the previous year, the revised Budget for the current year and the Budget for the coming year. I think in the Memorandum given by the Finance Department we are given many more details enabling a review of the figures for about five years instead of just the immediate previous year. We should also be given certain percentages in connection with the net returns on capital and so on, which I have not been able to find in this particular Memorandum.

Mr. Amar Nath Dutt: Sir, considering the large amount that is involved in this Budget, and considering the time we can get to discuss it during the general discussion, I think I had better follow the dictum of that great American Sage, Ralph Waldo Emerson, which lays down that, so long as our civilization continues to be one of rail roads and steam engines, our wine will burn our mouth. I do not know whether actually the wine of the Honourable the Railway Member burns his mouth, but the representatives of the taxpayers in this House, who are expected to go through reports and pink volumes that are supplied to them within the brief space of twenty-four hours in order to offer an intelligent criticism on the Railway Budget, have to go without any wine whatsoever. It would have been much better if the Honourable the Railway Member had thought it worth his while to accept a Resolution of mine, which I had tabled some years back, but which unfortunately was not balloted. That Resolution was for the abolition of the Railway Board and the establishment of a Famine Board. I see that the Honourable the Railway Member is laughing.

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

Sir, what is laughter to him is death to the 30 crores of people of India. I trust the Honourable the Commerce Member realises that India is mainly an agricultural country where we need the agricultural resources to be better developed and looked after than swift conveyance from one part of the country to another. It may be necessary for our foreign rulers to have means of swift locomotion to shift an army from one place to another to keep the people under their rule, but it does not in any way benefit the masses. When the late Amir Abdur Rahman Khan of Afghanistan who was a very shrewd and wise statesman, and who knew the British rulers of India too well, was requested to have railways in Afghanistan, he replied:

"I do not see the advantage of railroads save and except that they carry a man from one place to another swiftly, but they take away from life one of its greatest pleasures, namely, the pleasures of caravan journey."

What was really in his mind, we do not know, but that was really a very good answer to those who ignore the good of the masses for the convenience of the few. Sir, we need the resources of our agricultural country developed rather than swift conveyance from one part of the country to the other, and the apathy of the Government about the improvement of agriculture and irrigation has brought untold miseries to the masses.

Lieut.-Colonel H. A. J. Gidney: Will you come here in a caravan?

Mr. Amar Nath Dutt: Yes, certainly.

Sir, people who are brought up in the midst of the sordid material civilization of the West, can hardly appreciate what happiness there was, before foreign invasion, in this sacred land of Aryavarta, the main occupation of whose people was agriculture. Whatever that may be, I can only sympathise with my Honourable friend, Mr. Vidya Sagar Pandya, when he speaks of the enormous resources of the Railway Member and the army behind him, one of whom I see laughing. But, Sir, we have to go on with this constitution till we mend it or end it, so I shall try, in the little time that I have at my disposal, to touch upon one or two points of the Railway Budget in the hope of minimising the evils of Government's railway policy.

The first thing that strikes me is the utter indifference shown to the organisations of trade unions of the railway employees. They would have welfare committees of their own, but they would not recognise these unions to the extent we ask them and listen to what these unions have to say to ameliorate the condition of the labourers.

The housing of the low paid staff and menials does not receive the consideration it deserves. There is a curious thing in the two speeches about which my Honourable friend, Mr. Pandya, was so severe, one here and the other in the House of the Elder Statesmen; we find that 25 lakhs has been allotted for the housing of the menial staff in the speech made here, while we find that 51 *plus* 25 lakhs have been allotted according to the speech made elsewhere. We do not know what is really meant. Probably that 51 lakhs is meant for the higher officials. I would request the Railway Board to take a little more humane view of these things and humanise the Board rather than be hard-hearted in these matters.

Sir, remarks have been made about racial discrimination by some Honourable Members. I will not refer to it in detail. Only yesterday I had occasion to go to the New Delhi station and I found the third class carriages overcrowded throughout the train, while I found in one compartment labelled III only three passengers sitting quite comfortably and making themselves merry. Even first class passengers are not so comfortable. It was reserved for European and Anglo-Indian passengers. I ask, how long are we to put up with such humiliation and insult? Will the Honourable the Railway Member at least give us an assurance on this point that, from to-morrow, such things will not be seen in the railways? I can well understand why the Europeans and the Anglo-Indians find a warm corner in the hearts of the Railway Board. The reason is not far to seek. Does it not remind us, Indians, that here are the men who claim to be our trustees and who allow the Indians to be overcrowded in the third class compartments, while they themselves are enjoying themselves and laughing? If the Railway Board are really honest on this point, and if they want to do away with racial discrimination, I hope the Honourable the Commerce Member will see his way to put an end to this humiliation at an early date.

Mr. K. C. Neogy: It is a sartorial discrimination and not racial discrimination.

Mr. Amar Nath Dutt: I know my Honourable friend's speech on that point and every one appreciates that. What hurts us most is that they have one rule for Europeans and Anglo-Indians and another for us, as if we are inferior fellows. We have cried ourselves hoarse over the subject and I do not wish to repeat it.

One other point that I wish to bring to the notice of the Honourable the Commerce Member is about third class return tickets. The first class passengers, who can afford to purchase their tickets twice without any difficulty at the booking office, are given the convenience of a return ticket, while poor third class passengers, who have to undergo great hardship at the third class booking office, are denied this convenience of a return ticket. The first thing that the Honourable the Commerce Member should do is to diminish the overcrowding in the booking offices and to order the introduction of third class return tickets, for after all it is the third class

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passengers who are the main support of the railways. Why should the first and second class passengers have this privilege and not the third class passengers? Even intermediate class passengers are allowed return tickets, while they are totally denied to third class passengers. I do not understand the logic of it.

I have also to draw the attention of the Railway Member to the quality of food that is supplied at the railway stations. We very often hear nowadays about the necessity for the improvement and preservation of the health of Indians. Adulterated food supplied at the railway stations is really undermining the health of Indians. The Railway Administration ought to be ashamed of the adulterated food that is supplied at the railway stations. I know how these vendors are allowed into the railways. I know of a vendor in my own town of Burdwan, which is very famous for its sweets

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Why don't you supply all the Members with sweets?

Mr. Amar Nath Dutt: I shall certainly send them to each and every Member, provided these grievances are redressed. I know a vendor who had to pay Rs. 400 a month in order to get this monopoly to vend refreshments at a station. An honest inquiry will at once prove this. These people, after having to pay an enormous sum for the securing of the monopoly, supply such poisonous things at the station that it is really impossible to take them. Those who are not accustomed to other kinds of catering than the catering of these vendors have necessarily to take their food at the hands of these caterers. Orthodox Hindus like myself can take food only from these caterers at the railway stations. Those who take food at the European refreshment rooms have no knowledge as to how things are getting on so far as these vendors are concerned. It is the levy of these illegal fees that is responsible for making the vendors sell unwholesome food. Will the Honourable the Railway Member kindly inquire into these things and put a stop to them?

As regards Indianisation of the superior services, we find that it is the covenanted men from abroad that fill these positions. I hope that this will cease if the Honourable the Commerce Member really wants to Indianise the services. We find that the higher appointments are generally reserved for Europeans and Anglo-Indians. (*Lieut.-Colonel H. A. J. Gidney*: "No, no.") My friend, Colonel Gidney, says that it is not so. Sir, there has been a consistent demand on the part of several minority communities for proper representation in the various services. I have great sympathy for these minority communities, but if they will kindly look at one minority community, probably the smallest in India, they will find that at every railway station the members of that community are installed as Station Masters and Assistant Station Masters, drawing salaries of three, four or five hundred rupees. Will the Honourable the Home Member (*Laughter*)—it is a matter for the Home Member also, because it breeds sedition and disaffection, of which he is the person to take note, and the Railway Member has nothing to do with it,—but will the Railway Member point out to me a single instance of an Indian, drawing Rs. 500 as a Station Master? (*An Honourable Member*: "Anglo-Indians are Indians.") Yes, they are Indians by courtesy. Whenever there are

services reserved for Indians and they want to get into them, they become statutory natives of India; for instance the Deputy Superintendents of Police. But for the purpose of those services where Indians are not wanted, they become Europeans. (*Lieut.-Colonel H. A. J. Gidney*: "It is absolutely not true.") It is absolutely true if you will only look at the Civil List of any province, and I can give you instances which it is unnecessary to do.

Then, Sir, one of the suggestions I wish to offer is that the strategic lines should be taken away from the Railway Budget and should be transferred to the military expenditure of the country, because really, in the name of railway expenditure, military expenditure is brought in here and we are hoodwinked about the real military expenditure of our country.

Another fact which the Honourable the Railway Member can find out for himself if he makes inquiries, is that foreigners generally take prospective leases of mines and other things in certain provinces. When they find that there is every prospect of getting a good dividend, they at once get a monopoly of the mines and then we find—I do not know whether they are related to each other as cause and effect—we find a scheme for a railway from the nearest railway station to the place finding a place in the Railway Budget.

Mr. Deputy President: The Honourable Member has now reached the limit of his time.

Mr. Amar Nath Dutt: Sir, our suspicion is that these people have a hand in the framing of the detailed plans and estimates for the next year of construction. Such important lines as the Dacca-Aricha line have been shelved. Another line about which I have been asking questions—I do not find the Financial Commissioner here—for two long years and about which we are told that they will consider it, is the extension of the Bankura Damodar River Railway to the town of Burdwan and Arambagh from Sehara connecting two districts.

Mr. Deputy President: Will the Honourable Member now bring his remarks to a close?

Mr. Amar Nath Dutt: Yes, Sir. I wish they will take note of these two lines and see that they are constructed.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I beg leave to draw the attention of the Assembly to five points this morning, and I will leave the detailed discussion of the Budget till the voting of Demands. The points which I want to raise are, firstly, administration either by a Company or by the State; secondly, the separation of the finance; thirdly, the purchase of the materials; fourthly, the education of the sons of the employees who are posted in the small stations where there are no schools; and fifthly, some kind of supervision of the comforts of the passengers who travel on these railways.

As regards the first point, this question was raised by Sir Austen Chamberlain when he was the Secretary of State for India. He at one time was of opinion that the State should own the railways, but the Companies should administer them. Thanks to the Indian members of the

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India Office, and particularly to Sir Abbas Ali Baig, Sir Austen Chamberlain changed his opinion, and the administration of the railways was handed over to the State. Now I quite appreciate the feelings of Englishmen when they favour the Company administration. They see the efficient administration in their own country and they also see the comparatively inefficient State-management in France. But the circumstances in India are quite different from the circumstances in England. In England principal stations are connected by three or four different lines, and there is strong competition between the different companies. In India, if you go from one place to another, very often you will find that there is one and only one line along which you have to travel. The second thing is that the central administration is not located in the country itself, but the central body is situated 5,000 miles away in London, and they do not appreciate the conveniences of passengers. They do not know what is going on except what is telegraphed to them by the Agent. On account of these two facts, it is essential that the State should own, maintain, and administer the railways of this country. Attention has been drawn to the bad arrangements of the Bengal and North Western Railway. Fortunately or unfortunately that is the only line by which I can approach my constituency, and as I had to travel for several weeks on this line, I have seen with my own eyes the discomforts into which the passengers are thrown. In the shivering cold nights, when rain was pouring, I found third class passengers sitting in the open. There were no eatables to buy and there was no shelter for them. I have seen with my own eyes passengers travelling on the top of the railway train, and I have seen with my own eyes passengers travelling all the way from Allahabad to Chapra on the footsteps of the train. If the Honourable the Railway Member will travel, not in his own saloon, but as an ordinary third class passenger in the Bengal and North Western Railway, he will come back to this Assembly and vote with both hands in favour of the proposition that the contract with this Railway should cease tomorrow.

The second point to which I should like to draw attention is the complete separation of the Railway Budget from the General Budget. I maintain that the Assembly is the Governing Body of all the State Railways. We should have our separate reserves, and we should declare how much money we are able to give to the Finance Member for the general expenditure of the Indian administration. It is not for the Finance Member to extract as much money as he needs from the railway funds and even to draw from its Reserve Fund. The Legislative Assembly ought to determine the amount to be put into the Reserve Fund, and the amount to be handed over to the Finance Member for general expenditure. The Assembly should have the determining voice in deciding the amount to be borrowed for the extension of the railways. Attention has already been drawn to the new schemes, and I would very much like the new schemes to be pushed on as far as possible, and if money is not available in the Reserve, we might borrow the money for this particular purpose.

1 P.M. The third point which I should like to mention is the system of purchases. Now, the Railway Department is the biggest purchaser on behalf of the Government. I do not know all the details, but my attention was drawn to some of the inside things that happen in the High Commissioner's Office. Of course I do not want to discuss this aspect today. I may have a separate discussion on this particular point later

on, and I would try and induce the Assembly to agree with me that these Advisory Committees ought to be abolished. (Hear, hear.) But today I maintain that the High Commissioner is not the representative of India. He is the representative of Whitehall, and therefore the purchasing committee ought not to be placed in London; it ought to be placed in India. (Hear, hear.) On the question of purchase I want to maintain three principles. The first is that, whoever may be the authority to purchase the material for the railways, that authority or committee should be in India and not in London. The second principle that I should like to maintain is that everything that we require ought to be purchased in India, and I should like to have a certificate from some competent man that those articles which we are purchasing from outside India are the articles which cannot be manufactured or cannot be obtained in this country. This certificate is essential. Whatever we can purchase in this country, we ought to purchase here, and even if we have to bring in large machines, we ought to purchase the parts from outside and fit them here in our own workshops which the Railway Board may open. The third principle which I would like to maintain is that no order ought to be placed in the hands of any firm or any manufacturer unless that firm or manufacturer undertakes to train at least two Indians in his firm in the use and the repairs of the machinery. That is the method which was adopted by Japan, and unless we adopt this method, there will be no hope for our young engineers to get practical training in any European country. The only way in which we can provide practical training is to insist on the firms, from whom we purchase, training at least two of our young men. These young men may be selected by the method which I will discuss later on, but not today. The young men ought to be trained in the use and the repair of the machinery. If this is done, it will be possible for us to go substantially a few steps further and it will be a great gain not only to the Indian revenues but also to the students.

The fourth point which I should like to discuss is about the education of the sons of the railway servants who are posted at small stations where there are no schools. I know that a scheme of this kind is in progress, and I would like to hear from Mr. Hayman or some other Railway Member who is in charge of education, how the scheme is developing. I have repeatedly heard the complaint that the persons posted in small places have great difficulties in providing suitable education for their children. Their salaries are not big enough to enable them to send their children to big towns and defray the expenditure.

Now, the last point which I would like to discuss is with regard to better supervision over the comforts of the passengers. We know there is a law everywhere that if more than three persons sit in an *ekka*, the *ekkawallah* is at once prosecuted. Some people may say that this rule was framed simply because we do not want to do cruelty to animals. But I say, no, this is not the case. The rule is made and enforced for the safety and comforts of the public. The same rule exists in the case of lorries. No lorry is allowed to carry more than a certain number of passengers, and if any lorry takes more than the prescribed number, the lorry driver or conductor is at once prosecuted. The railway trains are bigger lorries, and it is the duty of the State to look after the comforts of their passengers. I would extend the principle of *ekkas* and lorries to the railways. They are all in the same position. No compartment should carry more than the prescribed number. If a certain compartment is labelled

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to carry 12 passengers and if more than 12, say 13 or 14 are thrust into that particular compartment, then some railway man ought to be prosecuted under the law of the country. (Hear, hear.) In this sense the law is defective and there ought to be some provision in the Railway Act under which, if any servant of the Railway tries to thrust more than the prescribed number of passengers in any compartment, he should be liable to punishment by the Court, not by the Railway authority, but by the ordinary Court of the district.

Now the other thing I want to say is this. We are very particular about the comforts of first class and second class passengers. I would like to hear from the representative of the Railway Board whether the first class traffic is a paying concern. I would like to know whether I am correct in saying that the first class traffic is a losing concern, the second class traffic is a losing concern, that the intermediate class traffic just pays its way, and that the third class traffic is really a gain to the railways and it really pays the deficit made by the first and second class traffic. Am I right?

Mr. M. S. Aney (Berar Representative): Yes.

Dr. Ziauddin Ahmad: That being so, it is only natural that we should try to look after the comforts of our highest paying customers. Every business man does so. Our Railway Board is very unbusinesslike. The first and second class persons, who are really the losing customers, are looked after well and the people who are really paying customers are entirely ignored. I think it will pay the Company—I do not speak from the strategic point of view, but I consider it only from the financial and business point of view—it will pay the Railway Board to say respectfully to every first and second class passenger, “We will pay you double your fare if you give up the idea of travelling in the first or second class and travel in the third class”. It will be a paying proposition to the railways, if first and second class passengers are induced to accept a fee and consent to travel in the third class.

The other thing is about the comforts in travelling and the comforts about the meals, and the comforts about the waiting rooms for the third class passengers. There I think it is very desirable to have—if I may use the word, borrowing it from finance—special audit of the traffic. We know that it is the principle in accounts that the auditor is always a different person and has no concern whatever with the accountant or the financier. He is independent of them. Now at present the Inspectors who look after the comforts of the passengers are also appointed by the railway people and therefore they do not criticise the actions of their colleagues in their own Department. It is very desirable to establish a new Department altogether—certainly not under the Agent—and I would prefer that this Department may not be under the Railway Member, but it may be directly under the Home Member. (Laughter.) This Department, which I called Audit Department of the traffic, should report any person, whether an Agent or a subordinate officer, who disregards the rules framed for the comfort of the passengers, or thrusts a large number of men in a carriage. If the audit officer finds insufficient light or insufficient latrine accommodation, or insufficient water supply at the railway station or in the carriages, he should be able to draw the attention of the railway

authorities through the civil authorities, i.e., the Collectors and Magistrates, and not through the officers of the Railway Department.

Lieut.-Colonel H. A. J. Gidney: Do you want dyarchy in railways?

Dr. Ziauddin Ahmad: An Honourable Member asks me if I am trying to introduce dyarchy in railway administration. There are certain matters where a kind of dyarchy prevails, for example, the case of audit. The audit department is quite a separate department from the accountants' department. The auditor draws the attention of the proper authorities to the fact that such and such a thing is or is not against the rule. If the audit officer, who looks after the comfort of passengers is placed under the Railway Department, he is not likely to discharge his duties to the passengers satisfactorily. If he carries on his duties independently and enforces the rules incorporated in the Railway Act, under civil administration, he will have better chances to secure the comforts of the passengers.

Pandit Hirday Nath Kunzru: Sir, I should like to refer, in the briefest possible manner, to three points before I deal with the main subjects to which I desire to call the attention of the House today. The first of these three points to which I wish to refer is that relating to the early termination of the contract with the Bengal and North Western Railway. I join the other Honourable Members in pressing on Government to take over this line as soon as possible. Perhaps I am quite as familiar with this line as my Honourable friend Mr. Gaya Prasad Singh who comes from Bihar, and I can honestly testify to the accuracy of all the encomiums that have been showered upon it in this House. I have in my experience known no line that can compare with it in the attention that it pays to the comforts of the passengers.

The second point, Sir, to which I wish to refer, is the case of teachers in Indian railway high schools. I asked the Honourable the Railway Member a question about it the other day, in reply to which I was assured that, as promised last year, provision would be made for enforcing the provincial scales of pay from the 1st April, 1929. I should have liked the Honourable Member either to enlighten us in his speech or to give some information to us in the Explanatory Memorandum with regard to the steps taken by Government to carry out the promise given by them about a year ago. But, apart from this, Sir, I understand that the East Indian Railway is trying, despite the orders of the Railway Board, to introduce a scale of pay different from that which prevails in the provinces. Perhaps, to be more accurate, I should say that an attempt is being made in the United Provinces to go against the express instructions of the Railway Board. I met some time ago a member of the managing committee of a railway high school in the United Provinces, and I was told that the committee had been asked to prepare its estimates on the basis of a scale recommended by the Director of Public Instruction of the United Provinces, but very different from that recommended by the Railway Board itself. I should like to know, Sir, what is the control which the Railway Board exercise over railways subordinate to them if this can happen under their very noses and despite their repeated instructions. I trust, Sir, that this matter will be speedily looked into by the Honourable the Railway Member and that he will see that the spirit of his promise is carried out to the fullest extent at the earliest possible date. Another point which should be considered in this connection, Sir, is with regard to the men to whom the provincial scales are to be applicable. I can understand, Sir, when

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LEGISLATIVE ASSEMBLY.

[19TH FEB. 1930.]

[Pandit Hirday Nath Kunzru.]

new scales have been laid down, that particular qualifications should be required of future entrants, but I cannot understand the justice of such a demand from men already in the service of the railways. The United Provinces Government, when they reorganised their educational services, made no distinctions between existing men, whatever their qualifications, and I trust that the same principle will be followed by the Railway Department in applying the provincial scales of pay to teachers already employed in railway high schools.

The third point to which I wish to draw attention is that which has already been referred to by my Honourable friend, Dr. Ziauddin Ahmad. I should like to know what the Government have done with regard to the provision of educational facilities for the children of railway employees. The question has been hanging fire for about two years. I drew attention to it last year, and I was told that the matter would be considered in consultation with the Central Advisory Council for Railways. I know that my Honourable friend, Mr. Aney, has taken the keenest interest in this subject, but even he cannot tell me that any definite advance has been made during the last twelve months. All that he has been able to tell me is that, despite his best efforts, no move forward has been made in this connection.

Sir, I should now like to deal with the two main points which it is my purpose to place before the House today. The first point with which I am concerned is the state of the railway finances. In this connection, Sir, I have unfortunately to voice a complaint which was uttered by me last year in this House. It was suggested last year that, in order to facilitate the comparison of figures relating to the income and expenditure of the railways, we should be supplied with estimates of the income and expenditure of lines that are newly constructed. I asked that the accounts for branch lines, which are already prepared in accordance with the instructions of the Railway Board, should be laid before the House. My Honourable friend, Mr. Parsons, said that there would be no objection to that, but I am sorry to note that the information which he promised has not been supplied to the House. Not having, Sir, that information at our disposal which would enable us to institute accurate comparisons, I must take the figures as I find them. I should like to compare the growth of income and expenditure since the separation of Railway finances, but I shall start with the year 1925-26 for the simple reason that the year 1924-25 was an exceptionally good year for the railways, and I do not want to institute a comparison which would be particularly unfavourable to the Railway Board. In 1925-26 the gross traffic receipts amounted to about 98 crores. Now, if we take the corresponding figures for 1930-31, we find that it is a little over Rs. 106 crores. But to this we have to add a sum of about Rs. 60 lakhs, because of the change made in the manner of accounting for higher charges and payments from one railway to another. We thus find that the total revenue for the coming year is expected to be about Rs. 106½ crores; in other words, the increase in revenue, including lines purchased by the State since 1925-26, is about Rs. 8½ crores. Now if we take the figures for expenditure on the same basis, we find that expenditure has grown at a much larger rate. When I refer to expenditure, I mean the working expenses, including depreciation charges, and interest charges. In the year 1925-26 these two items accounted for a little over Rs. 86 lakhs. In the coming year,

making the adjustment I have already pointed out, the expenditure would be about Rs. 98½ crores. That is, the expenditure would show a rise of about 12½ crores. In other words, the growth in expenditure about 9 crores of which is due to interest and depreciation charges and the rest in what may be called the working expenses proper, has outrun the growth in income by about 4 crores. Now, I do not forget the fact, to which attention was drawn by my Honourable friend, Sir George Rainy, in presenting his Budget, that reductions have been made in rates and fares during the last five or six years and which have resulted in a loss of revenue of about 5 crores.

(At this stage Mr. President resumed the Chair.)

Sir, I am perfectly prepared to take this figure into account. But my Honourable friend, Sir George Rainy, will not contend that none of the reductions which have so far been made have borne fruit. I will, however, admit for the present that four crores out of the five have been entirely lost, that is they have not brought about that expansion of traffic and revenue which the Railway Member expected. This shows that the growth in revenue just balances the growth in expenditure.

There is, however, one more circumstance to be accounted for, and that is the provision made for income-tax, I believe for the first time last year, under the pressure of the Finance Department. The figure last year was about 58 lakhs. I do not know what it is this year, but probably it is in the neighbourhood of half a crore. All that we can say therefore is that, as a result of the heavy expenditure incurred by us, we have been able to increase our revenue only by about half a crore.

But this does not give a complete idea of our railway finances. We have also to take into account the provision made for the reduction or avoidance of debt in the General Budget. A large proportion of the provision made for the extinction of the productive debt is on account of money borrowed for the railways. I do not remember the exact figure provided on this account, but I should not be surprised if it were well over Rs. 3 crores. In the second place, we have to take into account the rise in the exchange from 16d. to 18d. I do not wish to go into past controversies, but it is impossible, in considering the present state of our finances, to overlook so important a matter. I have no desire to be like the cuttle-fish, spreading gloom. I do not want to give the House an unduly pessimistic view of our finances, but it would be idle to contend, on a review of the figures that I have just placed before the House, that our position is as sound as we should like it to be.

I should have liked, Sir, to dwell briefly on the growth of our working expenses, and in particular to discuss the figures relating to repairs and maintenance charges, for I could illustrate by reference to them, the point that I wish to impress upon this House with regard to the growth of expenditure but I have no time for it. I will, therefore, conclude this portion of my remarks by saying that, while I do not wish to suggest that the expenditure that we have incurred is wholly unproductive or lost, it is fair to infer, I think, that our capital programme has been proceeded with so rapidly that we have not had time so far to get any return on the capital that we have invested in it. It is time that we went slower and paid more attention to the development of our existing resources. I am particularly glad, therefore, that my Honourable friend,

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the Railway Member, announced in his speech that there would be stricter control of railway expenditure both on the revenue and the capital side, in consultation with the Finance Member in future. The information which he has given us on the subject, however, is exceedingly scrappy and I should like to know what were the points in which the present arrangements were found to be defective and how it is proposed to remove the existing defects. I should also like, in this connection, to know the exact position of my Honourable friend, the Financial Commissioner. Have the reforms that are now to be enforced been accepted by the Government of India under the pressure of the new Finance Member, or are they the result of the suggestions put forward in the past by the Financial Commissioner, who is supposed to be a watch-dog of the Finance Department?

Sir, the state of our railway finances is intimately connected with another topic which is the last one to which I should like to draw the attention of the House and which will entail no little expenditure if the railways are to have a contented body of public workers. It became apparent some time ago that there was a great deal of unrest prevailing among railway employees. Even those of us who are not formally connected with the Railway Department came to know about a year and a half ago that this unrest was assuming an acute form. My Honourable friend, Sir George Rainy, received a memorandum from the General Council of the All-India Railwaymen's Federation on the subject in September or October, 1928, and a deputation waited on him in that connection in May last. My Honourable friend promised an inquiry into the grievances laid before him by this deputation. I think the points were twenty-four in number, and they ranged from such important things as wages and hours of work and security of tenure, to the supply of uniforms and travelling allowances and such other things. Now, I can understand my Honourable friend taking time to look into these things, but in the first place, I fear that the Railway Board did not wake up to the reality of the situation early enough. It might have taken a leaf out of the book of the Posts and Telegraphs Department and tried to deal at an early date with that unrest, which, wisely handled in that Department, has fortunately for us almost completely subsided. In the second place, as in the political, so in the economic sphere, it is impossible for those who have grievances to wait indefinitely for their redress; and if Government wish to have a contented body of workers, they must take account of the changed conditions and try to proceed much faster than they have done in the past. Sir, the failure of the Government so far to satisfy the grievances of the railwaymen has resulted already in a strike. What methods should now be taken to put an end to the present state of things and to restore amity between workers and employers on our railways? It has been suggested by various bodies and also in the public Press that the Government ought to appoint a conciliation board to settle the dispute between the Great Indian Peninsula Railway men and the Government. Now, Sir, the demands put forward by the Great Indian Peninsula Railway men are the demands placed before the Honourable the Railway Member by the deputation of the All-India Railwaymen's Federation in May last. If therefore a settlement is to be arrived at which would pacify all railway men, I do not see that the particular solution recommended in certain quarters will prove of much avail. It may be that a conciliation board will be able to settle the quarrel existing between the Government and

the Great Indian Peninsula Railway men. But the question being a much wider one, Government ought to see that their solution is one which would be accepted by railway men all over India. Besides, Sir, if attempts are made only to settle the dispute which has become acute, an impression might be created on other railways that their grievances would not be listened to unless they too resorted to strikes. On both these grounds, therefore, Sir, I for my part prefer another solution. The Honourable the Railway Member ought to get into touch with the representatives of the body which deals with the grievances of railway workers on behalf of railway men all over India, I mean the All-India Railway Men's Federation, and in consultation with them arrive at a settlement which would be fair to the State and fair to the interests of the employees as well.

The subject, Sir, is an important one, but I cannot go into it at any length on this occasion.

I will only say, Sir, before I sit down, that it must be apparent to the dullest intellect that the times are fast changing. Unless we take the bull by the horns, we may be confronted with a situation which we may find it impossible to deal with with all the resources at our disposal. The Government must take their courage in both hands and approach the problem of workers in this country in the spirit in which His Majesty's Government are today trying to solve the problem of unemployment and its relief in their own country.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

Lieut.-Colonel H. A. J. Gidney: Sir, I enter this discussion with mixed feelings, feelings of pleasure in as much that I feel I can genuinely congratulate the Honourable Member in charge of Railways on presenting the Budget he has done this year, faced as he was with many obstacles and great handicaps—sadness or if I may say, apprehension as far as the future of the Anglo-Indian and domiciled European community on the railways is concerned. Any one who has the honour and privilege of knowing the Honourable Member in charge of Railways will join me in saying that he is one of the most sincere friends of India and a well-wisher of every railway man, be he European, Anglo-Indian or Indian and speaking personally on behalf of my community—I use no idle words but plain language—when I say that we trust in him implicitly for he has always looked after our interests. Handicapped as he has been, he has presented a Budget this year in which he has been able to add 2½ crores to the Reserve Fund, I mean after certain deductions have been made. I am not an accountant nor am I an auditor. I am purely a labour Member representing the needs of about 15 to 17 thousand Anglo-Indians and domiciled Europeans on the railway and the first point I desire to draw attention to is the hobby, or shall I call it the policy, that has been lately inaugurated by the Railway

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Board, I would not say since its birth in 1905, but, since the fever of nationalisation of railways has almost overpowered it. I think I can safely date it to 1925. It was in that fateful year the Railway Board purchased three of the biggest railways in India and placed them under State Control, but at the same time they were able to carry on with their new extensions. Since then they have indulged, if I may say so, in a policy of buying second hand furniture, in the shape of second class railways. Within the last two years, they have bought two more railways, the Burma Railway and the Southern Punjab Railway, with an anticipated annual additional revenue of 95 lakhs but, at what cost? The closing down of almost all important new railway constructions and other retrenchments of all senior staff and the discharge of thousands of workmen. Now, Sir, this policy of the Railway Board is open to serious objection. I want to know how they have been able to find the money for the purchase of these railways? By indenting on the Reserve Fund? If so, then the question arises—was the Reserve Fund inaugurated for the purpose of purchasing second hand railways, or was it mainly constituted with the object of helping railways in lean years, to be able to pay their annual dues into General revenues, as also to supply money if needed when new tariffs were introduced. What do we find, Sir? The Railway Board have utilised its Reserve Fund for the purchase of railways. Not content with the railways at present in its keeping, they have added to them, and in doing so, they have increased their responsibilities, their staff, their management, repairs, etc., Would it not have been better to use this money to ameliorate the grievances of their workmen? I think it was Sir Henry Burt, a well-known railway authority, who, when discussing the Indian railway situation a short while ago, described the policy of the Railway Board of purchasing new railways as extravagant expenditure which stood possessed of two main objects. One was the augmenting of its finances, and the other was to speed up Indianisation of the services. I agree with every word that Sir Henry Burt has said, as judged by the policy of the Railway Board today. To my mind it is very doubtful, Sir, whether this purchase of old railways is more beneficial than continuing and completing our new constructions which you have already projected, and others which have been partly laid down. Personally I think the policy of buying old railways is a wrong one. (*An Honourable Member*: "Question.")

Now, Sir, this leads me to my second point and that is the Reserve Fund. We have heard such a lot about this mysterious Railway Reserve Fund. Members have today criticised it. I have no desire to emulate them, but I do desire to point out to the Railway Board that this Reserve Fund has been improperly used. I understand that the major part of it has been used by the general revenues of the Government of India as an advance. Be that as it may, we hear it frequently said that the Railway Administration of this country is a first class going concern, a first class investment, etc., etc. I have not the faintest doubt that they are excellent institutions, but I have my doubts if this policy of purchasing old railways and nationalising them is to our benefit and the wisest course to pursue. You have on the one side of this tragedy a Reserve Fund that has been built up during the past few years owing to good monsoons. Most of this money has been spent in various ways. Then in those years in which a good surplus is shown we have the capitalists and the industrialists demanding a reduction in goods rates. Alongside of them

we have the sentimentalists in this House shouting "reduce third class fares". Why? The President of this year's Federation of Indian Chambers of Commerce has blamed the present fiscal policy for the labour unrest of today. On the other side one hears today the wail of hundreds of thousands of workmen shouting out "we want more pay", "we want more food", "we want more rest" and "we want better houses" and between these two—the capitalist and the workmen—are dangled the money bags of the Reserve Fund. I ask, has not the workman the first claim on any surplus money and would it not be more profitable to use this money to ameliorate his lot rather than to purchase second-hand railways or appease the ever hungry capitalists? I submit, the workman has the first call on surplus money and this is the policy the Railway Board should follow. Speaking personally I know of no body of workmen who today stand in more urgent need of amelioration and more pay than the under paid, under fed and under clad railway workman. I stand today, Sir, a convert to him and his needs and an ardent advocate of his cause. I submit, Sir, that this matter should be seriously considered by the Railway Board and I would suggest to the Railway Member, that each railway should be allowed a certain percentage of its profits annually to be used to ameliorate the lot and the grievances of its workmen.

I now pass on to a very important subject: the question of labour unions. I have been with the Labour Commission a little over four months. Except the South, I have toured almost the whole of India and I have heard the opinions of the Agents of six of the biggest Railways in India with regard to labour unions. Four of these Agents merely tolerate the existence of these unions on their Railways, but are really hostile to them. One Agent (Eastern Bengal Railway) is more sympathetic and willing to co-operate with them, but the one Agent who stands out as the exception to the rest has openly said he is in great sympathy with the railway unions. That officer is the Agent of the Railway, which, I regret to say, Sir Purshotamdas Thakurdas has today decried. I refer to the Bengal Nagpur Railway. The result of this Agent's sympathetic attitude is that the Bengal Nagpur Railway today got its own union consisting of men who elect their own office bearers. There is no official interference. True, it is called a welfare committee, but it operates as a union which is recognised, helped and guided by the railway officers, and the result is that this Railway is one of the happiest railways in India. I can hear some people on the other side murmuring at my remarks and I also see Mr. Das is looking at me with surprise on his face. I know he does not belong to the Advisory Committee of that Railway now and that he does not like it, but let me tell him that the Bengal Nagpur Railway today has a union working in it.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): Which railway do you mean?

Lieut.-Colonel H. A. J. Gidney: The Bengal Nagpur Railway.

Munshi Iswar Saran: But Sir Purshotamdas Thakurdas spoke about the Bengal and North-Western Railway.

Lieut.-Colonel H. A. J. Gidney: I am sorry, I apologise to him. I misheard him. Sir, this Railway has lately had some disturbance in its workshops, of a sectional nature, but thanks to the good offices of my friend,

[Lieut.-Colonel H. A. J. Gidney.]

Diwan Chaman Lall, who with officers of the union met the Agent, and the disputes have been amicably settled. I hold up the attitude of the Bengal Nagpur Railway as an object lesson to those die-hard Agents who refuse to recognise them. Sir, the question of railway unions is of great importance to Railways and to India. I can even appreciate certain Agents being hostile to railway unions. I can also realise that the Agent of the East Indian Railway has solid reasons for being hostile to certain railway unions. But, the times have changed and there appears no need for his wholesale hostility today to the railway unions. As a matter of fact, he appeared supremely indifferent to unions judging from certain remarks he made before the Commission. But I say again I can realise his fear of communists controlling his unions, because there is no doubt that he has had grave reasons to suspect certain of his railway unions especially the one at Khagole and to certain extent the Lillooah unions of communistic activities. Now, Sir, while I agree that certain unions have been a danger in the past, I am bound to admit that since those strikes took place many vital changes have happened in Indian railway unions, the chief event being the rupture in the Federation of Indian Railway Unions that took place in Nagpur last year. Out of that rupture a Railway Labour Party has been evolved, led by certain moderate labour leaders, such as Diwan Chaman Lall and Mr. Joshi who have determined to organise and to control railway labour unions on sound constitutional lines entirely devoid of communistic tendencies or principles. I have personally seen evidence of this policy, because I joined Diwan Chaman Lall in a recent movement in which we amicably settled a very important labour dispute on the Bengal Nagpur Railway. These leaders have also recently shown other evidence of moderate views and intentions. Now, Sir, I look upon such conduct as a gesture on the part of these labour leaders, a real, friendly gesture to administer labour unions on constitutional lines. Will the Railway Board respond or not is the question. There are certain railway agents who say they will not tolerate railway unions if they have any outsiders as their leaders. Now, Sir, why is it that railway unions want outside leaders to guide and lead them? Firstly, because the railway workman as a class is not an educated man. Secondly, the educated Indian official or upper subordinate who might be prepared to fill the role of a leader is too frightened to do so. He fears his job, he fears victimization, and I stand here today and openly say that victimization has been practised on labour leaders by certain Railway Agents. The many memoranda presented to the Labour Commission show instances of such victimization, and it is for this reason I say that the gesture given by Diwan Chaman Lall and Mr. Joshi is one that the Railway Board should notice and reciprocate whole-heartedly.

Mr. President: The Honourable Member must now conclude his observations.

Lieut.-Colonel H. A. J. Gidney: It is a gesture that, I think, the Railway Board should follow up in that they should not allow opposing committees to be continued. My suggestion is this. The Railway Board should issue instructions to every Agent to close down his Welfare Committees and to make an honest, serious and sympathetic attempt to open out railway unions and to lead their men on the right lines of trade unionism, so that their unions may be a help to them and be of mutual benefit. I offer this suggestion for the serious consideration of the Railway

Board. Time does not allow me to refer to many more points. I would, however, refer only to one more fact, and that is my sadness amounting to apprehension as far as the future of the Anglo-Indian and domiciled European community on railways is concerned. I shall not be able to deal at length on this very important point because time presses, but, I should like to inform the Railway Board that a most serious condition has arisen on the East Indian Railway, a railway which in my opinion is more discontented and where there is more unrest than any other railway in India. The trouble is the result of the revised rates of pay that have been introduced since 1928. These rates affect every railway employee, be he an Indian, a European or an Anglo-Indian. These rates have been called the co-ordinated rates of pay and are supposed to be a fair mean of the wages earned by both the East Indian and former Oudh and Rohilkund Railways. To my mind this is a wrong conception of facts. A study of the *Bombay Labour Gazette* will show that the difference between the cost of living between the years 1926 and 1928 was 5 per cent. only. But these revised rates of pay in 1928, as contrasted with the rates of pay in 1926, show a reduction in wages in some cases of from 45 to 7 per cent. in the minimum or initial salaries and 50 to 10 per cent. in the maximum salaries. Europeans and Anglo-Indians, who are expected to clothe, feed and maintain themselves as useful members of the Auxiliary Force are expected on the East Indian Railway to join as firemen on Rs. 15 to Rs. 18 a month and as cleaners on Rs. 10 (I have this order with me). A railway ticket collector gets a pay of Rs. 28 a month and he is expected to deport himself similarly. Even an Indian cannot live on that wage. How can the Railway Board expect an Anglo-Indian or a European to live on such a pittance, which is less than what a domestic sweeper gets. I would therefore beg of the Railway Board to reconsider this question of 1928 revised pay. It has caused considerable consternation among the members of all the communities on the East Indian Railway, be they Indians, Europeans or Anglo-Indians. I ask the Railway Board in their own interests and in the interests of the community that has served them so well and loyally to reconsider these rates of pay and to allow the 1926 rates to be reintroduced for the time being. In the meantime appoint a committee to investigate the question, but do not tell your employees, as is often heard, "If you do not like the pay, you can go elsewhere." I know the Honourable Member for the Railways has always given us a square deal in the past and I am confident he will do so again. Before I resume my seat, I again ask the Railway Board to consider the very important services that the Anglo-Indian and domiciled European community has rendered and not to drive it out of railway employment, as these impossible rates invite them to do, for in doing so the Railway Administration in India will be the greater sufferers. I beg of you not to deride a community that has helped your administration to be always railed and kept on the rails no matter what the crisis has been.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): Sir, the best thing that could be said about the Budget which has been presented to this House is that it is very much what most people expected, and what I have no doubt my Honourable friend the Member for Railways intended it to be, namely, a somewhat cheerless and colourless statement. Now, the great advantage of presenting a gloomy picture of one's finances is that it effectually chokes off all attempts at demanding any measures of relief, or expenditure on items that urgently call for attention. But,

[Mr. H. P. Mody.]

Sir, I am not going to be deterred by the Budget that has been presented from pressing upon the Honourable the Railway Member the desirability of reducing freights on the movement of commodities from one province to another. It is precisely in times like these, when trade and industry

are depressed, that you feel the insistent necessity of reducing freights and helping industries. I should like to remind my Honourable friend that it was in a period of very considerable financial difficulties that the Conservative Government introduced their derating scheme, which was tantamount to making a present of several millions of pounds to the industries in England. If that form of assistance was called for in England with its high burden of taxation, it is much more called for in India at the present moment when trade and industry are in a much worse position than they have been for a very long time. I would like to urge upon the Honourable Member that aspect of the question. I cannot say that the railway reserves are in any way extravagant, but I do say that they are more than adequate to permit of a certain depletion, if it is found that by reduction of freights and rates the reserves have got to be drawn upon. My Honourable friend said with regard to one or two items that reduction in freights has been justified by larger receipts. I would like him precisely at this time of depression to try that experiment a little further and to see if the larger traffic that he would get would not make up for the loss arising from lower rates

In this connection, I should like to press upon Government the desirability of revising their policy and instituting a scientific tariff. It is a matter of notoriety that the railway tariff is a very patchwork sort of thing. I should like to give the House just one instance to illustrate my meaning. A certain mill in Hubli gets its cotton from Nagpur. Well, instead of getting it straight from Nagpur, it finds it paying to first get that cotton from Nagpur to Bombay and then from Bombay to Hubli. Obviously there is something very wrong about an arrangement like this. It seems to me that, with a more scientific tariff, it would be possible to avoid such anomalies. I do not suggest for a moment that you can be strictly accurate in everything, but the railway tariff as it exists at the present moment is something which is far from being scientific. So also with regard to the Railway Act which was passed in 1921 and which has long been crying for reform. The Government has adopted a certain procedure, but I think it is very dilatory, and I do not think the urgency of the reform permits of any delay which could be avoided.

Then, Sir, about the third class passengers. My Honourable friend Dr. Ziauddin Ahmad spoke about their grievances and disabilities, and I think, with a very great deal of the picture that he presented before this House, we must agree. I should like to make just one observation. It has been stated, either in the statement presented by the Honourable the Commerce Member or the Chief Commissioner for Railways that while the traffic has gone up by 8 per cent., the accommodation has gone up by 14 per cent., in the last six years. Now, that undoubtedly is an advance, and I quite recognise the work that has been done. But if one considers the tremendous leeway that has got to be made up in the way of providing comforts and amenities for the third class passengers, who are our best customers, I do not think that enough has been done. (Hear, hear.) Their position is most unsatisfactory, and I think that if Government come forward with proposals for ameliorating it, and if it comes to it that we

have to spend a lot of money in the process, then I am certain that this side of the House, at any rate, will warmly support Government.

Now, Sir, I should like to say a word about the Kalyan power house. I regard it as a most indefensible transaction. (Hear, hear.) But I am not going to dilate upon it at this stage. I think it is spilt milk and we must not weep over it. But I would like the Honourable the Railway Member to consider whether, in view of the fact that power cannot be generated at anything like a figure at which you can obtain it from companies in Bombay, he is not prepared to reconsider the matter, and scrap the building and remove the plant elsewhere where it can be more profitably worked. I am not talking without the book. I have had something to do with the negotiations conducted by my association with the Power companies for reduction in rates, and I am in a position to state that we can now get rates which were not found possible two years ago. I am certain that, if Government reconsider this question and scrap the plant, which has cost them over a crore and fifty lakhs, when it was expected to cost them 97 lakhs, and if they stop manufacturing power at a figure which is very much higher than that at which power could be supplied from companies in Bombay, I say that that would be a real business proposition.

Then, Sir, I should like to say a word about the improvement of service conditions. I think the House is entirely agreed with the Government that that reform is urgently called for. But I should like to associate myself with the observations which fell from my Honourable friend, Sir Purshotamdas Thakurdas, on this question. I think this House is entitled to know on what principle or basis the improvement of service conditions is going to be effected. A vague reference has been made in the Honourable Member's statement to a policy which has been decided upon. Is that policy one of a living wage or a minimum wage, or is it going to be dominated by a consideration of the rates paid in other public departments? These are questions of very considerable importance, the more so as the railway employs a very large force of labour, and anything which affects railway labour affects labour throughout the country. I should like, therefore, to say that, while this House entirely agrees with the Government that the improvement of the conditions of the low paid employees in the railways is urgently called for, I think it is entitled to know the principles on which that improvement is going to be carried out. That, Sir, is all that I have got to say. I quite recognise the very great care which the Honourable the Railway Member has devoted to the Budget, and if he has not come forward with anything very striking, the cause must be found in the circumstances of the day. But I do think that a more courageous policy is called for in the matter of reduction of rates and fares, and at a time when trade and industries are passing through a very grave crisis, I think it is necessary again and again to press that question upon the Honourable the Railway Member.

Mr. B. Das: Sir, my Honourable friend Colonel Gidney, who has recently returned from his labours on the Labour Commission, gave us some of his experiences on that Commission, which he ought to have reserved until the Report of that Commission was published. I now find that, while on that Commission, he dined very often with my Honourable friend, Diwan Chaman Lall, and my Honourable friend, Mr. Joshi, and came in contact with other labour leaders, and he thus wants us to believe that he has become an authority on trade union matters. I think that that is a fallacy which he himself cannot answer. Sir, while my Honourable

[Mr. B. Das.]

friend, Colonel Gidney, feels very much for the unemployment problem on the East Indian Railway, owing to the policy of the Railway Board to try to Indianise the staff more and more on that Railway, he feels that other railways, which he characterises as second class railways, should be left in the hands of the Company-management. He does not want that the other Company-managed railways should be taken over by the Government lest we should encroach on the preserves of his community. This morning we have been told that in the Bengal and North Western Railway Indians are not given higher posts. That is perhaps the reason why my Honourable friend, Colonel Gidney, wants that the Bengal and North Western Railway and the Madras and Southern Mahratta Railway and the Bengal Nagpur Railway should not be taken over by the State, but that they should be kept as close preserves for the domiciled race of which he claims to be a member.

Sir, the Honourable the Railway Member started with the lamentation that there has been trade depression and hence the depression in the Railway Budget. Sir, I am convinced that the Budget is rather a deficit budget. The other day the Indian merchants and industrialists met in the former Assembly Chamber at Delhi, where the Honourable the Finance Member and the Commerce and Railway Member were present, and there the Federation of Indian Industrialists and Merchants raised a cry that there has been trade depression all over and they wanted certain accommodations and facilities from the Government. The reply we received from the Honourable guests we had there was that 'there is no trade depression.' It seems that the gloomy atmosphere of that old house caught hold of the Honourable the Railway Member at least and made him agree with views expressed there and at last he has presented a very depressing Budget to this House.

Sir, my Honourable friend, Pandit Hirday Nath Kunzru, has already alluded to the alarming state of Railway finance. I find that, while the net income of the railways is almost stationary—less by a crore a year since the Railway finance was separated from the General finance—the working expenses have gone up by 8 to 10 crores per annum. This is very alarming, and this House must take particular note of it. We have got the Railway Standing Finance Committee. They are to be our watch-dogs, but it seems that the Report they submit to the Members of this House is so incomplete, that we cannot get to know what they really do in that Committee. My friend, Mr. Vidya Sagar Pandya, has already alluded to this fact, and I would suggest to the Honourable the Railway Member that, in future, the Railway Standing Finance Committee Reports should be published in the same way as the Public Accounts Committee Reports are published. All discussions should be recorded, and then we can know whether the watch-dogs that we send out to watch over the Managing Directors are really doing the work, or whether they are hood-winked and do not exercise any actual check on the Railway Member or the Financial Commissioner.

Sir, my friend, Colonel Gidney, paid some high compliments to the Honourable the Railway Member, but at the same time hit him in the back for the policy of his administration. I am not one of those who speak sweet words and then hit in the back—I always hit on the front.

Since the Railway finance was separated, one of the points we insisted upon, was that the Agents and the Deputy Agents of various railways should be Indians. It is a matter of humiliation for me to say that up till now no Indian has been made a Railway Agent, and no Indian has even been found fit to be made a Deputy Agent. If this state of things is to continue, I think that we shall have to see whether it would not be better to place the railways once again under the administration of the Finance Member. My Honourable friend, the Railway Member, paid high compliments to my Honourable friend, Mr. Hayman's work during the year. For ourselves on this side, we shall be glad always to see an Indian or a statutory Indian in high service there getting high praises from the Government of India as it is at present constituted; but as long as there is Great Indian Peninsula Railway strike, as long as more than a lakh of people are out of employment and even ejected from their houses at the ukase of the Agent, of course with the approval of my Honourable friend, Mr. Hayman, there, how can we say that there has been an Indian Labour Commissioner inside the Railway Board and he is reflecting the views of the Indians there? It matters to me little whether he is an Indian or a European. But when we demand that Indians should be on the Railway Board, we expect that from their natural birth and from their natural association in India, they will reflect the real Indian viewpoint. As long as my friend, Mr. Hayman, has not solved the problem of this huge strike on the Great Indian Peninsula Railway, I cannot say that he deserves all the compliments which the Railway Member paid to him on behalf of the Government of India.

Sir, the railway deficit is nearly Rs. 4, nay 5 crores. There is a deficit in revenue by Rs. 2½ crores and the working expenses have gone up by two crores. Thus, while the expenses have gone up, the revenue has decreased, and we still find that the capital expenditure on the strategic railways is going on. My Honourable friend, Mr. Kelkar, pointed out that all expenditure on these strategic lines is military expenditure. I entirely endorse that statement. The loss of revenue on the strategic lines is more than a crore and a half, and that should be debited to the military side. Again, we know that the military staff, officers as well as the rank and file, receive special concessions in fares and freights from the Railways. Last year, I put a question in the Simla Session wanting to know what is the total amount of money that is involved in these military concessions. My Honourable friend, Mr. P. R. Rau, said that his Department, with his full staff of accountants, Accountants General and auditors and so many other persons, could not compute the sum. I tried my best with the help of my friends to compute that sum, and I find that it is not less than one crore of rupees. I will stand corrected if my Honourable friend, the Railway Member, can put his whole machinery on to it and compute that figure and tell me that it is less by a few lakhs or more by a few lakhs. But it is a fact that the Military Department today enjoys privileges of one crore of rupees by railway concessions. Why should the taxpayer subsidise the Military Department indirectly in this way? The loss on the strategic lines amounts to one crore and 82 lakhs. All this should be charged to the Military Department. The Honourable the Railway Member happens to be a Member of the Government of India, and I think he should not support his friend, the Commander-in-Chief, or the Army Secretary, and see that this expenditure

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is properly allocated and it must be put in the military side of the General Budget. Sir, these strategic lines I would call the "tragedic" lines, because not only do they bring tragedy to the people through whose territory these lines go, but they are bringing tragedy every day to the Railway finances and the General finances of India. I submit that there should be no further strategic lines, and in that I completely blame the members of the Railway Standing Finance Committee who pass the proposals for these non-commercial lines where the money is ever locked up and no revenue is likely to accrue thereby.

Sir, since we allowed the separation of the Railway finance from the General finance we find that in the name of "efficiency" the policy of Europeanisation has gone on unhampered. The working expenditure on the side of Administration and Agency has gone up tremendously. This sort of thing will not do. I already mentioned that the expenditure has gone up by 8 crores of rupees while the income is almost stationary. If that be so, I would suggest that we should soon appoint a retrenchment committee and see whether we can reduce the general expenditure on the administrative staff of the different railways, including the Railway Board which is not under the control of the Public Service Commission, as regards its recruitments, or under the control of the Finance Member in respect of its internal policy.

Sir, I must say one word about the reduction of fares and freights on the Bengal Nagpur Railway. The Honourable the Railway Member who was connected with my part of the country in the distant past, promised to consider this question this year. Now I find the mismanagement on that Railway does not allow it to reduce the present high rates of freights. The Bengal Nagpur Railway still maintaining the post-war high rates, and everyone who travels on that railway expected that this year there would be some reduction, at least in the third class fares. But that has not happened. Sir, I will deal with this subject again on a subsequent day on the debate for grants.

Sir, I already mentioned that there must soon be a retrenchment committee, to apply the axe to railway expenditure. The Railway Board in its superior position of knowing too much of everything and in its superior isolation from all control of this House, and even that of the Finance Member, do not try to compare their own extravagant expenditure with expenditure on railways in other countries. I ask the Honourable the Railway Member to study how the different railways are being administered in America, Canada and Japan, and then he will have to do some hard thinking as how to decrease the administrative costs that this Railway Board is incurring so recklessly and which are working such abysmal disaster on the Indian finance.

Maulvi Muhammad Yakub: Sir, at this stage of general discussion on the Railway Budget, I would confine my observations only to a very few remarks of a general character. Sir, at the outset I feel a great deal of satisfaction and delight at the appreciation by the Honourable Member in charge of Railways of the work done by Mr. Hayman as a Member of the Railway Board. All those who have had the privilege of knowing Mr. Hayman for some time knew that he would acquit himself very well as

the first Indian Member of the Railway Board and it is a matter of satisfaction to me that our expectations have been fulfilled. (Hear, hear.)

Sir it is a matter of regret to me that, on account of financial difficulties, it has not been possible for the Railway Board to take up certain important lines and to initiate new projects, and I regret particularly the omission of any allotment for the construction of the Kashipur-Kalagarh Railway. The want of railway communications in certain parts of the Moradabad district, particularly between Moradabad and Thakardowarah entails great hardship upon the people of the district, especially during the rainy season, and I hope and trust that it will soon be found possible to start work on the Kashipur-Kalagarh line.

The railway staff will, I hope, feel greatly relieved by the passing of the Railway Amendment Act, giving effect to the Geneva Convention, as regards the fixing of their duty hours. The hours of duty proposed in the amended Act may not be the same as in Europe and America, but still the measure is to be welcomed as a first step in the right direction. In fact, in a huge country, like India, it would be rather difficult to adopt the system prevailing in Europe and America. I hope and trust that the improvements incorporated by the Honourable Member in charge of the Railways in his Budget speech will soon be given effect to, and the Railway Board will see that the orders issued by it are really given effect to. The chief difficulty is that the Agents and Divisional Superintendents do not care to carry out the orders issued by the Railway Board (Hear, hear) and all the improvements initiated by the Board only remain a paper transaction. I hope the appointment of the Labour Supervisors, under the new amendment of the Railway Act, will tend to solve this difficulty, and I would strongly recommend that those Inspectors should be directly under the supervision and control of the Railway Board and in no way ought they to be subordinate to the Agents or other inferior officers, so that they may have a free hand and fearless mind to supervise and criticise the acts of the Agents and their under-lings.

There is one more point to which I would like to refer at this stage and it is this, that the Crew Department was introduced and established more than three years ago, but the staff employed in this branch is still shown on the temporary basis and is thus deprived of the bonus and Provident Fund facilities and other privileges attached to the permanent service. It is time that a thorough inquiry was made into the working of this system and a final decision arrived at as to the future of its maintenance.

I wish also to associate myself with what has fallen from my Honourable friend, Colonel Gidney, as regards the attitude of the Railway Agents and Divisional Superintendents towards the Railway Unions. I have myself had the privilege of being the President of a Railway Union (Hear, hear) and my Union has, during the last five or six years, tried to work in a constitutional and peaceful manner. We have always condemned unconstitutional manners and strikes. Still we find that the attitude of the Agent of the East Indian Railway is quite hostile and unsympathetic towards this Union. Even the ordinary facilities are not granted to the officers of the Union, and my friend, Colonel Gidney, is perfectly correct and right when he says that the railway servants who take any active or prominent part in this Union are victimised and penalised by their superior

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officers. I hope, Sir, that the Railway Board will take very serious notice of this and will see that the treatment of the Agents and their subordinate officers towards these Unions is sympathetic and appropriate.

I also wish to associate myself with the remarks made by my Honourable friend, Mr. Ghuznavi, about the employment of Mussalmans in the different branches of the railway service. It is really a fact that the orders which are issued by the Railway Board with regard to the employment of Mussalmans are never cared for by those who are in charge of the offices. They are thrown into the waste-paper basket and no effect is ever given to them. From the answers which we received from the Member in charge of Railways in this House, to questions on this matter, it is evident that no effect is given to the orders which are issued by the Railway Board. I would strongly recommend that the Railway Board do insist upon receiving annual statistics, from the different branches of the railways, showing the total number of permanent employments which they give every year and the number which is allotted to the Mussalmans, and if they find that any Department or any Administration has not given sufficient and adequate representation to the Mussalmans in making permanent appointments, the officer concerned should be seriously dealt with. Unless this is done, I am sure that this genuine grievance of the Mussalmans will not be removed. We see that, in order to show the number of Mussalmans on the list, a number of temporary appointments, say for one or two or three months, are given to them and it is shown in the list that, out of so many appointments, so many are given to Mussalmans. But really it is only a camouflage. They are kept temporarily only to show the statistics to the Railway Board, and they are never made permanent. So it is necessary that in the statistics which are invited from the Agents of the Railways, the number of the permanent staff employed should be ascertained, and effect should be given to the orders which are issued in this connection. With these remarks, Sir, I resume my seat.

Munshi Iswar Saran: Sir, I was a Member of the first Assembly which laid at rest, as far as India was concerned, the controversy between the State-managed railway and the Company-managed railway, and I have never ceased rejoicing that, on that occasion, I recorded my vote on the right side, that is, in favour of State-management. One great advantage of State-management, which appeals to a Member of this House, is this. When we bring to the notice of the Railway authorities any grievance connected with a Company-managed railway, the answer is generally given that it will be referred to the Company concerned. But when the Company-managed railway is taken over by the State, the people have at least this satisfaction, that their complaints and grievances will not meet with this cold response. In pursuance, of the policy which was accepted by the Assembly, the Great Indian Peninsula Railway and the East Indian Railway were taken over by the State.

But, Sir, I wish to ask now the Honourable the Railway Member in a very pointed manner, what is the policy that Government are going to adopt in future in regard to the Company-managed railways? At any rate, what is the policy that Government are going to adopt as far as the Assam Bengal Railway and the Bengal and North Western Railway are concerned? I shall show to the House later on that the time has come when a decision will have to be made in regard to these two Railways, and

I therefore ask the Railway Member to tell us what he is going to do. What are the intentions of Government? Sir, the Railway finances have been separated from the General finances; they have got even a Labour Member; they have no justification now for postponing the purchase of these two Railways which I have mentioned.

As regards the Assam Bengal Railway, we find that the contract will determine on the 31st December, 1931, or at the end of any succeeding tenth year, by giving twelve months notice. So, we find that the time has come when Government ought to make up its mind about it. I am, however, more concerned at the present moment with the Bengal and North Western Railway. The original contract was made with the Bengal and North Western Railway on 12th December, 1882, and the notice of purchase must be given on or before the 31st December, 1932. The Bengal and North Western Railway and the Tirhut Railway work conjointly, and the contract with the Tirhut Railway will remain in operation up to the 31st December, 1932. Government ought to make up its mind, and that too very quickly, as regards the Assam Bengal Railway, the Tirhut Railway and the Bengal and North Western Railway.

As regards the Bengal and North Western Railway, there are two ways of looking at the administration of this Railway. There is the people's point of view, and there is the Company's point of view. Let me invite the House first to look at the administration of this Railway from the people's point of view. Take the treatment of the staff. On the 31st March, 1928, the cost of the staff was Rs. 72,82,815; on the 31st March, 1929, the cost of the staff was Rs. 74,71,559. If you compare this rise with the rise in expenditure on staff of other railways, you will find that the rise in the expenditure of the Bengal and North Western Railway is hardly satisfactory. Let me take another point, the question of Indianisation. We find that the number of officers corresponding to gazetted officers on State Railways on the Bengal and North Western Railway on the 1st of April, 1928, stood thus: 64 Europeans, 6 Indians (I am including Anglo-Indians in the expression "Indians") (*Lieut.-Colonel H. A. J. Gidney*: "Thank you.") On the 1st of April, 1929, we find that there were 63 Europeans and 8 Indians including Anglo-Indians. Now, might I, Sir, pause here for a moment and ask the House carefully to mark the way in which this Bengal and North Western Railway is carrying out the policy of Indianisation? Their process is much worse than the eight units scheme! Now, take the question of reduction in the rates and fares. What is the record of this Company in regard to this matter? Sir George Rainy last year told us that certain Company-managed railways followed the State-managed railways in regard to the reduction in the rates and fares. I shall mention the names of a few of such Company-managed railways: the Bombay, Baroda and Central India Railway, the Madras and Southern Mahratta Railway, the South Indian Railway, the Burma Railways, the Bengal Nagpur Railway and the Jodhpur Railway. We have it on the authority of Sir George Rainy that the Bengal and North Western Railway did not follow this lead.

I have spoken, Sir, about expenditure, I have spoken about Indianisation, I have spoken about reduction of rates and fares; I wish to say a word about the conveniences of passengers. I shall ask Sir George Rainy to depute some of his subordinates to look into the proceedings of the old

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supreme Legislative Council, and he will find that even then our representatives in that body were complaining against the Bengal and North Western Railway, and we are complaining still, and if Government do not make up their mind to take over this Railway, we shall continue to complain. If I am not mistaken, the Bihar Council passed a Resolution expressing its dissatisfaction with this Railway. I am not going to trouble the House with my own experiences, though I have unfortunately to travel by this Railway. This Railway reminds one of the good old days when one used to travel by a bullock cart and had to put up with all sorts of inconveniences. I wonder if Sir George Rainy has ever travelled by the Bengal and North Western Railway. But if he has not and if he can afford the time he might well try a journey by that Railway. We will feel delighted; he will have a new experience and a new sensation. He will be able to share our enjoyment, though only for once and for a short time.

Let us now look at the administration from the point of view of the Railway Company itself, and we have got it in the speech of Sir Henry P. Burt, K.C.I.E., C.B.E., who is the Chairman of the Company. I am not going to express any opinion about the homily that Sir Henry Burt has attempted to preach to us about the unrepresentative character of the Indian Trade Unions, about Indian agitators and the responsibility of Parliament. I do not suppose it is worth while crossing swords in political matters with a railway man. This speech was delivered on the 28th January of this year. I have carefully read this speech through and through and to me it appears that Sir Henry Burt is absolutely unconscious of all that is happening in India. There is not a word about Indianisation throughout his speech, not a word about doing anything for third class passengers, or for the matter of that for any passengers, not a word about any reduction in the rates and fares—no, not a word about these methods—but I can quite understand his attitude; he looks at the Railway from the point of view of a business man whose only anxiety is to get as much money out of the concern as he can. Better things do not interest him.

Mr. President: The Honourable Member must now conclude.

Munshi Iswar Saran: I shall say only a few words more. If you will allow me, Sir, I will read out the resolution moved by Sir Henry Burt. It runs as follows:—

“That a final dividend of £7 per cent. and a bonus of £3 per cent. for the six months ended September 30th, 1929, on the ordinary stock of the company, less income-tax, be and the same are hereby declared, making with the *ad interim* dividend of £4 and a bonus of £5 per cent. paid on July 29, 1929, a total dividend of £19 per cent. for the year ended September, 1929.”

This Company is giving a dividend of 19 per cent. One can very well understand why there are no reductions, why there are no conveniences. There is an impression that the Directors of this Company have considerable influence in political circles in England. If this Company is not taken over by the State, the Railway Board and the Government must forgive us if we suspect that Government have yielded to the influence of these important and influential people in England. The only way to stop the scandal of this Railway is to purchase it, and I do hope Sir George Rainy will, either today, or during the course of this debate, make a declaration on this point.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, I should like at the outset to associate myself with those Honourable Members of the House who have complained of the briefness of time which is allowed to this House for a thorough study of the figures contained in the voluminous mass of literature which was handed over to us only day before yesterday. The House was sitting yesterday and we were very busy. Last year also the complaint was made that more time should be allowed to Honourable Members of this House to study the Budget, and to offer intelligent criticisms upon it. This year also the same complaint has been made. It is not fair either to this House or to the Budget itself that we should be called upon to offer our comments on it within such a short space of time. I hope Government will take note of it, and give us more time from next year.

Now, Sir, what is the position which we find in the Budget? In the budget estimates for 1930-31, the total receipts are put down at Rs. 108 crores, a figure which is nearly Rs. 3 crores more than the revised estimates for the current year; and the total expenditure has been estimated at nearly Rs. 100 crores, which is an increase of slightly over Rs. 2 crores on the revised estimates. The final result is a net gain to the railways of nearly Rs. 8 crores, which is about three quarters of a crore more than the revised estimates of the current year. Out of this surplus, Rs. 180 lakhs goes to meet the loss on strategic railways. I shall not pause to criticise the policy underlying this loss, which is met out of the Railway Budget, because I am quite at one with those friends of mine who have said that, strictly speaking, this loss on strategic lines must be put on the Army estimates. Apart from that, I find that a sum of Rs. 574 lakhs is to be paid as contribution to the General revenues, leaving a small balance of only Rs. 34 lakhs to be added to the Reserve Fund.

Now, Sir, considering the financial situation of the railways, we find that much of the useful activities have been cut short. Only Rs. 5 crores, if I remember aright, have been put down for new construction. I should like to say that the most significant omission in the Budget speech of my Honourable friend, the Railway Member, was the absence of all reference to the subject of improving amenities for passengers, especially third class passengers. I am glad to see, however, that this omission has been supplied by the Chief Commissioner of Railways in the course of his speech in the other place. The House will be glad to be assured by the Chief Commissioner of Railways that this subject continues to receive the special attention of the Railway Board and of the Railway Administrations. It has also been frankly admitted by the Honourable Mr. Russell that the most important question is undoubtedly that of overcrowding in third class carriages. I am one of those who have repeatedly brought this question to the notice of the Railway Board and of the Government, and also quoted the sections of the Indian Railway Act—sections 63, 93 and 97—which deal with the subject of overcrowding. Efforts have no doubt been made to cope with this difficulty, but I am afraid the results cannot be yet said to be satisfactory.

Reference has been made, Sir, in the course of this debate by several Honourable Members to the conditions prevailing on the Railway with which I am more intimately concerned, I mean the Bengal and North Western Railway. The House will remember, Sir, that I have been a very unsparing critic of this Railway, and I have never lost an opportunity of

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bringing before the Government of India the shortcomings of this Railway. I am glad to notice that in recent years some improvements have been effected, although much still remains to be done. My Honourable friend, the Railway Member, last year invited definite suggestions from Honourable Members of this House so that he might have an opportunity of considering them, and giving effect to them if thought desirable. Now, Sir, in this connection I should like to bring to his notice one or two points. On the main line on the Bengal and North Western Railway there is a train which runs between Katihar and Lucknow, and the overcrowding in this train is very considerable. Therefore, Sir, it has become absolutely necessary that an additional through train service from Katihar to Lucknow should be provided, and this train should, pass through Muzaffarpur and Hajipur. My reason for making this suggestion is that most of the traffic from North Bihar passes through Muzaffarpur, and if a train is added on to go through the congested area, it will very much relieve the overcrowding in other trains as well as on the main line.

Then again, Sir, on the East Indian Railway there is one train, the 15 Up Express between Howrah and Delhi. In this train I have often noticed absolute insufficiency of second class accommodation. I wrote to the Agent of the East Indian Railway last year about this matter. Even during occasions of Dussehra and other rush seasons the second class accommodation on this train is not at all increased. There are only two compartments, and one of them is sometimes labelled, "Reserved for Ladies", with the result that the other second class compartment is packed to suffocation. I should like my Honourable friend, the Railway Member, kindly to look into these matters, and relieve the congestion in the second class compartments on this train, which has been specially noticed and felt by the travelling public.

Now, Sir, I suggested in 1928 that the amount of free luggage allowance for third and other class passengers should be increased, and I am glad to see that this has now been done. Beside giving a much needed relief to the travelling public, it will free the third class passengers from the harassing attentions of the travelling ticket checkers; and I should like to congratulate the Railway Board for making this concession.

I am sorry to say, Sir, that my Honourable friend, the Railway Member, is not in a position to announce any further reduction in third class fares. This will cause some disappointment, especially when we read in his speech that:

"Our reduced rates for long distance coal announced last year have certainly acted as a stimulus to the coal trade, and the lower fares for third class passengers have been accompanied by a growth in traffic. The passenger mile figure has gone up by 5½ per cent. and the passenger earnings this year are likely to exceed those of the previous year by about two-thirds of a crore."

Now, Sir, on reading this portion of his speech, I was encouraged in expecting that a further reduction in the third class fares was under contemplation. In the Explanatory Memorandum also it is stated:

"The increased traffic which we could have normally hoped for from the stimulus of lower fares has materialised, though not to an extent sufficient to make up the loss on the reduced fares, but we are confident that in the near future we shall see our expectations of an increase of net revenue realised."

Now, Sir, the reductions that took place apply only when a traveller travels more than 50 miles. But the average third class passenger travels less than 50 miles, and I would bring to the notice of the Railway Board that they should consider the desirability of extending this concession to passengers travelling less than 50 miles. This will further stimulate travelling, and bring in additional money to the coffers of the Railway.

Then, Sir, I should like to say a word of commendation for the admirable handling of the enormous Magh Mela traffic in Allahabad which I twice visited, for which the Railway Board and Railway Administrations concerned deserve congratulations. (Applause.) The Kumbh Mela traffic has also added considerably to the income of the Railway, as is borne out by the statement of the Chief Commissioner for Railways. This is what he says:

"It is only owing to our purchase of the Southern Punjab Railway in January last and to the pilgrim traffic to the Kumbh Mela at Allahabad, which seems to have surpassed all past records, that we are able to estimate our traffic receipts from commercial lines at 1,02 crores 86 lakhs, which is 80 lakhs above last years' figures."

Next perhaps to the overcrowding in trains, comes the question of the absence of booking facilities, for which something has undoubtedly been done. Then there is the question of absence of water in third class lavatories. This has been a subject of much complaint on the Bengal and North Western Railway. I suggested to the Agent that, instead of filling the carriage tanks by means of hand pipes, which is a very cumbersome and slow affair, overhead piping might be erected at important junction stations to fill the carriage tanks. This has already been done at Gorakhpur and Sonepur, and I expect this will be done at Muzaffarpur and at other important stations also, and then this difficulty will dwindle down to the vanishing point.

There is only one other point to which I should like to advert here, and that is with regard to the termination of the contract of the Bengal and North Western Railway, to which reference was made by some Honourable Members also. An ordinary meeting of the Company was held in London on the 28th January last, and in that meeting Colonel Izat, the Managing Director, said:

"The competition which has arisen by the introduction of motor services is receiving constant attention, and we are meeting it with some success by increasing the numbers and speed of our trains."

For this relief our thanks are no doubt due to this motor competition! The development of the Railway is necessarily arrested by the uncertainty of its future. Colonel Izat goes on to say:

"So far as our system is concerned, its development is further arrested by the uncertainty surrounding the question as to the Secretary of State's intention in regard to the possible termination of our contract in 1932. In the interests of both parties to the contract, it is hoped that his (i.e., the Secretary of State's) decision will not be delayed until the last moment."

Now this is quite reasonable. 19 per cent. bonus and dividend was paid this year as well as last year, and it is quite reasonable that the Government should disclose at an early date, their intentions as to the future fate of the Bengal and North Western Railway, because so long as their fate is shrouded in uncertainty, the relief which is so much needed cannot be afforded to the travelling public. Whether the Government propose to take this Railway under State-management or not is a point which

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ought to be settled once for all. So far as this House is concerned, it has already recorded its verdict in favour of State management. Now, Sir, some of the points to which the administration of the Bengal Nagpur Railway may look into are the provision of latrines in third class carriages, in sections where such latrines do not at present exist; provision of more intermediate class carriages, and prevention of their use by unauthorised railway servants and their friends, adequate supply of pure and cool drinking water on the trains and on the stations during the hot weather, and the provision of wholesome food for the passengers at stations. This does not exhaust the catalogue of all that the Railway Administration is expected to do, but it must be admitted that improvement has been effected in some directions, and more is expected in the near future. Sir, the conditions of service of the lower paid staff require to be improved.

Mr. President: Order, order. The Honourable Member is exceeding his time.

Mr. Gaya Prasad Singh: Very well, Sir, then I will close my speech.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): Sir, I should like

Mr. President: Mr. Yamin Khan will finish in ten minutes, I hope.

Mr. Muhammad Yamin Khan: Very well, Sir, On behalf of the Railway Finance Committee I should like to thank the Honourable the Railway Member for all that he has said about the Standing Finance Committee for Railways. I have to acknowledge on behalf of the Committee the great co-operation which the Committee received at the hands of Mr. P. R. Rau, who was acting as Financial Commissioner. The Finance Committee had also great assistance from Mr. Parsons, who spared no pains in explaining every item, in Calcutta and in Delhi. I am sorry that today our most active member and the greatest critic on that Committee, Pandit Nilakantha Das, is not present owing to his resignation. That is a matter of great regret to me. He took great pains over every item of the Budget and he did not agree to any single item unless he and the members of the Committee were thoroughly satisfied that it was not put up in a haphazard way. Certain members of that Committee have now gone out of the Assembly, but I am glad that another active member in the person of Mr. Aney is present here today. He knew the problems very well and I was expecting that he would get up and say a few words during this debate. I have also to congratulate the Honourable the Railway Member on the Budget which he has presented under the pressure which he could not possibly avoid.

Now, Sir, there are certain points which I want to bring to the notice of the Railway Administration. The first point is about the rates. I brought it up in conversations which was not the proper time. I would suggest that the present heavy duty on petrol should be reduced. Petrol is consumed greatly in this part of the country. We find that it is sold at rupee one per gallon in Calcutta and Bombay, while at Delhi and other places it is sold at Rs. 1-8. This extra 8 annas is too much for the railways to charge. As the consumption of petrol is increasing, it is high time that the rates on petrol should be reduced now. Another point is the

one referred to by my friend, Dr. Ziauddin Ahmad, and that is the purchase of stores. We in the Standing Finance Committee and especially Pandit Nilakantha Das wanted to be sure that nothing was purchased from out of India, which could be got locally, and I think it my duty to enlighten the House that this had not been ignored wherever we found it convenient to deal with this question. Another point is about Indianisation. In the case of every new item put down in the Budget for a new post, we wanted to be satisfied if no Indian was available to fill the post, and only in case an Indian was not available, we agreed to bring a man from outside India.

Another point is this. There has been in the past a great deal of demand on this subject but it has been ignored. I feel that Government should give consideration to this matter now. There is always a heavy pilgrim traffic during the urs to Ajmer and Piran Kalyar. There is no reason why there should not be a concession to the people who are travelling to these places. About two lakhs of people go to these two places and there has been a long-standing demand from the Muslim community. You give concessions during the Durga Puja holidays and the Kumbh Mela. I may mention that some members of the Standing Finance Committee were invited by the Agent of the East Indian Railway at Lucknow to discuss certain arrangements about the Kumbh Mela. We brought to the notice of the Agent at the time that there should be a concession. There was a promise that we would be called again, but we were not called. We had no other opportunity to press that point, before the Agent of the East Indian Railway. I equally think that, on occasions when there are big fairs, there ought to be certain reductions in the fares and a concession should be allowed for the return journey. When you do give a concession to holiday makers, there is no reason why you should not give this concession so that there may be facilities for those people who may travel by train.

Another point which I should like to bring to the notice of the Railway Member is this. Although I know that there has been a very limited amount of money available for the capital expenditure, and many important works have been cut out, still I think that there is a very important railway line for which there has been a continuous demand in the United Provinces. Addresses have been presented to the Governors of the United Provinces on several occasions and promises have been made that full consideration will be given to this demand. Sir, last year I noticed that certain steps had been taken in that direction, but I am sorry to find that they have been abandoned this year altogether for want of funds. Sir, the line I am referring to is the one which was intended to run from Luxur to Mainpuri, going via Muzaffarnagar, Garhmuktesar, Dibai, Kasganj, Etah and other places. Now, Etah and Mainpuri are the districts which are cut off a great deal from the railway and even the headquarters of the Etah district are lying about 20 miles away from the railway line. There has been a continuous demand for this line, and I remember the time when an address was presented to Sir William Marris, the then Governor of the United Provinces, in which great stress was laid by the residents of the Etah district and also of the Mainpuri district on the construction of this line. A very sympathetic reply was given to this address, and I was pleased to find last year that this programme was included in the Budget. It was however a great disappointment to me to find that this year it has been absolutely cut off and no further steps are going to be

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taken for the construction of this line. As the Railway Board has now adopted a policy of triennial programmes, there is no likelihood of this work being taken up even in the coming year. I hope that the Railway Board will find it possible to spend some money on this line next year if not in the coming year.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, on the last occasion when I replied to the general discussion on the Railway Budget, I think it was Pandit Nilakantha Das who accused me of killing two birds with one stone. This year a much more serious charge has been brought against me of having married two twin sisters.

Several Honourable Members: You have been charged with courting and flirting, and not marriage.

The Honourable Sir George Rainy: Then I misunderstood the Honourable Member who used that remark.

Now, this debate today has covered a good deal of ground and a great variety of topics have been noticed, and it will not be possible for me to deal with every point that has been raised. In particular, I do not propose today to discuss those points which must almost certainly be brought up, in one way or the other when the motions for Demands for Grants are discussed. It is more convenient that they should be taken up when the particular Demand to which they relate is under discussion. My Honourable friend, Sir Purshotamdas Thakurdas, expressed the view that our estimate of the gross traffic receipts for next year was somewhat oversanguine and he was very doubtful whether it would be realised. It is true that we have only limited means of estimating what our railway traffic is going to be, for so much depends upon the monsoon, but I am not disposed to take too pessimistic a view of the prospects of the railway revenues. We have had our good years and we must expect also to have our bad years. And I am not very much disturbed if we have to draw upon our reserves for a year or two, because, after all, the reserves are established precisely for that reason, so that we could tide over the bad years without too much anxiety. Then, another point which was raised by my Honourable friend was his disappointment that we had not been able to see our way to make a reduction in the rates for agricultural produce. Other speakers referred to reductions in third class passenger fares and in the rates for fuel oil and petrol. Again, my Honourable friend, Mr. Mody, said that he was sure the House would agree to substantial expenditure in order to improve the lot of the third class passenger. In addition to all these as we all recognise, money will have to be spent on improving service conditions. Now, we have not got an unlimited purse, and ultimately the money we spend has to be paid for by the railway passenger and the merchant who sends his goods. We shall be deceiving ourselves if we try to think that all these things can be done simultaneously. Personally, I am quite sure that, in the present year, we had no alternative but to hold our hand not to make any alteration of rates because we must, before we could face any further loss of revenue, have a much more clear and exact idea of what the improvement in service conditions may cost us.

I think there was some slight misunderstanding as to what I actually said at one point in my speech in introducing the Budget, as far as coal rates were concerned. I said that the reduction of the long distance rate had acted as a stimulus to traffic. It would not have been correct if I had said that, so far, we had got back the revenue we gave up. That is still to come. The only case in which, so far as I know, taking into account the reductions made in the last two or three years, we have got an actual increase of revenue is the third class passenger fares. We cannot, therefore, be too confident that we should be able to get back within any short period, the revenue we might give up if we made further reductions of rates. Perhaps I might mention, with reference to what fell from Mr. Yamin Khan, that the petrol rate was brought down only two years ago and I think it would be premature to consider any further reduction yet.

Another point that was taken up by more than one speaker, and particularly by my Honourable friend, Sir Purshotamdas Thakurdas, when he discussed the cutting down of the capital programme, was that too much money had been spent on constructing extravagant stations. I should like to draw attention to certain figures which I think might materially alter the view that the House were inclined to take. The remodelling of the Nagpur Station cost 96 lakhs, out of which sum, only 4 lakhs was spent on the station building. Therefore, it is quite evident that the high cost of remodelling is not due to the building. At Lucknow the cost of the station building was from 10 to 12½ lakhs out of 63 lakhs. These are approximate figures. The cost of the Balasore Road Station was 11½ lakhs out of 139 lakhs, the cost of Victoria Terminus, 11 lakhs out of 88 lakhs. I think these figures are worth giving because, while I should always be ready to inquire whether it was not possible to reduce the cost of station building when we build a new station, it does not seem to me that these figures justify the charge of extravagance.

Another point which my Honourable friend, Sir Purshotamdas Thakurdas, mentioned was Indianisation in the Transportation (Power) and Mechanical Engineering Departments. He pointed out that we were putting under training under the apprenticeship scheme 12 men every year, though we are not likely to have, on the State-managed railways, appointments for more than six only annually. These figures are correct, I believe, but if we find that we can only take, in the State-managed railways half the number of men who qualify, we should not hesitate to urge strongly on the Company-managed railways the claims of those who did not obtain appointments from us but who had nevertheless been pronounced suitable for appointment. I have not much apprehension that there would be real difficulty about that.

My Honourable friend asked for some explanation of the scheme for the improvement of the pay of the lowest paid staff on the Eastern Bengal Railway, both as to the scheme itself and as to the principles on which it was based. More than one other Member—Mr. Mody in particular—also referred to the same point. I think that I might put it in this way, that we are aiming at a suitable wage having regard, of course, to the cost of living in a locality and having regard to the level of wages paid in that locality. It is obvious that the railway, being an enormous employer of labour, cannot get loose from the rates prevailing in a given

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locality. I should be very sorry if I ever found a State-managed railway was paying wages at all below the prevailing rates; in fact I think it is our duty to be a little above the rates paid by other employers, but the view of the Government of India and the Railway Board is that we must keep always in view the rates prevailing in the locality and not legislate for the railway worker as if these rates did not exist. Then the scheme also provides for variations in the scale according to variations in the prevailing wages and the cost of living in each particular area. The railway system will be divided into blocks or zones and the actual rates may vary between one zone and another. The scheme provides for an incremental scale, running from, say, Rs. 12 a month to Rs. 17 a month in the cheapest zone, while in more expensive zones the scale might rise from Rs. 13 or Rs. 14 to Rs. 17 or Rs. 18. We are trying to keep close to the actual conditions as regards the cost of living and prevailing rates of wages in the areas with which we are dealing, and that is the method by which we propose to deal with the same problem on the different railways. Something which fell from my Honourable friend led me to fear that I conveyed a false impression to the House. I did not actually say that I was going to submit this particular scheme to the Central Advisory Council, although it will be included in any Memorandum that we send to the Council about the work which has been done by the Labour Member of the Railway Board. But it will be for my Honourable friend, the Financial Commissioner for Railways, to decide, when the proposal for spending money is brought before him, whether it should go to the Standing Finance Committee for Railways, which is the appropriate body, rather than the Central Advisory Council.

My Honourable friend Mr. Kelkar—and here again this point was taken by several speakers—expressed a desire for a statement showing how far the various projects undertaken in the last few years in the expectation that they would be remunerative, had actually proved to be remunerative. What I will try to do is, I will try, before the end of this Session, to have a statement laid on the table of the House giving all the information we can on that subject. It is not so very long since we began an active policy of construction, and therefore it is early days yet to arrive at any final conclusion. But if what I have said meets the wishes of the House, I see no reason why the statement should not be brought up to date annually and attached to the papers that are circulated at the budget time.

Several speakers have complained about the lack of time for adequate consideration of the Budget after presentation, before they are called upon to discuss it, and my Honourable friend, Mr. Vidya Sagar Pandya, complained of the time wasted in listening to the budget speech of the Railway Member. I have the greatest possible sympathy with the second complaint. I can very well understand it, but I would only point out to my Honourable friend that attendance on these occasions is not compulsory. (Laughter.) As regards the other complaint, I know that it has been considered again and again whether it could not be arranged to give more time, but there are very grave practical difficulties owing to the dates to which we have to work. But I am quite sure, if my Honourable friends, the Finance Member and the Leader of the House, could see their way to get round these practical difficulties, they would try to meet the views

that have been expressed today. But I know from having looked into it myself that it is very far from being an easy question.

As for the suggestion that was made several times that it would be better if the Railway Budget were introduced in the Autumn Session, I am afraid that that requires an amendment of the Government of India Act before it could be done, and I have no doubt that in connection with the new constitution the question will be considered.

My Honourable friend, Sir Hugh Cocke, pointed out that, in the map that is circulated with the budget papers, in the latest map, there are no yellow lines signifying lines under survey. I think there are two reasons for that. One is that, in the course of the last few years, a considerable number of surveys have been made, and there is a certain accumulation of projects which have already been surveyed. In the second place, we are not anxious that survey programmes should get too far ahead of construction programmes, because we find that, after two or three years, the survey figures get out of date and have to be reviewed all over again, and it is not quite safe to trust them after that period. He also suggested that we might show in the map, lines that it was thought likely would be under construction in the course of the next two or three years. That is a suggestion which I am quite ready to consider, and it would fit in quite well with the half yearly review that I and the Finance Member propose to undertake, in our review we shall be looking forward and trying to frame a programme of the course of operations during a period of two or three years, and I do not think that it would be difficult to indicate, in a map, which were the lines likely to be taken up in the near future.

My Honourable friend, Mr. Amar Nath Dutt, referred to several points, and in particular he asked me for information as to what was going to be done about two particular railways. One was the Bankura Damodar River extension and the name of the other, I regret to say, I did not succeed in getting down accurately. I should like to say that as soon as we get his printed speech in the proceedings of the House, I will try to see whether we cannot give him the information he wants with the least possible delay.

A great deal has been said today, as usual, about the third class passenger, and attention was quite rightly drawn to the fact that I did not refer to him in my budget speech. But frankly I had a good many things to say about labour matters in that speech, and I did not want to overload it with too much material on other subjects. The welfare of the third class passengers is a very important matter, and it would be strange indeed if it did not occupy a prominent place in these annual discussions. I may say that it has been under consideration two or three times by the Central Advisory Council during the year. We have been trying to examine it systematically and to see what practical measures can be taken to effect an improvement. As regards overcrowding, I think the best suggestion we had was to take from time to time actual censuses of particular trains without warning beforehand and find out from these censuses whether overcrowding has actually taken place. That system, I believe, originated with a suggestion of the Local Advisory Committee of the Bombay, Baroda and Central India Railway and has worked very well. I think we have already drawn the attention of Railway Administrations to that system, and perhaps I might say, for the information of my

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Honourable friend, Mr. Gaya Prasad Singh, that we shall draw the attention of the Bengal and North Western Railway to the matter, and also to the particular train on that Railway which he said was apt to be overcrowded. Similarly, we will draw the attention of the East Indian Railway to the train on that Railway which he says is overcrowded.

My Honourable friend, Dr. Ziauddin Ahmad, whom I should like to congratulate on his very interesting maiden speech, made two suggestions which interested me. One was that, when there is overcrowding, somebody ought to be put in prison for it. I say it is an interesting suggestion, because I was wondering who it was going to catch. Under a system of State management, it might prove to be the Railway Member (Laughter), or if the Standing Finance Committee had rejected a proposal for a larger number of carriages, it might be the members of the Standing Finance Committee. There must be some difficulty, when there is direct State management, in applying practically a system of that kind, because it might often be difficult to say where the responsibility lay.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): May I invite the Honourable Member's attention to sections 63, 109 and 102 of the Railway Act. They provide that, if a man enters or refuses to leave a room when the number of seats allotted has been exceeded, he can be prosecuted and fined Rs. 20; and if a railway officer causes any man to enter into any such room where the number is full, he is liable to punishment and a fine of Rs. 20. If these sections are applied, probably much of the trouble will go.

The Honourable Sir George Rainy: The Honourable the Leader of the Opposition is perfectly correct in his statement about the law but it is a very difficult law to apply. The difficulty is not the making of the law but its practical application. I am bound to say that that what I trust more than anything else, in order to secure an improvement in the conditions affecting third class passengers, was continuous pressure.—pressure from above, pressure from below, and pressure from all round,—and I attach great importance to the Local Advisory Committees in this connection. This pressure will gradually and steadily get changes made that are necessary and ought to be made. I am not much of a believer in sudden and drastic remedies, but I am a very firm believer in the effect of continuous pressure, and there is not the least doubt that we have done a good deal in the last few years and that has been mainly due to the pressure of the Local Advisory Committees and of this House,—I do not hesitate to say so.

Now, Sir, I should have liked to follow my Honourable friend, Pandit Hriday Nath Kunzru, into the figures he gave us to illustrate the doubt that he felt whether all was well with the Railway finance. But I am afraid that, at the close of a debate like this, it is difficult, as I had no opportunity to examine the figures beforehand, to argue the case in a form which is satisfactory either to the speaker or to those who have to hear him. But as far as nearly I can make out from the figures, what it comes to, is this, that in spite of increased interest charges of nearly 7 crores, and in spite of our reductions in rates and fares, the net gain to the Railway as between 1925-26 and 1930-31 is only reduced by 286 lakhs, of which 250 lakhs are due to a larger provision for depreciation. I do not think that is too bad because it is quite true, as the Honourable Member

suggested I think in his speech, that if you pass through a period of vigorous new construction, your fresh expenditure will not for a time be fully re-productive, and you may have to pass through a period when your interest charges are not fully recovered from the new lines. That, I think, is quite possible. However, this is a matter which undoubtedly is one of the things which ought to form part of the review of railway policy which the Honourable the Finance Member and I hope to undertake and I can assure the Honourable Member that that aspect of it will receive consideration.

As regards my Honourable and gallant friend, Colonel Gidney, I was interested in what he said, although I must say that I listened to one or two of his remarks with a certain amount of surprise. But I think the matter to which he personally attached the most importance was the question of the pay in the East Indian Railway. That is a matter which I am prepared to look into, but I am bound to say that my information at present does not entirely confirm the statement of facts which he presented to the House. I found it a little difficult to follow all his views about the impolicy and impropriety of purchasing new railways out of the Reserve Fund, for I found great difficulty in understanding in what sense it can be said that they have been purchased out of the Reserve Fund, or what exactly my Honourable and gallant friend's view as to the proper object of the Reserve Fund was. Certainly it would be very difficult to apply any part of the Reserve Fund to recurring expenditure, save and in so far as we use it, according to its original intention, to tide over a period of bad years when, owing to temporary reasons, our surplus is running low.

My Honourable friend, Mr. Mody, in his request for lower rates referred to the example of derating in England. I do not think that example is quite in point, and the difference is this. What they did in England was to remit the local rates which are essentially a tax on property paid by local residents. They took them off and substituted for them other forms of taxation. But this proposal to reduce railway rates in order to encourage other industries, means that one commercial enterprise is to give up something in order to benefit some other form of commercial enterprise. If the railways are to be run on commercial principles, the question would be, how is the railway to get back the money which it has given up, unless indeed it was proposed that the railways should be subsidised from General revenues? I should not be very hopeful that my Honourable colleague, the Finance Member, would agree to any suggestion of that kind.

My Honourable friend, Mr. Muhammad Yakub, referred to one matter, and that was the fact that the Crew Staff was still temporary. I should like to tell him that orders have now been issued to institute an inquiry whether the staff ought not now to be made permanent.

Then we had the question which I sometimes thought perhaps interested this House in connection with railways more than any other, and that is the question of the purchase of the Company-managed railways. My Honourable friend, Mr. Iswar Saran, is very anxious that I should give a definite and final reply as to what Government propose to do with regard to the Assam Bengal Railway and the Bengal and North Western Railway. Both cases are now under examination, and until that examination has gone further than it has, I shall not be in a position to make a final statement. The only thing I want to say today is that, quite apart from any question of policy, there is a practical problem in connection with the Bengal and

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North Western Railway. I think the sum involved in the purchase is in the neighbourhood of 12 million sterling, and if we should decide to purchase it, then we shall have to solve the practical problem how that money is to be provided. Government have come to no conclusion on the subject as yet and there must be a very full examination of the financial aspect of it before they attempt to arrive at their decision. Naturally of course great weight will be paid to the frequently expressed desire in this House that the opportunity of purchase should not be missed.

Sir Purshotamdas Thakurdas: May I ask the Honourable Member how he computes that figure of 12 million sterling? Is that the cost of the Railway, *plus* 20 per cent. or is it the valuation of the Railway as it is today?

The Honourable Sir George Rainy: I am giving it as an approximate figure, but I think it is the total sum that has got to be provided if we purchase.

Sir Purshotamdas Thakurdas: Does the contract provide for the price at which the Government of India can exercise the option of purchasing *plus* a premium?

Mr. A. A. L. Parsons (Financial Commissioner, Railways): I have not the exact details with me, but I think the price was settled a good many years ago, subject to the addition of the capital expenditure spent on the line after the price was settled. I can easily obtain the exact figures for the Honourable Member.

Sir Purshotamdas Thakurdas: I should feel grateful if the Honourable Member will put me in possession of the details.

The Honourable Sir George Rainy: I think what I have said covers the main points which were raised in the course of the debate, although I am very conscious that there are other points to which I should have liked to reply but for the fact that the time at my disposal hardly permits it. I should like, in conclusion, to thank all Honourable Members who have spoken for the interesting and helpful contributions they have made to the debate. I assure them that, if they do not see any fruit of their labours now, yet I do not think it is likely that in the end their labours will be entirely infructuous. (Applause.)

The Assembly then adjourned till Eleven of the Clock on Thursday, the 20th February, 1930.



LEGISLATIVE ASSEMBLY.

Thursday, 20th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

SENIOR COMMISSIONS IN THE INDIAN TERRITORIAL FORCE.

368. ***The Revd. J. C. Chatterjee:** Will Government be pleased to state when the new scheme for granting senior commissions to officers in the Indian Territorial Force will be put into operation?

Mr. G. M. Young: The scheme has been in operation since September 1st, 1928. 44 senior commissions have so far been gazetted. The procedure for these commissions is being accelerated as a result of a recommendation of the Central Advisory Committee, and it is hoped that there will be fewer delays in future.

The Revd. J. C. Chatterjee: Have any senior commissions been allotted to the Punjab?

Mr. G. M. Young: I must ask for notice of that question.

MEETINGS OF PROVINCIAL ADVISORY COMMITTEES OF THE INDIAN TERRITORIAL FORCE.

369. ***The Revd. J. C. Chatterjee:** (a) Will Government be pleased to state how many Provincial Advisory Committees for the Indian Territorial Force have been formed and how many meetings have been held by each of these Advisory Committees?

(b) Is it a fact that the Punjab Provincial Advisory Committee of the Territorial Force has not held a single meeting?

(c) Is it intended to summon regular meetings of these Provincial Advisory Committees?

Mr. G. M. Young: (a) There are 12 Provincial Advisory Committees. The Government of India have no information of the number of meetings held.

(b) The Government of India have no information.

(c) The answer is in the negative. Under Rule 30(2) of the Indian Territorial Force Rules, the Provincial Advisory Committees are consulted in certain matters, whenever desirable: for instance, applications for the grant of senior grade commissions are always referred to the Provincial Advisory Committee. It is not, however, necessary to summon a meeting for the purpose; the opinion of the members can be obtained by correspondence.

The Revd. J. C. Chatterjee: Is the Honourable Member willing to obtain the information that I have desired under (a) and (b), considering the fact that there is a complaint that the Punjab Provincial Advisory Committee has not held any meeting, nor has it been possible to consult its members by correspondence?

Mr. G. M. Young: I will certainly inquire into the matter.

The Revd. J. C. Chatterjee: Will the Honourable Member lay the information on the table of the House when received?

Mr. G. M. Young: I will consider that when I receive the information.

INCLUSION IN THE PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY OF
INFORMATION FURNISHED IN REPLY TO QUESTIONS.

370. ***Mr. Anwar-ul-Azim:** With reference to my starred questions Nos. 217, 219, 222 and 223, asked on the 4th February, 1930, will the Honourable Member in charge of Railways be pleased to state whether Government have any objection to placing a copy of the replies on the table of the House, so that they may find a place on the record in the Legislative Assembly Debates?

Mr. A. A. L. Parsons: I would invite the Honourable Member's attention to the ruling given by your predecessor, Sir, on the 1st of February, 1923, on the subject of printing answers to questions in the volume of debates. In accordance with that ruling Government considered that it would be sufficient to supply the information asked for in these questions to the Honourable Member himself and to put a copy of it in the Library.

Mr. A. H. Ghuznavi: Is the Honourable Member afraid of placing that statement before the House because he does not want to show that there is not a single Muslim employed on the Assam Bengal Railway?

Mr. A. A. L. Parsons: No, Sir.

Dr. A. Suhrawardy: Will the Honourable Member state whether it is on grounds of economy or for some ulterior reason that Government refuse to place the information on the table of the House?

Mr. A. A. L. Parsons: It is purely on the ground of economy and is in accordance with the ruling given by Sir Frederick Whyte on 1st February, 1923.

SUPPLY OF INFORMATION ASKED FOR IN A PREVIOUS QUESTION.

371. ***Mr. Anwar-ul-Azim:** With reference to my starred question No. 218, will Government be pleased to state what is the objection to giving replies to the same after inquiry?

Mr. A. A. L. Parsons: In Government's opinion the information could be obtained only by an expenditure of time and labour incommensurate with its practical value.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly say what he means by practical value, and whether he does not consider it of sufficient importance to let the House know that there is no representation of Muslims in the Assam Bengal Railway?

Mr. A. A. L. Parsons: We do give, in a general form, details of Muslim employees on individual Railways.

THE STAFF SELECTION BOARD.

372. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state when the Staff Selection Board in the Government of India was appointed and when it was abolished? What was the method of recruitment in the Government of India Secretariats before the organisation of this body?

The Honourable Sir James Crerar: The Staff Selection Board was created in 1920 and ceased to exist on the 1st October, 1926, on which date its functions were transferred to the Public Service Commission. Until 1910 the method was one of limited competition. From 1910 until the creation of the Staff Selection Board, the Departments recruited by selection from approved lists of candidates.

COST OF ELECTIONS FOR THE CENTRAL LEGISLATURE.

373. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state who bears the cost of elections to the Legislative Assembly and the Council of State, and what was the cost of election for the Assembly that was formed in 1927, and the Council of State in 1926? If borne by the Provinces, what relief do they get for carrying on these elections on behalf of the Central Government?

The Honourable Sir Brojendra Mitter: The Honourable Member will observe from Entry 44 in Part II of Schedule I to the Devolution Rules that elections to the Indian Legislature are included in the provincial subject defined in that Entry. The responsibility for financing such elections accordingly rests with Local Governments and no question arises of affording relief to those Governments in consideration of their discharge of that responsibility. The Government of India have no information as to the amount of expenditure incurred by the various Local Governments in connection with the General Elections to the Council of State and Legislative Assembly in 1926 and 1927 respectively.

Mr. Anwar-ul-Azim: Will Government kindly inquire and let the House know how much really it has cost Local Governments on account of these elections?

The Honourable Sir Brojendra Mitter: I shall consider that.

SPECIAL CLASS APPRENTICES APPOINTED BY THE RAILWAY BOARD.

374. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state how many "special class apprentices" have been taken in by the Railway Board this year? How many of them are Hindus, Muslims, and Indian Christians? What examinations did they pass to qualify themselves for these posts, what initial salary will they get, and how much on confirmation?

Mr. A. A. L. Parsons: A statement giving the information asked for by the Honourable Member is laid on the table.

Statement showing the names, nationality and qualifications of Special Class Apprentices appointed during 1929-30 in the Mechanical Engineering and Transportation (Power) Department of State Railways.

Name.	Nationality.	Qualifications.
1. Krishna Chandra Chopra.	Hindu . . .	B. A.
2. Arthur H. Marley . . .	Anglo-Indian . . .	Cambridge School Certificate Examination.
3. John Owen Burns . . .	Ditto . . .	Ditto.
4. Nilatan Mitra . . .	Hindu . . .	Intermediate, Science.
5. Firoz Alam Khan . . .	Muslim . . .	Cambridge School Certificate Examination and Intermediate, Science.
6. Gyan Prakash Bhalla . . .	Hindu . . .	Intermediate, Science.
7. Kelapandra Muddappa Aiyappa.	Hindu . . .	Intermediate, Arts.
8. Dady Bap Vacha . . .	Parsi . . .	Cambridge School Certificate Examination.
9. Herbert Oscar Toomey . . .	Anglo-Indian . . .	Ditto.
10. Iqbal Chand Bahree . . .	Hindu . . .	B. A.
11. D. Venkatarama Reddy . . .	Hindu . . .	Intermediate, Arts.
12. A. Rehman Beg . . .	Muslim . . .	Intermediate, Science.

Apprentices get a stipend of Rs. 75 per mensem during the first three years, and Rs. 100 per mensem during the subsequent period of apprenticeship in India. During the period of apprenticeship in the United Kingdom they will be granted a stipend of £250 per annum. The initial pay of qualified apprentices on appointment as officers will be Rs. 375 per mensem and on confirmation Rs. 525 per mensem.

ELECTION TO THE LEGISLATURES OF MUSLIMS FROM MIXED AND GENERAL CONSTITUENCIES.

375. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state how many mixed and general constituencies there are in India for election to the various legislative bodies, and to how many of these a Muslim has been returned?

(b) Has there been any difference in the qualification of Hindu and Muslim voters in these constituencies (i) since the inauguration of the Morley-Minto Reforms, (ii) the Montagu-Chelmsford Reforms? If so, on what basis?

The Honourable Sir James Crerar: (a) and (b). I am not entirely clear as to the sense in which the Honourable Member uses the words "mixed and general constituencies". I have, however, taken him to mean constituencies, not being special constituencies, in which Hindus and Muslims vote together. On this assumption I am placing in the Library a statement containing the information desired by the Honourable Member.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly place that statement on the table of the House?

The Honourable Sir James Crerar: I think the Honourable Member and any other Honourable Member who is interested in the matter can conveniently obtain the information from the copy placed in the Library.

Dr. A. Suhrawardy: Is the reluctance of the Honourable Member to place it on the table of the House due to the ruling given by Sir Frederick Whyte, as referred to by a previous Member on behalf of Government?

The Honourable Sir James Crerar: The statement is somewhat long. If, however, the Honourable Member desires, I shall be prepared to lay it on the table of the House.

Elections in Mixed and General Constituencies.

1. In the elections to the Morley Minto Councils the only constituencies properly describable as general were the communal Muslim constituencies. The remaining constituencies in which Hindus and Muslims voted together were all in a sense special constituencies, their electorates consisting, e.g., of members of local bodies, of landholders, of Chambers of Commerce, etc. In the circumstances none of the questions put seems to arise with reference to the Morley Minto Councils.

2. A statutory distinction between special and general constituencies was first made in the electoral rules framed after the last Reforms. In the elections to the Central Legislature there are five constituencies within the assumed scope of the question, namely:

- (i) the Central Provinces constituency of the Council of State,
- (ii) the Burma constituency of the Council of State,
- (iii) the Council of State constituency set up by the Berar Electoral Rules for the purpose of electing a Member to be nominated under rule 3 (1) of the Council of State Electoral Rules,
- (iv) the Delhi constituency of the Legislative Assembly,
- (v) the Ajmer-Merwara constituency of the Legislative Assembly.

A Muslim Member was returned to the first Legislative Assembly by the Delhi constituency. On no other occasion has any Muslim Member secured election in any of these five constituencies. Except that the title qualifying a Hindu to vote at an election to the Council of State will be that of Mahamahopadhyaya, while the title qualifying a Muslim will be that of Shamsulema, there is no distinction between the qualifications of Hindu and Muslim electors for these constituencies.

3. In no province except Burma is there any general constituency in which Hindus and Muslims vote together. In Burma there are five (general) Indian urban constituencies returning between them eight Members to the Legislative Council. Within the Indian constituencies there is no distinction between Hindus and Muslims. Indians living outside their communal constituencies, whether Hindus or Muslims, are included in the general rolls. Three Muslims were returned from the following constituencies in the last general election to the Burma Legislative Council:

- | | | | | |
|--|-----|-----|-----|---|
| (1) Moulmein General Urban | ... | ... | ... | 1 |
| (2) Moulmein Indian community (Indian urban) | ... | ... | ... | 1 |
| (3) East Rangoon Indian community (Indian urban) | ... | ... | ... | 1 |

Information for the earlier elections to the Burma Legislative Council will be supplied to the Honourable Member if he so desires.

"MAJORITY" AND "MINORITY" COMMUNITIES.

376. *Mr. Anwar-ul-Azim: (a) Will Government be pleased to state what they mean when they say in replies to questions that, "Certain people are taken in from the minority communities to do away with the preponderance of one community over the other"?

(b) By what statute or convention have the expressions "minority communities" and "majority communities" been coined? Do the people of Chittagong Hill Tracts, who are all Buddhists, belong to a majority or minority community? Are they not counted with the majority communities for the purpose of census?

The Honourable Sir James Crerar: (a) and (b). I would refer the Honourable Member to the reply I gave in this House to his question No. 64 on the 3rd September last. My information is that the people of the Chittagong Hill Tracts are not all Buddhists. In Table VI, Volume V, Part II of the Census Report, which shows the distribution of the population by religions, Buddhists are shown separately from others. In Table XIII a broad distinction is made between non-Muhammadans and Muhammadans, and Buddhists are grouped with the former. This has nothing to do however with any distinction between majority and minority communities.

DISCUSSION OF THE GENERAL BUDGET.

377. *Mr. Anwar-ul-Azim: Will Government be pleased to state what objection there is to allowing the discussions of the General Budget as they appear in the Budget proposals of the Government of India *scriptim* without starting with Customs first?

The Honourable Sir James Crerar: Presumably the Honourable Member's question has reference to the discussion of Demands for Grants at the second stage of the discussion on the General Budget. Government have no objection to such Demands being discussed in the order in which they appear in the volume of "Demands for Grants", but as the Honourable Member will observe from your remarks, Sir, which appear on page 1608 of the Assembly Debates of the 7th March, 1929, that order has in practice been varied by mutual agreement subject, of course, to the consent of the Chair. In fact, so far as Government are concerned, they have always wished to follow the wishes of the non-official parties in this matter. The concluding portion of the Honourable Member's question is not clearly understood, because, if the order in the "Demands for Grants" is to be strictly followed, as seems to be the Honourable Member's intention, the House must start the discussion with the "Customs" Demand.

NUMBER OF JOURNEYS PERMITTED TO MEMBERS OF THE CENTRAL LEGISLATURE.

378. *Mr. Anwar-ul-Azim: Will Government be pleased to state how many intermediate journeys a Member of the Central Legislature can make, provided the journey is confined to a fortnight, during the course of a Session?

The Honourable Sir George Schuster: There is at present no limit.

APPOINTMENTS IN THE GOVERNMENT OF INDIA SECRETARIAT.

379. *Mr. Anwar-ul-Azim: Will Government be pleased to state which are the appointments in the Government of India Secretariat, which the executive Members of Government and their Secretaries can directly fill up without the medium of the Public Service Commission (the appointments of menials being excluded)?

The Honourable Sir James Crerar: The general rule is that initial recruitment to service in the Government of India Secretariat is made through the Public Service Commission. But promotions or selections for particular posts are made at the discretion of the Head of the Department, save where they require the approval of the Governor General.

APPOINTMENTS IN THE GOVERNMENT PRINTING HOUSE AT NASIK.

380. *Mr. Anwar-ul-Azim: Will Government be pleased to state what is the personnel of the Government Printing House at Nasik? Which of the posts there have been filled up by the Government Member in charge of the Department and which by the Public Service Commission? What is their total strength, excluding the menials, and what is the number of Muslim representation therein?

The Honourable Sir George Schuster: The total personnel, excluding gazetted officers, is 124. All appointments are made by the Master, Security Printing, India, who is the Head of the Department. Out of 124 employees, 6 are Muslims.

DISTRICT MEDICAL OFFICERS ON RAILWAYS.

381. *Mr. Anwar-ul-Azim: (a) With reference to my starred question put on the 4th February, 1930, will Government be pleased to state why there is no Muslim District Medical Officer in the East Indian Railway, while there are so many Indians therein? Who is responsible for these recruitments?

(b) Through what agency are the District Medical Officers recruited by the State Railways and the Company-managed Railways?

Mr. A. A. L. Parsons: (a) and (b). There was no Muslim District Medical Officer on the East Indian Railway up to recently because there were no Muslim Officers of that rank in service. One Muslim Officer who was recently recruited has been posted to that Railway.

The recruitment of District Medical Officers for State-managed Railways is made by the Government of India on the recommendations of the Public Service Commission. Company-managed Railways recruit such officers direct.

Mr. A. H. Ghuznavi: Is the Honourable Member aware that out of 40 district medical officers on State Railways only two are Muhammadans?

Mr. A. A. L. Parsons: I must verify the figures before I can accept the Honourable Member's statement, though I do not wish to suggest that it is incorrect.

Dr. Ziauddin Ahmad: May I ask if competent Muhammadans are not available for employment?

Mr. A. A. L. Parsons: I have no reason to believe that competent Muhammadans are not available for these appointments.

Dr. Ziauddin Ahmad: May I then ask the reason for their not being recruited if competent men are available?

Mr. A. A. L. Parsons: As my reply shows, they are now being recruited.

COST OF AUDITING AND ACCOUNTING FOR THE POSTS AND TELEGRAPHS DEPARTMENT.

382. ***Mr. Anwar-ul-Azim:** How much does it cost Government for auditing and accounting for the Posts and Telegraphs Department as a whole?

The Honourable Sir Bhupendra Nath Mitra: The expenditure incurred in 1928-29, the latest year for which complete actuals are available, on the accounts and audit of the Indian Posts and Telegraphs Department was Rs. 37,48,000 which included Rs. 1,51,600 for Post Office Life Insurance work and Rs. 8,00,000 for Post Office Savings Bank and Cash Certificate work.

COST AND EARNINGS OF THE DEPARTMENT OF INDUSTRIES AND LABOUR.

383. ***Mr. Anwar-ul-Azim:** What is the total cost of administration of the Department of Industries and Labour and what proportion does it bear to its total gross earnings?

The Honourable Sir Bhupendra Nath Mitra: The estimated cost of administration of the Department of Industries and Labour during the financial year 1929-30 is Rs. 6,03,000. The Honourable Member is perhaps not aware of the fact that the Department of Industries and Labour is not a revenue-earning Department.

CLASSIFICATION OF QUARTERS IN NEW DELHI.

384. ***Mr. Abdul Latif Sahib Farookhi:** Is it a fact that every year, or every second or third year, Government change the limits of pay of the employees of the Government of India for the purpose of allotment of quarters in New Delhi? If so, why?

The Honourable Sir Bhupendra Nath Mitra: Presumably the Honourable Member seeks information in regard to clerks' quarters in Delhi. If so, I would mention that between the years 1920 and 1929 the limits of pay for purposes of allotment of these quarters were changed on three occasions, *viz.*, in 1922, 1926 and 1928. The changes were made because (i) the scales of pay were revised and increased subsequent to the fixation of the original limits, and (ii) to equalise, as far as possible, the percentage of quarters in each class.

RULES FOR THE GRANT OF HOUSE RENT ALLOWANCE IN SIMLA.

385. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that for the purpose of granting house rent allowance in Simla, Government have made certain rules?

(b) Is it a fact that those employees who had elected old rules five or six years ago are not given the option of changing their choice? If so, why?

(c) Do Government know that, on account of this, a loss of about fifty rupees every year is being sustained by many employees?

(d) Will Government be pleased to state if it is a fact that they change their rules regarding the allotment of quarters in New Delhi, where the Government charge rent from their employees, and do not change the rules of Simla house rent allowance, where the Government give house rent to their employees? If so, what is the reason?

(e) Are Government prepared to consider the desirability of giving another choice to their employees? If not, why not?

The Honourable Sir James Crerar: (a) Yes.

(b) Yes. Two elections were allowed in the matter and it was made clear at the time that the second election would be definitely final.

(c) The men under the new rules get a slightly increased rate of house rent allowance, varying from Rs. 25 to Rs. 50 under certain restrictions from which men under the old rule are free. The difference in the rates cannot be described as a loss to the men under the old rules.

(d) Yes. Because the two matters are entirely distinct.

(e) The matter has been considered and it has been decided that there are not sufficient grounds for making any change in the rules, which are, generally speaking, working satisfactorily.

ADVANCES FOR HOUSE BUILDING.

386. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that house building advances are not granted to those employees of the Government of India who want to build houses in old Delhi, even in Paharganj? If so, why?

(b) Are Government prepared to consider the desirability of advancing loans equal to two years' pay for the purpose of house building instead of one year's? If not, why not?

(c) What interest do Government charge on such loans?

(d) Are Government prepared to consider the possibility of reducing such interest?

(e) In how many instalments are such loans recovered?

(f) Are Government prepared to increase the number of such instalments? If not, why not?

The Honourable Sir George Schuster: (a) Advances for building houses in old Delhi are not granted to employees of the Government of India whose offices are situated in New Delhi as it is not considered advisable to encourage Government servants to build houses at a distance from the offices in which they work. Paharganj is part of old Delhi.

(b), (c) and (f). Prior to November, 1916, an advance was limited to 6 months' pay and was recoverable in 24 instalments. In November, 1916, the limit was raised to 12 months' pay and the number of instalments to 48. The question of raising the limit for an advance and of increasing the number of instalments of recovery was considered by the Government of India in 1927 and they came to the conclusion that there was no case for changing the rules.

(c) 5 per cent.

(d) No. The rate of interest now charged is less than the rate at which the Government of India are borrowing in the open market.

REVISION OF THE PENSION RULES.

387. *Mr. Abdul Latif Sahib Farookhi: (a) Is the revision of pension rules under the consideration of Government? If so, since when?

(b) When is the revision likely to take effect?

The Honourable Sir George Schuster: (a) I would refer the Honourable Member to my reply to starred question No. 721 by Mr. Siddheswar Prasad Sinha published on page 1193 of the Legislative Assembly Debates for the 23rd September, 1929.

(b) The Honourable Member's attention is invited to the reply given by me on the 21st January, 1930, to starred question No. 94, asked by Mr. Lalchand Navalrai.

ORDERS BY HIS EXCELLENCY THE GOVERNOR GENERAL.

ALLOTMENT OF DATES FOR THE GENERAL BUDGET.

Mr. President: I now propose to read out an Order by His Excellency the Governor General, regarding the allotment of dates for the General Budget.

(The Assembly received the Order standing.)

"For the purposes of sub-section (1) of section 67A of the Government of India Act, and in pursuance of Rules 43, 46 and 47 of the Indian Legislative Rules, I, Edward Frederick Lindley, Baron Irwin, hereby appoint the following days for the presentation to the Legislative Assembly of the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of subjects other than Railways and for the subsequent stages in respect thereof in the Legislative Assembly, namely:—

Friday, 28th February	...	Presentation in the Legislative Assembly.
Tuesday, 4th March	...	} General Discussion in the Legislative Assembly.
Wednesday, 5th March	...	
Friday, 7th March	...	} Voting on Demands for Grants in the Legislative Assembly.
Saturday, 8th March	...	
Monday, 10th March	...	
Tuesday, 11th March	...	
Wednesday, 12th March	...	

IRWIN,

Viceroy and Governor General."

New Delhi,

The 19th February, 1930.

DISCUSSION OF CERTAIN HEADS OF EXPENDITURE BY THE LEGISLATIVE ASSEMBLY.

Mr. President: There is one more Order regarding the discussion on certain heads of expenditure.

(The Assembly received the Order standing.)

"In pursuance of the provisions of sub-sections (3) of section 67A of the Government of India Act, I hereby direct that the heads of expenditure specified in that sub-section shall be open to discussion by the Legislative Assembly when the Budget is under consideration.

IRWIN,
Governor General."

The 9th January, 1930.

MESSAGE FROM HIS EXCELLENCY THE VICEROY.

ARRANGEMENTS FOR PROTECTION OF THE ASSEMBLY CHAMBER AND ITS PRECINCTS.

Mr. President: I have a communication from His Excellency the Viceroy, which it is my duty to read to the House. It is as follows:

"The Viceroy's House,
New Delhi, 19th February, 1930.

Dear Mr. Patel,

After the discussions I have recently had with yourself, the Leader of the Opposition and Leaders of other parties in the Assembly, I am in a position, on behalf of the Government, to communicate to you their proposals for the solution of the difficulty that has arisen, in the hope that these may prove the basis of a working agreement or convention on the matters lately in dispute.

I cannot doubt that you and all non-official Members of the Assembly have only the same purpose in this matter as the Local Government and the Government of India, viz., to be satisfied that adequate protection is secured for the President and Members of the Assembly while in discharge of their duty; and if agreement can be reached upon the practical means to secure this purpose, and the means adopted prove adequate for its attainment, discussion of general principles, upon which agreement might be more difficult, need not arise.

I deal first with the question of the securing of protection in what are known as the inner precincts. In regard to this, Government would propose to depute to the service of the Assembly a senior police officer, who would be responsible to the President for regulating all matters relating to the protection of the Assembly within the inner precincts. For the purpose of his Assembly duty, this officer might be designated, "the Watch and Ward Officer of the Assembly".

In any case in which the special experience of the deputed officer might lead him to think that the precautions approved by the President were inadequate, it should be open to him to consult his superior officer in the Police Department, and if such officer shares his opinion, he should so report to the President, who would forward the report with his observations to the Governor General in Council in order that an opportunity should be afforded to the authorities concerned to confer with, and in the spirit of this convention to advise, the President upon the matter. In an immediate emergency, where such consultation was not possible or when the officer was unable to take the instructions of the President, the officer would be at liberty to take such action in virtue of his powers as a police officer, as his knowledge of the emergency appeared to him to render necessary and in such cases it would be assumed that he does so with the consent of the President.

Government further recognise the general desire among Members of the Assembly that the requisite protection should be secured through an Assembly establishment, and will be ready to co-operate in the early establishment of a staff of suitable quality for this purpose. This staff would be part of the Assembly establishment, subject to the control of the President, exercised through the deputed officer, and could wear such uniform as the President, on behalf of the Assembly, might direct. Until the special staff referred to above can be brought into existence, Government will place at the service of the Assembly and under the orders of the deputed officer, such police as may be required. Such police might, if so desired, be distinguished by the wearing of a special armlet at the discretion of the President.

Should this arrangement be acceptable to the Assembly, Government will arrange to depute a suitable officer, as suggested above, to be at your disposal forthwith for the purpose named, and I understand that you will then without delay take steps, in consultation with the Secretary to the Legislative Assembly and the deputed officer, to recruit the requisite permanent staff.

If, as I trust, these proposals commend themselves to you and the Assembly, I am able to say, on behalf of my Government, that they would view the arrangement embodied in them as an adequate substitute for the system which has hitherto been in force.

As regards the outer precincts of the Assembly, the matter may be examined further, and, in the meanwhile, the Government of India will instruct the Local Government that all orders issued to the police within the outer precincts of the Assembly sector shall be framed with the approval of the President, acting on the advice of the Local Government.

I greatly hope that, with goodwill on both sides, the arrangement that, on behalf of the Government of India, I have here outlined may furnish the means of resolving the unfortunate deadlock which has caused inconvenience to Members of the House, and has been a matter, as I believe, of equal concern to the Government and the Chair.

Yours sincerely,
IRWIN."

Honourable Members are aware of the difference on this matter, which arose between Government and myself, and I hope that the arrangement outlined in His Excellency's letter will prove to be a satisfactory solution of them. Without entering into a discussion of the legal aspects of the question, Government have now proposed the establishment of a convention, which offers means of resolving the immediate difficulty with which we are concerned, and which, I trust provides a permanent working basis for the future. On behalf of the House, I accept the arrangement in the same spirit as that in which it has been put forward, and as the convention which will now be established provides adequately for the exercise of authority by the Chair, I am glad to say that I shall always welcome and be guided on matters affecting the security of this House by the considered advice, which the authorities concerned may tender to me.

As the main question is now settled, I accordingly hereby direct that the galleries be re-opened on and from Monday, the 24th February, 1930, and passes issued to visitors in the usual manner.

Mr. Arthur Moore (Bengal: European): Sir, about a month ago you claimed, and I am using your own language, that your authority was so supreme and your control so complete

Mr. President: Will the Honourable Member resume his seat? Is there any point of order that the Honourable Member wishes to raise?

Mr. Arthur Moore: I wish to be heard on a question which vitally concerns this House, on which it has not been consulted.

Mr. President: The Honourable Member might put down a motion.

Mr. Arthur Moore: I have put down a motion. If it comes on

(Cries of "Order, order" from several Honourable Members.)

Mr. Arthur Moore: I have a right to be heard. I appeal to the sense of justice which I know you possess.

Mr. President: The Honourable Member can only act according to the rules and regulations of this House.

Mr. Arthur Moore: There is no rule which prevents me from saying what I have to say.

Mr. President: If the Honourable Member has any point of order to raise

(Mr. Moore remained standing.)

The Honourable Member must resume his seat when the Chair rises. If the Honourable Member has any point of order on any business before the House, he will be heard. If he has no point of order and if he has anything to represent to the Chair, he must come to his room and talk to him.

Mr. Arthur Moore: You have accepted, on behalf of the House, something on which the House has not been consulted. That is the point.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muhamadan): Why are you excited?

Mr. President: The Honourable Member need not be excited. If he has a reasonable amount of support in this House, he will always be entitled to put down a motion of "no confidence" in the Chair.

Mr. Arthur Moore: I am not at the moment expressing any lack of confidence. I wish to make some observations with regard to what you have just said.

Mr. President: The Honourable Member is not entitled to make any observations.

(Mr. Moore continued standing.)

Will the Honourable Member resume his seat? He cannot remain standing while the Chair is standing. The Honourable Member is not entitled to make any observation on the statement I have read.

Mr. Arthur Moore: I am entitled to make observations on the statement made. (*Honourable Members:* "Order, order.") A month ago, you said

(*Cries of "Order, order" from non-official Benches.*)

Mr. President: Will the Honourable Member resume his seat?

Mr. Arthur Moore: Sir, I am speaking on behalf of . . .

Mr. President: Will the Honourable Member resume his seat?

Mr. Arthur Moore: Sir, I appeal to your sense of justice, which I know you possess.

(*Cries of "Order, order!"*.)

An Honourable Member: We do not want to hear you.

Mr. Arthur Moore: Are you afraid to hear what I have got to say?

Mr. Gaya Prasad Singh: You are talking wildly.

Mr. Arthur Moore: If you keep quiet and listen to what I have got to say, perhaps you will change your mind.

Mr. President: I have already ruled that the Honourable Member is not entitled to speak on this.

Mr. Arthur Moore: Are you afraid of what I have got to say?

Mr. President: Will the Honourable Member resume his seat?

Mr. Arthur Moore: I wish to be heard.

Mr. President: The Honourable Member, if he does not like the way in which the proceedings of this House are conducted, is entitled to go out.

Mr. Arthur Moore: I prefer to stay. I am a Member of this House.

Mr. President: The Honourable Member must behave.

Mr. Arthur Moore: What rule am I disobeying?

Mr. President: You are disobeying every rule of this House.

Mr. Arthur Moore: No, Sir. You have stated that you have accepted an arrangement. Are we not entitled to discuss it? The House has heard nothing of this. Let me point out to the House that you claimed . . .

Mr. President: Order, order. Sir George Schuster.

Mr. Arthur Moore: (loudly) Sir, I wish to be heard and I shall be heard.

Mr. President: Sir George Schuster.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move that the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes (Amendment of sections 14, 25-A, etc.), as reported by the Select Committee, be taken into consideration.

The question of income tax amendment Acts and their frequent appearance has already been referred to by me in dealing with another motion this week. I feel, however, that the Bill under consideration can only be viewed with approval, because it is almost entirely concerned with concessions. I think, I may claim that the Bill is non-contentious. Two clauses, Nos. 6 and 11, of the original Bill were to some extent, I will not say contentious, but productive of considerable differences of opinion in the Select Committee. The former was intended, roughly speaking, to bring the law in certain provinces relating to the attachment of debts for arrears of tax into conformity with the law in other parts of India. The other related to arrangements for bringing what may be called Income-tax Agents under some sort of discipline and control. It was decided in the Select Committee that these two clauses should be dropped for the present and, if necessary, reintroduced at a later date in a separate Bill after further study and re-circulation of revised and simplified proposals on lines which appeared to carry with them the general agreement of the Select Committee. Apart from this reference to the two particular clauses which have now been omitted, I do not think it is necessary for me to enter into any further explanations on the purpose of this Bill. Sir, I move.

The motion was adopted.

Clauses 2 to 10 were added to the Bill.

Mr. President: The question is that clause 11 stand part of the Bill.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muhamadan): Sir, I beg to move:

"That for clause 11 the following clause be substituted:

"11. (a) In sub-section (2) of section 66 of the said Act, for the words 'within one month of the passing of an order under section 31 or section 32' the words 'within sixty days of the date on which he is served with notice of an order under section 31 or section 32' shall be substituted.

(b) For the words 'one month', in the second place where they occur, the words 'sixty days' shall be substituted'."

Sir, in making this amendment, I am actuated only by a desire to clarify the law, and save unnecessary hardship to the assessee who want to take their cases to the High Court. Section 66 is probably the only provision enabling an assessee to approach the High Court on a question of law. Now, what ordinarily happens in a case is that no dates are fixed for the passing of an order, and the assessee has no opportunity of knowing when the order will be passed and from what time the period of limitation will run. Sometimes orders are passed weeks or even months after the arguments are heard, and behind the back of the assessee, who cannot be expected to dance attendance in the office all the time. There is also no provision in law for informing the assessee as to when the order against him has been passed. Now, you will observe that in section 30, sub-section (2), it is stated, "within 30 days of receipt of the notice"; and in section 66, sub-section (3) it is stated, "within six months from the date on which he

[Mr. Gaya Prasad Singh.]

is served with notice", so that it will be observed with regard to other provisions of the Act a clear definition of the time of notice has been mentioned. Only by some unaccountable flaw nothing has been mentioned in sub-section (2) of section 66. I only wish to make this point clear, and to substitute the following, "within sixty days of the date on which he is served with notice of an order under section 31 or section 32". Further one month is too short, and so I would make it sixty days.

Now, it may be stated that, even when the period of one month has elapsed, the High Court can still be moved, but in the Indian Law Reports, 6 Lahore, page 373, it was held that:

"A delay of over a month in presenting an application to the Commissioner under section 66 (2) of the Indian Income-tax Act, after the order had been passed which gave rise to that application, robs the Commissioner of all jurisdiction, and a reference by him to the High Court under the section is therefore not competent."

I have changed 'one month' to '60 days', for this reason. The assessee must be given more time to formulate the points of law, as the rulings are that no fresh points of law could be raised in the application to the High Court under sub-clause (3).

I spoke on this subject on the Finance Bill on the 28th of March last year, and I do not want to add anything more now. I understand that the Government are willing to accept my amendment, in which case my thanks are due to them.

Sir, I move.

The Honourable Sir George Schuster: Sir, I am prepared to say, on behalf of the Government, that we are willing to accept my Honourable friend's amendment.

Mr. President: The question is:

"That for clause 11 the following clause be substituted:

"11. (a) In sub-section (2) of section 66 of the said Act, for the words 'within one month of the passing of an order under section 31 or section 32' the words 'within sixty days of the date on which he is served with notice of an order under section 31 or section 32' shall be substituted.

(b) For the words 'one month', in the second place where they occur, the words 'sixty days' shall be substituted'."

The motion was adopted.

Clause 11, as amended, was added to the Bill.

Clause 12 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Schuster: Sir, I beg to move that the Bill, as amended, be passed.

The motion was adopted.

THE CANTONMENTS (HOUSE-ACCOMMODATION AMENDMENT) BILL.

Mr. G. M. Young (Army Secretary): Sir, I beg to move:

"That the Bill further to amend the Cantonments (House-Accommodation) Act, 1923, for certain purposes, as reported by the Select Committee, be taken into consideration."

No amendments have been proposed, Sir, in this Bill and therefore it is unnecessary for me to make a long speech. But I think it is due to the House that I should endeavour to explain, in as few sentences as possible, why it is necessary to have a special Act of the Legislature to deal with these houses, and the changes that we now propose in that Act. The reason is the peculiar system which Government, from early times, have employed to secure house-accommodation for army officers in cantonments. When they established cantonments, they used to build, as they still do, accommodation in the lines, and barracks, for the Viceroy's Commissioned officers and the non-commissioned officers and men, both of the British and Indian services. But for officers they adopted a different plan. They laid out, in the various portions of the cantonment, sites for bungalows, and then offered these sites gratis to persons who were willing to build upon them houses suitable for the accommodation of military officers. In many cases the original grantees of these sites were the officers themselves; and even at the present day in certain cantonments, where regiments are permanently quartered, the bungalows are owned by the officers or by the regiments. But in other cases the Houses were built by civilians generally residents of the neighbouring city and leased by them to officers. The result was that, in course of time, the houses passed almost entirely, in many cantonments, into the hands of the civilian residents of the locality. Nowadays when battalions are moved to and fro from one cantonment to another (and it occurs now more frequently than in the old days), considerable difficulty arises in the matter of leasing these houses. The officers have to inquire before they come to the cantonment what houses are available. They have, probably, to make their arrangements with the landlord, generally at a distance and by correspondence; and the house-owner himself has no guarantee that his house will be occupied for a reasonable period, because the officer may soon be transferred.

These difficulties led to the first Cantonment House-Accommodation Act, which was passed in 1902. I need not go into the details of that Act. It was succeeded in 1923 by an Act which did remove most of the disabilities from which both the house-owners and the officers suffered. The insecurity of tenure was removed by introducing the principle under which Government, as distinct from the individual officer, became the lessee of the house for a term of years; and the difficulties about settling the rent were removed by expanding the existing Committees of Arbitration so as to give them a more non-official character. The great drawback of this Act was that it was almost impossible in some cantonments to assemble the Committee of Arbitration as composed under the Act of 1923. In introducing the Act, my predecessor, Mr. Burdon, remarked that there was a very grave danger that the elaborate procedure of the Act might place serious difficulties in the way of its operation, which has proved to be the case. For instance, the Chairman of the Committee of Arbitration has to be a person who is neither a Government official, nor interested in any

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land or holding in the cantonment. Well, it is very difficult, within the limits of the cantonment, to find a person who answers to that description. Let me take an instance of a particular case which occurred in Peshawar. It was found that there was only one person in the cantonment who was eligible for appointment to the Chairmanship of the Committee of Arbitration. It was also found that it was difficult to assemble the Committee at any time. The result was that the Committee took about eight months to reach a decision. Then somebody discovered that there was a flaw in the composition of the Committee. A new Committee had to be formed, and another six months elapsed before it reached its decision. The present Bill attempts to get rid of these difficulties by substituting for a Committee of Arbitration, a simple reference to the ordinary Courts, with an appeal to the High Court. The other measures in it are chiefly directed against an evil which has cropped up recently of bogus occupation of houses.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): What does the Honourable Member mean by "bogus occupations"?

Mr. G. M. Young: Under the Act, when a house is in occupation of an owner it cannot be appropriated. Instances have occurred where owners went into occupation of houses until some other arrangement had been made for the officer for whom a house was desired. Then the owner vacated the house again, and let it to a tenant who was prepared to pay a good rent and to remain in the House for a long time; whereas with the officer, there was no guarantee of his remaining, for he might be transferred at any moment.

These are the two respects in which the Bill purports to amend the existing law. I have only to add that the main measures in this Bill, including the clause which forms the subject of a minute of dissent by my Honourable friends, Dr. Moonje and Pandit Hirday Nath Kunzru, have been approved by a representative deputation of the Indian Cantonments' Association, a body which is very zealous in safeguarding the rights of house-owners in cantonments. That deputation discussed all the provisions of the Bill at great length with the acting Army Secretary last summer, and, as I said, recorded its approval of the main provisions in the Bill.

Pandit Hirday Nath Kunzru: Sir, I do not wish to speak at length at this stage because I shall have an opportunity of presenting my views in connection with this Bill when we come to clause 6, but I should like to say straightaway that the description given by the Army Secretary of the objects of the Bill should not lull the House into a false sense of security. He has tried to make out that the Bill is simply intended to remove defects of procedure, to give house-owners a better opportunity of earning a dividend on the capital invested by them in the construction of their houses and to provide military officers with more assured accommodation. I am afraid, Sir, that I regard this Bill as a direct attack on the house-owners. Had the Government been satisfied with minor changes in procedure, nobody would have taken any objection to it. But the main clause of the Bill is clause 6. I do not wish to go into the details of this clause because I have already said that I shall be able to discuss the principle involved in it when you put this clause to the vote. But I should like to deal at once with the point of "bogus occupation" raised by the Army Secretary. He said it was possible, under the present Act, for a house-owner to go

into a house owned by him simply to prevent a military officer from occupying it. No instances of this kind were given in the Select Committee, but I should like to draw the attention of the House to clause 7 of the existing Cantonment House-Accommodation Act, which was passed in 1923. If a Commanding Officer of a cantonment is satisfied that a house is suitable for occupation by a military officer or a military mess, he can not merely require the owner to allow the Government to take possession of it on certain conditions, but can also compel the existing owner to vacate it. It is obvious then, Sir, that even if a house-owner by dilatory tactics on his part prevents the occupation of a house by a military officer, the Cantonment Officer can subsequently compel the vacation of the house in question.

Mr. G. M. Young: By the owner?

Pandit Hirday Nath Kunzru: Will the Honourable Member wait and listen to me?

Mr. G. M. Young: I want to know what the Honourable Member means.

Pandit Hirday Nath Kunzru: I am trying to understand what the Honourable Member meant when he spoke of "bogus occupation". The Honourable Member's point seems to be that a house-owner might temporarily move into a house belonging to him with the object of letting it to a non-military man in order to secure a higher rent. I say, Sir, that, under the existing law, even if a house-owner resorts to such tactics, the military officers have a remedy in their hands. They can compel the occupier of the house to vacate it.

Mr. G. M. Young: Not if he is the owner.

Pandit Hirday Nath Kunzru: If the owner continues to occupy the house, then it is not "bogus occupation"; on the showing of the Honourable Member, himself, it is really *bona fide* occupation and I take it that the Honourable Member is not complaining against that.

Mr. G. M. Young: No, Sir, I am not complaining of that. What I said in my speech quite clearly was this, that the owner of a house can, under the Act, as it stands, go into a house for the purpose of defeating an officer for whom a house is required. Then that officer, for whom the house was required, will have to make other arrangements. Probably there is another house in the locality which can be taken. If the officer gets another house, the owner of the house, who temporarily occupied it, will vacate it and then give it to a tenant who is a non-military man.

Pandit Hirday Nath Kunzru: The Cantonment authorities can ask the house-owner to execute a lease and then ask the occupier to vacate the house. If however the house-owner continues to occupy the house, it cannot be said that the house-owner moved into the house simply to keep the military officer out. The question must be discussed then on entirely different grounds. We must discuss the reasons for which the house-owner wishes to move from a part of the city in which he is living into a bungalow situated in the cantonment. But I do not wish to deal with the question just now. I shall discuss it in connection with clause 6. But I submit that the speech of the Army Secretary has created a

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misunderstanding with regard to the main objects of the Bill and he certainly did not represent the situation correctly when he dealt with what he called the "bogus occupation" of a house.

Mr. G. M. Young: I understand the Honourable Member is not opposing the motion for taking the Bill into consideration. If so, I have nothing to say at present.

Mr. President: The question is:

"That the Bill further to amend the Cantonment (House-Accommodation) Act, 1923, for certain purposes, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

Mr. President: Clause 6, Pandit Hirday Nath Kunzru.

Mr. G. M. Young: On a point of order, Sir. Do I understand that the Honourable Member is proposing an amendment to the clause?

Pandit Hirday Nath Kunzru: I am not proposing any amendment, but I am within my rights in opposing the whole clause.

Mr. President: Yes, go on.

Pandit Hirday Nath Kunzru: Sir, in order to understand the significance of clause 6, it is necessary that the House should be aware of some provisions of the existing Cantonments (House-Accommodation) Act. I will not go into the history connected with the amendment of the old Act of 1902. It will suffice for my present purpose to take the Act as it stands. Section 5 of this Act states that every house that is situated in a cantonment is liable to appropriation by Government on a lease in the prescribed manner. Section 6 lays down that where in the opinion of a Commanding Officer of a cantonment a house should be taken possession of by Government, he should serve a notice on the owner of the house, requiring him, after at least three days from the service of the notice, to permit the house to be inspected, measured and surveyed. Section 7 empowers a Commanding Officer, in case he is satisfied, on the report of the inspecting officer, that the house is suitable for occupation by a military officer or a military mess, to serve a notice on the owner, requiring him to execute a lease of the house to the Government for a specified period of not less than five years. It also empowers him to require the existing occupier, if any, to vacate the house.

The House will thus see that, as I have already stated, under section 6 a house can be inspected, measured and surveyed only three days after the service of the notice. The house-owner thus gets an opportunity of moving into the house. Section 10 of the Act lays down certain conditions under which a house shall be exempt from appropriation by Government. One of the conditions under which a house cannot be appropriated by Government is that it should be occupied by the owner.

My Honourable friend the Army Secretary says that section 6, which requires at least three days' previous notice to the house-owner before a house can be inspected, leaves a very undesirable loophole and enables a house-owner to occupy his own house within those three days and prevent

the military authorities, under section 10 of the present Act, from appropriating it. Now, Sir, we have to see why it is that practical difficulties have arisen in connection with the occupation of their own houses by house-owners in cantonments. My Honourable friend, the Army Secretary, contended that it was reasonable for Government to see that military officers were provided with accommodation in the cantonments. That is a sound principle.

Mr. G. M. Young: It was not necessary for me to bring out that contention at the time.

Pandit Hirday Nath Kunzru: If that was not the contention of my Honourable friend and that is not the principle on which this Bill is based, I think it ought not to receive a moment's consideration at the hands of the House. I thought the entire principle on which the Bill was based was that it was reasonable that military officers should be provided with accommodation in the cantonments.

Mr. G. M. Young: The principle is that this accommodation has been provided for occupation by military officers in cantonments.

Pandit Hirday Nath Kunzru: I will grant that it is reasonable that military officers should be provided with decent accommodation in cantonments. The first question, however, that arises in this connection is whether there is such an acute shortage of accommodation at the present time as to lead Government to change the present law in the manner which this Bill suggests. Sub-clause (a) of clause 6 of the present Bill requires that, for clause (c) of section 10 of the Act, which exempts a house from occupation in case it is occupied by the owner, the following clause shall be substituted:

"(c) is occupied *bona fide* by the owner as his residence and has been so occupied continuously during the *one month* immediately preceding the issue of the notice under section 6, . . ."

If this clause is passed as it stands, it is obvious that every house-owner can be prevented by the military authorities from occupying his house. Before the House accepts this amendment I think it ought to ask the military authorities to satisfy it that there is such a serious shortage of houses that no accommodation can be provided for military officers, unless the house-owners are prevented from moving into their own houses. We went into this question at length in the Select Committee. It was not contended then that in any cantonment, whether it was Peshawar in the north or Poona in the south, such a situation had arisen and that it required to be dealt with immediately. All that we were told was that there was a very small number of houses that remained to be occupied in future by military officers, and that it was therefore desirable that Government should legislate immediately in order to deal with a situation that might arise two or three or four years hence.

Another question which deserves consideration in this connection is whether the present Act has enabled the house-owners to prevent the military authorities from satisfying their reasonable needs, and to take advantage of the so-called loophole left by section 6 to let their houses to non-military men in order to charge them a higher rent. No instances even of that kind were available in the Select Committee. My Honourable friend tried to make out that this Bill was intended to deal only with

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bogus occupation; but as I have already pointed out, in case the house-owner lets his house to a non-military man, the military authorities can compel its evacuation. The only circumstance in which the military authorities are powerless is when the house-owner continues to reside in his house; and, Sir, does continuous residence in a house by the owner not constitute *bona fide* occupation? Great stress was laid in the Committee on the inclusion of the words *bona fide* in clause 6 of the present Bill, but the speech of my Honourable friend, the Army Secretary, shows the sense in which these words are to be interpreted. If even house-owners living continuously in their own houses can be accused of bogus occupation, what are the circumstances that would constitute *bona fide* occupation of a house? It is obvious that Government, while employing a form of words that might satisfy the unwary, really wish to use their powers in such a way as to prevent a single house-owner from continuing to exercise the legal right which he has under the present Act.

There is another important fact which I would place before the House in this connection. When the amendment of the old Act of 1902 was under consideration, the house-owners were afraid lest their right to live in their own houses should be taken away. A deputation of the All-

India Cantonments Association waited on Lord Reading in 12 Noon. March, 1923, and received from him the assurance that Government did not intend to take away from them the right they enjoyed of occupying their own houses. The Army authorities think that, as this undertaking was fulfilled in regard to the Act of 1923, they are absolved from observing it any further. Now, Sir, it is the principle underlying this proceeding that deserves the consideration of this House. Lord Reading assented to the request of the house-owners on the ground that it was a perfectly just demand, that the principle underlying it was a thoroughly reasonable one. If this is accepted, the matter ought to wear a different complexion in the eyes of the House. If Government considered it reasonable in 1923 that house-owners should not be deprived of the right of occupying their houses, there is absolutely no reason why they should now introduce a law with the express object of depriving them of that right.

Sir, the real reason why in many places house-owners wish to occupy houses situated in cantonments is, in the first place, that in some of the towns, for instance, those situated on the frontier, there is a great deal of insecurity of life and property. The Indian quarter of the town is not guarded with one-tenth the care that the cantonments are. Is it not natural in these conditions that those fortunate people who own houses in cantonments should like to take advantage of this fact in order to live in circumstances of greater comfort and security? Sir, I lay stress on this subject because, since I began taking an interest in this question three years ago, I have found that it is the case of Peshawar that has come repeatedly before this House. I dare say that the principle of the Bill will apply to all cantonments, but I feel I am justified in saying that it is the difficulties that have arisen in Peshawar in particular that have led Government to propose a change in the existing law. The other reason why the house-owners wish to move into the houses situated in cantonments is that the cities are already greatly congested and they wish to live now in cleaner and healthier surroundings. Is this desire unreasonable? Can it be contended in these circumstances that a man

who moves into his house is doing so with the deliberate object of preventing the military authorities from securing reasonable accommodation for their officers? There is another reason also, Sir, which induces the house-owners to move into cantonments and that is that in certain places there are no civil stations. If there were these civil stations, to which people desirous of living in healthier and more sanitary conditions could shift, I am sure there would be no desire on the part of the house-owners to refuse to reside in the civil stations and to insist on living in houses situated in cantonments.

Sir, when I asked questions about Peshawar in the House two or three years ago, my Honourable friend, Mr. Young, said that an officer of the Army Department would be deputed to Peshawar to consider the matter referred to by me and to submit a report to the Government. Well, the officer who was deputed happened to be the Deputy Secretary to the Government of India in the Army Department. Shortly afterwards he became the officiating Secretary, and the result was that no report was submitted to the Government. It was thought undesirable for the officer to submit a report to himself when he became the officiating Secretary. We do not know, therefore, what consultation he had with the house-owners there, what were the points they raised, and what were the views he submitted to Government. But as I have been in touch with the house-owners, I am in a position to say that they took up a very reasonable attitude. They laid before Government the considerations that I have now laid before them and offered to build new houses should Government give them sites on reasonable terms. Sir, if the Government take a large view of the matter, it is possible for them to proceed in such a way as to give the relief required by the military authorities, and at the same time to enable the higher section of the Indian population to live in better conditions than prevail at the present time in congested cities and in towns on the frontier. My Honourable friend, the Army Secretary, contended that the extension of the cantonments might provide no real remedy. I understood him to say that the houses that exist already in cantonments were built on the express condition that the military officers would have a prior right to their occupation. He therefore thinks that, if fresh houses were constructed on the same condition, there is no reason to believe that the same difficulties would not arise in future. Now, Sir, if Government have deeds and documents in their possession enabling them to prove that the conditions on which the houses were allowed to be built in cantonments were such as they are represented to be by the Army Secretary, they have a legal remedy in their own hands. But they find themselves in a difficulty precisely in those places where they are unable to prove that the houses which they wish to occupy were built on the conditions alleged by them. They say that while their statement that these houses were built on the condition already referred to is perfectly correct, on account of circumstances over which they had no control, they have lost the deeds which would enable them to establish this. I am not prepared, Sir, to take them at their word in this matter. Their assertion is purely in the circumstances a matter of surmise. The supposition of my Honourable friend, the Army Secretary, may be correct; on the other hand, it may be wholly wrong. We have therefore to take the matter as it stands, and I contend that no instance has been shown proving that, in cases where the Government have the necessary documents, there has been any difficulty in the way of their occupation

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of houses built on the condition that they should be available for occupation by military officers. On these grounds, Sir, I am unable to give my support to sub-clause (a) of clause 6. I hope still, Sir, that the Government will pause before they insist on the passage of this clause. There is not in many cantonments a large number of houses at present occupied by house-owners. It is on their own showing a very small one. If their needs are growing, they surely cannot be satisfied by the passing of this legislation. They will sooner or later have to undertake the construction of new houses. Then why should they not embark on such a course now and, in satisfying their own needs, give satisfaction also to the house-owners in cantonments? They ought to bear in mind that, in some places, difficulties have arisen not merely because of a desire on the part of the house-owners to occupy their houses, but because the strength of the forces resident in those places has been lately increased.

I think, Sir, in these circumstances, it is reasonable on our part to ask that the passage of this legislation should be postponed, and that in the meanwhile the Government should consider the larger grounds on which they find house-owners desirous of moving into their own houses. This is a matter, Sir, which has been brought before the authorities by the house-owners of various cantonments and also by the Muslim Association of Peshawar. The work undertaken by the Muslim Association in this connection deserves the special recognition of this House. The Association has been treated with scant courtesy by the authorities. I understand that at one time the Association was told that no correspondence could be carried on with it as it was not recognised by the authorities. I do not know, Sir, whether the authorities were strictly within their rights in taking their stand on so technical a ground, but considering the question in a large way, I do think that their troubles would have been over much more quickly had they listened to the reasonable requests of the Muslim Association, and that they are themselves responsible for the difficulties in which they find themselves now. Sir, I oppose sub-clause (a) of clause 6 and I request that the two clauses (a) and (b) of clause 6 be put to the vote separately. In case, Sir, you find yourself unable to comply with this request, I shall be compelled to oppose the whole of clause 6.

***Maulvi Mohammad Shafee Daoodi** (Tirhut Division: Muhammadan): Sir, I rise to support my Honourable friend, Pandit Hirday Nath Kunzru. He has described in detail, Sir, what the present law is and what the amendment is that is proposed by the Government. I need not dilate upon that. But it is very clear to me that the balance of inconvenience is on the side of the owners. I admit that Government might find difficulties in securing accommodation for its military officers, but the Government have also got to see that the owners of houses in cantonment areas are not put to much inconvenience. If the Honourable Member in charge of the Bill would weigh the inconvenience of the military officers and the inconvenience of the owners of the houses, he would come to one, and one conclusion alone, and it is that the inconvenience is more on the side of the house-owners. It is not difficult for the Government to build for the military officers bungalows in the cantonment area which they require, but it is very

difficult for the house-owners who have purchased or built houses in the cantonment area at fabulous expense to hand them over to the Government under the new conditions. There are already certain conditions under which Government can occupy these bungalows; they should be content with that and not go beyond that. It appears to me, Sir, it will cause great injustice to the owners of the bungalows, and I hope every Member of this House will realise it and will lend his strong support in throwing out that clause which has been opposed by my Honourable friend, Pandit Hirday Nath Kunzru.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Sir, I rise to support my Honourable friend, Pandit Kunzru. I have not been able quite to comprehend the object of my Honourable friend the Army Secretary. If his idea is that there should be suitable accommodation and adequate accommodation for the military officers in cantonments, he has my full sympathy, but I find that it is amply provided for by the law at present in existence. I have heard allegations against Government in this respect, and these allegations are that the Government do not want Indians to go and live in the cantonment areas, and they say that this Bill has been brought forward primarily with the idea of preventing Indians from going and living there. I do not know how far these allegations are true, but of this much I am sure, that the Army Secretary has not been able to make out a case either in the Select Committee or on the floor of this House that there is any need for this amending Bill. His only object must be, I suppose, to provide for finding adequate and suitable accommodation for the military officers, and his idea also must be to prevent bogus occupation by others of the houses available and needed for military officers in cantonments. These two objects are amply provided for by the Act of 1923. If the idea is, however, to prevent the owners of the houses from occupying their own houses so that they may not have the advantage of living in the cantonment, then the allegations of these people seem to be correct; but the Army Secretary has denied that the idea is to prevent the house-owners from going into their houses to avoid Europeans having to live in association with or as neighbours of Indians in the cantonments. If the house-owner goes into his house and is not in *bona fide* occupation of the house and wants to deceive the military authorities, there is ample provision for dealing with such cases in the Act of 1923. If he first resides in the house and then vacates and gives the house to another person on higher rent, then under section 7 (b) of the Act of 1923, the military authorities have the power of requiring the existing occupier, if any, to vacate the house. If the owner himself goes and occupies the house for himself, then there must be some motive, for he does not want to go there simply to deceive the military authorities and suffer a loss to the extent of the rent that he might otherwise get; so that is an idea which is not comprehended, being against human nature.

It has not been proved either in the Select Committee or on the floor of this House that there is really a serious shortage of accommodation for military officers in any of the cantonments. If that is so, instead of coming out with this amending Bill, we would ask the Army Secretary to take a constructive view and come out with a constructive scheme by which he could meet both the wants of the military officers and of the house-owners. You will have to admit that house-owners owning houses in cantonments have a right to go and live in those houses; you will have to admit that

*Speech not revised by the Honourable Member.

[Dr. B. S. Moonje.]

right, and we in this House will never give support to any measure if the idea is to prevent house-owners from occupying bungalows or building bungalows in cantonments in the interests of their health, in the interests of their security, and in the interests of providing relief to the congestion already existing in certain cantonments. To that extent we shall be opposed in a determined way if the idea be to prevent Indians from going and living in cantonments. The Army Secretary has however my full sympathy and I shall offer him my full co-operation whenever he may come before this House with a constructive proposal to provide for adequate accommodation to the military officers as well as for Indians. But I find that on this occasion he has not been able to make out a case in favour of his Bill under debate because he has never said and he has based his argument in favour of this amending Bill on the supposition that there is a shortage of houses and that the military officers are being inconvenienced for want of accommodation. With these words, Sir, I support my Honourable friend Pandit Hirday Nath Kunzru.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): I wish also to support the motion which has been so ably moved by my Honourable friend, Pandit Hirday Nath Kunzru, that clause (a) of clause 6 of this Bill should be rejected.

Mr. President: There is no such motion before the House.

Maulvi Muhammad Yakub: He opposed the clause, Sir, and I support him in that. Pandit Hirday Nath Kunzru has, in an elaborate and ably-worded speech, fully shown to the House that the existing law is quite sufficient to afford facilities to the military officers in the matter of accommodation in the cantonments, that if really the houses are required for accommodation of military officers in cantonments, the authorities could eject the non-military occupants of the houses if they are not the owners of the houses. Now, the amendment which has been proposed to be made certainly and clearly would prove a source of great harassment to the house-owners themselves. The words "*bona fide* resident" is certainly such an ambiguous word that it may be used to harass the house owners at any time and in any form. It has been shown and it has also been admitted by the Government that there is not a dearth of houses for military officers in any of the cantonments at present. Therefore it is not clear to me why this amendment is being brought on to the Statute-book. Since this Bill came into this House, we, the Members of the Assembly, have received a large number of representations, applications and communications from house-owners in different cantonments in the country, and there seems to be a great deal of discontent and misunderstanding about this amendment in the minds of house-owners in Indian cantonments. It is not therefore just and proper that a measure which will create such an amount of discontent in the country should be placed on the Statute-book. After the speech of my friend, Pandit Hirday Nath Kunzru, it is not necessary that I should go further into the details of this clause; and with these few words I wish to support his motion.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): Sir, I have just one consideration to urge. The object of this section is presumably to get at the owner who is not a *bona fide* occupier. With that object we all have sympathy; but as the clause is

worded, it makes it absolutely impossible for an owner who wishes to occupy his house *bona fide* to do so; and if that is the position, we can never agree to it. I should like my Honourable friend, Mr. Young, to explain how this clause will protect an owner who genuinely wishes to be in occupation of his house; and unless my Honourable friend is able to satisfy the House that this clause is not unduly restrictive, and does not operate as a sweeping curtailment of the rights of the owner, I for one will vote against it.

Mr. G. M. Young: Sir, I think I shall be able to explain what is the precise object of this clause and also that it does not constitute, as my Honourable friend, Pandit Hirday Nath Kunzru, sought to argue, an invasion of the rights of owners in cantonments. The fact is sometimes overlooked that all the houses with which this Act deals are houses which were built for occupation by military officers on land granted free for that purpose. Now, my Honourable friend has talked a great deal about the rights of the house-owners. The house-owners undoubtedly have rights, and the object of this amending Bill is in many cases to maintain their rights. But, Sir, the military officers in cantonments also have certain rights. These houses were built for occupation by them. There is, broadly speaking, no other accommodation which they can occupy. This was the manner in which Government provided house accommodation for its officers. As I have said already, they built barracks and accommodation in the lines for the sepoys and British soldiers, and the non-commissioned officers and the Viceroy's commissioned officers. These are perfectly secure in the accommodation that Government has built for them. Similarly, in modern cantonments, as in the New Delhi Cantonment, Government did not adopt the old plan, but built bungalows for occupation by officers. So there again there is no trouble or difficulty. It is only under the curious system that the Government adopted in the first instance to house their officers, that these difficulties arose; and undoubtedly the house-owners found themselves at a disadvantage under that system, because as I say, regiments come and go for short periods, and the house-owner, having built the accommodation for a military officer, had no certainty that the house would be regularly occupied and that he would get regular rent. That was the great difficulty; and the two previous Acts and this amending Bill were aimed at remedying it. The main portion of this Bill is the substitution of a simple method of reference to the Courts for a Committee of Arbitration in the matter of rent. But there are one or two other points in which it has been found that the existing Act has been abused; and this is one of them. My Honourable friend, Pandit Hirday Nath Kunzru, still does not understand what I mean by bogus occupation . . .

Dr. B. S. Moonje: How has the Act been abused?

Mr. G. M. Young: I shall proceed to explain. My Honourable friend, Mr. Kunzru, still does not understand what I mean by bogus occupation, and perhaps the House will bear with me if I explain it once again. Let me take an ordinary instance. An officer who is occupying a bungalow leaves the cantonment; there is a gap of a month or two before his successor arrives. The owner may find this present system of letting to individual officers very unsatisfactory; he is not secure in his rent, and he never knows when his tenant will be changed. He thinks that it might be a good opportunity to put in a permanent tenant.

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Dr. B. S. Moonje: A non-military permanent tenant can be ejected; that is provided in section 10 (c) (iii) of the Act of 1923.

Mr. G. M. Young: If my Honourable friend will allow me to complete the argument I think he will be satisfied. The owner then proceeds to go into the bungalow himself and he occupies it; and when the next officer, who comes in succession, arrives in the cantonment, there is not at that moment a bungalow available for him. Now, under the terms of the Act, as it stands at present, the Officer Commanding the station, who is responsible for issuing notices under this Act, cannot issue a notice to the owner of that bungalow, because the owner is at that moment in occupation. He may have, and generally does have, a house of his own in the city; but still he has gone and entered into temporary occupation of his house. Very well. What is the Officer Commanding the station to do? Perhaps he is able to find another house for the incoming officer; that house might have to be resumed, or appropriated under the Act; but anyhow, somehow or other he finds the officer another house. The need has disappeared, and the Officer Commanding the station would not be justified in issuing a notice under this Act on the tenant whom the owner subsequently puts in, because at that moment there is not a shortage; there is no officer wanting house; and that has happened actually.

Pandit Hirday Nath Kunzru: May I interrupt my Honourable friend? Does this not show that other houses are available?

Mr. G. M. Young: I would rather complete my argument if I may. That is the object of this clause—to prevent a contingency which has actually happened in one or two cases. It is not a thing that happens universally. My Honourable friend laid great stress on the fact that there has not been a shortage of bungalows in any particular cantonment, and that no such case has been made out. That, broadly speaking, is true—there are enough houses, in cantonments, taken in conjunction with hotel accommodation and so on, to accommodate the existing number of officers in each cantonment. As a matter of fact, even that is not entirely true of all cantonments. There are cantonments where officers cannot get houses. In the cold weather they have to live in tents. As I have already said, these houses were originally built for occupation by officers. That is what they were intended for. Now, if any owner can go into his house, and has the right, as my Honourable friend says, to live in his house, it follows that all owners have the right to live in their houses; and if all owners exercise that right there will be no houses left in cantonments for occupation by military officers.

Mr. H. P. Mody: And therefore you make it impossible for any owner to occupy his house?

Mr. G. M. Young: All we want to do is to make it possible for every officer in the cantonment to have a house. There is no attempt made to prevent owners from living in their houses except when a change of officers takes place. After all, the house has been built for the officer and not for occupation by the owner. The owners have other houses. The officers have not.

Mr. Abdul Latif Sahib Farookhi (North Madras: Muhammadan): Why should not Government build bungalows for military officers?

Mr. G. M. Young: When they can afford to do so, Government do build bungalows for officers. But is it reasonable to expect that Government should build new bungalows for occupation by officers in order to allow civilians who are not ordinarily residents of cantonments to come into the cantonments and live in houses which were built for officers? Wherever they can do so without infringing upon the rights of officers, that is to say, whenever the officers are accommodated, there is no objection whatever to a cantonment house-owner living in his house. As a matter of fact a great number of them do. Now, my Honourable friend referred to an undertaking given by Lord Reading in connection with the Bill of 1923, which became law. It is quite true that Lord Reading said in answer to the deputation, that it was not the intention of Government to encroach upon the existing rights of house-owners to live in their houses. That is perfectly clear. Now, Sir, what is the existing right of a house-owner to live in his house?

Maulvi Muhammad Yakub: You can always explain away the promises made by the Government.

Mr. G. M. Young: What is the existing right? To live in the house into which he has got. There is no doubt about it. As I said, there is no intention whatever of turning any owner out of his house. My Honourable friend referred to Peshawar. He referred to the fact that the Deputy Secretary in the Army Department went there. I went there myself a year later and met a representative deputation of the house-owners. They were rather perturbed, because of a rumour which had gone out that Government intended to turn house-owners out of their houses—those of them who were already in occupation. I made it clear that Government had no such intention, and that house-owners who were living in their own houses in cantonments would be left unmolested. Not only will they not be affected by the provisions of this Act, but we have no intention of applying to them the power of resumption which we have in the case of every one of these houses. I may also add that the deputation at Peshawar were perfectly content to have all the houses which were left in the cantonment taken up under the House-Accommodation Act.

Then my Honourable friend said that it is incumbent upon Government to make other provision. Well, as I have said, we do build, wherever necessary. In Peshawar there is a scheme of the civil authorities for expansion of the civil station, in order to give an opportunity to people who wish to come out of the city to avail themselves of the greater security, which is provided by the cantonment. But we must first accommodate the military officers who are in the station. As I said, the Peshawar landowners have no objection to our appropriating the houses which are still occupied by military officers. I may add that the deputation to which Lord Reading gave that undertaking was a deputation of the All-India Cantonments Association, the very Association which has now approved of this particular clause. So it is quite obvious that in their minds there was no going back upon that undertaking.

Then I would point out that this clause only enables the Officer Commanding the station to appropriate houses *where necessary*. That is to

[Mr. G. M. Young.]

say, there must be an officer wanting the house. Besides that, if Honourable Members will look at clause 6 (b), they will see that this right cannot be exercised in respect of any house that has not been occupied by a military officer or military mess, at any time during the three years immediately preceding the issue of the notice under section 6. All that we are trying to do is to secure houses which have regularly been occupied, since the time they were built, by military officers, and that only if there is an officer who actually needs the accommodation. It seems to me a very reasonable provision; and, as I say, it is designed to meet a contingency that has arisen in one or two cases. It is not a general measure intended to meet a general tendency on the part of house-owners to occupy their houses. It is quite incorrect to refer to it in that light. For these reasons, Sir, I think I am entitled to ask the House to pass this clause which is, as I have said, only one of the minor provisions of the Bill, the main object of which is to get rid of Committees of Arbitration, and to substitute a simple and effective method of resort to the ordinary Courts.

Dr. B. S. Moonje: On a point of information. Has there been any case where, in a cantonment, military officers have not been able to get adequate accommodation owing to the insistence of the house-owners to live in their own houses or of the house-owners deceiving in order to give the houses to other tenants at a higher rent?

Maulvi Muhammad Yakub: Can you quote examples?

Mr. G. M. Young: I cannot at this moment cite instances.

Mr. President: The question is that clause 6 stand part of the Bill

The Assembly divided:

AYES—39.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Coatman, Mr. J.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hayman, Mr. A. M.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Jawahar Singh, Sardar Bahadur
Sardar.

Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarma, Mr. R. S.
Schuster, The Honourable Sir George.
Singh, Mr. Adit Prasad.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Young, Mr. G. M.

NOES—39.

Abdoola Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Abdullah Haji Kasim, Khan Bahadur
Haji.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Badi-uz-Zaman, Maulvi.
Chaman Lall, Diwan.
Dakhan, Khan Bahadur W. M. P.
Ghulam Kadir Khan.
Das, Mr. B.
Dutt, Mr. Amar Nath.
Farookhi, Mr. Abdul Latif Saheb.
Ghuznavi, Mr. A. H.
Gidney, Lieut.-Colonel H. A. J.
Gulab Singh, Sardar.
Hyder, Dr. L. K.
Iswar Saran, Munshi.
Kidwai, Sheikh Mushir Husain.
Kikabhai Premchand, Mr.
Kunzru, Pandit Hirday Nath.

Lal, Mr. Hari Prashad.
Malaviya, Pandit Madan Mohan.
Mitra, Mr. S. C.
Mody, Mr. H. P.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Murtuza Saheb Bahadur, Maulvi.
Sayyid.
Neogy, Mr. K. C.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rang Behari Lal, Lala.
Rao, Mr. G. Sarvotham.
Roy, Mr. B. C.
Shafee Daoodi, Maulvi Mohammad.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gava Prasad.
Suhrawardy, Dr. A.
Yakub, Maulvi Muhammad.
Ziauddin Ahmad Dr.
Zulfiqar Ali Khan, Sir.

Mr. President: Order, order. As this is a new provision, I cannot vote for it. I must, therefore, vote against it. (Loud Applause from the non-Official Benches.)

The motion was negatived.

Clauses 7 to 17 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Mr. G. M. Young: Sir, I beg to move that the Bill, as amended, be passed.

Mr. President: I would advise the Honourable Member not to make that motion just now. In view of the fact that clause 6 has gone out, he will have to make consequential amendments. The Honourable Member may take up this motion afterwards.

Mr. G. M. Young: Thank you, Sir, I see the point, and I do not wish to move at this stage that the Bill be passed.

STATEMENT OF BUSINESS.

The Honourable Sir James Crerar (Leader of the House): Sir, with your permission, I desire to make a statement of the probable course of Government business in the week beginning Monday, the 24th February. As Honourable Members are already aware, Monday, the 24th and Tuesday, the 25th, have been allotted by the Governor General for the voting on Demands for Railway Grants. Wednesday, the 26th, is a gazetted holiday. On Thursday, the 27th, any business left unfinished today will be continued, and thereafter motions will be made to take into consideration and pass the Income-tax (Amendment) Bill, the Insolvency (Amendment) Bill, and the

[Sir James Crerar.]

Indian Railways (Amendment) Bill, as reported by the Select Committee, and to refer to Select Committee the Indian Companies (Amendment) Bill. Elections will be held for the new Standing Finance Committee for Railways and to elect two Members to sit on the governing body of the Indian Research Fund Association. Motions will be made for the election of three Members to the Public Accounts Committee to fill existing vacancies and to fill an existing vacancy in the Standing Committee for Roads. I understand that the Governor General has appointed Friday, the 28th February, for the presentation of the General Budget, excluding railways.

ARRANGEMENTS FOR PROTECTION OF THE ASSEMBLY CHAMBER AND ITS PRECINCTS.

POINT OF ORDER RAISED BY MR. ARTHUR MOORE.

Mr. Arthur Moore (Bengal: European): Sir, I wish to rise to a point of order.

Mr. President: The Honourable Member from Calcutta, Mr. Arthur Moore, has just passed on a chit to me inquiring whether I would permit him to raise a point of order before I adjourned the House. He does not state in the chit on what subject he wishes to raise a point of order. There is no business before the House on which there could be any point of order. But I infer, that perhaps the Honourable Member wishes to raise some point on the statement that I had read to this House in the beginning of the day. If that is so, it was his duty to raise the point then. The Chair had repeatedly asked him whether he had any point of order, but he continued saying, "No", and that he wanted to speak. He is, therefore, too late now. If there is any other point of order which he wishes to raise, I am afraid there must be some business before the House before I can allow him.

Mr. Arthur Moore: I was endeavouring then to raise the point of order.

Mr. President: The Chair asked him whether he was raising a point of order and he repeatedly said, "No".

Mr. Arthur Moore: It was on a point of order that I wanted to speak then.

Mr. President: When he was asked whether he was raising any point of order, he said, "No", but that he wanted to speak.

Mr. Arthur Moore: I am not aware that I said, "No". I was all the time endeavouring to raise the point of order.

Mr. President: As a special case, I will allow the Honourable Member to raise the point of order now.

Mr. Arthur Moore: I am deeply indebted to you, Sir, and with all respect to the Chair, I will endeavour to raise my point of order. I can assure you, Sir, that there is no one more unhappy than myself in the circumstances that I find myself in today

Mr. President: The Honourable Member must confine himself to stating the point of order.

ARRANGEMENTS FOR PROTECTION OF ASSEMBLY CHAMBER & ITS PRECINCTS. 845

Mr. Arthur Moore: I wish merely to say, with the greatest respect to you, Sir, that my point of order is this. Is it in order, Sir, that on a question on which we have been led to believe

Honourable Members: Speak up.

Mr. Arthur Moore: Is it in order, Sir, that on an issue which you have assured us is a matter of vital importance to the House, the arrangement you have come to should be accepted in the name of the House without any Member being given an opportunity of expressing his views on it?

Mr. President: On the matter on which I have taken the decision I was not bound to consult any Member. The authority is vested in me alone; yet I have taken the Leaders of parties into consultation from the very start throughout (Hear, hear.) and it is with their full concurrence and knowledge that I have acted in the matter as I have done.

Mr. Arthur Moore: Are you aware, Sir, that party leaders have been pledged not to disclose to their followers what was happening?

Mr. President: The House stands adjourned till eleven o'clock tomorrow morning.

The Assembly then adjourned till Eleven of the Clock on Friday, the 21st February, 1930.



LEGISLATIVE ASSEMBLY.

Friday, 21st February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN.

Mr. R. K. Shanmukham Chetty, M. L. A. (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural).

THE RAILWAY BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Expenditure from Revenue.

DEMAND NO. 1.—RAILWAY BOARD.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to move:

“That a sum not exceeding Rs. 12,90,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of ‘Railway Board’.”

Standardisation of Wages.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Sir, I beg to move:

“That the Demand under the head ‘Railway Board’ be reduced by Rs. 1,00,000.”

Sir, this motion is with regard to the standardisation of wages on Railways. In my opinion this forms a very important matter so far as contentment on the Railways is concerned, and although some people may think it very difficult of accomplishment, I personally think that if it was seriously tackled, it could be done. There is no doubt, Sir, that standardisation of wages in railways generally is a question that may well be referred to a committee of officers, skilled in the ethics of wage determination. With that view, Sir, I desire

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, on a point of order; last year you ruled that all questions of policy should be raised only on token cuts of one rupee or Rs. 100. If the Honourable Member is going to discuss the policy of raising the wages, can he do so by giving notice of a lump cut of Rs. 1,00,000?

Mr. President: What is the idea of putting down Rs. 1,00,000?

Lieut.-Colonel H. A. J. Gidney: I considered it was necessary. I thought a token cut would not meet my needs because this is a very important matter

Mr. President: Order, order. If the Honourable Member desires to raise a question of policy he must put down a cut of Rs. 100.

Lieut.-Colonel H. A. J. Gidney: May I with your permission now proceed to prove the question of merits in my cut?

Mr. President: The Honourable Member has raised a question of policy and he must put down a cut of Rs. 100.

Lieut.-Colonel H. A. J. Gidney: Thank you, Sir, I submit to your ruling. That will take away a few noughts from my cut, i.e., if I reduce it from one lakh to one hundred.

Mr. President: That does not mean that the Chair allows the Honourable Member to reduce his cut to Rs. 100. He knows the ruling which the Chair gave on the last occasion and he must respect it.

Lieut.-Colonel H. A. J. Gidney: Sir, I was not in the House last year, I can assure you that I had no desire to take advantage of your ruling and if any such interpretation be put on my motion, I wish flatly to contradict it, because my intention was to bring it to the notice of the Railway Board with all the force I could.

Mr. President: The Honourable Member could do that by putting down a cut of Re. 1 or Rs. 100. There are other cuts of Rs. 100 on which the same question can be raised. The Honourable Member will go on to the next cut. This cut, as he knows, cannot be moved.

Lieut.-Colonel H. A. J. Gidney: Have I your permission, Sir, to move this motion under a cut of Rs. 100?

Mr. President: Certainly.

Recent Revised Rates of East Indian Railway Wages.

Lieut.-Colonel H. A. J. Gidney: Sir, my next cut is as follows:

"That the Demand under the head 'Railway Board' be reduced by Rs. 1,00,000."

Mr. President: Is this on the merits, or does the Honourable Member again want to raise a question of policy? I am afraid it is a question of policy.

Lieut.-Colonel H. A. J. Gidney: No, Sir. It is a question of the merits and I hope my friend from Bihar and Orissa, who objected to my first motion, will be satisfied with that.

This motion is with regard to the reduced rates of pay on the East Indian Railway. Sir, this matter concerns every railway employee on the East Indian Railway. It does not refer to any particular community whatever; it refers to every employee who enters the East Indian Railway after a certain period, November, 1928.

Mr. President: How does the reduction of the Railway Board grant by Rs. 1,00,000 be justified on merits?

Lieut.-Colonel H. A. J. Gidney: Because, Sir, the Railway Board introduced this rate and not the railway concerned.

Mr. President: And therefore the Honourable Member wants to raise the question of policy again. He should have put down a cut of Rs. 100.

Lieut.-Colonel H. A. J. Gidney: Sir, I should like to have a ruling from you as to what is the difference between "policy" and "merits" when a motion is moved on Demands for Grants. Here is a question of great merit; it is a question that involves the pay of thousands of people.

Mr. President: I am afraid I cannot allow the Honourable Member to proceed with the next cut* also, which again is a question of policy. The Honourable Member could discuss the question of policy involved in these three cuts by putting down a motion for a cut of Re. 1 or Rs. 100.

Lieut.-Colonel H. A. J. Gidney: Can I move a cut of Rs. 100 on this motion?

Mr. President: The Honourable Member must keep himself in touch with what happened last year.

Lieut.-Colonel H. A. J. Gidney: Can I, with your permission, move a Rs. 100 cut now?

Mr. President: That can be moved when we reach the Rs. 100 cuts. There are other cuts of larger amounts which must be moved first. Mr. Aney.

Abolition of the Additional Post of Labour Member on the Railway Board.

Mr. M. S. Aney (Berar Representative): Sir, I beg to move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 48,000."

Sir, let me assure the House at the very outset that mine is a cut on merit.

Lieut.-Colonel H. A. J. Gidney: Sir, I rise to a point of order. Is the Honourable Member right in moving his motion for a reduction of a sum of Rs. 48,000? This refers to a policy and not merit and should be presented under a cut of Rs. 100.

Mr. President: What is the salary of the Member for Labour?

Mr. A. A. L. Parsons (Financial Commissioner, Railways): Rs. 48,000 per annum.

Mr. President: That is on merits.

Lieut.-Colonel H. A. J. Gidney: But, Sir, in my motion which you overruled, the reduction in the pay of the East Indian Railway ran into many lakhs and not merely Rs. 48,000.

Mr. President: Mr. Aney.

*"That the Demand under the head 'Railway Board' be reduced by Rs. 1,00,000 (Covenanting of employees from outside India)."

Mr. M. S. Aney: I was just going to explain that point, that mine is a cut on merits and not merely on a question of policy. The Honourable Member is definitely assured by Mr. Parsons how that amount of Rs. 48,000 works up to the annual salary of the new Member whose post we want to abolish. So it is naturally a cut on merit.

Lieut.-Colonel H. A. J. Gidney: He is worth much more than Rs. 48,000 per annum.

Mr. M. S. Aney: The point is this. I want further to assure you at the very outset that this motion is not brought with any personal feeling against any one incumbent of this office. It is not a kind of censure against any person as such. It is a protest against the retention of a post which was created virtually against the desire, against the vote of a majority of the Standing Finance Committee, and which, all experience has shown, has not served the purpose for which it was created. It is on that basis that I am going to attack the retention of the new post and support this motion. So I think my Honourable friends opposite will not misunderstand me when I am trying to make out a case in support of the motion which is before the House.

Honourable Members are aware that this new post was created last year; it is now nearly 12 months' old. Of the many reasons that were given in support of creating a post like this, the most important reason was this, that the labour questions in this country were now assuming greater and greater importance, looming larger and larger, and therefore the work that could be done by the then Member, who was known as Member General or the Member in charge of Traffic, could not thereafter be done by him alone, and a separate portfolio for labour was necessary with a separate Member for Labour in charge of it. The Honourable Sir George Rainy, then in a very lucid speech and in a speech in which he appealed not only to the reason but also to the sentiment of the Members on this side, fervently pleaded that some introduction of the human element was necessary in the mechanism of the Railway Board, because questions of an essentially human nature had to be dealt with in dealing with labour problems. Therefore, he thought that the Railway Board, which was more or less of a mechanical nature, required to be livened up with the element of what might be called human sympathy, and my Honourable friend, Mr. Hayman, was put in there. Since that time, since March or April last, my Honourable friend, Mr. Hayman, has been in charge of this labour portfolio, and he has been doing his work with all the zeal and earnestness which it is possible for one in his position to bestow. In fact, in the Budget speech this year which the Honourable the Railway Member has made, he probably anticipated some difficulty of the kind which my motion suggests, and in anticipation he has already replied, "Here I testify on behalf of the Railway Board to the work of my Honourable friend, Mr. Hayman, who has been conscientious, active" and all that sort of thing. Nobody denies that Mr. Hayman is certainly one of the ablest officers of the Railway Board. (Hear, hear.) I cannot deny it. In fact, I may say, Sir, that since 1924, since when yourself and myself have both been associated with the work of the railway administration as Members of the Railway Standing Finance Committee, for the last six years, I have had the opportunity of seeing how energetic and active an officer Mr. Hayman is. (Applause.) It is not a question of ability or

inability. The question is one whether the particular work for which this special portfolio was created has been done completely to the satisfaction of this House or not, and if not, whether on the basis of the results that are placed before us, we will be justified in retaining this post hereafter. That is the simple question which I would put before the House for its consideration, and I respectfully ask the Honourable Members of this House not to allow personal considerations to be mixed up with this question, which I want to say with emphasis is simply a bare abstract question of policy, a question of the examination of the results of the work done hitherto, during this year, and our own estimate of the same in relation to what was expected of the Labour Member during this year. That is the simple question which the House has to consider. I will show, Sir, that the particular work which he had to do has been described in the Explanatory Memorandum of the Railway Budget of last year. Honourable Members know that, last year, this House sanctioned something like 58 lakhs of rupees for improving the conditions of labour, 30 lakhs under capital programme and 28 lakhs under revenue programme, 10 lakhs under one Demand and 18 lakhs under another. Thus 58 lakhs of rupees were sanctioned by this House and handed over to the office of the New Member to do their best towards the amelioration of the condition of the low-paid staff on the State Railways. I would only like to judge the work of the Honourable Member by what he has been able to do in this direction. So first I wish to give the House some idea as to what was expected of him:

The Explanatory Memorandum says:

"It will be observed that we hope to keep the expenditure brought to account as 'Administration' down to this year's figure; and we should actually have placed it ten lakhs lower, but that we are providing for the present a sum of ten lakhs for improving the service conditions of lower paid railway employees. It is our intention, during the coming year, to start a thorough examination of the rates of pay and wages, and other conditions, under which the lower paid classes of railway servants are employed, with the object of removing any legitimate grievances that may be found to exist; and we have already, in fact, had preliminary consultations with Agents of Railway Administrations on the subject. It will be realised that the inquiry must take some time to complete, for it will entail the detailed investigation of the service conditions in numerous branches and departments, and it by no means follows that what will be found to be required is merely the increase in certain cases of the minimum wage; it is perhaps as likely to be a reduction of working hours, which will mean additional relieving staff, an extension of provident fund benefits to classes who do not at present enjoy them, or an improvement in housing conditions. But we hope that, if our organisation can be strengthened by the addition of a new Member to the Railway Board, who will be charged with the care of this and cognate questions, the completion of the task will be much accelerated. We find it impossible to make any accurate estimate of the sum likely to be required in 1929-30 on this account. Provisionally we have assumed that schemes costing half a crore annually will be ripe for introduction during the course of the year . . ."

That was the anticipation then. It went on to say:

"We are also providing specially in our capital estimates a sum of Rs. 30 lakhs for additions to and improvements in staff quarters. Since the schemes will not, in any case, be in force for the full year, we have for the moment assumed that the revenue expenditure in 1929-30 will amount to Rs. 28 lakhs, and have provisionally distributed this sum, as to ten lakhs under Administration, and eighteen lakhs under Repairs and Maintenance and Operation. But, as we have explained, the figure of half a crore on which these estimates are based is, pending the investigation, little more than guess work, and we shall not hesitate to take steps to increase it, if more is found to be needed."

[Mr. M. S. Aney.]

The House can imagine that a promise was held out in this paragraph that not only schemes for the complete expenditure of the Rs. 50 lakhs that were allotted would be ready, but that there might arise a necessity for the Railway Board to come up for supplementary grants even for a larger sum. Now, Sir, if this House has carefully read the speech which the Honourable Sir George Rainy delivered in presenting the Budget and if the Honourable Members have read these budget papers carefully, as I presume that they have, they will have found that, out of these 50 lakhs, practically a very small amount has been spent. That is the position. I say, "a very small amount" because I find in the Explanatory Memorandum an attempt is made to show, at the eleventh hour, that certain amounts have been spent—a point on which I will have to speak at some length later on. In paragraph 7 of the Explanatory Memorandum, on pages 4 and 5, we are given some details showing as to how the amount of Rs. 28 lakhs has been allotted to the different railways this year, and how much has been spent; and it is also shown that something like Rs. 18,12,000 has been spent out of the amount allotted from the revenue programme, and Rs. 7,53,000 out of the amount allotted from the capital programme. Now, Sir, I may bring to the notice of this House that—it was either in the month of August or September—a meeting of the Finance Committee was called at Simla and before us a scheme was placed. Estimates placed before us in the scheme, showed that the Railway Board had all the plans cut and dried for the recurring expenditure of Rs. 50 lakhs necessary to give effect to that scheme. I refer to the Memorandum by the Financial Commissioner of Railways on proposed improvements in the conditions of service of railway servants, with special reference to hours of work and weekly rest (Geneva Conventions). This was the Memorandum that was placed before us, and it will be found that, out of the ultimate cost of Rs. 50 lakhs in a full year for recurring expenditure, the expenditure on the North Western Railway alone was expected to be Rs. 7.5 lakhs. The costs during the current year for which the budget provision was for 28 lakhs, were reduced to 11 lakhs, and it was proposed to allot 3.25 lakhs to the North Western Railway. So also the capital cost sanctioned by the House at 30 lakhs even brought down to 20 lakhs with an anticipated expenditure of 44 lakhs in 1930-31. The North Western Railway was to have 7 lakhs out of this capital expenditure. Those were the proposals that were placed before us then. That showed that their plans were completely ready, so far as the North Western Railway was concerned, and the hope was held out that:

"From this estimate it will be apparent that the expenditure proposed will in the main benefit the lower grades of staff. It is proposed to instruct the Agent of the North Western Railway to proceed immediately with the introduction of the scheme, and it is hoped that it will be possible to issue similar instructions to other railways in the course of the next two or three months."

It was then thought that, within two or three months, the Railway Board would be in a position to issue similar instructions to other Agents and ask them to proceed with their own schemes for the amelioration of the condition of these low-paid servants. Now, Sir, the total amount for the current year that was required for the North Western Railway was Rs. 3.25 lakhs out of revenue and Rs. 7 lakhs out of capital. I find here now in the Explanatory Memorandum that the North Western Railway is shown to have spent only Rs. 2,25,000 out of revenue and Rs. 5,81,000 out of capital. Probably this latter is for the building of dwelling quarters for

them. But as regards other railways, we have got here only the bare statements before us, for which we do not find any entries or items in the Pink Books. The expenditure which is shown here in the Explanatory Memorandum as incurred on the amelioration of the condition of the low-paid staff does not find any reference or get any corroboration whatsoever in the Pink Books for the different railways, which have been supplied to us. Not only that, but I may remind this House—it is very strange—that in the month of December and till the 4th February, 1930, we were being supplied with books of Demands which showed:

"Budget estimates, 18 lakhs : Revised nil

Budget estimates 10 lakhs : Revised nil,"

which means that, up to that date, the Railway Board had absolutely no information from the different Railway Administrations as to how much of the amounts that were allotted to them—probably, whether the allotment was made or not, God knows—had been spent. I mention the date, 4th February, because here is a notice which I had received from the Railway Board to attend a meeting of the Standing Finance Committee for Railways on the 5th February. Along with it a budget book was sent to me, and I find that under Administration, under Operation, and under Capital Programme, the budgeted amounts for 1929-30 are 10 lakhs, 18 lakhs and 30 lakhs; Revised zero. For next year, that is for 1930-31, Rs. 10 lakhs under Administration, Rs. 15 lakhs under Repairs and Maintenance, and no provision under Capital Programme, Open Lines. Now, zero under Revised estimates can only mean that, up to that time, the budget officer had absolutely no information whatsoever from the different Railway Administrations about the expenditure incurred, and therefore, the budget officer could not give any figures at all. That was the position. Now, in the Explanatory Memorandum, which has been supplied to us, we have got some information. Rs. 18,12,000 from revenue and Rs. 7,53,000 under Capital have been spent. But I have got these Pink Books, which have been supplied to me by the Railway Board, and they show that there is no amount spent at all till the date of their issue.

My point, therefore, Sir, is this. If the new office of Labour Member was created mainly for the purpose of looking after the conditions of the low-paid staff of the railways, why should it be that he should not be in a position to have his schemes for full expenditure of the amounts provided for 1929-30 prepared and presented, in consultation with the Agents, in time to give relief to the low-paid staff upto the full limits which the budget amounts laid down and why, at any rate, should he not be in a position even to collect correct information from Railway Administrations for inclusion in budget papers? Practically these amounts have lapsed for this year and you are now making only meagre provision for the next year. It means that much needed relief that they could have got this year is denied to them. It can be explained only on one theory. That, knowing as I do my friend Mr. Hayman, who is an energetic and active officer, his services must have been engaged somewhere else and for some other purpose more important, in the opinion of the Members of the Railway Board, than the one for which his post was created. Otherwise I cannot understand the position. His plans were to a great extent practically ready and he promised here in a Memorandum, which was supplied to us in the month of August last, that he would, within two months, be in a position to issue the necessary instructions to all the Railway Administrations; and yet in the month of March we find there is absolutely nothing

[Mr. M. S. Ancy.]

done; and the figures which are now given here in the Explanatory Memorandum are virtually not corroborated even by the Pink Books, which give the budget estimates of the different railways. What may be called a sort of patch-work is put before us, which looks like some after-thought—a statement showing some expenditure for which we find no corroboration anywhere in the Pink Books. I do not know if anybody has really checked these figures and found out whether they fit in with the figures in the Pink Books. Even for the Finance Member it would be difficult to explain these figures.

That, Sir, is the position. It cannot be said that the demands of labour and of the subordinate staff were not known to the Railway Members. In fact, it was because of these demands that it was thought necessary to create this post of a Labour Member. These demands have been before them for the last twelve months and more. They allowed things to drift in such a way that they have now already developed into a dangerous situation. There is a general strike on, and yet nothing is done by the Labour Member to consider and meet the demands of the men. Sir, some other ideas are working powerfully in the minds of the Members of the Railway Board. It is not as if they did not have their plans ready; their plans might be ready; their estimates might be ready; but they do not think that this is the proper time or that the employees, who in despair have gone on strike, are the proper men to be looked after; ideas of this nature seem to have carried away the Railway Board and the Labour Office; otherwise, I am unable to understand how, with a man so able and active as Mr. Hayman, it was impossible to make proper arrangements to secure the disbursement of this Rs. 58 lakhs for these poor men. These poor men have lost Rs. 58 lakhs this year. You may give them something next year; perhaps that something may be one-half or one-third of the sum budgeted, and for the remaining two-thirds they may have to wait for plans which might take another ten years to mature and develop. Meantime these poor men have to wait—men whose voice goes unrepresented here. The other interests manage to assert themselves, but these poor labouring interests, these poorly paid servants can be easily misrepresented. There is a great misunderstanding on the part of the Benches opposite that there are certain undesirable persons who are at present in intimate touch with these labour unions, and unless they are got out of the unions and unless the employees themselves get out of their clutches, the Railway Board are determined not to do anything. It is this stiff attitude which is responsible for the present trouble, it is not that the plans are not ready. I refuse to believe it because the memorandum which was presented to us in August clearly indicated that the Railway Board had cut and dried plans. But something has happened, and the Railway Board was disinclined to pursue the plans expeditiously and to give effect to those plans, they had withheld the relief; and since that time, for one reason or another, the Railway Board have been inventing some pretext to explain as to why the thing could not be done. My learned friend, Mr. Hayman, once gave me an explanation that he was working on developing some plans for a Calcutta railway. He had these plans worked out for the North Western Railway completely ready; the lines were laid down, the measure of progress that was to be made was clearly indicated, and the formula had merely to be applied to the other railways; yet, with all that, Sir, I find nothing has been done for the sake of labour during the last

five months by an office which was created simply for the sake of doing justice to these poor starving millions of the railway employes. No justice is done, and I am entitled to ask this House not to retain hereafter that office, but to abolish it. Rs. 48,000 represents the emoluments only for the office of the Labour Member, and I want hereafter not to allow that office to continue if it is to work as indifferently as it has been working so far in the matter of labour problems. Sir, I am very sorry I am unable to speak—I am breathless; I therefore stop at this stage and commend my motion to the House.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the impression produced on my mind by the speech of the Honourable Member for Railways was quite different from the impression produced on the mind of my friend from Berar. I thought that Sir George Rainy foreshadowed my motion, that is, of putting one more Indian on the Railway Board. He praised the only Indian Member on the Board now, and I thought the natural consequence of that praise was that he would be quite ready to employ another Indian Member whenever the opportunity arose.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Who is the only Indian now?

Dr. Ziauddin Ahmad: In this discussion there are two important questions which we have to consider. The first is whether the post is needed, and the second is whether the present incumbent is really a fit man for this post. As regards the second point, my Honourable friend admitted that Mr. Hayman is a very studious and hardworking person, and though he did not say so, one could deduce from his speech that it would be difficult to find a person more competent than Mr. Hayman. The Honourable Member also eulogised him, and I believe that any one who has come in contact with Mr. Hayman will admit the fact that he is certainly not a lazy man.

Now, the argument which was advanced by my friend comes practically to this, that certain promises were held out and those promises were not fulfilled. If this can be taken to be a valid reason for the dismissal of a person, I am afraid no person will be found on the Government Benches, because all of them have repeatedly held out a series of promises which have not been fulfilled. I go one step further and say this: we, the elected members, held out a large number of promises to our voters at the time of election, and I am afraid that very few of us will be re-elected if this test is applied.

As regards the question whether the post was needed, I may just draw attention to a pamphlet which I doubt whether any one of us has read—it is called "The Deaf and Dumb". In this pamphlet it was pointed out that the Railway Board are practically deaf; they have no ears to hear the complaints of the railway employees. But, Sir, by the addition of the Labour Member, I think they have removed this particular difficulty: the Labour Member, if nothing else, is at least the ear of the Railway Board, through which the complaints of the railway staff could be heard and attended to. No human being can ever attend to all the complaints of the railway employees. We however have the satisfaction that there is a person, not an Englishman, but an Indian, who will be quite ready to hear the complaints of the employees, especially those in subordinate positions.

[Dr. Ziauddin Ahmad.]

As regards the second point, that is, about the slowness with which these officials move, I am entirely in agreement with the Honourable the Mover. These gentlemen are exceedingly conservative and unless we, who are non-officials, put great pressure on them and try to expose them right and left, in season and out of season, they are not likely to move. The only thing, that I have to complain about against my friend from Berar, is that his language was not strong enough in condemning the Railway Board for not fulfilling the promises which they held out, and I hope that, not only Mr. Hayman, but every other Member of the Railway Board will move faster and will realise the feelings of the people and the feelings of the Members of this Assembly.

Now, Sir, instead of abolishing the post, I will move later on for the appointment of another Indian Member who may be in charge of traffic and especially the comforts of the third class passengers. This topic is really very important from a business point of view, because it is the third class passengers who contribute the largest revenue to the coffers of the railways. But their comforts are very little attended to. I would very much like to have either a Member or a Special Officer to look after the comforts of third class passengers. Therefore, Sir, instead of abolishing this post of Labour Member, to which we have not given a sufficient trial, I would rather like to have the addition of a new Member or of a Special Officer to look after the comforts and conveniences of the third class travelling public.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I am sorry to have to oppose the motion for the cut moved by my friend, Mr. Aney. One thing has struck me in his speech, and that is, he seems to have introduced a communal touch in his speech, and that I hate. Simply because an Englishman ought to be removed, you should . . . (*An Honourable Member*: "He is not an Englishman. He is an Indian.") (*Another Honourable Member*: "He is an Anglo-Indian.") Whether he is an Indian or Anglo-Indian or an Englishman, if he is a competent man, as my friend Dr. Ziauddin pointed out, he should not I think be removed from his post. Therefore, I have to oppose the motion.

Mr. K. V. Rangaswamy Ayyangar (Madras: Landholders): Sir, I think it was in the year 1917 that I had pressed before the old Imperial Legislative Council for the appointment of an Indian Member in the Railway Board. When, on the presentation of the Railway Budget, I saw that the Honourable the Railway Member praised the services of the two Indians, Messrs. P. R. Rau and Hayman, I was very much delighted for two reasons. In the first place, the Government had accepted our proposal for the appointment of an Indian Member on the Railway Board and that with very great hesitation, and we naturally felt very proud that the Indian Member had fully justified his selection and had earned the confidence of the Railway Board and of the Government, and secondly, both the officers, Messrs. P. R. Rau and Hayman, come from Madras, and we felt a sort of parochial patriotism, and we felt very proud because these officers, who had been selected after much hesitation, had earned

the goodwill and confidence of the Railway Board and the Government alike, as was evident from the encomiums showered on their efficiency by the Honourable the Railway Member in his speech the other day.

Now, Sir, there is no doubt there is great force in what my friend, Mr. Aney, has said about the defects in the presentation of the Budget, but the responsibility for this is a joint responsibility and not an individual responsibility. The Indian Member is only one of the Members of the Railway Board and as such, it cannot be said, as in the Ministerial portfolio, the subject is entirely concerned with him, because all the subjects are jointly decided, and it is a joint responsibility, and I do not think that individual blame can in any way be laid upon any individual Member for all the commissions and omissions of the Board. Sir, on the day of the budget discussion I wanted to press that, inasmuch as they found one Indian Member to be very efficient in the conduct of the business of the Railway Board, another Member might be taken on the Railway Board, and that another post of Railway Membership be Indianised. But I see a number of Resolutions tabled on this point, and I should like to hear all of them. With regard to the complaint made about the defects in the presentation of the Budget, I should say that, if at all there is any blame, it is not on any individual Member because the responsibility is a joint one. It is really unfortunate that the labour troubles in the Great Indian Peninsula Railway have sprung up now when the Indian Member is holding that portfolio. I hope these troubles will be amicably settled soon, but these troubles are not new to this country. We had similar troubles in the Great Indian Peninsula Railway, in the Bengal Nagpur Railway and also in the South Indian Railway,—in fact it is a general trouble which could not be tackled by the Labour Member within the short period. But for all these troubles the Indian Member, with the resources he is able to command, is not to be blamed. With these words, Sir, I would ask the Honourable the Mover to consider whether, in view of the fact that it is a joint responsibility and not an individual responsibility, and that the trial given to the Indian Member being not long enough, whether it is fair to accuse him of all the faults mentioned by him.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, my friend Mr. Aney has run full tilt at Mr. Hayman and demanded his head on a charger. I suggest a course by which perhaps that head may be saved, and if I do not misunderstand the real motive of my friend, Mr. Aney, it is also this. What he and myself, in fact all of us want to complain definitely about is this, that till this moment no definite information has been vouchsafed to us as to what Mr. Hayman has been doing all the while, and as I shall presently show, the kind of information which we had asked for has not been vouchsafed to us. With regard to that, I wish definitely to charge the Honourable Sir George Rainy also for having misrepresented matters to us last year when he asked for the appointment of an additional Member in the Railway Board almost solely to devote attention to labour problems, but in this year's Budget he mentions five headings under which work, it appears, was entrusted to Mr. Hayman

Mr. K. C. Neogy: That is by way of window.

Mr. N. C. Kelkar: Last year we were definitely assured that his work would appertain to the betterment of the conditions of labour. Why I call

[Mr. N. C. Kelkar.]

it a misrepresentation is for this reason. If in his speech last year he had mentioned some of the items that are now made mention of this year, he might not have got our consent to the appointment of a new Member as an integral addition to the Railway Board, because some of these items are matters which are definitely to be discussed and some of these matters have a long history behind them, and the appointment of an integral Member of the Railway Board would not have been necessary, and we could have taken exception to the appointment on that ground, but a sort of picture was put before us asking us to believe that a great problem of the betterment of the conditions of labour was being for the first time taken in hand and all the attention and energy of the new Member was going to be spent upon that and nothing else. It was that allurements that succeeded in getting from us consent to the appointment of a new Railway Board Member. Now, what are the items mentioned in the Railway Member's speech this year? Improvement in the service conditions of the staff generally and in particular of the lowest paid employees? I do say that that matter was not put before us in that light. His services were mentioned as likely to come into operation only in connection with labour and not service conditions of the staff generally. But even supposing that matter was entrusted to him, what are all the facts before us even at this moment as to what Mr. Hayman has done with regard to the improvement in the service conditions of the staff generally? Has there been any mention of that? Any summation of his work in that matter? Any concrete results put before us anywhere up to now with regard to the work in connection with the improvement in the service conditions of the staff generally? That is item No. 1.

Then in regard to the Indianisation of the railway services and the elimination of racial discrimination, what had Mr. Hayman got to do with this? Were we told last year that this work would be entrusted to him? Was our consent asked for on this ground that this particular matter would be referred to him? Why is it now shown that this particular work was given to him? But even then, I do say that this has been put down here only to swell the number of items, so that we should be misled into supposing that Mr. Hayman has been very energetically working at certain things. But this question of Indianisation of railway services was not coming up before the Railway Board for the first time. It has a history of at least five years. In 1925 Government was asked definitely to abolish racial discrimination. Then they wrote to the several Agents and got replies from those Agents, and in 1928 a sort of attempt was made to make the Assembly believe that generalisations would be deduced from the reports received from the Agents, and a definite policy with regard to racial discrimination would be laid before the House. I do not want to go into the details of this question of Indianisation, but it looks funny, when I look at the individual reports of the Agents, that I find there was practically nothing more to be done. God said, "Let there be light and there was light". Similarly, here is the Railway Board saying to the Agents, "Let there be no racial discrimination", and the reports of the Agents say, "There is no discrimination". If that is the state of things, what has Mr. Hayman got to do with this? And even supposing that Mr. Hayman was busy with this, what are the results put before us? Have his labours led to a generalisation of the policy of the Railway Board? Has that policy been laid before us or the Railway Standing Finance Committee? We have gone no further

than the reply given in 1925 and 1928. In one year we were told that the Agents were consulted. In another year, we were told that the reports of the agents had been received and the Railway Board was busy with them. Beyond that I definitely want to know what had Mr. Hayman got to do with this business of Indianisation? And again I say that was not mentioned to us at all and our consent, or the consent of the House, because some of us did not consent, was obtained, I say definitely, on a wrong pretext.

Then item No. 3, Revision of the cadres of the superior services and of the methods of recruitment. We were not told last year that Mr. Hayman would be entrusted with this work in connection with the superior services. I suppose Mr. Hayman is a small man by himself to deal with the general conditions of the superior service. The whole Railway Board will have to take an interest in it. The House will have to be consulted on the matter and joint responsibility will have to be taken. There again Sir George Rainy misrepresented matters to us last year and put us on a false scent and now he is coming forward with a detailed enumeration of several items with which, we are asked to believe, Mr. Hayman is busying himself. Again what has he done? Are there any concrete results put before us in the matter of Indianisation? Similarly, also with regard to the revision of the cadre of the superior officers. There is a malicious confusion made between the betterment of the condition of labour, for which he was appointed, and the betterment of the conditions of the superior staff, as if the two were the same.

Then item No. 4, Relations of the railway management with the labour organisations. I may perhaps admit that this item comes under the purview of the work entrusted to him.

Then the preparation of materials, so far as the railways of India were concerned, for the Royal Commission on Labour. I think the Commission was appointed last year. The Railway Board knew that some preliminary work would have to be done for putting the views of the Railway Board and the Government of India before the Labour Commission, but again I say that that was not mentioned to us last year. My sole point is this. Last year we were definitely told that Mr. Hayman would busy himself exclusively and definitely with this one great problem of the betterment of the condition of labour, and at the end of the year it is all hollow. So far nothing in concrete form has been put before us, and I ask Sir George Rainy or Mr. Hayman to put their finger upon a single item in respect of which concrete results have been placed before the Legislature. Then Sir George Rainy says:

"It would take me much too long to enumerate in detail matters which have come up for review under the various heads. That would require a speech in itself and some of the subjects can only be briefly referred to."

Now if we proceed to read the further paragraphs in his speech, there again, we find only passing references have been made and no concrete results have been given. In one place we are told that the matter is under consideration; in another paragraph we are told that the matter is passing under review. The language is varied but the substance is the same. There are only vague statements, and no definite results have been given.

12 Noon.

[Mr. N. C. Kelkar.]

Now, the Railway Finance Committee met on the 10th December, 1929. I do not know whether any subsequent meetings of that Committee were held, as I am myself not a member of that Committee. But on page 25 of the proceedings we read:

"The Financial Commissioner mentioned that at a later meeting he would probably be proposing an addition to the demand for the purpose of improving the conditions of service of low-paid employees."

His appointment was made in March last, and in this book I find that it is simply stated that he would, at a later stage, be probably proposing an addition to the demand of so and so. That means the work is not yet finished. It means that the work is not definitely conceived as to what would be done and what amount of money would be likely to be spent. Mr. Hayman himself probably does not know what is before him. This happened on the 10th December. But I shall stand corrected if I am wrong. I should be glad to be told that there were other meetings of the Railway Finance Committee and that these estimates were put before them.

Mr. A. A. L. Parsons: There were further meetings of the Standing Finance Committee at which the estimates under the heads, "Administration" and "Operation" were put, and certain lump sums for the expenditure anticipated at present for next year were asked for. The point was however fully dealt with by the Honourable the Railway Member in his speech.

Mr. N. C. Kelkar: In that case, should we not have welcomed on this side of the House a note giving full details of what has actually been done? Those details are not to be found in the Honourable Member's speech or in the Explanatory Memorandum. That is our definite complaint. We are entitled to know what were the actual concrete results.

I would now pass on to other things. In the first place, Sir George Rainy says in paragraph 21 of his speech:

"I may mention the matter in which we have been able to make the most rapid progress, I mean what is sometimes called security of tenure and complaints of alleged wrongful dismissal or discharge from railway service."

Now, we are told that they have made rapid progress. And what is that rapid progress? Here is a representation I have got in my hand which was submitted on the 23rd January, 1930, by the Great Indian Peninsula Railway Workmen's Union. There is also a copy of a reply given by the Agent to these demands of the railwaymen. To each of their demands only a vague reply has been given. It has been said that the rules are being framed, the matter is under consideration, the whole thing will be passed in review, the rules are approaching maturity and consideration is being given from day to day. These are the phrases in which replies have been given to those people who have been insistently putting forward their demands before the Railway Board and about which we are assured in the speech of the Honourable the Railway Member that rapid progress is being made. If there was real rapid progress, why were definite rules not placed into the hands of the Railwaymen's Union at least on the 23rd January when the Agent received them in deputation? About two weeks ago, my friend Mr. Aney and myself put

ourselves in communication with Sir George Rainy about this railway strike and the demands of the strikers. Even then, we were told that rules were in the making, and for the last two weeks we ourselves have been waiting for a copy of them.

The Honourable Sir George Rainy: Will the Honourable Member kindly let me know to which set of rules he is referring at the moment?

Mr. N. C. Kelkar: I am referring to the set of rules which relate to leave, tenure of service, pay, etc. Of course, only one set of rules is in my hand, because I was a Member of the Select Committee on the Railway (Amendment) Bill. It relates to the period of rest and the period of employment. Therefore I did not mention anything about those rules, because personally I am in possession of those rules, but what about the House? It may be said that those rules related to a certain Select Committee and therefore they are not put before the House, but they are rules after all. It was intended to operate upon these rules, and perhaps it may be claimed that their operation has already commenced. I do not think that rules relating to a particular Select Committee could prevent the Honourable Member from making them available to the Assembly along with, at any rate, the Select Committee's Report. That Select Committee's Report has been put into our hands recently, but we have not received the copy of the rules. I have got a copy, but the other Members have not. Therefore, I want to ask Mr. Hayman and Sir George Rainy point blank in what particular matter from among the eight or ten points of dispute, are we in possession of concrete results in the form of a policy, statement, rules, regulations or anything of that kind? That is my definite question, and that has necessarily a bearing upon the appointment of a special officer as a special Member of the Railway Board. Supposing rules have been framed, regulations have been made, policy has been developed, and the results have been arrived at, why should not this Assembly have an early opportunity of going into all those things? Must the Railway Member wait till these points are specifically raised as a matter of contention by the different cuts? Why should he not take us into his confidence on these vital matters earlier? In the meantime, the strike has been going on. My motion for adjournment failed, I admit, but that is no reason why the Railway Member should not take the initiative by himself and take the Legislative Assembly into his confidence over such vital matters.

In short, therefore, it comes to this, that we are still only seeking for something. We were led to believe that something was to be obtained by the appointment of the new Member, but what is the result? The result may be compared with the result in that familiar game. A man is blind-folded and is led into a dark chamber and he is asked to find a dark hat there. And the joke, last of all, is that there is no hat there. So my point is that, notwithstanding the promises of last year and the hopes which they created in our minds, we are where we were even by the end of the year. That, I suppose, is the sole reason why my friend, Mr. Aney, has put down that motion and has definitely demanded that the services of the new additional Member of the Railway Board be dispensed with next year. One can see what is the real purpose of the motion, and much will depend upon the nature of the concrete results that will be put before us even now at this day.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muham-madan Rural): Sir, I hope the House will not agree to the motion moved by my friend, Mr. Aney. The whole of his speech, as I understood it, was his criticism of the labour policy adopted by the Railway Board, and I think that the motion that he has put down is a wrong one, or, at any rate, he has chosen the wrong method of ventilating the grievance. I wish he had confined his motion to the improvement of service conditions, and in that case this House would have had a very good debate on his motion. But, Sir, having made the question very personal, after admitting that Mr. Hayman is the best man for the job, that he has done his duty well, and that he has acquitted himself well, to come forward with a motion for the abolition of the post, is I think a position which should not be accepted by this House.

Mr. M. S. Aney: I said nothing of the kind. My Honourable friend has not understood what I said.

Mr. Fazal Ibrahim Rahimtulla: Then, what did you say?

Mr. M. S. Aney: I never said that he acquitted himself well in the job.

Mr. Fazal Ibrahim Rahimtulla: You did say so. If you say one thing you must stick to it.

Mr. M. S. Aney: Well, you go on.

Mr. Fazal Ibrahim Rahimtulla: I was saying, Sir, that the usual procedure in this House, when one gives notice of a motion, is to discuss the general policy of the Railway Board and to ask for suggestions and explanations, and if those explanations are not satisfactory, then to press the cut to a division and try to carry it out. The question now is whether this post was necessary and is necessary. I wish my Honourable friend, Mr. Kelkar, had not made serious charges against the Government, like misrepresentation of facts and taking a decision on a wrong charge, and so on. These are very serious and grave charges, and I hope, Sir, that a man of the position and responsibility of Mr. Kelkar will choose his words better when he is making an attack.

Mr. B. Das: They are quite parliamentary.

Mr. Fazal Ibrahim Rahimtulla: I am not saying that they are not parliamentary expressions.

Mr. N. C. Kelkar: What is it that the Honourable Member objects to?

Mr. Fazal Ibrahim Rahimtulla: I object to the Honourable Member saying that the Government carried their motion on a misrepresentation of facts. I understand that two points emerge from the motion which was moved and carried by a majority in this House, first that the Government acceded to the demand repeatedly made by us on the floor of this House for the appointment of an Indian Member on the Railway Board.

Mr. M. S. Aney: Was it for an additional Member?

Mr. Fazal Ibrahim Rahimtulla: It may not be for an additional Member. But we have to admit that they submitted themselves to the principle of giving us an Indian on the Railway Board. Secondly, the reason was that, having an additional Member, he will look after the question of the improvement of service conditions in the Railway Board.

Mr. N. C. Kelkar: May I ask if the Government mentioned any other jobs or items of business last year in connection with Mr. Hayman's appointment, apart from labour?

Mr. Fazal Ibrahim Rahimtulla: There were no other additions.

Mr. N. C. Kelkar: Then, that is what I say.

Mr. Fazal Ibrahim Rahimtulla: Before the Honourable Member makes a serious charge, he must see whether the statement given by the Railway Member, when he presented the Budget and the Memorandum contained therein, are sufficient or not and then criticise. Here is the speech of the Honourable the Railway Member, pages 9 and 10 which practically cover paragraphs 25 to 27, in which the Honourable Member gives you the reasons for not putting into effect the various schemes that have been put forward on the ground of economy. I suppose all Honourable Members have read this speech and so I need not quote from that *in extenso*. I will read only the last paragraph 27, which says:

"One point, however, I desire to make clear. If and when we are satisfied that the introduction of well-considered schemes involving expenditure are necessary in order to secure the welfare and contentment of our staff, and if we find that the cost of these schemes cannot be met without raising our working expenses to a higher figure than is set down in the budget, we shall not hesitate to place supplementary estimates before the Assembly and ask the House to sanction the additional expenditure."

The Honourable the Railway Member has also pointed out the difficulties. He says in the Memorandum:

"Except on the North Western Railway we have not been able so far to spend any large sum from capital on the provision of extra quarters. This is partly due to the fact that we must await the passing of the Bill now before the Assembly, which will enable us to give effect to the Washington and Geneva Conventions. It is also partly due to the fact that the North Western Railway had plans and estimates already prepared and were therefore in a better position than other railways to make rapid progress."

Mr. N. C. Kelkar: Does it not mean that the North Western Railway did not wait for the passing of the law which is to bring our legislation into conformity with the conventions? This legislation has absolutely nothing to do with the reforms, if only the Railway Board wanted to introduce those reforms of itself, and the conduct of the North Western Railway only supports my contention.

Mr. Fazal Ibrahim Rahimtulla: I thought that my Honourable friend was putting a question to me. Instead of that, I find him making a speech. If I were to go on replying to the speeches that are made from time to time, I will not be able to finish my speech within the time allotted to me. If there is a specific question from Mr. Kelkar, I shall always be willing to answer the same, but I would certainly not reply to speeches and interruptions like these. The point is why the Railway Member has not been able to give effect to the recommendations. The difficulties which stood in the way of giving effect to these recommendations have been enumerated in paragraph 27 of the Railway Member's speech. I think the Honourable the Railway Member has been very frank. He says that, first of all, he promised to give effect to the recommendations, but he expresses his regret that he has not been able to present the Memorandum before the Railway Budget was introduced and that he is going to present the Memorandum, giving the House all the

[Mr. M. K. Acharya.]

Indian Railways, and I am sorry at not having got it. But that is all by the way.

My greatest appreciation is for the remark of my friend, Dr. Ziauddin Ahmad, regarding the deaf ear of the Railway Board. If that be true, then I do not know it. Mr. Hayman is Dr. Hayman. I hear that even my Honourable friend (Dr. Ziauddin) is only a Doctor of Laws; and probably a Doctor of Laws has no better ears than anybody else. Anyway his statement I thought was quite appropriate, that a deaf ear could not be cured in a day. Even a doctor will have to make very many trials, and he may have to make many operations as he may not always succeed in the very first operation. On this score I would like to wait and see what this particular doctor is going to do with regard to the malady we complain of.

As the definite motion before the House that my friend, Mr. Aney, has brought is I think a more or less humorous motion, I hope in good humour he will withdraw it.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, I hope the debate will not become unreal as it threatens to be, over a purely personal issue. We are not discussing, as unfortunately my friend Mr. Acharya seemed to believe, a personal issue involving the appointment of Mr. Hayman alone.

Mr. M. K. Acharya: I never said that.

Diwan Chaman Lall: We are discussing a principle—whether it is Mr. Hayman or somebody else makes no difference—and what matters is the principle involved, and it is for that reason that I beg your leave to say a few words with regard to the question of railway grievances. The question that has been raised by my friend Mr. Kelkar is this. Here is a Member appointed on the Railway Board to represent the workers' point of view. What has he done during the course of his appointment, which has been for one year now, in the matter of adjusting the grievances of the workers? That, I take it, is the substance of the charge that has been made by Mr. Kelkar. It is not for me to give a reply to that charge. I hope Mr. Hayman when he gets up to give a reply will be in a position to satisfy himself, his own conscience and the conscience of this House and the Members on this side. That is for him to do. My object at the present moment is this, to say that I am not satisfied that the Railway Board have been doing the right thing, and have been dealing with the labour problem in the right spirit, or with expedition or with efficacy or with intelligence, during the past year. And I say that for very good reasons. The first thing that I would like to draw the attention of Honourable Members to is this. I do not know that there is any one here on the non-official side who really does understand the technical details of the problem that we are discussing.

Mr. M. K. Acharya: Not even you?

Dewan Chaman Lall: Not even I, and I am humble enough to confess that; and I do not indulge in those wild speeches in which my Honourable friend has been indulging, pretending that he knows anything about a subject when he does not know anything about it. I have been trying for the

last ten years to study the problem and I am humble enough to confess that I do not understand the full implications of this problem yet. What I do understand I am going to give my Honourable friend the benefit of, and I hope he will be a wiser man after he has listened to my speech. The first thing that I understand, Sir, is this that here was a demand made by the organised trade unions of the Railways who went up in a deputation to the Honourable Member in charge last May, and they said, "Here are our 25 demands, will you look into these demands, will you discuss these demands with us, and after having discussed them will you give us your reply?" The Honourable Member was good enough to take the members who came in deputation into his confidence. He had a full discussion and a report of the discussion I hold in my hand and after the deputation disappeared—in Simla I think it was—from that day to this, nearly a year, the Railwaymen's Federation has not had one line from the Honourable Member or from the Railway Board in regard to the grievances which they brought to his notice. (Hear, hear.) I want to know what policy was being dictated to the Honourable Member by the Railway Board, or what policy he was dictating to the Railway Board, which prevented him from getting into touch with the Railwaymen's Federation and telling them exactly what he had done or what he contemplated doing with regard to the grievances brought to his notice. It might have been a policy of non-co-operation. Non-co-operation has been in the air for a considerable period. My impression of the Railway Board is that they are a body of absolute autocrats, who do not regard anything that has happened during the last ten years as that which might make them change their policy towards the labour unions of this country. I do hope I am mistaken. I hope what I am saying at the present moment is not going to be the policy of the Railway Board for the future. But I want to know from them at the present moment why it is that they could not have sent at least one letter to the Railwaymen's Federation saying, "These are the things we have discussed with you, these are the things we have accepted, these are the things we are not prepared to accept". If the answer is that the time was too short, we were not in a position to come to any settlement or any decision with regard to the numerous grievances brought to our notice, then my reply to them is this. Are there not certain matters which the Railway Board, since last May, have decided? And I want to know from them if it is not a fact, taking one instance alone, the service agreement, that they have already come to an agreement. Have they or have they not come to a decision? Did they consult the Railway unions before they announced that decision? If they did not consult the Railway unions, what else is it but pure autocracy on the part of the Railway Board in coming to a decision on a matter vitally affecting the service of eight hundred thousand employees on the railways and not consulting them as to the decision that they intended to announce by taking them into their confidence before announcing the decision? And what is that decision? As Honourable Members probably are aware, except my friend, Mr. Acharya, any railway employee can be dismissed or discharged arbitrarily or could be, before this new rule was made. They have now made a rule to the effect that, in the case of employees of ten years' service, the man who is going to be dismissed will have the charge sheet placed before him and such summary of the evidence that there may be. Now if that is the position with regard to men who have been on the railway lines for ten years in your service, why, I ask in the name of all that is logical, all that one calls common sense, do you not apply the same rule to people who have been in your service for one year? Why a limit of ten years? If a man, desirous to have his

Mr. President: Is the Honourable Member going to take long? Today is Friday and I should like to adjourn earlier.

Diwan Chaman Lall: I think I would like to take a few more minutes, probably half an hour.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

Mr. President: Mr. Chaman Lall.

Diwan Chaman Lall: Sir, I was referring to one matter which I consider to be of some considerable importance, namely, the fact that, unless and until the question of the service agreement is definitely settled at the time of the agreement, there will always remain this tangle, this sore between the Railway and the employees as regards their service agreement. Last May this matter was raised and it was said by Mr. Giri who came leading a deputation, that so far as this question is concerned it is a matter in which railway men in India feel very keenly. They expect they should not be discharged without being informed exactly for what reasons. I want to ask the Honourable Member in charge whether it is not a just demand to make to ask the Railway Board to make such rules in the service agreements as would enable a man, before he is discharged or dismissed, to obtain a charge sheet, to obtain the evidence that is against him, and be given an opportunity to defend himself by testing the validity or the truth of the charge. I take it that that is the procedure in almost every other Government Department. Why should there be an exception so far as the Railway Board is concerned? I want a definite lead in this matter from the Honourable Member.

However, that is only one of the matters that I have to mention. There is another matter of very great importance, and that is the question of the 60 hour limit. We understand that the Railway Board have been dealing with the question of the Washington and Geneva Conventions. They presented a draft Bill to the Assembly, but the 60 hour limit was accepted, so far as India is concerned, nearly ten years ago. It was an exception made against India, for reasons I do not know. I want to know what the policy of the Railway Board is in regard to a revision of the 60 hour limit. Have they a policy of their own, or are they sticking to the policy which was embodied in the Washington Convention? Further, I want to know what leave rules they have sanctioned. I want to know whether they consulted any of the unions before they sanctioned those leave rules. I want to know whether, before they publish those leave rules, they intend to take into their confidence the united body of railway workers under the federation of railwaymen's unions, and if they do not intend to do that, I want a reply to the question, why is it that they do not intend to do that? Now, in every Government Department—I understand in the Postal Department—there is a 20 per cent. leave reserve. I want to know what the extent of the leave reserve is so far as railwaymen are concerned. I want to know whether this matter, having been raised

last May by the deputation that saw the Honourable Member, has received the careful consideration of the Railway Board, and if it has, what conclusions they have come to in regard to this matter, and having come to certain conclusions, whether they intend to take the next step which I think is absolutely essential in order to secure peace on the railways, namely, to consult the railwaymen's unions. Sir, it is one thing to listen to grievances, and after having listened to grievances, to set your own machinery in motion and evolve certain schemes which you think are just and considerate; but it is quite a different thing to take the men into your confidence and evolve those schemes in complete consultation with the men who are going to be affected by those schemes you are evolving.

Mr. President: How are these matters relevant to the question of the abolition of the post of Labour Member?

Diwan Chaman Lall: I am not wanting to dispense with his services. What I am saying is that, if I get a satisfactory reply from the Railway Board in regard to the points that I have raised, I will not oppose the demand, but if I do not get a satisfactory reply, I will be forced to oppose it. I am raising all these points because they are points which might affect the Labour Member himself as he is in charge of the labour portfolio, and I want to know, since this matter has been raised, what the policy of the Railway Board has been as distinct and apart from the policy of the Railway Member. I take it that the Railway Board will be competent enough to give me a reply to all these matters. Take another matter which is of very great importance, and that is the question of the policy of the Railway Board towards railwaymen's unions. What is the policy of the Railway Board? Is it a policy of encouragement, or is it a policy of defeatism? I want the Honourable Member to tell me what the policy of the Railway Board is in regard to the encouragement and formation of these unions. If the Honourable Member says to me that he is quite willing to deal with these unions as he dealt with them last May, and that the policy of the Railway Board is one of encouraging these unions, I ask what has happened to the Railway Board that they should have taken the step which they took a few months ago—a short while ago—namely, taking away the passes which they were issuing to the accredited representatives of these unions, who went about on union business? If their policy is one of encouragement, why was this step taken? It seems to me, Sir, that the policy of the Railway Board is one of defeatism at the present moment. I am mentioning all these points in order that I should get a reply from the Honourable Member as to whether he is prepared now to lay down a definite policy in regard to these matters, and if he is not prepared to lay down a policy, then I must throw in my lot with those who wish to censure the Railway Board in regard to this matter.

Now, I come to the question of wages. I listened to the Honourable Member the other day, and he amazed me when he made a statement in replying to a question that was put to him. The question was this: how are you going to settle and improve the wages of the lower paid employees on the Eastern Bengal Railway, and the reply came—I do not know if Honourable Members noticed the significance of the reply—the reply was that, "We are going to discover the prevailing rates of wages in those localities, and then we are going to get hold of the cost of living index, and on that basis we shall revise the rates". Now, the Honourable Member knows, and I think every Member of this House knows that one of the most difficult things to get at is the cost of living index. You will have to appoint, Sir, not one expert, but a series of experts for working

[Diwan Chaman Lall.]

it out, not for a period of a year or six months, but over a period of years before you arrive at a correct estimate of the cost of living index, and it will not be an easy matter for the Honourable Member even to go to the length of finding out the actual living wages in those particular areas; that is an impossibility under present conditions, and I take it that, whatever is going to be done is going to be done by mere guesswork and not by means of any scientific investigation, which I consider, in present circumstances is impossible, because Government do not possess the machinery to make these necessary investigations. If that is the position, I want again to ask the Honourable Member what is the policy of the Railway Board in regard to the improvement of the position and wages of the lower paid staff. We in this House, Sir,—I say this deliberately,—are less concerned than the employees on the railways; the 800,000 employees who are working on the railways, want an answer to all these questions, and they want to know exactly what the policy of the Railway Board is. The manner in which the Honourable Member can satisfy the railway unions is by keeping in close and constant touch with those unions. I submit that it would be absolutely impossible for any one of these unions to get a satisfactory reply to all the questions that they have raised unless and until the Honourable Member takes them into his confidence and evolves a scheme whereby he can constantly keep in touch with these unions and hear their grievances from time to time. In regard to this matter, another question comes to my mind, a very important question; the policy of the Railway Board so far has been to discourage any consultation between the unions on the one side and the administration on the other in regard to individual grievances. I say that is a wrong policy. I say that deliberately because it is the individual grievance which goes on accumulating and which leads to the bigger general grievance; and I want the Honourable Member to tell me whether in view of these matters which have been raised and brought to his notice, he is prepared now to revise the policy hitherto followed of not consulting the unions with regard to individual grievances. He can quite easily follow the lead of the Bengal Nagpur Railway, where in spite of this rule, I am told on definite authority, individual grievances are discussed between the representatives of the unions and the administration; and if that can be done and happy results achieved because it is done, I want to know why it cannot be done on other railway systems in other parts of India.

Then comes the question which was raised by Colonel Gidney some time ago in regard to the welfare committees, a question which is akin to the question of the recognition and encouragement of trade unions. What is the basic idea behind the welfare committee? I take it that there is this distinction. With a trade union you have a free combination of men who can order their own society as they choose. With a welfare committee there is no free combination of men: they are ordered by the Railway Administration according to rules laid down by the Railway Administration. I ask again, is it the policy of the Railway Board to encourage unions which are officialised unions, whose rules and regulations are laid down generally by the administration, or is it the policy to encourage real *bona fide* trade unions on the railways. (Hear, hear.) I say deliberately that these grievances, not only in regard to these matters, not only in regard to housing and fines, but in regard to a multitude of other grievances, have cropped up from time to time and have now

accumulated to such an extent that it is up to the Honourable Member to throw out a generous gesture and say, "We are prepared to deal with the recognised unions and place our cards on the table and ask for a discussion in order that we may settle the grievances that have been brought to our notice". There is no other method, excepting the autocratic method of sitting and deciding in the Railway Board with men, some of whom may be experts and others may not—people who are generally not in touch with the labour world—deciding matters which affect the destinies of nearly a million human beings. It is not possible by this method to get any satisfaction for these human beings or us who happen to be their representatives. The only method is of close consultation; the only method is to go and take them into your confidence; the only method is of encouraging those regularly constituted and fairly strong unions on the railways which have presented and have done their best to present their case in the best light possible to the Honourable Member. And in winding up my speech, I ask the Honourable Member to pay attention to all these matters, and I ask him to announce to this House without any further delay, what his policy is and the policy of the Railway Board is in regard to these matters that have been raised, and to let us know what method he intends to adopt in order to put an end to the grievances that have been brought to his notice. I submit that the position of the men on the railways now is not at all a healthy position, and I think it is up to him to realise and up to the representatives of the people in this Assembly to bring to his notice that it is not a pleasant and healthy state of affairs. Something drastic, something urgent, something reasonable has got to be done in order to bring about a better feeling on our railways and better satisfaction for the men whose grievances have not been redressed for such a long time, and I hope the Honourable Member will take this step and announce to this House and through this House to every labour employee on the railways what his policy is going to be—not a policy of negation but a policy of constructive goodwill and co-operation with the workers in order to better their conditions, life, labour and service.

Lieut.-Colonel H. A. J. Gidney: Sir, I hold no brief for Mr. Hayman or for the Mover of the motion, my reason for entering this discussion is because, as a man who has spent twelve years in intimate touch with railway problems and railway workers—not as a President of a union or just casually meeting the workmen in order to hear what they may have to say—I feel I am able to bring practical evidence to bear on the issue. Sir, I have heard every grievance and argument from the men themselves and so I feel I possess a very deep knowledge of railway problems today. As I listened to the speech of my friend, Diwan Chaman Lall, I was very pleased to notice a marked change and contrast in the way he tackled his subject this year as compared with his methods of last year. It clearly shows that my friend, Diwan Chaman Lall, has now come out as a labour leader of moderate views, and one possessed with a solid desire and determination to do some good for the railway men in a proper constitutional manner. I refer particularly to his remarks on labour unions.

Sir, the remarks made by the Mover appeared to me to be a sort of double-edged compliment to the Labour Member of approval and disapproval. At first Mr. Aney paid Mr. Hayman a great compliment, after which he appeared to want to kick him out of office as useless. You may shake your head, Mr. Aney, but you cannot blow hot and cold, that is how I interpret your speech. He first said that Mr. Hayman was a very capable

[Lieut.-Colonel H. A. J. Gidney.]

officer, and next he catalogued a list of crimes or sins of commission and omission which he and other Members of the Railway Board have committed. He was followed by my friend, Mr. Kelkar, who made some very serious and wild allegations against the Honourable Member, Sir George Rainy. Sir, I hold no brief for either of the Honourable Members, but I have watched the progress and change of railway development, for the past twelve years, and I am personally familiar with all the work that has been done by the Member in charge of Labour. I care not whether he is an Anglo-Indian, an Indian or a European. I look upon him as an officer of the Government and as a servant of this House, and I make bold to say, without any fear or contradiction, that I do not know of any one who could have done the amount of work that Mr. Hayman has performed during his eleven months period of office, or as efficiently. I do not say this because Mr. Hayman happens to administer this portfolio, but because of the full conviction which I have of what he has done. Let me take a few instances with which I am personally familiar. Mr. Kelkar talked airily about dismissals and discharges. He is evidently not aware that this question of dismissals and discharges was settled by the Railway Board and I believe was in the hands of Agents in November last. I know that it appeared in the East Indian Railway Weekly Notice of the 15th January, 1930. This new procedure, Sir, is a great advance on what it was before. A railway man now has ample opportunity to present his grievances and his defence before discharge and to get a sympathetic hearing directly from the officer concerned. Moreover, there are many railways today in which their officers are in personal and close touch with their men, although I agree with Diwan Chaman Lall that all Welfare Committees, which are really "Farewell Committees" should be done away with. This happy position in the railways today is the outcome of the labours of Mr. Hayman; and yet my friends, Messrs. Aney and Kelkar, wanted to know today what has been done, and in their ignorance desire to censure and get rid of the Member. We hear a lot from the opposite Benches about the evils of racial discrimination: well, that has now been abolished on railways. The cry, that racial distinction in the matter of educational facilities should be abolished, has also been listened to and been abolished; the great cry that there should be no racial distinction in wages between various classes of employees has also been almost abolished and is entirely in the revised East Indian Railway rates of wages, and today let me tell this House that a European or Anglo-Indian working as a cleaner can only do so on a princely pay of ten rupees a month. Now, Sir, all these corrections and improvements have been effected by Mr. Hayman and within the short space of eleven months. There are many other improvements he has effected, Mr. Kelkar wanted to know what had been done by Mr. Hayman in regard to the improvement in the lot of the lowest paid railway employees. I know that, in the East Indian Railway, every low-paid employee from the gangman, *bhisti*, sweeper, *etc.*, upwards, has had his pay raised from 20 to 30 and 40 per cent.—this being the difference in pay between 1920 and 1929. How they got the money to effect this improvement is another question, which I propose to deal with on another occasion; but, it is a fact that every low-paid employee in the East Indian Railway has had his pay raised. The Eastern Bengal Railway has also improved the wages of these employees. The Bengal Nagpur Railway today has a union working on its own Railway . . .

Mr. N. C. Kelkar: Is that the information before the House?

Lieut.-Colonel H. A. J. Gidney: It has been published in the Press and is public property. I am not giving any private information. These are some of the accomplishments effected by this Labour Member, but not all, Sir. Then with regard to the housing conditions of the staff generally. In this matter no distinction is now made between any class of employee. This has been another of the activities of the Labour Member.

Then take the question of Indianisation of the Railway Services. Why should you bring the charge that there has been no Indianisation in the Railway Services? You have only to take up any Report issued by the Railway Board this year to find how far the Indianisation of the Services has progressed, some say too far. I am not going to criticise this matter as regards its effects on Anglo-Indians, for if I wanted to, I could, but I refer to it in this manner to prove to the House that Indianisation is a very live wire today. The Reports of the Railway Board say that the official cadre has been Indianised during the year from 31 to 32 per cent.; but, what of the hundreds of Indians in officiating appointments? If this is not Indianisation, what is it? Leaving other matters aside, Indianisation is such a live wire today, that you cannot Indianise any more on the railways although there is a distinction made in the opposite Benches between the Indian and the Anglo-Indian, in your minds, not in mine. (Hear, hear.)

Now, Sir, my friend, Mr. Kelkar, asked what had been done with regard to the revision of cadre of the superior services. When the Honourable Member in charge referred in his speech to the superior services, I think he meant the promotion of subordinates as officials and the appointment of Indians to the superior services. I know, Sir, that a large number of Indians have been appointed by the Railway Board. The recent eight direct appointments, that were made in the Transportation (Power) Branch, were made because the present superior apprentice branch was unable to supply qualified and trained recruits, and, may I add, these direct appointments were made despite the fact that the Central Advisory Committee ordained that 20 per cent. of promotions to official grades should be from subordinates. So even here the Labour Member has gone out of his way to Indianise a particular Railway Department.

Then, Sir, I should like to refer to the improved relations today between the railway management and their workmen. I have been in close touch, and my friend Diwan Chaman Lall will support me in this, with all the railway workmen who presented themselves to give evidence before the Labour Commission and I can assure the House and my Honourable friends, Messrs. Aney and Kelkar, that the railway men themselves today realise that there is in operation a serious and determined effort on the part of the Railway Board and Administrations to establish a feeling of *bon camaraderie* that in my opinion, unhappily ceased to exist when the railways were brought under State control and the Divisional system was introduced.

Then, Sir, we come to the last of Mr. Kelkar's grouses, the part played by Mr. Hayman in the preparation of the Railway Board's Memorandum for the Labour Commission. I have nothing to say about that work, because the Memorandum speaks for itself as an outstanding proof of Mr.

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Hayman's ability and fitness for office. I hold no brief, as I said originally, for Mr. Hayman, but I am telling this House absolute facts with which I am personally familiar, and I was really surprised when I heard the charges brought against him by my friends, Messrs. Aney and Kelkar. Sir, these Members appear to have specialised in the art of walking on thin ice. My surprise is that their ice has not cracked long ago and they have not drowned themselves in their sea of ignorance on railways matters. My friends, Messrs. Aney and Kelkar, talk as if they were really familiar with railway labour problems, but when put to the test, as evidenced in their speeches, they show their unfamiliarity with, indeed they show their abysmal ignorance of the whole subject. Now, I ask, is it the work of the Labour Member to build houses and if he does not squander the taxpayer's money at lightning speed and within a given time, is this to be considered a crime? On the contrary he is entitled to our eulogy and approval, not our censure.

Mr. M. S. Aney: Who suffers in the meanwhile because the necessary assistance is not given? Do you?

Lieut.-Colonel H. A. J. Gidney: Neither you nor I. Suffer Mr. Aney.

Mr. M. S. Aney: That is the reason.

Lieut.-Colonel H. A. J. Gidney: My friend must remember that Rome was not built in a day.

Mr. M. S. Aney: Yes, yes; it won't be built in a century.

Lieut.-Colonel H. A. J. Gidney: But we shall both be dead by then. The question before the House is this. If you are going to pass a vote of censure on a Member, pass it for some solid reasons, and not for imaginary reasons such as Mr. Aney has thought fit

Mr. M. S. Aney: The reasons contained in these papers are quite obvious.

Lieut.-Colonel H. A. J. Gidney: I give you facts. I have now told you what has been actually done by Mr. Hayman during the last twelve months of office, and I have not the slightest hesitation in adding that every railway Indian workman will bear me out when I say that a change of heart is in evidence everywhere, because there is a definite change of policy, and that policy is being guided by the Honourable Member in charge of the Railways, and is being operated and led by Mr. Hayman, the Member whom you now wish to censure with a cut of Rs. 48,000. Sir, with these few words I oppose the motion.

The Honourable Sir George Rainy: Sir, I am grateful to my friend, the Mover of this motion, for he made it clear that he was not moving it in any sense for personal reasons, and indeed, there was nothing in his speech which could have conveyed a different impression. He said that the point he wished to bring out was not a personal question at all, but a question as to the manner in which the work of this very important branch of the Railway Board had been performed; and the chief reason he gave in support of his motion was that the progress made had not been nearly as rapid as it should have been. In particular, he pointed out

that we had been unable to spend even half the money included in the Budget for the current year, and he also mentioned the fact that, in August last, we were much more sanguine as to our ability to spend during the current year. Perhaps, I might explain that particular point at the outset. In August last, when the figures were prepared, we were still in hope that the Bill to amend the Indian Railways Act, in order to give effect to the Washington and Geneva Conventions, would be passed in the September Session. It is obvious, I think, that until the Legislature had definitely embodied the new provisions in the law, we could not embark on an extensive building programme, nor could we engage the additional staff on any large scale until buildings were provided for them, where necessary. That, I think, explains that point.

It is not only on the other side of the House that there is regret that we were unable to proceed as rapidly as we should have liked, and I can assure the House that it is the desire of the Railway Board and of the Government of India that we should make as rapid progress as possible with these matters. But my Honourable friend will perhaps forgive me if I say that his proposal is not altogether logical having regard to the reasons which he advanced in support of them. His argument amounts to this, that because we move so slowly, we must not be allowed to move at all. If no provision is made in the Budget for a Staff Member of the Railway Board, then the whole of the work we have been trying to do during the last eleven months in this direction, will be paralysed; the essential machinery will be destroyed, and instead of accelerated progress we shall see progress most seriously retarded. I do think that, if what my friend desired, was that the House should express dissatisfaction with the rate of progress, an ordinary Rs. 100 cut would have been quite as effective and a more logical method of conveying his idea.

I should like to turn now to what was said by my friend, Mr. Kelkar, who brought what is unquestionably a somewhat grave charge against myself. He said that, by the manner in which I presented my proposal for the appointment of an additional Member of the Railway Board to the Assembly last year, I had misled the House, and that I had obtained sanction on the plea that the work of this additional Member was to be confined strictly to labour matters, and that he was to do nothing else. Now, that charge is absolutely and entirely without foundation, and I would like to draw the attention of the House to what I said when I dealt with that matter. I first of all pointed out the various branches of work which at that time came within the sphere of what was known as the Member, General. I said:

"Since the railways exist for the conveyance of passengers and goods, his primary concern is with the movement of traffic."

That was the first branch of his work. I then said:

"The second main branch of his work is commercial and might, I think, be summed up under the name of 'Salesmanship'."

Then, in the next paragraph, I dealt with the third branch with which the General Member has to deal, namely, establishment,—

"which covers the rates of pay and conditions of service of every grade of official employed on the railways of India, who now number more than 800,000 men. He must be prepared to grapple with the intricacies of pay and allowances when schemes

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of reorganisation have to be carried out, and with the special problems which arise when a Company-managed railway is taken over by the State and its staff has to be incorporated in the State railway services. He must also be prepared to deal with all the multitudinous questions that may be summed up under the general heading 'the welfare of labour', which includes housing, provident funds, leave rules, medical attendance, assistance towards education, hours of work, etc."

Now, I explained, as clearly as I could, that it was very hard to expect that the Member who was chosen for dealing with the traffic questions and with the commercial questions should also have the capacity to deal effectively with establishment questions. I then said in paragraph 25 of the speech:

"The conclusion at which the Government of India have arrived, was that the General Member should be set free to devote his whole time to those matters which are his primary concern, namely, transportation and the commercial management of the railways, and that a new Member must be added to the Board who would be specially charged with responsibility for all establishment questions and for the welfare of labour and of the staff generally."

Now, surely that is perfectly clear. I never suggested that his duties were to be confined purely to labour matters. On the contrary, I was at great pains to explain otherwise. Finally, on this point I should like to refer to the Memorandum placed before the Standing Finance Committee for Railways by the Financial Commissioner on this very matter. This is what he said, and I believe this was before every Member at the time the discussion took place in the House:

"For these reasons the Government of India have decided that it is necessary to create an additional appointment of Member of the Railway Board, thus providing that there will be one Member in charge of the transportation and commercial work and one Member who will be in charge of all staff work, including both labour questions generally and all the establishment work which at present is performed in the Establishment Branch."

Now, could anything be clearer? I know quite well that my Honourable friend had no sinister motive in charging me with misleading the House, but I do hope he will recognise that it was hardly a fair charge to make. (*Cries of "Withdraw".*)

Mr. N. C. Kelkar: May I just interrupt the Honourable Member for one minute and point out to him two things, which give the impression that I have got, which is the impression shared by many? As he is referring to the establishment side, I draw his attention to paragraph 27 of his speech last year. It begins, "On the establishment side", etc., and then throughout that paragraph he refers only to two things and nothing else—a good deal of unrest and trouble amongst the railway workmen. That is one, and the only other illustration he says which I would give is, "The obligations the Government of India have incurred under the Washington and Geneva Conventions", all along giving us the impression that the centre of gravity of the work to be done by the new Member lay entirely on the labour problem. Just one word more. I will point out what impression he gave at the very time to Mr. Jamnadas Mehta, and here is what Mr. Jamnadas Mehta said. It is relevant from this point of view that it was the impression created upon the mind of a Member

who was present and listened and knew everything. I will just quote him. He said:

"Sir George Rainy, I did not know, was a great tactician with a very skilful strategy behind him. Twenty eight lakhs are provided for increasing the wages of labour; what a great increase of work for the Railway Board. Thirty lakhs are to be spent on improving the housing conditions of labour. Does it require another Member?"

That will show that, so far at least as Mr. Jamnadas Mehta was concerned, he was under the impression that the additional Member must be responsible mainly for this labour work, and the contention that we have here put forward throughout is that he is not attending to that side of the work.

• **The Honourable Sir George Rainy:** I had hoped to hear a different statement from my Honourable friend, but I do not think that the personal question is of sufficient importance that I should take up the time of the House with it further. I do not doubt for a moment that my Honourable friend was conveying what was quite clearly in his mind, but I hope I have satisfied the House that it ought not to have been in his mind.

I turn now to the matter to which I propose to devote the major part of my speech. As I said when I introduced the Budget, I regret that it was not possible to place in the hands of the Members before the discussion a Memorandum explaining the work which has been done by the Railway Board in his sphere since my Honourable friend, Mr. Hayman, assumed charge of the branches concerned with establishment and labour questions. But I promised a Memorandum would be placed before the Central Advisory Council, and I am quite ready to promise also, if Honourable Members would like to have it, that we will circulate copies of the Memorandum to every Member of the House. I quite recognise the right of the House to ask for information as to what we have been doing during the last 11 months, and I will endeavour to satisfy that desire. There must of course be a limit to the amount of information one can convey in a speech on a proposed reduction of a Demand, but I will try as far as I can to amplify the brief outline which I was able to give in introducing the Budget.

I should like, in the first place, to make it clear that, although Mr. Hayman is not confined purely to labour matters, yet unquestionably much the greater portion of the work he has been doing during the past year has in fact been directly connected with labour questions. It has always been recognised that labour matters must have precedence. But, before I come to these more directly labour questions, I should like to say a little about some other important matters which have come before him during the year, because no account of the work he has been doing would be anything like complete unless something was said on these subjects. Now, one of the questions with which he has been dealing is that of racial discrimination. I was very surprised to hear from my Honourable friend, Mr. Kelkar, that that was not a proper matter for a Labour Member to undertake; I was surprised because, judging from what one reads in the newspapers, it is emphatically a matter which, in the opinion of the railway workers of India, should be considered by a Labour Commission, and if it is suitable for consideration by a Labour Commission, I do not quite see why it should be excluded from the purview of a Labour Member.

Mr. N. C. Kelkar: I thought it was already disposed of and that there was nothing remaining to be done.

The Honourable Sir George Rainy: Even assuming that my Honourable friend's impression was right, and that Mr. Hayman was confined to labour matters, even so, racial discrimination is a perfectly proper and suitable matter for him to consider. I said, when I introduced the Budget, that as regards this question of racial discrimination, we had reached a stage where I thought that discussion with the Central Advisory Council would be helpful and fruitful. I could not possibly attempt to go through all the various items today, but I want to mention some of them, where we have already taken action since Mr. Hayman assumed charge. Here, for instance, in the Bombay, Baroda and Central India Railway, the limit of pay for the grant of second class residential and school passes was lower for the European and Anglo-Indian employees and higher for the Indian employees, and this distinction has been abolished in respect of all staff appointed after a certain date. In the second place—this is on the East Indian Railway—the quarters allotted for European and Anglo-Indian employees were more spacious than those allotted to Indian employees, and orders were issued by the Agent in December last, that in future all allotments should be made by posts and not by individuals, and so the quarters previously reserved for European and Anglo-Indian employees will be available to Indian employees at the same rents, should they desire to occupy them.

Again distinctions made as regards free medical assistance and other facilities have been removed by the issue of an order issued in January last to the Chief Medical Officer, whereby equal medical assistance and other facilities are admissible to all staffs in a particular grade, irrespective of their nationality.

In the case of travelling allowance, the distinction between the rates of daily allowance admissible to Europeans and Anglo-Indians on the one hand, and Indians on the other hand, under the Company rules has been removed by the orders of the Railway Board—issued in July last—and the travelling allowance of all subordinates is, for the future, to be governed by the State Railway rules.

Take another matter. The Railway is now prepared to equip all quarters for senior subordinates with electricity at stations where electricity is available, provided the occupants are willing to pay the charges. There again racial discrimination has been removed.

The training of nurses was formerly confined to the daughters of European and Anglo-Indian employees, but it has now been extended to the daughters of Indian employees as well. I could give three or four more instances, but it is hardly possible to give an exhaustive list in a speech. I have mentioned them now because I want to make it clear that, quite apart from these matters which we hope to discuss with the Central Advisory Council, we have already, wherever we found it possible, taken action to redress what was complained of.

Amongst other subjects, unconnected with labour, I should like to mention that, with the addition of a new Member to the Railway Board's office, and with the introduction of the new standardisation department, a considerable amount of reorganisation was necessary in the Railway Board's office, the burden of which fell on Mr. Hayman, and he had also to take

responsibility for framing the course of instruction at the Dehra Dun Staff College. Again there was the big question of settling the cadres of the superior services, a matter which may be of some interest to the House, because I hope that, before very long, it may enable us to settle the vexed question about the local traffic service which from time to time pops up at question time. This question also fell to him. But I will not go on to dilate upon these matters, not directly connected with labour, because I recognise that it is labour questions which are of primary importance, and it is in them that the House is most interested. For all reasons they must have precedence. One of them, however, I think I had better leave to another occasion, because when the Bill for the amendment of the Railway Act comes before us, there will be a natural opportunity to deal with questions about the hours of employment and the periods of rest.

Of the various points that were brought to my notice by the deputation of the Railwaymen's Federation that I received at Simla, I think, perhaps, one to which they attached primary importance—I do not say they put it absolutely first—was the question of security of tenure to which my Honourable friend, Diwan Chaman Lall, has referred in his speech. The new rules on this subject were issued in November last and a copy was sent to the Secretary of the Railwaymen's Federation. I am very sorry indeed that these rules have not penetrated to the railway unions, and I propose to issue instructions to the Agents that, when general orders on a matter of that kind are communicated to them, it is very desirable that they should, on their part, convey the orders of that sort to the unions which they recognise. Copies of these rules are already in the Library of the House, but here, again, if it would meet the convenience of Honourable Members—the type is still standing—there would be no difficulty in printing extra copies. We shall be very glad to circulate copies to the Members of the House, and I will see that that is done.

Now, these rules that we have issued were criticised by my Honourable friend, Diwan Chaman Lall, and in particular he argued that a distinction was drawn in these rules not as regards dismissal,—I think "dismissal", was the word which he used—but as regards discharge for inefficiency, and that distinction was drawn between men who were of less than ten years of service and men who had more than ten years of service. I do not want to discuss the merits or demerits of that particular distinction today, but what I do wish to point out is that, whether or not the rules go as far as my Honourable friend would like to see them go, or as the Railwaymen's Federation would like to see them go, they are clearly a marked advance over the procedure that was in existence previously. We have taken a distinct step forward in the direction which the Labour Unions wish.

My Honourable friend raised the question why, before we issued these rules, we did not have a further discussion with the Railwaymen's Federation. My answer is this, that when we had clearly made up our minds that we could go a certain distance, it seemed to me desirable that we should go that distance at once and not wait for further consultation, which might hold up the case for a long time, in the hope that perhaps we would go further. It does not mean that these rules are fixed like the laws of the Medes and Persians, for all eternity, so that they cannot be altered. This is a matter which I know is of great interest to the

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railway staff generally, and I anticipate that it will become the subject of discussion from time to time between the Railway Board or possibly the Railway Member and the Railwaymen's Federation.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammādan Rural): Was there previous discussion between the Agents and the Trade Unions, as promised by the Honourable Member to the deputation which he received in May last?

The Honourable Sir George Rainy: As regards these particular rules, I do not think so, but I am not absolutely certain.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

Another matter was the leave rules. The new leave rules, I am informed by my Honourable friend, Mr. Hayman, are likely to be published in Saturday's Gazette, and I will issue instructions as regards them also that copies should be circulated to Members of this House so that they may see what they are. The question of the leave rules is a complicated one; technical questions are involved which gave us infinite trouble, and these questions had to be settled with the Auditor General and the Finance Department. It was not till my Honourable friend, Mr. Hayman, took them in hand that we were able to get out of the thicket of technical difficulties in which we were entangled. These rules apply not only to inferior servants, but also to all new entrants into the service, whether they are in the officers' grade, the subordinate grade or are inferior servants. The rules are not of course uniform for all grades, but within a grade,—whether of inferior servants, subordinates or officers—the only distinction that arises is over the question of domicile. In certain cases the rules for officers of European domicile are more liberal than those for officers of Indian domicile, but there is no distinction on the ground of race or nationality. Now the great step forward so far as the former Company-managed railways are concerned in respect of these rules is that, whereas at present I think it is true to say that for large classes of their lower paid establishments with the exception of certain holidays in the year,—the number varies on different railways, 15 on one and 17 on another—the workmen are not entitled to any leave except leave without pay. Under these new rules, once they have completed three years' service, they become entitled to 10 days' leave in the year on full pay, apart from holidays; after ten years' service, 15 days', and after twenty years' service, 20 days', plus a certain amount of leave on medical certificate. I will not go further into the details because Honourable Members will be able to see for themselves when they receive copies of the rules. It may be that, in this case also, we have not found ourselves able to go so far as the Railwaymen's Federation would like to see us go; but we have made a genuine attempt to improve the conditions of service in this particular respect, and we mean to make our policy effective by the provision of leave reserves which will be required if it is to be made possible for the men to take leave to which they become entitled under the new rules.

There was another matter which engaged Mr. Hayman's attention, a very practical matter which clearly affects the welfare of the staff, namely, the acceleration of the payment of wages at the end of the month. He

made a special inquiry into that matter at Moradabad and what he found was that the orders issued by the Railway Board were perfectly sound orders, which did not require alteration, but that practical effect was not being given to them. He took immediate steps, with the approval of the Board, to put an officer on special duty to work out a detailed scheme, so that full effect should be given to the orders previously passed to prevent delay in the payment of monthly wages.

Then again he has given special attention to the service conditions of workshop employees. In their case, the new leave rules will be a distinct improvement, and there are other provisions such as a month's notice on discharge, and one or two small matters of that kind, which ought also to be appreciated. Another matter which has received attention is the Staff Benefit Fund. The rules about this Fund are in their final shape and will come into effect on the 1st April, 1931. I hope that Staff Benefit Funds will be established generally, not only on the State-managed lines, but also on the Company-managed lines.

Another question we have taken up,—and I personally believe it is a very important matter for the welfare of the staff,—is that of co-operative credit societies for the railwaymen. My attention was specially drawn to it at the Conference of Railway Agents last October, when the President, Sir Ernest Jackson, who has done a great deal for the employees of the Bombay, Baroda and Central India Railway in that particular line laid great emphasis on its importance. I said then, and I should like to repeat it now, that anything which can be done in that way to relieve the indebtedness in which so many railway servants are involved would be a very real improvement.

Now, as regards what must obviously be a question in which railwaymen take special interest, namely, the revision of the wages of the lowest paid employees, I explained what the position was in my Budget speech. Having got the first case settled, we are now going on to the others in accordance with our programme previously laid down, to take up in succession the Great Indian Peninsula Railway, the East Indian Railway and the North Western Railway, and we will try to get these schemes through and get them approved as quickly as we possibly can. My friend, Diwan Chaman Lall, I think inadvertently suggested that we were going to consider not only the prevailing scale of wages of the locality, but also the cost of living index. That is correct, except that I did not use the word "index". His comment was that everybody knew that to get an accurate cost of living index was a very difficult and troublesome matter indeed and required very full investigation. There I entirely agree with him. But I did not in the least intend to suggest that we would delay action until somebody had made a complete investigation and devised an accurate cost of living index. All we can do is, using such data as we have and can readily obtain, to ascertain approximately what might be a reasonable figure to take and to work on that. I think it necessary to say that, because I should be very sorry to convey an impression that we were holding up action until we could comply with what I think is, today in India, only an ideal. I do not think anybody has yet solved the question how in India a satisfactory cost of living index can be devised.

My Honourable friend went on to ask for a declaration of policy,—it was the policy of the Railway Board he asked for—but in these matters, it is more often than not the policy of the Government of India which is in

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question, and I should be very glad indeed if I were in a position to deal at length with these various topics. I do not, however, think, it is possible for me today to take up his various points one by one, and try to answer them *seriatim*. What I do want to say is this. I quite recognise that, when I received the deputation from the Railwaymen's Federation in Simla, that was not the last stage in the discussion. When I addressed the deputation, I tried to make it clear to them that, while I recognised that there ought to be further discussion between the representatives of labour and the Railway Administrations, that would not necessarily take place between the Railway Board and the Federation. It might more appropriately take place between the Railway Administrations and their own local unions. But at the same time, there are some of these demands put forward which are not of a local nature; in their essence they are really of an all-India nature, at any rate, so far as the State-managed railways are concerned. I mean such questions as the leave rules or the security of tenure rules, hours of work and so on. Now, I quite recognise that there may be advantages if consultations take place with representatives of labour at the headquarters, and I do not exclude that idea for a moment. I think it is probable that such further discussions may come about.

Lieut.-Colonel H. A. J. Gidney: If the Honourable Member will permit me interrupting him, will he kindly state whether those consultations will only be confined to the Federation of the Railway Unions, or extended to representatives of other bodies?

The Honourable Sir George Rainy: I was speaking, Sir, on the assumption that the Railwaymen's Federation was representative, or at any rate, the most representative body of railway labour. If there are other bodies, not connected with the Federation, who would wish to be consulted at such a time, I have not the least idea of suggesting that they ought to be excluded. All I can say is that, at the moment, they were not present to my mind. My mind was naturally concentrated on the body whose representatives I have met. I do not think it is possible for me to go in detail into all that the Honourable Member, Diwan Chaman Lall, said. I should like to say this, that the general policy of the Government of India towards Railway Trades Unions is quite definitely an attitude of sympathy and encouragement. I can imagine that from time to time, there may be difficulties about particular unions. Our hope would always be that these difficulties would be overcome and we should strive to maintain amicable relations wherever it was possible. It is only to this extent that I wish to qualify what I have said. Clearly at this stage, when trade unionism in India is in its early days, it may not always be possible to maintain cordial and friendly relations with all the unions. That is a question for practical decision in each case as it arises. But undoubtedly, our general view is that the trade unions, if wisely guided—and I cannot overestimate the enormous importance of wise guidance to the unions at this stage—if wisely guided, they are capable of doing a great deal of good work in the interests of labour not only on the railways but in practically all industries, and I should like, if I may—interested as I am and interested as the Government must be in wise guidance of labour—to express very briefly my appreciation of the courageous action taken by some in November last at Nagpur, when it seemed there was a real danger of the whole labour movement coming under unwise management. (Applause.) I do think those who acted so promptly on that occasion are entitled to great

credit and are entitled to be heard with great respect whenever they speak on labour questions. (Hear, hear.)

I do not wish, Sir, to weary the House. I have tried to give the House some idea of the magnitude and volume of work with which Mr. Hayman has had to deal. If the House thinks that he has not been proceeding as fast as they wish, then censure the rest of us as much as you like. But do not censure him, and in particular do not deprive me of the Labour Member of the Railway Board, because I am sure that if you do so, then the work which he has been doing will come to a standstill altogether. I do hope that the House will not carry this motion. (Applause.)

Mr. M. S. Aney: Sir,

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): May I ask, on a point of order, if the Honourable Member has got any right of reply?

Mr. Deputy President: He has moved the cut.

Mr. Muhammad Yamin Khan: The rules which apply to Resolutions do not apply to cuts.

Mr. Deputy President: Let me see what the Honourable Member has got to say?

Mr. M. S. Aney: I have heard with great interest the very exhaustive statement which, if not completely satisfactory, is somewhat assuring. That is one redeeming feature of the debate which unfortunately took a somewhat acrimonious turn at one stage. The one point which I have not been able to understand is this—and it was the point which I wanted to raise—that we have had a certain allotment made at the beginning of the year, that this House wanted the Railway Board to utilise a particular amount of money in the interests of labour by the end of the year. That was the meaning of the allotment, and the manner in which the budget allotments have been worked out is the sole matter under consideration by this House on this motion at this stage. Even now, they do not say how the 10 lakhs, 18 lakhs and 30 lakhs allotted have been spent. In fact, if we go by the figures as they are given under the revised estimate in the volume of the Demands for Grants, we find absolutely no mention made of any expenditure during the course of the year there. That is the great difficulty, and that is the main reason why I think I was justified in bringing to the prominent notice of this House the absence of information as to how and in what useful way this money was spent, or whether any money was spent at all. I would therefore request the Financial Commissioner of Railways to revise the book of demands in view of the statement he has made in a certain paragraph of the Explanatory Memorandum. So long as he does not do that, the world will always understand what I have stated as the only correct position with regard to the money allotted. However, I have received the assurance that something is being done, and a good deal is intended to be done within as short a time as possible. I hope that this year at least we have got a promise about which we shall have no occasion to repent or grumble. I do not therefore wish to press my motion.

Mr. Deputy President: The question is that leave be given to Mr. Aney to withdraw his motion.

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

Displacement of Anglo-Indians and Domiciled Europeans on the various Railways.

Lieut.-Colonel H. A. J. Gidney: Sir, the motion that stands in my name and which I move is:

"That the Demand under the head 'Railway Board' be reduced by Rs. 10,000."

Sir, the question of this reduction became apparent when I received Volume II of the Railway Board's Report.

Mr. A. A. L. Parsons: On a point of order, Sir. In accordance with the Honourable the President's ruling this morning, I am doubtful whether Colonel Gidney can move this cut to reduce the Demand under the head Railway Board by Rs. 10,000. The Honourable Member is raising a question with regard to the pay of certain Anglo-Indians and domiciled Europeans on various railways, whose pay is brought to account under the head 4—Administration or 5—Repairs and Maintenance and Operation. The point of his motion is to urge on the Railway Board that a certain number of domiciled Europeans and Anglo-Indians should not be displaced. It appears to me that he is raising a matter of policy on a grant which does not cover the salaries of employees concerned on the various railways.

Lieut.-Colonel H. A. J. Gidney: My motion relates to a question of policy in the same way as Mr. Aney's cut of Rs. 48,000.

Some Honourable Members: No, no.

Lieut.-Colonel H. A. J. Gidney: I am not addressing you and your "No, noes". I am addressing the Chair and I say, "Yes". But I am prepared to reduce my cut to Rs. 100, if I can do that when the time comes, and if you will permit me, Sir. In order to remove any apprehension of the Railway Board, for it appears to be afraid of all my cuts today, I am prepared to let the Railway Board have a *baksheesh* of Rs. 9,900 of the cut proposed, and shall move a cut of Rs. 100 when the time comes later on, as regards the policy of the Railway Board. May I have your permission to do so, Sir?

Mr. Deputy President: Yes, Mr. Neogy.

Re-examination of the Convention of the Separation of Railway Finance from General Finance.

Mr. K. C. Neogy: Sir, I beg to move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

It is my intention to raise the question of the re-examination of the convention of the separation of Railway finances from General finances. This is the sixth year in which we are considering the convention of separation. Full five years have gone in which this convention has been worked, and more than once before the demand has been put forward from this side of the House that this convention should be re-examined and revised. From a perusal of the Resolution of September 1924, which embodies this convention, it will be seen that it was laid down in that very Resolution itself that, the "arrangements shall be subject to periodical revision but shall be provisionally tried for at least three years". That indicates,

Sir, that at that time it was considered by the authorities that three years' trial would be quite fair, and that on the termination of three years, this convention should be examined for the purpose of finding out as to how it has worked in practice and in what respects it might be usefully revised.

(At this stage Mr. President resumed the Chair.)

At this stage, Sir, I desire to go as briefly as I may into the history of this separation of the two Budgets which, as far as I can remember, was first raised in the year 1899. The proposal then was that the Budget of the Public Works Department, which included the Railway Department in those days, should be separated from the General Budget. We do not find that any action was taken on that proposal at that time. It must be remembered that, in those days and for years before, complaints were voiced, mostly in England, that the railways in India were being starved, and that the departmental financial rules under which the railways worked in India were not quite suitable to the requirements of a big commercial undertaking which the railways represent. In 1901 we find one, Mr. Thomas Robertson, was appointed Special Commissioner for Railways in India by the Secretary of State to go into the various questions relating to railway administration in India, including the question of State *versus* Company management; and this gentleman was expected, among other things, to report on the feasibility of adopting a systematic plan of railway development in India, in response to the complaints which I have mentioned that the railways in India were being starved, and that there was no systematic plan of railway development, thanks to the hand-to-mouth policy which was followed in respect of railways. Mr. Robertson in his Report dated, I think, 1903, made certain suggestions which have some sort of resemblance, though a very distant resemblance, to the separation convention which is in operation at the present moment. He recommended the formation of what he called a railway fund, more or less corresponding to the Railway Reserve Fund that we have at the present moment, and he also made certain other recommendations, which remind one of some of the details of the present convention. It does not appear that any definite action was taken even on this Report so far as these points were concerned. Next we come to the year 1907, when what is known as the Mackay Committee came out, and here again we do not find that any radical change was either recommended by the Mackay Committee in the financial arrangements of railway administration in India, or that any definite line of action was chalked out by Government as a result of that Committee's recommendations so far as the question of separation of finances went. The Mackay Committee tried to remove certain misapprehensions which prevailed with regard to the defects of the late departmental system, and made certain practical suggestions for improving the procedure in regard to allotments. We then find that this question of separate budgets took shape only after the Acworth Committee came out in 1920-21. We also find that in 1921 the Associated Chambers of Commerce passed a resolution asking definitely for the separation of the Railway Budget from the General Budget. As is well known, the Acworth Committee were equally divided with regard to the most important question of principle which was referred to them, namely, the question of State *versus* Company management; but they were unanimous in making a recommendation that the finances of the railways should be separated from the general revenues and that there should be a Member of the Executive Council in charge of the Railway portfolio and it should be his

[Mr. K. C. Neogy.]

duty to present the Railway Budget separately from the General Budget. I need not go into the details of the recommendations because they are well known to this House. In those days the Government of India were generally opposed to the idea of State management, but it seems they favoured this idea of the separation of finances. When, therefore, in 1923, the policy of State management was practically accepted by Government, though only with regard to the Great Indian Peninsula and the East Indian Railways at that particular moment, at the instance of this House, they made a proposal, so far as I understand, to the Secretary of State that as the policy of the Government was going to be in future to undertake the management of the State-owned railways, they did not like the idea of the Legislative Assembly, a popular House as it is, interfering in the details of the railway administration; and my information, Sir, is that they made a positive proposal to the effect that the Railway Budget should be separated from the General Budget and should be made wholly non-voted, just as the Army Budget is at the present moment; that it might be open to the House to criticise the Budget, but that it should not be needed to put the different Demands to the vote of the House. That was their original proposal to the Secretary of State. Be it said, Sir, to the credit of the authorities in England, that they did not fall in with this proposal. The Secretary of State, it is understood, pointed out that the railways of India belonged, as they do, to the taxpayers; and in view particularly of the fact that the general revenues, which means the taxpayers again, had subsidised the railways in the past in the days of their adversity when they could not pay their pay, it would not be just and proper to remove the Railway Department from the control of the Assembly, and that he would not agree to any departure in this matter being made without the consent of the Legislative Assembly itself. This led to the convention which is embodied in the Resolution which was adopted in this House in the year 1924. As a result of this convention, we have the Commerce Member presenting the Railway Budget separately year after year, and this is the sixth separated Budget that has been presented.

Now, Sir, when the Commerce Member rose to make his speech in presenting the Budget, the other day, I felt tempted to rise to a point of order for the purpose of drawing attention to the rather ambiguous constitutional position which he occupies with reference to the Railway Budget, for those who have studied the latest Report of the Public Accounts Committee must have noticed that this question came up for examination at their hands. It was pointed out by certain Members that the Government of India Act and the Statutory Rules framed thereunder seemed to contemplate only one annual budget of the Government of India, and only one Finance Member who was given certain specific rights under those rules. I am perfectly aware that a notification, or rather an order, has been issued by His Excellency the Governor General investing the Honourable Commerce Member with certain specific rights under certain statutory rules in which certain definite functions are allotted to the Finance Member. Sir, I do not know what the exact position of the Honourable Member is today. The Honourable Sir George Rainy represented a trinity yesterday—he was the Commerce Member, he was the Railway Member and he was also the Finance Member. It may be that he is no longer the Finance Member today, having regard to the particular rule under which His Excellency the Governor General's order was promulgated. Yesterday I was rather struck

by the fact that my Honourable friend, Sir George Schuster, made himself rather scarce from the floor of this House; he did not seem to feel quite comfortable in his seat and he did not stay for more than two or three minutes at a time when he came in. Well, Sir, it is a sort of conundrum that the Finance Member ceases to be a Finance Member when the railway finances are under discussion; and the fact that the Honourable Sir George Schuster allowed himself to fade into the background yesterday is to my mind symbolical of the position which he and the Finance Department occupy with reference to the Railway Department under the convention of separation.

I think we might now examine this question as to how far the separation affects the financial control; and from that particular point of view I will take up the position of the Financial Commissioner of Railways for examination, because I take it he constitutes the pivot of the scheme of separation, the pivot on which the system works. I am perfectly aware, Sir, that the underlying idea of separation, both here and also in those European countries where it is in operation—I mean those countries where there is State management of railways and where Railway finances are separated from the General finances—the fundamental idea is that the Finance Minister should not exercise any meticulous control over the financial administration of the railways. Sir William Acworth, who is the author of this idea, or rather one of the authors of this idea of separation so far as India is concerned, has also an interesting Report on the Austrian railway system, and in that Report he amplifies his idea about the position of the Finance Minister under a scheme of separation. There he points out that the Finance Minister, under a scheme of separation, should be the watch dog, whose duty shall be only to bark and not to bite,—that is how he put it. Now, Sir, the position, therefore, is that the Finance Member of the Government of India no longer bites the Railway Member or the Railway Department as he used to do in the past, but he is content with merely barking at it. Not merely that. Instead of doing the barking himself, he has delegated the work of barking to the Financial Commissioner. The Financial Commissioner I described at one time as the Dr. Jekyll and Mr. Hyde of the Railway Department. In one capacity he is expected to represent the Finance Department. Inside the Railway Board he is a sort of ambassador of Sir George Schuster; in another capacity he is thoroughly identified with the day to day administration of the Railway Department. On a previous occasion I pointed out that, from the manner in which he seems to identify himself with every little detail of railway matters that comes up in this House in the shape of questions, it seems that, though he may not be said to have altogether lost his financial soul, certainly his financial soul has got rather attenuated and his railway soul predominates at the present moment.

Now, Sir, the examination of the position of the Financial Commissioner gives us the real key to the whole position. Questions have been asked time after time in this House regarding the various powers which the Financial Commissioner exercises, and it was brought out only very lately, that in regard to certain matters, his powers exceed the powers which used to be exercised by the Governor General in Council before the separation of finances. (An Honourable Member: "No, no.") Now, Sir, the Honourable Member will say that that is the essence of separation. I say, yes, that is certainly separation, and if anybody in this House is dissatisfied with the condition of things, he really is fighting not merely for tinkering with the convention, but his objection goes really to the very root of the matter.

[Mr. K. C. Neogy.]

I am in entire agreement with the Government in this matter that it is not possible to tinker with this convention. Either you should concede the powers to the Financial Commissioner that he at present enjoys, or you should restore the control of the Finance Department as it used to be in the past. There is, I daresay, no half-way house. Theoretically, of course, the Honourable the Finance Member can always call upon the Financial Commissioner to come up to him and explain matters, and it is always open to the Financial Commissioner to approach the Finance Member and consult him in regard to the financial questions involved in the railway administration. But from what we know as a matter of fact, from experience of the past few years, I do maintain that this control of the Finance Member is nothing but illusory. So far with regard to the relations between the Financial Commissioner and the Finance Member.

With regard to the relations between this House and the Railway Department, I do maintain that this House has been made to impose a self-denying ordinance on itself as a result of the acceptance of this convention. In so far as it is no longer open to this House to claim anything beyond a fixed percentage of dividend from the Railway revenues, to that extent I take it it will be conceded that this House has imposed a restriction upon itself. Apart from that, Sir, it has been brought out in several sessions of the Public Accounts Committee that the powers of re-appropriation enjoyed by the Financial Commissioner and the Railway Board practically reduce the vote of this House, particularly in regard to capital construction, to more or less a farce. This matter was brought out in discussion once or twice before this House, and those Honourable Members who have gone carefully through the Report of the Public Accounts Committee, and through the evidence that was tendered before the Public Accounts Committee on behalf of the Railway Department, know very well what the exact position is. It is rather a technical point, and I do not want to take up the time of the House any further by dwelling on it.

Now, Sir, what is the net result, from the point of view of efficiency of administration, of all these five years of trial of this separation convention? What evidence will satisfy this House on this point? Will the evidence of the Auditor General satisfy them? Sir, here I am reading out the observations made by Sir Frederick Gauntlett in September last before the Public Accounts Committee, page 325 of the Evidence Volume. He was referring to the different Appropriation Reports on the railway accounts. He says:

"It leaves me with rather a feeling of disquiet. This is the last occasion on which I should be present, and I do think that while there is steady improvement elsewhere, I hesitate to say that things are all right in the Railways. I do see substantial improvement in the Army, but I cannot say the same thing about the Railways."

Then a question was put to him as to what he attributed this to. His answer was, "Inefficient administration". That is the testimony of an officer who has spent his lifetime in the service of India, and these are the words which he uttered on the eve of his retirement, after we had given full five years trial to the system of separation.

Sir, it was claimed by the supporters of this separation, that most of the ills from which the Railways suffered were due to the departmental system of control, and that as soon as the separation was inaugurated, things would settle themselves. But I have quoted the opinion of a very impartial observer who was in intimate touch with the financial aspects of the railway administration to show how these hopes have been realised.

Then, Sir, reference was made to the policy of extravagance to which the Railways seem to have been committed ever since the separation convention was established. Reference was also made by no less a person than Sir Purshotamdas Thakurdas to an incident in which the rent payable by the Postal Department to the Railways on account of accommodation given to them by the Railway Department at the Lucknow station had gone up something like 100 times on account of the lavish expenditure undertaken by the Railways in re-building their station at Lucknow. Sir, the Executive Council of the Government of India is a close corporation. We do not know what passes within the closed doors of the Cabinet. We are not privileged to know whether any individual Member differs from any other individual Member on any particular question. When they come to this House they present a united front. It is seldom, therefore, that it is possible for us to find out as to what one Honourable Member thinks of the administration of another Honourable Member. But, Sir, in this particular case, which was referred to by Sir Purshotamdas Thakurdas, we have the advantage of the opinion of Sir George Schuster on the policy of extravagance followed by the Railways. I think the Honourable Member in an unwary moment expressed himself very frankly on this particular point, and the circumstances of the particular case were so appalling that any one who was present at the meeting of the Public Accounts Committee could not help giving vent to his inmost feelings. Honourable Members will find a reference to this particular case on page 47 and onwards in the evidence volume of the Public Accounts Committee, the latest issue. This is how the case was summarised by Sir Frederick Gauntlett. A new station was built at Lucknow on a great scale of elaboration and the Posts and Telegraphs Department is now being asked to pay a huge rental for a room in the new station for the Railway Mail Service! It seems that the rent paid by the Railway Mail Service before the new building was put up was about Rs. 55. and as a result of the huge expenditure on this new building, the rent had gone up more than 100 times, and the Postal Department was asked to pay this enhanced sum, because the rent depends upon the proportionate cost of the space occupied. This is what Sir George Schuster said:

"I think this enormous increase in rent indicates that the accommodation provided at Lucknow has been provided on an extremely elaborate scale and I doubt if the Government of India can afford to maintain that sort of standard."

And we share his doubt to the fullest extent. Of course he was speaking with reference to the extra charge that is laid on the shoulders of the Post Office in this transaction, but this observation has an indirect reference to the extravagant policy of the Railways too. Now, Sir, the Honourable Member further went on to observe, "The principle seems to be rather important". The question is why didn't you fight the Railways over this question? This was the question that some of us put to the Postal Department, and the Honourable the Finance Member said, "The principle seems to be rather important and when big sums are involved I think it would be worth your while to fight for the principle". Sir, if I may pause here for a moment, here is an instance in which the Honourable the Finance Member is inciting the Member for Industries and Labour to fight the Honourable the Railway Member. I am sorry the Honourable the Home Member is not here at the moment. Otherwise I should have asked him to consider, in consultation of course with the Honourable the Law Member, as to under what particular section of the Penal Code the Honourable the Finance Member could be brought to trial for this incitement.

[Mr. K. C. Neogy.]

Now, Sir, that at least shows the gravity of the situation. I have quoted the evidence of two of the most eminent authorities who could speak with inner knowledge, and certainly with a proper sense of responsibility, namely the Auditor General of India and the Finance Member of the Government of India. If we had a minister in charge of the railways responsible to this Legislature, as the Minister for Transport—this happens to be the case in every other country where this system of separation exists—I mean those countries where the systems of State ownership and State-management exist,—perhaps I would not have complained. But so long as the Honourable Member is not responsible to this House, I would, acting on the principle of setting a thief to catch a thief, rather have one irresponsible Department of the Government of India, namely, the Finance Department, controlling another irresponsible Department of the Government of India, namely, the Railway Department. Till we have responsible government established in this country, that would be a fairly satisfactory arrangement of things so far as I can judge.

Now, Sir, simultaneously with the establishment of this convention, there has been a very large delegation of authority, first from the Secretary of State in favour of the Government of India in regard to the management of railways. The Government of India, which is another name for the Railway Board, have in their turn made a very large delegation of financial and administrative powers in favour of not merely all the Agents of the State-managed railways, but also in favour of the directorates of the Company-managed, State-owned lines. The result has been that the control of the Railway Board has got diluted. They themselves admit that their control has changed in character. They do not admit that the control has been altered to any very material extent so far as practical results are concerned, but they admit, at the same time, that the control has changed considerably in character. The result of that is every year visible in the Public Accounts Committee. I do not want to weary the House by going again into the evidence given before the Public Accounts Committee, but I may tell the House this much, that so far as the experience of the Public Accounts Committee goes, this delegation of powers has produced results which are not at all satisfactory. Instances are on record in which the money of the taxpayers has been wasted in capital expenditure and in revenue expenditure. The abuse perhaps is nowhere greater than in the case of the Company lines. The control exercised by the Railway Board over the Company lines has never been of the same character as the control exercised by them over the State-managed lines, and very naturally too, but this system of delegation of authority, which has benefited even the Company Agents, has been accompanied by very distressing results. We had a very elaborate examination of the question before the Public Accounts Committee last time when we had the benefit of the evidence of Sir Austin Hadow, among others on this point, and the feeling that was left on our mind was that things were not going on well in the Indian Railways. In these circumstances, quite apart from the provision which is contained in the convention of separation, that this convention shall be open to re-examination at the end of three years, it is needed that an early re-examination of the whole position should be made at the instance of this House. Sir, I know that there are some Honourable Members who are prepared to swear by the present arrangements, there are some, again, who would be satisfied if the arrangements

could be modified to a certain extent here and there. I have never concealed my attitude in this matter. I have ever been an opponent of the whole scheme of separation, but I am free to admit that certain arrangements which have been brought into being simultaneously with separation, and which have no essential connection with separation, have improved things to a certain extent, so far as this House is concerned. I am free to admit that the institution of the Standing Finance Committee, the Central Advisory Council and the distribution of Demands into different heads in the Budgets, all these things are undoubted improvements, but they have no essential connection with the scheme of separation. Again, Sir, the institution of a reserve fund is not also of the essence of separation. What has been lost by separation is the rigid financial control of the Finance Department, and I should like to see that restored exactly in the same manner as it used to be exercised before the separation was brought about. Sir, I move.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): May I just inquire whether the reply of the Government Member can only follow all other speakers? Personally, I should prefer to hear what the Government have to say before we proceed with this motion further.

Mr. President: The Honourable Member for Government will not be given a second opportunity to speak.

Sir Purshotamdas Thakurdas: As a matter of fact, there are three Honourable Members on the Treasury Benches intimate with railway matters and they can arrange among themselves to speak after we have spoken. It would be very convenient to know at this stage what the Government have to say about the case put forward by my Honourable friend, Mr. Neogy. I therefore suggest that an Honourable Member from the Government Benches may usefully be asked to speak now.

The Honourable Sir George Rainy: I quite appreciate what has fallen from my Honourable friend, Sir Purshotamdas Thakurdas. It is sometimes convenient that the Government Member should reserve his speech until a reasonable number of other speakers have spoken, but in other cases it may happen that Honourable Members of the House wish to hear, at an early stage of the debate, what the Government have got to say. Now, it seems to me that my Honourable friend, Mr. Neogy, in what he said in support of his motion, was under a certain misapprehension. He said that the essence of the separation convention was not one thing and it was not another, but the essence was the position and powers of the Financial Commissioner—I think I correctly understood him

Mr. K. C. Neogy: I described him as the pivot of the whole scheme.

The Honourable Sir George Rainy: But the remarkable thing is that the Financial Commissioner had the same position and powers before the convention that he has at present, and therefore it is very difficult to say that what had already been given to him before the convention for the separation of the Railway finance, is in principle the essence of the convention. It would be quite possible to abolish the convention tomorrow, but it would not in the least follow that there would be any change in the position and powers of the Financial Commissioner as regards the sanctioning of expenditure and so on.

[Sir George Rainy.]

My Honourable friend justified his motion, mainly on the ground that a tree shall be known by her fruits, and that the fruits of the railway tree during the last five years were not palatable to him. I think that the Members of the Railway Board would be perfectly content to be judged on the result of their administration since 1924, provided due regard was had to the conditions prevailing in the Railway Board before that year. No one would contend that we have reached the stage of perfection and that there is nothing more to be done to improve the administration of the railways. We are quite conscious that there are a number of things which might with advantage be done. But I do say that, since the whole system of railway administration was reorganised, beginning from the date when Sir Clement Hindley was appointed Chief Commissioner of Railways, the administration of the railways during the following years will challenge comparison easily with any previous period in the railway administration in India. There was a different spirit breathed into the administration as compared to a time that I can remember not so very long ago. Now, when the House is asked to judge the results of the present system on the basis of mistakes, errors of judgment and so on, to which attention has been called by the Public Accounts Committee, I would ask the House to remember that necessarily the Public Accounts Committee had only one half of the picture before it. As I pointed out to a meeting of the Railway Agents in last October, the Audit Department is not interested in the good deeds of an officer; it is only interested in his crimes. That is the purpose for which it exists and it must discharge those duties, and rightly and naturally it brings to notice what it finds amiss. The best that any one could expect from an Audit Department would be an entirely blank report. As against any mistakes or any errors of judgment that may have been brought to the notice of the Public Accounts Committee last August or September, I should be perfectly content to set on the other hand the remarkable improvements which have been made in the railway administration of India during the last five or six years. In the passage which my Honourable friend read from what Sir Frederick Gauntlett said to the Public Accounts Committee, I regretted a little that he did not read a little more. He read the passage up to Mr. Roy's inquiry when Sir Frederick Gauntlett said that he could not see there had been the same improvement in railways as in other departments. Then Mr. Roy asked:

"What do you attribute this to? What has been your reading?"

To which Sir Frederick Gauntlett replied:

"Inefficient administration,—I won't say at the headquarters. I was talking to Mr. Wrench this morning, and I told him that if there was an officer of Mr. Wrench's calibre in any branch of the railway administration, he would obtain the same results that he has obtained in the workshops during the last five years, and that is nearly a crore of rupees a year."

Yes, but how is it that Mr. Wrench was given the opportunity of producing these valuable results? Precisely because the people who have been administering the Indian railways for the last six or seven years have always been on the look-out to find talent which would give them results of that kind, and as they were on the look-out for it, they found it. I should like to quote a further passage from what Sir Frederick

Gauntlett said and which my Honourable friend has not read. Colonel Gidney asked:

"Then you admit there has been improvement?"

Sir Frederick Gauntlett replied:

"I want to make the point quite clear. I think the amount of work that is being done by the Railway Board shows a wonderful record, and all that I say is that the job is so enormous that there is still a great deal to be done. It is not merely the general administration at the top that is to be looked into, but it is the strengthening of the individual control right down the lines that requires a close investigation."

Mr. K. C. Neogy: Hear, hear.

The Honourable Sir George Rainy: Now undoubtedly all that has fallen from the Auditor General in a matter of this kind ought to be treated with the greatest possible respect, and if his views are, as a result of his experience, that a tightening of individual control is required, I think very likely his views are correct. But it is evident from what he said that, while his object was to emphasize the need for a distinct improvement in the railways, it was not in any way his object to condemn the system as a whole. I should like also, when I am on this point, to draw the attention of the House to certain figures. For the four years before the separation of Railway Finance, the net gain to the State from the railways averaged 106 lakhs a year. During the five years following the separation, they have averaged 972 lakhs a year; that is to say, the average gain per year to the State since the separation has been more than nine times the average gain in the four years prior to the separation.

Mr. K. C. Neogy: What does the Honourable Member argue from that?

Mr. B. Das: Mismanagement in the past!

The Honourable Sir George Rainy: I think I am entitled to say that, if under a changed system of administration a very important improvement results, *prima facie* some credit is due to the people who have been in charge of the administration and of the system. Surely that is a reasonable inference.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, will the Honourable Member kindly tell me what have been the real net earnings since 1924?

Mr. President: Order, order. Will the Honourable Member be ready to answer this question tomorrow?

The Honourable Sir George Rainy: I shall be quite ready to answer it tomorrow.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 22nd February, 1930.



LEGISLATIVE ASSEMBLY.

Saturday, 22nd February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Mr. Bhupathiraju Sitaramaraju, M.L.A. (Ganjam *cum* Vizagapatam; Non-Muhammadan Rural).

QUESTIONS AND ANSWERS.

BOMB PLACED IN THE BRITISH MUSEUM BY MR. FRANK BIGGS.

388. ***Mr. B. Das:** (a) Has the attention of Government been drawn to the Reuter message of the 4th February, 1930, that Frank Biggs the discoverer of the bomb at the British Museum (near the Indian Section) has been detained in Scotland Yard and would be charged with an offence under the Explosive Substances Act?

(b) Are Government aware that the previous message of Reuters connecting the finding of the bomb with the Indian residents of London has caused great indignation amongst the Indian public?

(c) In view of the fact that Frank Biggs has confessed that it was he himself who manufactured the bomb and placed at the British Museum, will Government be pleased to state:

(i) If they have asked the Secretary of State for India independently to inquire into the case and ascertain the motives that prompted Frank Biggs to telephone as Ali Khan, an Indian resident?

(ii) If the Secretary of State issued any statement to the British Press refuting this allegation against Indian residents in London?

(d) Will Government be pleased to state if they received any independent message from the Secretary of State or did they send any message on the subject to the Secretary of State after reading Reuter's message on the Frank Biggs bomb incident?

(e) Will Government be pleased to inquire and inform the House if Frank Biggs was ever employed in India or if he is connected with any Anglo-Indian Organisation in Great Britain?

The Honourable Sir James Crerar: (a) Yes.

(b) I doubt if the general trend of Press comments in India would support the view suggested.

(c) (i) No.

(ii) I have no information, but a Press telegram reports that the Home Secretary has stated in the House of Commons that the incident was a mischievous hoax and that no person of Indian origin was involved.

(d) and (e). No.

ARREST OF MESSRS. MOHAMED NASIR AND B. C. BOSE IN ITALY.

389. ***Mr. B. Das:** In reference to the reply of Mr. Henderson in the House of Commons (Free Press Beam Service, 4th February, 1930) that both Messrs. Mohamed Nasir and Bimal Chandra Bose, who were arrested by the Italian police and suffered imprisonment for nine days, and after undergoing considerable hardship were finally deported from Italy, were innocent and that the police had acted under a misapprehension and that it was a case of mistaken identity, will Government be pleased to state if the India Office was in any way responsible for this prosecution or misapprehensive information?

Mr. E. B. Howell: No, Sir.

PROTECTION OF THE INDIAN SHOE INDUSTRY.

390. ***Mr. Muhammad Rafique:** (a) Will Government be pleased to state:

- (i) The total number of packages of shoes despatched to other parts of India from Agra and the neighbouring districts in 1927-28, 1928-29, and from 1st April, 1929 to 31st December, 1929;
- (ii) The total weight of shoe packages despatched to other parts of India from Agra and its neighbouring districts during the year 1927-28, 1928-29, and from 1st April, 1929 to 31st December, 1929;
- (iii) The total number of shoes despatched from Agra and its neighbouring districts to other parts of India during the year 1927-28, 1928-29, and from 1st April, 1929 to 31st December, 1929; and
- (iv) The total number of rubber-shoes and rubber-soled shoes imported into British India from foreign countries in 1927-28, 1928-29, and from the 1st April, 1929 to 31st December, 1929?

(b) Are Government aware that imports of rubber-soled shoes have greatly affected the Indian shoe trade?

(c) Is it a fact that by the appearance of very cheap rubber-soled shoes from Japan the daily output of Indian shoes has been reduced to half?

(d) Will Government be pleased to state the annual average value of imported rubber-soled shoes from Japan?

(e) Are Government going to take any steps to protect the Indian shoe industry?

The Honourable Sir George Rainy: (a) (i) to (iii). I regret that as yet I have not been able to obtain the information asked for. I will see whether it can be obtained from the railways and inform the Honourable Member of the result of my inquiries.

(iv) Government have no information beyond what is contained in the Sea-borne Trade Accounts, copies of which are in the Library. Only figures for canvas shoes with rubber soles are shown separately in the returns,

and the imports of these from Japan are negligible. There has been a large increase in 1928-29 in the imports from Japan of boots and shoes of other sorts. I will inquire from the Customs Department whether this increase is in rubber soled shoes, and communicate the result to the Honourable Member.

(b), (c) and (d). Government have no information.

(e) A representation has recently been received from the Indian Footwear Protection Association, Agra, on the subject and is under consideration.

THE INTERNATIONAL CONGRESS ON MENTAL HYGIENE.

391. ***The Rev. J. C. Chatterjee:** (a) Are Government aware that the first International Congress on Mental Hygiene is to be held at Washington U. S. A., from May 5th to 10th, 1930, and that many civilised Governments are co-operating with the Committee of Organisation?

(b) Have Government received an invitation or request from the Committee of the forthcoming International Congress on Mental Hygiene for co-operation or support?

(c) Do Government propose to participate or send representatives to the Congress?

The Honourable Sir James Crerar: (a) Yes.

(b) The Government of India have so far received only a preliminary announcement.

(c) The preliminary announcement was only received on 18th February and the Government of India have not had time to consider the matter.

APPOINTMENT OF INDIANS TO THE INDIAN AIR FORCE.

392. ***Mr. Gaya Prasad Singh:** Will Government be pleased to state how many Indians have up to date received the pilot's air certificate; and have any of them been appointed in the Air Force service in India? If so, at what pay?

The Honourable Sir Bhupendra Nath Mitra: Up to the 15th of this month, 21 Indians had been granted private pilots' licences (Class A) under the Indian Aircraft Rules, 1920. Up to date no Indian pilots trained by Indian flying clubs have qualified for the issue of pilots' licences for passenger or goods aircraft (Class B).

The Honourable Member presumably refers to their appointment as civil pilots on the Indian State air service. If so, the attention of the Honourable Member is invited to the reply given in the Legislative Assembly on the 20th January, 1930, to part (g) of the starred question No. 76, asked by Dr. B. S. Moonje.

INDIANS TRAINED ON THE "DUFFERIN".

393. ***Mr. Gaya Prasad Singh:** How many Indians have passed their final examination in the training ship "Dufferin" up to date; and has any of them been given an appointment? If so, at what pay?

The Honourable Sir George Rainy: The first batch of cadets joined the "Dufferin" in December, 1927, and will complete their full course of training in May, 1930, when the first final passing out examination of the ship will be held.

INDIANS TRAINED IN THE INDIAN SCHOOL OF MINES, DHANBAD.

394. *Mr. Gaya Prasad Singh: How many students have passed out of the Indian School of Mines, Dhanbad, up to date; and how many of them have been given appointments under Government?

The Honourable Sir Bhupendra Nath Mitra: So far, eight students have left the school after qualifying for the certificate of the school. None of them have received appointments under Government, but three other students secured appointments as Class II officers in the Survey of India before completing their Certificate Course.

Mr. Gaya Prasad Singh: May I know why none of the students who have qualified themselves have got appointments under the Government of India?

The Honourable Sir Bhupendra Nath Mitra: The three students to whom I have referred as having secured appointments as Class II officers in the Survey of India before completing their Certificate Course, got their appointments by being successful at a competitive examination. The eight students who have qualified for the certificate of the school did not either sit for that examination or did not succeed in the competitive test. There were no other appointments in the Government service for these students, though I understand that some of them are now trying for a suitable appointment in the Colliery Department of State Railways.

THE VIZAGAPATAM HARBOUR.

395. *Mr. Gaya Prasad Singh: (a) Will Government be pleased to state what is the total estimated cost of construction of the Vizagapatam Harbour?

(b) When did the work begin; how far has the work progressed; and what is the nature or detail of the work already completed, and its approximate cost up to date?

(c) When is the work of construction likely to be completed? By what agency is the work of construction carried on; and who have been the supervising officers on behalf of the Government?

Mr. A. A. L. Parsons: (a) The latest forecast is 286½ lakhs.

(b) October 1925. Up till the end of September, 1929, the latest date for which complete information is available, the work may be said to be two-thirds completed. Of the larger items in the scheme, the position up till the end of September, 1929, was as follows:

	Completed. Per cent.
Land	77
Quay wall	100
Dry dock	90
Purchase of plant	75
Dredging	29
Reclamation	24
Staff quarters	37
Manganese ore berth	22
Oil Depot	14
Transit and store sheds	7

The approximate expenditure up to the 30th September, 1929, was Rs. 161.93 lakhs.

(c) It is hoped to be able to berth ships in 1932. The work of construction is being carried out partly departmentally and partly by contract. The supervising officers who have been in charge of the work from its commencement are:

Administrative Officers (Agent, B. N. Railway)—

Mr. L. Greenham,

Mr. C. Carroll,

Mr. V. E. D. Jarrad.

Engineers-in-Chief—

Lt.-Col. H. Cartwright Reid.

Mr. O. B. Rattenbury.

Mr. W. C. Ash.

Deputy Engineer-in-Chief—

Mr. O. B. Rattenbury.

Mr. B. Das: In view of the trade depression all over the country, is it not time for the Government to revise their policy of expenditure on this scheme, and may I know whether their original schemes will ever fructify as anticipated?

Mr. A. A. L. Parsons: I am afraid I do not follow the Honourable Member? Is what he suggests to postpone the work on the Vizagapatam Harbour and the Railway in order to utilise the money elsewhere?

Mr. B. Das: What I am asking the Honourable Member is whether the Vizagapatam port will prove a successful port in view of the trade depression all over the country, and whether the huge expenditure that the Government have incurred and are going to incur on that port is likely to produce the desired result, as was anticipated in 1923-24?

The Honourable Sir George Rainy: I think, Sir, that since the port will not be opened till 1932, and since we may reasonably hope that the trade depression will not go on indefinitely, the existence of a trade depression is not in itself a reason why we should stop short in the middle of works in progress, particularly when we remember that, if we did take that course of action, all the money already spent would be wasted.

Mr. Gaya Prasad Singh: May I know to whom the contract for the construction of the Harbour has been given?

The Honourable Sir George Rainy: What my friend, the Financial Commissioner, said was that the work was being done partly departmentally and partly by contract. There is no question of any one firm being given the contract for the whole work. Particular pieces of work have been made over to particular contractors.

CREATION OF AN INDIAN AIR FORCE.

396. *Mr. Gaya Prasad Singh: (a) Has the attention of the Government been drawn to the reply of the Secretary of State for India in the House of Commons (*vide the Hindustan Times*, dated the 26th January, 1930) that "the creation of the Indian Air Force formed a part of the accepted policy of Indianisation, and was already under consideration"?

(b) Has correspondence on this subject been proceeding between the Government of India, and the India Office, and will this House be given an opportunity of expressing its opinion on the proposal before a final decision is arrived at?

Mr. G. M. Young: (a) Yes.

(b) The answer to the first part of the question is in the affirmative. The House was informed of the decision to create an Indian air unit nearly two years ago, on March 10th, 1928. I am glad to say that six Indians succeeded in qualifying for entry into Cranwell at the examination held last November, and will proceed there to be trained to become officers. Steps will be taken simultaneously to recruit and train in India the rank and file required for the new unit, so that it may come into effective being when the officers are trained. Meanwhile, the necessary legislation will be submitted to the House, not later, I hope than the Simla Session this year.

REFUSAL TO DR. SUDHINDRA BOSE OF PERMISSION TO STAY IN INDIA.

397. ***Mr. Gaya Prasad Singh:** (a) With reference to my starred question No. 780 of the 24th September, 1929, regarding the ban placed upon Dr. Sudhindra Bose, and the reply of the Government that, "It is not a fact that Dr. Bose applied for permission to remain in India for more than six months", are Government aware that, in asking for visa Dr. Bose requested the British Ambassador at Washington to let him stay in India for a year, but the Ambassador in his letter stated definitely that the India Office in London had refused to let Dr. Bose remain in India for more than six months?

(b) Do Government propose to take necessary steps to place on the table the letter of the British Ambassador to Dr. Bose referred to above; and the letter of the India Office on the basis of which permission to stay in India for more than six months was refused to Dr. Bose?

The Honourable Sir James Crerar: (a) and (b). I think, Sir, there has been some misunderstanding about this case. It is true that the visa granted to Dr. Sudhindra Bose for his visit to India was restricted to six months. This was made plain by me in the answer, which I gave to the Honourable Member's question No. 164 on this subject on the 5th September, 1928. I did not intend to convey by my answer given on the 24th September, 1929, any contrary impression. I was referring to Dr. Bose's attitude after he had arrived in India on this restricted visa. It was understood from him, when he had an interview with the Secretary in the Home Department, that as he had made all arrangements for returning to America, he did not ask that his existing visa should be extended. But he desired, when he next visited India, that he might be granted an unrestricted visa. As the Honourable Member is aware, Dr. Bose has been informed that the question will receive careful consideration if and when he applies for facilities to come to India again.

Mr. Gaya Prasad Singh: Sir, Dr. Bose has written to me a letter in which he says, "In asking for visa, I requested the British Ambassador at Washington to let me stay in India for a year. The Ambassador's letter to me stated definitely that the India Office in London had refused to let me remain in India for more than six months". Is the Honourable Member going to inquire into the matter, and place the British Ambassador's letter on the table? If not, why not?

The Honourable Sir James Crerar: The previous reply to which I referred, was to a question which I understood to refer to Dr. Bose's statement of his case in India, not to his previous application. I have already answered the Honourable Member's question in replying to a previous question on the 5th September, 1928, and I must refer the Honourable Member to that reply. As regards the future, I have nothing to add to what I have already stated, namely, that, if Dr. Bose does again apply for facilities to return to India, the case will receive careful consideration.

Munshi Iswar Saran: Will the Honourable Member kindly state to the House why, in the first instance, the India Office objected to Dr. Bose's stay in India for a longer period than six months?

The Honourable Sir James Crerar: That, Sir, has already been replied to in my answer of the 5th September, 1928, as regards the grounds of the restriction imposed on Dr. Bose.

Munshi Iswar Saran: Will the Honourable Member kindly state, for our information and enlightenment, why it was considered that his stay in India should be permitted only for six months and that it would become dangerous beyond that period?

The Honourable Sir James Crerar: I have nothing to add to what I have already stated on this matter.

Pandit Hirday Nath Kunzru: May I ask whether Dr. Bose was a British Indian subject before he went to America?

The Honourable Sir James Crerar: Dr. Bose was a British Indian subject at the outbreak of the Great War, and after the war, became, I understand, a naturalized American subject.

Pandit Hirday Nath Kunzru: Is it a fact that, in accordance with the decisions of the American Courts, Dr. Bose cannot be naturalised as an American subject?

The Honourable Sir James Crerar: I must ask for notice of that question.

Mr. Sarabhai Nemchand Haji: May I ask, Sir, whether Dr. Bose renounced his Indian citizenship?

The Honourable Sir James Crerar: I understand that that is the consequence of the action that he took, but I should not desire to give a specific answer to that question without fuller consideration.

Mr. Gaya Prasad Singh: With reference to the Honourable Member's reply to my question of the 24th September, 1929, is it not a fact that Dr. Bose applied for permission to remain in India for more than six months? I have quoted Dr. Bose's own definite statement to show that he applied for permission to stay in India for more than six months, but that the India Office refused to grant him that permission. May I know whether it was at the instance of the Government of India that the India Office refused to grant him permission?

The Honourable Sir James Crerar: The reply I gave to the Honourable Member on that occasion was, I agree, open to misconstruction, but I understood the Honourable Member's question at that time to refer to Dr. Bose's statement of his case when in India, and not to his original application, which was for a period exceeding six months.

UNSTARRED QUESTIONS AND ANSWERS.

ENGINEERS EMPLOYED ON THE EASTERN BENGAL RAILWAY.

162. **Mr. K. C. Neogy:** (a) Will Government be pleased to state if it is a fact that, in 1921, the Railway Board passed an order to the effect that the Provincial Engineering Service would provide the greater number of officers in the State Railway Department required for the charge of sub-divisions?

(b) Will Government be pleased to state if it is a fact that, in the Eastern Bengal Railway, temporary engineers on short term covenants were recruited for temporary or survey or construction work?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state if any of such engineers are holding charges of sub-divisions on the open line of the Eastern Bengal Railway?

(d) Are Government aware that several sub-engineers of the upper subordinate establishment of the Eastern Bengal Railway who have been recommended by the Administration for promotion to the Provincial Engineering Service have been officiating as sub-divisional officers of the open line for years and from time to time?

(e) Will Government be pleased to state how many upper subordinates there are in the Eastern Bengal Railway who have been recommended by the Administration for promotion to the Provincial Engineering Service?

(f) Will Government be pleased to state the reason for keeping the services of temporary and short-term covenanted engineers as sub-divisional officers on the open line vacancies in preference to the claims of sub-engineers who have been recommended by the Administration?

(g) Is it a fact that the members of the upper subordinate establishment of the Eastern Bengal Railway submitted memorials to the Secretary, Railway Board, in July 1927, and to the Agent, Eastern Bengal Railway, in June 1929, pointing out the grave injustice done to them, and that the Railway Board replied in about August, 1928, that the promotion of selected subordinates to the Provincial Engineering Service was still being made? Is it a fact that no subordinates have since been promoted to the Provincial Service in spite of the vacancies now filled in by the temporary engineers and engineers on short-term covenants?

(h) Will Government be pleased to state what action they propose to take to give immediate effect to the Resolution No. 611-E./20, dated the 4th April, 1921, passed by the Railway Board?

Mr. A. A. L. Parsons: Information on certain points is being obtained from the Agent, Eastern Bengal Railway, and a complete reply will be sent to the Honourable Member as soon as it is received.

PROMOTION OF ENGINEERS ON THE EASTERN BENGAL RAILWAY.

163. **Mr. K. C. Neogy:** (a) Will Government be pleased to state if it is a fact that a particular railway is treated as a province in the matter of dealing with the question of the Provincial Engineering Service?

(902)

(b) If so, will Government be pleased to state if it is a fact that the present policy of the Railway Board is that any vacancy occurring in any particular railway should be filled up by promotion of selected upper subordinates in terms of the reply to the memorial submitted by the upper subordinates of the Eastern Bengal Railway to the Secretary, Railway Board?

(c) Will Government be pleased to state why a Provincial Engineer has been recently transferred from the East Indian Railway Engineering Service to the Eastern Bengal Railway Engineering Service, and why the place was not filled by the promotion of a selected upper subordinate of the Eastern Bengal Railway?

Mr. A. A. L. Parsons: (a) Yes, but Government reserve to themselves the right of transferring officers in the exigencies of service from one State-managed railway to another.

(b) Yes, as a general rule.

(c) An Assistant Executive Engineer was transferred, at his own request, on medical grounds from the Eastern Bengal to the East Indian Railway, and at the request of the Agent, Eastern Bengal Railway, an officer with construction experience, who happened to be in the Provincial Engineering Service, was transferred from the East Indian to the Eastern Bengal Railway in exchange.

AMOUNT OF FREE LUGGAGE ALLOWED TO RAILWAY PASSENGERS.

164. **Mr. Gaya Prasad Singh:** With reference to my suggestion made in the course of my Railway Budget speech on the 28th February, 1928, that the scale of free luggage allowance granted to railway passengers be revised and raised, will Government kindly state which Railway Administrations have revised the scale, and what is the revised scale of free luggage allowance for different classes of passengers?

Mr. A. A. L. Parsons: The Honourable Member is referred to the reply given to unstarred question No. 28 in the Legislative Assembly on the 20th January, 1930. I understand that all Railways which are members of the Indian Railway Conference Association have adopted the revised scale, except the Bengal Provincial, Darjeeling-Himalayan, Dibru-Sadiya, Jamnagar and Dwarka and Jorhat Provincial Railways.

ABOLITION OF BONDED WAREHOUSES IN AMBALA.

165. **Pandit Thakur Das Bhargava:** (a) Will Government be pleased to state how many bonded warehouses there are in Ambala?

(b) Did the Cantonment authority, Ambala, abolish two of these bonded warehouses in 1929? If so, why, and under what section of the Cantonments Act or the bye-laws framed under it?

(c) Are Government aware that, on appealing to the District Magistrate against the abolition of the bonded warehouses and the consequent imposition of octroi, the District Magistrate accepted the appeal and directed the Cantonment Board not to charge octroi from the appellant firms?

(d) Are the orders of the District Magistrate final in the matter? If so, has the Cantonment authority any power to act in opposition to those orders, and, if so, under what section of the Cantonments Act?

(e) Is it a fact that the Cantonment Board, Ambala, has imposed octroi by abolishing the bonded warehouses again after re-starting them on receipt of the District Magistrate's orders?

(f) What action do Government propose to take in the matter?

Mr. G. M. Young: Parts (a) to (f). Government have no information. I am making inquiries and will communicate the result to the Honourable Member in due course.

PROSECUTIONS INSTITUTED BY THE PRESIDENT OF THE CANTONMENT BOARD, AMBALA.

166. **Pandit Thakur Das Bhargava:** (a) Is it a fact that the President of the Cantonment Board at Ambala sanctioned as many as 43 prosecutions under the Cantonments Act in January, 1930, under section 25 of the Cantonments Act?

(b) Will Government be pleased to state what urgency there was in those prosecutions to justify a resort to section 25?

(c) Did the Vice-President protest against the President's superseding the Board by his action in sanctioning the above prosecutions and dissent from the Board's Resolution to confirm the same?

(d) Have Government issued any instructions allowing the use of the emergency section 25, for routine Cantonment Board work of launching prosecutions for offences committed under the Cantonments Act?

(e) If not, do Government propose to take suitable action to prevent the President from making a similar use of section 25 in future?

Mr. G. M. Young: Government have no information, but I will make inquiries, and communicate the result to the Honourable Member.

ADMINISTRATION OF KIRKEE CANTONMENT.

167. **Pandit Thakur Das Bhargava:** (a) Will Government state whether Kirkee Cantonment administration has been placed under the Executive Officer of Poona Cantonment? If so, why?

(b) Have the elected members of the Kirkee Cantonment Board and the people of Kirkee submitted representations against the "change"? If so, what action has been taken on the same?

(c) Is it a fact that the Government's letter intimating the decision about the change was kept confidential from the elected members of the Kirkee Cantonment Board for some time? If so, why?

(d) Is any kind of correspondence addressed to the Cantonment Authority kept confidential from the elected members? If so, what is its nature? Have Government issued any instructions on the subject? If so, what?

(e) Who is the Assistant Secretary appointed at Kirkee in place of the Executive Officer? Was his appointment opposed by non-official members? If so, on what grounds?

(f) Do Government propose to cancel the change and revert to the old arrangement?

Mr. G. M. Young: (a) Yes, because Kirkee is very close to Poona and it was necessary to meet an urgent demand for a whole-time Executive Officer in another cantonment.

(b) Government have received no such representation.

(c) Government have no information.

(d) Government have no information. They have issued no instructions on the subject; nor do they correspond direct with cantonment authorities or any military authorities subordinate to the General Officer Commanding-in-Chief.

(e) Government have no information.

(f) Not at present.

INTRODUCTION OF THE ELECTIVE ELEMENT IN CANTONMENT BOARDS IN THE NORTH WEST FRONTIER PROVINCE.

168. **Pandit Thakur Das Bhargava:** (a) Has the attention of Government been drawn to an article under the heading, "Right of Franchise in the North West Frontier Province Cantonments" in the *Cantonment Advocate* of December, 1929?

(b) Have Government come to a decision with regard to the introduction of the elective element in the constitution of the Cantonment Boards of that province? If so, what is the decision?

(c) In which cantonments do Government propose to establish elected Cantonment Boards and when?

Mr. G. M. Young: (a) Yes.

(b) and (c). No decision on the question has been reached.

COMPLAINT BY A MEMBER OF THE DEOLALI CANTONMENT BOARD.

169. **Pandit Thakur Das Bhargava:** (a) Is it a fact that Dr. S. D. Desai, an elected member of the Cantonment Board, Deolali, dissented from the majority decision about item No. 4 of the Agenda in the meeting of the Cantonment Board, Deolali, held on the 26th November, 1929, and that a note was made in the proceedings about his dissent and its being incorporated in the proceedings?

(b) Did Dr. Desai send his note of dissent? If so, how was it dealt with? Did the Executive Officer return it on the ground of its being too long requiring the dissenting member to abridge it?

(c) Will Government refer to the law under which the President was empowered or justified to question merely the length of the note? What was the specific irrelevant matter which was desired to be expunged and why was it not pointed out to the member?

(d) Did the member send the abridged note later and was it incorporated in the proceedings? If not, why not?

(e) Has the dissenting member made any complaint about it to the Southern Command? If so, what are the definite allegations made in the complaint?

(f) Is it a fact that one of the allegations is that the proceedings as written at the time of the meeting, were subsequently altered?

(g) Have Government made any inquiries into the complaint and, if so, with what result? If not, do Government propose to make the inquiry?

Mr. G. M. Young: I am making inquiries and will communicate with the Honourable Member on receipt of a reply from the local authorities.

RESTRICTIONS ON THE USE OF THE MALL, KOHAT.

170. **Pandit Thakur Das Bhargava:** (a) Has the attention of the Government been drawn to an article published in the *Cantonment Advocate* of November, 1929, under the heading "Closing of Mall Road, Kohat, to the civilian population"?

(b) Have some restrictions been placed upon the use of the Mall Road, Kohat, by the Indian population of that Cantonment? If so, what are those restrictions? Since when have those been imposed and for what reasons?

(c) Is the Mall Road or any portion of it maintained from the Cantonment Fund? If not, who maintains the road?

(d) Has the Kohat Cantonment Landlords Association protested against these restrictions? If so, what action has been taken on the protest?

(e) Are Government aware that this act is considered by the Kohat people as one of racial discrimination?

(f) Did a deputation of the Kohat Landlords' Association wait upon the Officer Commanding, Kohat, in this matter?

(g) Is it a fact that the deputation was not received with proper courtesy and that the members thereof were not offered seats?

(h) Do Government propose to remove the restrictions to allay public feeling in the matter?

Mr. G. M. Young: I am making inquiries and will let the Honourable Member know the result in due course.

EXPULSIONS FROM CANTONMENTS.

171. **Pandit Thakur Das Bhargava:** (a) Has the attention of the Government been drawn to an article headed "Victims of old section 216" in the *Cantonment Advocate* of October, 1929?

(b) How many people are still under orders of expulsion from Cantonments under the section 216 of the old Cantonment Code repealed in 1924?

(c) Is it a fact that the Cantonment Reform Committee appointed by the Government in 1926, admitted in its report that section 216 of the old Cantonment Code was abused in several cases, when that section was in operation?

(d) Has the All-India Cantonments Association approached the Government to rescind this order of expulsion in case of one Mr. Bhagwan Dass, resident of the Mhow Cantonment?

(e) Is it a fact that this gentleman has been expelled for the alleged offence of his having addressed people in the bazaar to give up Government service in the non-co-operation days of 1922?

(f) What decision have Government arrived at in the case?

Mr. G. M. Young: (a) Yes.

(b) So far as Government are aware the number is about 20.

(c) The Honourable Member is presumably referring to the Cantonment Reforms Committee appointed by Government in 1921. This Committee did not deny that the powers had been abused in a few cases.

(d) Yes.

(e) No, his exclusion followed his conviction on a charge of attempting to seduce soldiers from their allegiance.

(f) Government have recently addressed the local military authorities on this case: and I will inform the Honourable Member in due course of the result of the reference.

RESUMPTION OF BAZAR SITES IN CAWNPORE.

172. **Pandit Thakur Das Bhargava:** (a) Has the attention of the Government been drawn to an article appearing under the heading "Alleged Resumption of Small Bazaar sites in Cawnpore" in the *Cantonment Advocate* of October, 1929?

(b) Have Government arrived at any decision with regard to the cases mentioned in the letter of the All-India Cantonments Association, published in that article?

(c) Will Government be pleased to lay the papers of each case on the table?

(d) Is it a fact that in all these cases, the landlords affected have regular "sale deeds" for the houses standing on the sites and that their sites have been resumed owing to the houses standing thereon being in a dilapidated condition, without their being given any opportunity to oppose such resumption departmentally, or in a court of law?

(e) What is the procedure adopted in case of a resumption of site?

(f) Have Government taken legal opinion as to the validity of such resumptions when the landlord in possession thereof has not been ejected through a court of law?

(g) Do these resumptions serve any military purpose? If not, do Government propose to cancel these resumptions?

Mr. G. M. Young: (a) Yes.

(b) to (d) and (g). The matter is under the consideration of Government and I will let the Honourable Member know the decision as soon as possible.

(e) The procedure is set forth in the pamphlet entitled, "Rules, Regulations and Orders in regard to the grant of sites of lands and the occupation of lands and houses in Cantonments in British India", a copy of which is in the Library.

(f) Yes.

DISCHARGE OF CANTONMENT FUND SERVANTS.

173. **Pandit Thakur Das Bhargava:** (a) Has the attention of the Government been drawn to the Resolution No. 2 of the All-India Cantonment Fund Employees Conference held in October, 1929, at Ambala Cantonments, regarding the discharge of Cantonment Fund servants?

(b) If so, what action have Government taken thereon? If no action has been taken so far, do Government propose to take any action?

Mr. G. M. Young: (a) Yes.

(b) The suggestions of the Association were considered and an amendment to the present rule was published for criticism on December 28th, 1929. The suggestions received in response to this notification are now under consideration.

APPEALS AGAINST DISMISSAL IN CANTONMENTS.

174. Pandit Thakur Das Bhargava: (a) Is it a fact that before the introduction of the present Cantonments Act in 1924, every Cantonment Fund employee drawing a salary of Rs. 30 per mensem or above had a right of two appeals against his dismissal, the final appeal lying with the Government of India?

(b) Has this right been curtailed in the rules framed by the Government under the New Cantonments Act?

(c) Is it a fact that, under the above rules, a Cantonment Fund employee dismissed by a Cantonment Authority has only one right of appeal and that to the Command concerned?

(d) Has the All-India Cantonment Fund Employees Conference requested the Government to provide the right of two appeals as before, the final appeal to rest with the Government of India?

(e) What action have Government taken on this request? If no action has been taken so far, do Government propose to take any action? If so, what?

Mr. G. M. Young: (a) No, Sir. The right of appeal to the Governor General in Council was restricted to those Cantonment Fund employees whose salary was not less than Rs. 100 per mensem.

(b), (c) and (d). Yes.

(e) The right of Cantonment Fund servants to prefer two appeals was modified by the Cantonments (Amendment) Act, 1926, to bring it into conformity with the principle which applies generally to Government servants of the corresponding class. The Cantonments Association has been informed accordingly.

RECRUITMENT OF ASSISTANT SECRETARIES IN CANTONMENTS.

175. Pandit Thakur Das Bhargava: (a) How many Assistant Secretaries have been appointed in the cantonments of India, since the introduction of the Cantonments Act of 1924?

(b) What are their names and educational qualifications? What training in cantonment administration did they receive before they were posted to their duties?

(c) What is the method of their recruitment?

(d) Has the All-India Cantonment Fund Employees Conference recently held at Ambala made a request that a certain percentage of those appointments be thrown open to the senior employees who have a fairly long experience of cantonment administration?

(e) Have Government arrived at a decision with regard to this request? If so, what?

Mr. G. M. Young: (a) 21.

(b) Government have no information.

(c) The appointment of Assistant Secretaries is carried out by individual Cantonment Authorities.

(d) Yes.

(e) The suggestion would not be feasible, for the reason given in the answer to (c) above. There is nothing to prevent a Cantonment Authority from appointing a senior clerk, if it desires to do so; but obviously it cannot be compelled to appoint any particular person.

EXECUTIVE OFFICERS IN CANTONMENTS.

176. Pandit Thakur Das Bhargava: (a) Will Government be pleased to state what the total strength of the cadre of Executive Officers in India is? How many of them hold the King's commission and how many the Viceroy's commission?

(b) What is the difference in the emoluments of the above two classes of the cadre? How many Indians are there in each class and how many of them are Hindus, Sikhs, Muhammadans and others?

(c) What is the total civilian population of the cantonments of India and how does this population stand with regard to Hindus, Sikhs, Muhammadans and others?

(d) Has the attention of Government been drawn to an article headed "European and Indian Executive Officers", published in the *Cantonment Advocate* of January, 1930?

(e) Do Government propose to revert the Indian Executive Officer of Lucknow to the regiment? If so, why?

(f) Do Government propose to consider the request made in the above article that the Indian Executive Officer of Lucknow may be kept on in the cadre?

Mr. G. M. Young: (a) 41, of whom 30 hold the King's Commission and 11 the Viceroy's Commission.

(b) King's Commissioned officers of the Cantonments Department draw regimental rates of pay plus a graduated scale of departmental pay ranging from Rs. 125 to Rs. 300 per mensem. The pay of Viceroy's Commissioned Executive Officers is Rs. 400—20—500 per mensem. There is at present only one Indian officer holding the King's Commission in the Department, who is a Christian, and 11 Indian officers with Viceroy's Commissions, of whom two are Hindus, five Sikhs, three Muhammadans and one a Christian.

(c) Government have no information beyond that given in the Census Report of 1921.

(d) Yes.

(e) and (f). All first appointments to the Department are made on probation, subject to passing a departmental examination. The present Executive Officer, Lucknow, failed to pass this examination within the prescribed period, but he has been given one further chance. If he is successful at the next examination, the question of his reversion to his regiment will not arise.

ABSENCE OF MR. AUGIER FROM MEETINGS OF THE CANTONMENT BOARD,
NEEMUCH.

177. **Pandit Thakur Das Bhargava:** (a) Has the attention of the Government been drawn to an article published under the heading "Augier Controversy at Neemuch" in the *Cantonment Advocate* of January, 1930?

(b) Is it a fact that Mr. Augier, an elected member of the Cantonment Board, Neemuch, went outside India for five months and was absent from five consecutive meetings of the Cantonment Board?

(c) Did the other elected members of the Cantonment Board, Neemuch, and the All-India Cantonments Association approach the Honourable the Agent to the Governor General in Central India to remove the name of Mr. Augier under section 34 (1) (b) of the Cantonments Act?

(d) How was this request met by the Honourable the Agent?

(e) Is it a fact that there is a sharp difference of opinion between the Honourable the Agent and the All-India Cantonments Association, about the interpretation of section 34 (1) (b)?

(f) Are Government under the circumstances prepared to secure an authorised interpretation of the section?

Mr. G. M. Young: I am making inquiries and will communicate the result to the Honourable Member in due course.

REPRESENTATION BY DR. DESAI, A MEMBER OF THE DEOLALI CANTONMENT BOARD.

178. **Pandit Thakur Das Bhargava:** (a) Has the attention of the Government been drawn to an article headed "Deolali Muddle" published in the *Cantonment Advocate* of January, 1930?

(b) Is it a fact that the proceedings were changed as stated in the article?

(c) Why was the statement of reasons in support of this dissent by Dr. Desai not incorporated in the proceedings?

(d) What action have Government taken on Dr. Desai's representation on the subject?

(e) Are Government aware that instances of such disregard of cantonment law by the President and the Executive Officer of various Cantonment Boards are multiplying?

(f) Are Government prepared to make an inquiry into the present case and take suitable action against the office responsible for the irregularity?

Mr. G. M. Young: (a) Government have seen the article.

(b) to (f). I am making inquiries and will let the Honourable Member know the result in due course.

SANCTION TO THE CONSTRUCTION OF GARAGES BY THE MOTOR AND CARRIAGE WORKS, AMBALA.

179. **Pandit Thakur Das Bhargava:** (a) Is it a fact that the Punjab Motor and Carriage Works, Ambala, applied in September, 1929, for the construction of a few garages on the land already held by them on lease, and that the Cantonment Board, Ambala, unanimously recommended the construction?

(b) Is it a fact that the Northern Command asked the Cantonment Board to enhance the rent of the leased land as a condition preparatory to their sanction of the proposed building?

(c) Are Government aware that the Cantonment Board, Ambala, unanimously held that since the rent was already being paid for the whole land, there was no justification for demanding additional rent for constructing additional buildings on the same land, answering the same purpose?

(d) Will Government be pleased to state what action has been taken upon this unanimous recommendation of the Board and if the sanction has been given? If not, on what grounds has the Board's repeated recommendation been rejected?

(e) Are Government aware that the firm is being put to heavy loss owing to the municipal sanction to the proposed building having been withheld so long?

(f) Is it a fact that in the letter No. 3427-A.D.-4, dated the 7th December 1929, from the Army Department to the All-India Cantonments Association, the Army Secretary has definitely stated that the Government of India do not propose to interfere with the discretion of the Cantonment Authority in matters of above kind?

(g) Will Government be pleased to state whether the above-mentioned principle is being followed in this case? If not, why not?

Mr. G. M. Young: Parts (a) to (e) and (g). I am making inquiries and will let the Honourable Member know the result.

Part (f). The Army Department letter quoted referred to the exercise of a discretion specifically conferred on the Cantonment Authority by Government to grant agricultural leases by private agreement instead of by auction. It appears to have no bearing on the present case.

EMPLOYMENT OF MR. WEATHERAL BY THE EXECUTIVE OFFICER, AMBALA CANTONMENT.

180. **Pandit Thakur Das Bhargava:** (a) Has the attention of the Government been drawn to an article published under the heading "Waste of Cantonment Fund, Ambala", in the *Cantonment Advocate* of December, 1929?

(b) Will Government be pleased to state what the technical qualifications of Mr. A. C. Weatheral are, who is mentioned in the article to have been employed both as a contractor and temporary servant of the Board to look to the service line and to test private installations?

(c) Is it a fact that the new arrangement has cost the Cantonment Fund about Rs. 500 per mensem as against Rs. 40 per mensem paid for the same work when done through the contractor Messrs. Goela and Co., Ambala?

(d) Do the rules in the Cantonment Account Code permit a person to work both as a contractor and a temporary servant of the Cantonment Board at the same time?

(e) Is the Executive Officer empowered to pay travelling allowance to a contractor of the Board for journeys undertaken outside the jurisdiction of the Board, without the permission of the Board?

(f) Is it a fact that the Executive Officer, Ambala, allowed Mr. Weatheral to undertake journeys and paid him travelling allowances without any reference to the Board?

[Sir George Rainy.]

why, up till now, further meetings have not been summoned. The Government have felt more and more strongly, with the progress of the months, the extreme difficulty of tackling this subject seriously unless it can be linked up with the much larger and more important constitutional questions which are likely to come into the forefront in the very near future. It is true that minor amendments might be made in the convention irrespective of these larger questions, but since it is open to members of the Committee to raise the whole question of the system under which Railway finance is separated and the railways are administered, it seems to me very difficult to work out any sort of satisfactory scheme, unless we have, at any rate in outline, before us the general framework of the new constitution into which the administration of the railways will have to be fitted.

Then there is another point, a practical one. Naturally a very important question in reviewing the convention is the amount of the contribution which the railways of India should make to the general finances. It is obvious that the whole financial position of the Government of India may be profoundly affected by any constitutional changes that are made, and therefore, until we have some idea of what the new financial position will be, it seems to me impossible to reach any decision about the contribution with any hope that it would remain in force for more than perhaps a couple of years. Taxes on transport—and the railway contribution is of that nature—are of course open to obvious objections. At the same time there are objections to all forms of taxation; and it seems to me and to the Government of India that that is a question which can only be fully and fairly considered when we are in a position to consider the financial position of the Government of India as a whole. It is my intention to call a meeting of the Committee before the end of the Session and to place these views before them, explaining the difficulties which Government feel and the doubts which they have, whether any practical purpose would be served by persevering with the review of the convention at this stage. I have thought it right to explain our point of view to the House today, so that they may understand how the whole position is.

Before sitting down, Mr. President, I should like to add one word—it would really be more relevant on the motion for another out which stands in the name of Mr. Neogy, but which I am led to understand may possibly not be moved—I mean about the financial control of the Government of India over the Railway Board. The Honourable the Mover made some allusion to that subject in his speech. Now, what I have to say there really arises out of what I have already said about the Report of the Public Accounts Committee. Clearly, the Railway Board, like everybody else, must be subject to financial control. I do not exclude the possibility of revising in certain respects the present arrangements if we could devise a better way. But I should be very unwilling to disturb in essence the present system until the right time had come to consider all possible alternatives. In the meantime, however, it is clear that we ought to do our best to make full use of the present system as it exists so as to make quite sure that there is no absence of salutary control, and it is for that reason as I tried to explain, when introducing the Budget, that the Government of India have decided on a half-yearly review of the Railway financial position in its broadest aspects by the Finance Member and the Railway Member. That will give opportunities by which important matters in

which the finances of the railways are closely concerned may be fully and fairly considered by both the Members of Government who are specially charged with responsibility in these matters.

I think, Mr. President, that concludes what I wished to say today, but I will finally add merely this, that I am fully convinced that separation of some kind is essential if we are to get commercial management on the railways and successful administration.

I have twice said that I was about to conclude, but unfortunately I have only now remembered one other point to which I would like to allude, and it is this. If the review of the separation convention is to be postponed, then I think we ought to utilise the interval in getting ready any material which may now be lacking, so that no further time will be lost when the inquiry is resumed. It has been suggested more than once that a good deal of useful advice and assistance might be obtained if a railway expert from another country with experience of the management of a really large railway system were brought out to India and asked to help us with his advice. The particular matter in connection with which the employment of an expert was suggested was, I think, the allotments to the Depreciation Fund and the whole system on which the Depreciation Fund is constituted. I think that is a useful suggestion, and if it commended itself to the Committee, I think Government would find themselves in a position to agree. It is right that I should mention that, because I do not wish to convey the impression that we are merely putting aside the review without any idea that it should be taken up again until a very distant date.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I am sure the House will thank my Honourable friend, Mr. Neogy, for raising this question at this stage and for putting forward the view, held very strongly on this side of the House, in that lucid manner, which is generally associated with everything which Mr. Neogy handles. But, Sir, I have not been able to understand exactly what my friend has in his mind, except that he wishes to raise this question for discussion here. I do not see how he can press this motion before this House, because all that he indicates in his amendment is, "Re-examination of the convention of the separation of Railway Finance from General Finance". Now, as my friend knows, that question is under examination, and a Committee of this House is sitting in connection with it. I wonder if my friend, Mr. Neogy, feels that that Committee has sat too long without submitting a Report. If that is so, I feel that the Honourable Member has explained the difficulty which appears to him and to Government regarding the reason why the Committee could not complete its work till now or why it may not be able to finish its labours say within the next six months or a year. I, Sir, have the honour of being a Member of that Committee, and I also happen to be, what the Honourable the Railway Member said, a Member of the Sub-Committee appointed by that Committee. The various items which have been selected as heads for consideration for the revision of the convention embrace so many different aspects, that we feel that, until substantial knowledge is available to us regarding the next stage of political reform, the Government are perhaps right in saying that they cannot come to any definite conclusion as to the lines on which the convention should be based. As a matter of fact, we, non-officials on that Committee, were waiting to see what the two Honourable Members representing the Government on that Committee had to suggest by way of Government proposal.

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but they themselves found it rather difficult to put forward any suggestions, and a Sub-Committee was appointed to go into further details. I do not know whether the House will look at this aspect of the question in the same manner as the Government of India have done, and as indeed some of us on that Committee have done. but I suggest that there is a good deal in what has been put forward by the Honourable the Commerce Member, and this part of the question should not be pressed unduly today, especially in view of the proximity of the date when further light will be available to us regarding political reforms.

But apart from that, if my Honourable friend Mr. Neogy's idea is to suggest to that Committee that they should inquire into the question whether the separation of the Railway finance from the General finances of the country has proved beneficial to the country,—if his intention is to raise a debate on that question—then I suggest that there can be only one reply to it, and that is, that so far as the scheme has been worked, it has been beneficial. I am prepared to concede, and indeed I expect even the Honourable the Commerce Member will concede, that certain weaknesses and handicaps have been experienced, but they are not such as cannot be remedied. As a matter of fact, I feel strongly, Sir, after the practical experience that we in this House have had of the last five years' working of this convention that, if this convention had not been agreed to in 1924, the finances of the Government of India in the Railway Department, at any rate, may have been considerably different from what they are today. During all the last five years, the Budget presented by the Honourable Member in charge this week has been the only Budget which showed a deficit, but the actuals of last year have shown a considerable deficit of about 86 lakhs of rupees, and I would suggest that, if we were working on the same old lines which existed before 1924, we might have repeated to us the same wail that had been repeated before the Acworth Committee, as to how the railways were furnished for funds and the country's general revenues were augmented by railway surpluses in good years. I am sure my friend Mr. Neogy has studied Chapters III and IV of the Acworth Committee's Report, which contain detailed information as to how this greatest asset of the Indian taxpayer, namely, the Railways, was allowed to suffer owing to the exigencies of the finances of the country as a whole. If one had the time, one would very much like to refresh the memory of this House, even briefly, regarding some of the exasperating things which were revealed before the Acworth Committee, as a result of which they came to the conclusion that the only solution to remedy the evil, if State management was allowed to continue, was the separation of the Railway finances from the General finances of the country.

I feel, Sir, despite all the various points that have been put before this House with the authority of the Auditor General, no case has been made out as to why the present arrangement should be discontinued. But I agree with my friend that many aspects have been brought to notice which require to be remedied, and I am sure that my friend will have everybody in this House with him if he tries to devise some method or methods to remedy the evils he complains of and I am sure that even the Honourable the Railway Member will co-operate with him wholeheartedly in that direction. But to come to the conclusion that, because a few drawbacks and defects have been experienced, the whole separation scheme should be given up, is a conclusion which, I am not sure, my

Honourable friend would like this House to come to. But he has frankly told us that he himself has been opposed to the separation scheme from its very start, and if he wishes to press his view before the House now, I hope the House will not agree with him.

Sir, the Auditor General has, I think, done a great service to the country, and even to the Government, by the very frank manner in which he has brought to light the various acts of omission and commission in the Railway Department regarding their expenditure policy. The Honourable the Railway Member said that an auditor is no auditor at all if he does not pass some criticism and make suggestions for the improvement of the system. I think great credit is due to Sir Frederic Gauntlett, the retired Auditor General, for the able manner in which he put his views before the Public Accounts Committee. I also think that this House ought to be grateful to those active Members on the Public Accounts Committee who follow up these questions from year to year and bring them to our notice. But all this does not necessarily support the idea that the two Budgets should be amalgamated. All that I say is that ways and means should be devised as to how the various defects can be remedied, and I suggest that there are other ways for tightening the control, than scrapping the fundamental convention on which the whole separation is based and which has so far worked to the benefit of the country as a whole.

Now, Sir, one of the things which appeared to be at the back of Mr. Neogy's mind was, to use his own words. "The inference is that the Railway Board's administration of railways has been inefficient". I believe these words were used by the Auditor General. Perhaps from the audit point of view the administration may have been inefficient, but I think the Auditor General himself said somewhere that the job is enormous,—these are also words which I think were quoted by the Honourable the Railway Member. Well, if the whole task is so enormous and if the asset of the taxpayer in the shape of the railways has no parallel in any other country, this House ought to be prepared to view some of these proofs of inefficient administration with a little leniency. I do not say that we should tolerate them. I do not say that we should pass over them lightly. I suggest that we should take the strictest view of them, as far as remedying them is concerned, but I do think one need not be unduly harsh and run down the administration simply because these mistakes or blunders, as one may like to call them, have been discovered in the administration of the Railway Board under this convention during the first period, namely, of the first five years. After all five or six years is not a long period in which one can expect the most able administration to achieve the ideal, and feel that we ought to judge it with some consideration.

One of the motives of my Honourable friend may be to inquire if the Finance Department's hold on the Railway Board is the same now as it was before the convention, or whether that control—and it is a healthy control—has considerably relaxed. Now, if the convention was set aside, what would be the result, would the Finance Department have a larger control over this Department? And if it is so, one would like very much to know why the Finance Department, under the convention, cannot exercise the same control that it did exercise. I am all this time thinking of the healthy control, not the meticulous control which acted as handicaps to the Railway Administration in its beneficent activities, as pointed out by the Acworth Committee. Can this healthy control be

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adversely affected by the separation? There is only one point raised by Mr. Neogy, which struck me as being a point worth considering in this connection. Before the convention, the Finance Department had what they called a watch dog over the Railway Department's powers of expenditure and powers of capital outlay too. Since the Convention, that officer of the Finance Department has been attached to the Railway Board as a Financial Commissioner, and it is possible that, as Financial Commissioner and a part of the Railway Board, he may have identified himself a bit too much with the Railway Board, that is more than with the Finance Department. I do not know if this actually is the case, but if that is one of the complaints of my Honourable friend, Mr. Neogy, I think this House would very much like to hear what the Honourable the Finance Member has got to say about it. Surely that is a defect which can easily be removed, and we need not hesitate to express our opinion frankly on this question, because my Honourable friend Mr. Parsons is the Financial Commissioner under reference. In this House, we are discussing the policy and not personalities. Personally I dare say Mr. Parsons has done very well by the Railway Board and by even the Finance Department. But after all Mr. Parsons cannot always be there, and if we are to consider whether the Finance Department's agent controlling the Railway Board would well be outside the Railway Board as an independent controlling authority on behalf of the Finance Department of the Government of India, I suggest that that point raised by Mr. Neogy is a very good point and may be usefully considered by the Government of India in the "light of the experience of the Finance Department till now".

Sir, I would like to hear from Mr. Neogy (unfortunately perhaps he has no right of reply), or from any other Member who holds opinions similar to Mr. Neogy, as to whether he does not think that, since the convention, this House has had on the whole a better say in matters of capital expenditure and even of revenue expenditure? I have been trying, since yesterday afternoon, to recall to my mind any items of capital expenditure which were not approved either by this House or by a committee of this House, and which were carried through by the Government in spite of that. The only instance I can recall, and it is a very bad instance indeed, is the instance of the Kalyan Power House. It is an instance which, if I may say so, will stand to the lasting discredit of the Railway Board. That instance proved the surreptitious manner in which the project of the Kalyan Power House was carried through, in spite of its being turned down by the Railway Finance Committee. It has cost the country 50 per cent. over the estimate, and one need not, at this stage and on this subject, go into the other indirect losses to which the country has been put. Barring that one solitary instance, I think this House has had, through this committee, a fairly good say, any way a better say, in matters concerning expenditure on Railways than it had till 1924.

I wish, Sir, to take this opportunity of mentioning to the Honourable Member an important aspect of the separation of the two budgets. I have here a copy of the various terms of the separation convention stipulated at the time of the separation of the two Budgets. Paragraph 9 of that convention reads as follows—I am reading from page 3870 of the

Assembly Debates, Part VI, Vol. IV of 1924. Condition No. 9 reads as follows:

"In view of the fact that the Assembly adheres to the Resolution passed in February, 1923, in favour of State management of Indian Railways, these arrangements shall hold good only so long as the East Indian Railway and the Great Indian Peninsula Railway and existing State-managed railways remain under State management, But if in spite of the Assembly's Resolution above referred to Government should enter on any negotiations for the transfer of any of the above railways to company management, such negotiations shall not be concluded until facilities have been given for a discussion of the whole matter in the Assembly. If any contract for the transfer of any of the above railways to company management is concluded against the advice of the Assembly, the Assembly will be at liberty to terminate the arrangements in this Resolution."

Now, Sir, when this convention was made in the year 1924, it was taken for granted that it would come up for revision in say five years' time. What has happened is that, at the end of five years, a Committee was appointed by the Government of India, but that Committee, as the House now knows, is not likely to submit its report for some time—may be for a year or even longer.

An Honourable Member: It was only for three years.

Sir Purshotamdas Thakurdas: The minimum period fixed was three years, but it was allowed to continue longer. In December 1931 notice has to be given to the Bengal and North Western Railway, if that Railway is to be acquired by Government. There is not much time between now and December 1931, and in view of the other existing subjects that are likely to come up, there may be nothing feasible till then. I would therefore like the Honourable the Railway Member to give an assurance that he will read this Condition No. 9 as including the acquisition for State management of railways, contracts for which fall due hereafter. I do not think it would be fair on the part of Government to point out that Condition No. 9 only related to the Great Indian Peninsula and the East Indian Railways, and therefore they were free to come to any decision they liked regarding the Bengal and North Western Railway. That would be the most unfair advantage they could take of the confidence of the Assembly, namely, that they would abide by this convention till revised. And, unless the Honourable Member is able to reply on this debate that, we can confidently rely on them to include in this condition also the acquisition of the Bengal and North Western Railway being brought up before the House before the Government of India come to any conclusion, we shall have just reason to break the convention now. I feel that, in view of the difficulty which he indicated in replying to the general debate on the Budget about the acquisition of the Bengal and North Western Railway for State management, I am quite justified in asking for a categorical assurance that the inclusion of the Bengal and North Western Railway would be deemed to be understood under condition No. 9.

I feel, Sir, that I ought to say a word regarding what has fallen from the Honourable the Railway Member about some expert advice being made available to the Committee sitting for revision of the convention. It is necessary to ascertain whether we are setting aside a sufficient amount and not too much or too little for depreciation of our railway assets. There is a strong feeling that we may be setting aside much too much and we may thereby be depriving the general taxpayer of India of concessions that may be made available to him if a larger contribution could be had from the Railway Budget. On the other hand, the Railway Department may feel—and perhaps the Honourable the Finance Member also shares this

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feeling—that a sufficiently large amount is not being taken to depreciation out of the gross receipts of the railways for depreciation of this huge machine. I agree that it would be very difficult for any Member of this House, however qualified he might be regarding railway matters, to pronounce an opinion off-hand. I have personal experience of the extremely useful service which can be rendered by a suitably selected expert from England being brought out, who could review the whole thing, go into figures and give us expert advice. I have nothing but admiration for the useful service which the experts brought out with Lord Inchcape for the Retrenchment Committee of 1922, rendered to the taxpayer and to the Railway Administration of India. If Government desires that such assistance should be had, I personally think that we ought to support such a proposal. It may cost us Rs. 20,000 or so, but it will be an extremely good investment to make. There is only one condition which I would make in this connection and that, to my mind, is an essential condition. The person so brought out shall not be a person connected with the railways of India, either directly or indirectly. He must not be a retired official of the Indian Railway Administration, nor must he be a person connected with any of the existing railway companies which have their head offices in London. I think it is necessary to make this a condition precedent for the selection of the personnel. The person brought out should be a person connected with one of the big railway systems in England or Europe or the United States of America, a person who has an open mind. It is only when a person of this nature is brought out, as was done in the case of Lord Inchcape, that I think it would be money well spent. I recommend my friends on this side of the House to approve of this suggestion, which has been made on the condition which I have just mentioned.

I have only one word more to say in conclusion. I feel that there is a very large scope still left for justified and useful economy in the administration of the railways of India. The enormous size of the railway machine and the large distances through which the railway system runs, are, I think, justifiable reasons why we, on this side of the House, should have patience in judging the results of the Railway Board's administration. There is one good change which the Government of India seem to have made. I believe that they have begun to accept and act up to the recommendation of the Acworth Committee's Report, namely, that in selecting persons for the railway administration, Government need not be guided by the same rules as they are for the civil administration of the Government of India. The Acworth Committee unanimously recommended that persons should be selected not so much for reasons of seniority, as is being done in the other civil services, but more for reasons of their being particularly capable and fitted for the job. And I would like the House to know one of the best instances of this which I can think of. It is the appointment of Mr. Russell as the Chief Commissioner for the Railway Board. I think in point of seniority Mr. Russell is not very senior, but in point of ability he made his mark for great capacity of a rare order on the Great Indian Peninsula Railway. I had occasion to work with him on some Boards in Bombay and if what he achieved in Bombay is an indication of what he is capable of achieving here, we expect to find the Railway Board in a different state of efficiency under his management after two or three years.

12 NOON. The same can be said about another officer mentioned by the Auditor General and quoted by Mr. Neogy and the Railway Member. If persons are selected for the Railway Board administration

free from the red-tape of seniority alone, but on merit and if this House will keep a close eye on the criticising of details and not lose patience regarding the useful convention which they have stood by till now, I am sure that we will not regret it. I, therefore, think that the debate raised by my Honourable friend, Mr. Neogy, can be regarded as most useful, and I hope that the Honourable the Railway Member will be able to give an assurance regarding the Bengal and North Western Railway being included in condition No. 9 of the convention, as far as the acquisition of that line is concerned. I am sure that the points raised in the debate were noted by members of the committee which is at present sitting in order to consider the separation of the two Budgets. Sir, I would not like to conclude without repeating my faith in the convention being maintained and upheld by this House in principle, and the details being watched by us, by such energetic Members of this House as my Honourable friend, Mr. Neogy.

The Honourable Sir George Schuster (Finance Member): It had not been my original intention to intervene at all in this debate, but I think I may take it that I have had a direct call from my Honourable friend, who has just spoken, to give this House some impression of the position from the point of view of the Finance Department. Perhaps the mere fact of the Finance Member intervening in a debate at this stage has in itself a certain significance. It shows at least that a very important question of principle is being raised, and that my Honourable colleague and myself do consider these matters together. My Honourable friend, Mr. Neogy, speaking yesterday, referred to the fact that he thought that at times I looked rather uncomfortable in my seat. I assure him that that was not the case. If my presence during these debates is somewhat interrupted, it is not because of any feeling of discomfort or lack of desire to listen to what is going on, but simply owing to the unfortunate coincidence that the Railway Budget is always taken in the few days preceding the General Budget, and I regard those few days as the worst days in my own year. It is very difficult to get through under about 18 hours work a day. Therefore, I cannot always be present in the House during the Railway Budgets as much as I should like to be.

Now, on this question of the relations between the Finance Department and my Honourable colleague, the Commerce Member and the Railway Board, I have certain general observations to make. In the first place, I would impress upon you, as indeed has already been impressed upon the House by my Honourable friend, Sir Purshotamdas Thakurdas, the great complication of the issues, and the difficulty of reconciling some measure of financial control with that latitude in executive work which is necessary if the enormous railway machine is to work without undue friction. It would certainly never be our object in the Finance Department to put sand in the wheels of that machine. We want to make it work as smoothly as possible and with the minimum of friction. At the same time, it is necessary, in the general interests of the taxpayers of the country, that some control over policy should be exercised from the side of the Finance Department. The relations of the Finance Department in regard to the Railways are rather like the relations between a banker and one of his large clients. We are called upon to finance the railways, and if they make mistakes, it is we who have to put our hands into our pockets to see them through. In one respect the relation is different from that prevailing in private business, to which I have referred, for if the railways of the country get into difficulties, we have got to help them out. We cannot say to them, as a banker can say to one of his clients, "you must close your

[Mr. E. F. Sykes.]

Schuster has agreed, and that the present arrangements provide for a divided control and therefore an inefficient one. The correct method of separation, as Sir Purshotamdas Thakurdas will remember, has been indicated by the Acworth Committee, and their proposals would be entirely the same under any constitution; but so long as the Railway Member is content with the present state of affairs and likes to be a subordinate of the Finance Member, nothing will be done under this or any other constitution.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, it is difficult at this stage to pick up the debate because two prominent Members of the Treasury Benches have already had their say. I have been a member of the Public Accounts Committee and I think it is my duty to pay a tribute to Sir George Schuster for his absolute impartiality and fairness in the treatment of men and matters. But I regret to find today that he thought that only one side—the audit side—of the picture was presented before the Public Accounts Committee. That is not true. We had before us Sir Austen Hadow, who gave us a vivid description of the railway working. We were indebted to him for placing such wonderful materials before that Committee. There is no intention on the part of this House or on the part of any member of the Public Accounts Committee to cast any reflections on the Railway Board. The Railway Board has undergone a change in its personnel, as Sir Purshotamdas Thakurdas has already said. Mr. Russell has come from Bombay with a great record. Then there is Mr. Brayshaw, there is Mr. Hannay, and there is Mr. Hayman, and we have already got on the Railway Board Mr. Parsons. The Railway Board is one of the most efficient units of the Government of India as we all know. But they have their good points and their bad points. The Public Accounts Committee was only concerned with the bad points, and I shall come to that later on.

Now, Sir, I come to Sir George Rainy. In his lucid speech, he has followed the tactics of the Opposition and has given notice of a delaying motion. What does he say? He says, let us wait, let us get the new constitution and then we shall deal with the separation convention. What is the net effect of it? Sir George Rainy will have retired; Sir George Schuster will be on the eve of retirement, and all the Members of the Railway Board will have gone to their homes by that time. That will be the net result. I am sorry to say that the House can never be satisfied with the decision which Sir George Rainy has given us, and I hope Mr. Neogy will press his claim for a re-examination of the entire problem.

Now, Sir, when the Public Accounts Committee approached this matter, they had three ideals in view. The first was, is the convention constitutionally right? Secondly, is the convention administratively right, and the third point is, is the financial convention as a whole right for the taxpayer? These three points were gone into, and the net result was a considerable dissatisfaction with the arrangements that exist, considerably reinforced by the observations of the Auditor-General, who has served India for so many years. It was my privilege to raise the first point, is the Railway Member entitled to present the Railway Budget? We raised this point and the unanimous recommendation was this:

"We desire to recommend that when the Governor General exercises this power of appointing any Member as Finance Member for the purpose of any particular rule of the Indian Legislative Rules, the order of such appointment shall be laid on the table of the House."

This, Sir, as you know, was done. The second recommendation was:

"We also suggest that the Railway Board should obtain the opinion of the Legislative Department as to the interpretation of the definition referred to above."

We are still unaware of the opinion which the Legislative Department gave. I am not a lawyer and I know very little of rules and regulations; but what I know is that the framers of the Montagu-Chelmsford Reforms never contemplated that there should be more than one Budget. Now the rules in our Manual of Business and Procedure at page 52 distinctly lay down,—and this is the section which was originally framed in the Government of India Act:

"A statement of the estimated annual expenditure and revenue of the Governor General in Council (hereinafter referred to as 'the Budget') shall be presented, each year, to the Assembly on such day or days as the Governor General may appoint."

This was the intention of the framers of the Act. They never thought for one moment, neither Mr. Montagu nor Lord Chelmsford, nor the Joint Select Committee, that there should be two separate Budgets.

Mr. President: Where was the Honourable Member for the last five years?

Mr. K. C. Roy: Then, Sir, rule 48, which was promulgated by the Governor General in Council, says this:

"Nothing hereinbefore contained shall be deemed to prevent the presentation of the Budget to each Chamber in two or more parts and when such presentation takes place, each part shall be dealt with in accordance with the foregoing rules as if it were the Budget."

This was the change made and what was the net immediate effect? The preparation of the Budget passed from the hands of the Finance Member to the Railway Member. This was the immediate effect. I hope Mr. Parsons will speak and he will give his views on the subject. Then what do we find? As my friend, Mr. Neogy, pointed out, the Honourable the Finance Member has lost his interest in the Railway Budget. There is undoubtedly a dual control over the Railway Budget. There is diarchy in the Railway Administration. The matter should be reviewed by the Committee which was set up by this House some time ago.

Now, Sir, as regards the administrative aspect, what is the position today? Sir George Schuster said that the Finance Department has every control. I certainly deny that. The Financial Secretary has no control over the Railway Budget or the finances of the Railway Department. Sir George Schuster undoubtedly has the power as Member of the Governor General's Council. Then let us consider the position of Mr. Parsons. Mr. Parsons is well known to us. He is known for his conspicuous ability. But his position has no parallel in the Government of India. He is the Financial Secretary for Railways; he is a Member of the Railway Board. He is there both in his executive as well as in his administrative capacity. Is there any other officer in the Government of India occupying a similar position? Take the Military Financial Adviser. He is only a member of the Military Advisory Council. There is nobody who occupies that responsible position which Mr. Parsons does, wielding enormous power and enormous patronage. By saying this I do not want to cast any reflection on Mr. Parsons. But the system is neither sound nor good.

[Mr. K. C. Roy.]

Lastly, mention has been made of the fact that we have done fairly well with the railways. I wish to give some figures as I understand them. About the time when the convention came into force our surplus was about 13.16 lakhs and our total capital investment on the railways was about 6 crores. But today our capital investment is in the neighbourhood of 8 crores and the surplus is only 7.07 lakhs. That means the surplus has gone down by 50 per cent. I admit that there has been reduction in rates and fares. I admit also that there has been trade depression. I admit all that, but, all the same, I am not convinced that the railway financial results have been good; and there is a general impression in the country that the Agents have been given enormous powers and that they are wasting money. It necessarily follows that a review of the convention is urgently called for. There has been an enormous increase in the cost of general administration expenditure. Since the convention started, it has gone up by two crores. The people are not satisfied with it. Sir George Rainy could not say that an auditor's report is not all in all. But when he has put the railways on a commercial footing, it is of vital importance to the people of this country, who are really the proprietors of the railways in India that the auditor's report should be satisfactory. The House will remember that it was not many years ago that Sir Charles Innes described himself as the Chairman of a company and this House as a meeting of the shareholders. I hope, Sir, that Sir George Rainy will follow his predecessor's example and will always look to the taxpayers' interest first and judge the auditor's report on its merits in future. I hope he will not hesitate to review the convention which has been the subject of discussion in this House. Sir, I support Mr. Neogy.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): It will be presumptuous on my part to speak with the authority to which my friends, Sir Purshotamdas Thakurdas and Mr. Neogy are entitled on account of their intimate relation with the subject since 1921. This question, as has been pointed out, was seriously considered by the Acworth Committee, and they said that witness after witness told them that the then financial arrangement needed drastic revision. In their recommendation No. 3 they say, "We recommend that the Finance Department should cease to control the internal finance of the Railways". Their idea was that the Railways would not be allowed to develop and operate as commercial undertakings if their finances were subordinated to vicissitudes of the general finances of the country. Now, this question was referred to a Committee and that Committee added certain conditions that the contribution should be one per cent. of the capital charge of commercial lines, plus one-fifth of the surplus, with certain provisos. The conditions imposed by the Committee were accepted by the Government and they were brought forward in the shape of a Convention on the 17th September, 1924, before the Assembly. The Assembly added two more conditions which I will describe later on. But these two conditions were not put down as the indispensable part of the convention. Now, the working of the last five years has clearly shown that this convention has worked very satisfactorily. During the last five years, the Railway Department has contributed 30 crores of rupees to the general revenues of India. They have also got at present, in reserve and hard cash, a sum of

30 crores. (*An Honourable Member*: "No, no.") Sir, according to Standing Order 27, may I draw your attention to the fact that the Honourable gentleman should stand up when he wishes to speak? They have got 30 crores of rupees as Reserve and Depreciation Fund, and in addition to this during the same five years, they have built 30,000 miles of new lines. They added this mileage to the mileage existing before this convention came into existence. These three figures are very encouraging. But at the same time, we should realise how far they have fulfilled the conditions which this Assembly imposed in 1924. The two conditions which the Assembly adopted on the initiation of Sir Purshotamdas Thakurdas and on the initiation of the Leader of the Opposition were the Indianisation of the Railway services and the purchase of stores in India. These two conditions were accepted by the Government, but we find that they have not been fulfilled. (Hear, hear.)

In addition to these two conditions, a new situation has arisen, which the Assembly did not foresee in the year 1924, and that is the extravagance of the Railway Department. (Hear, hear.) Now, it has already been pointed out by Sir Purshotamdas Thakurdas regarding the power house at Kalyan, that the estimate was 90 lakhs of rupees but the real expenditure was 150 lakhs. (*An Honourable Member*: "Only 150 lakhs?") Perhaps to my Honourable friend this is a very trifling figure, and he doesn't mind it. Now the question is probably whether, the Members of the Railway Board will bear me out—had the estimate of Rs. 150 lakhs been laid before them at the outset, they would have decided not to build the power house. But this is not a solitary example of extravagance.

Mr. M. S. Aney (Berar Representative): The members of the Standing Finance Committee never even sanctioned the estimate at all.

Dr. Ziauddin Ahmad: This is not the only example of extravagance. The second example of extravagance is the Kangra Valley Railway. The original estimate here was Rs. 1½ crores, but the actual expenditure was Rs. 3½ crores. I would like the engineers who first framed this estimate to come before this Assembly and to justify the enormous increase between the estimate and the actual expenditure.

Now, the third example of extravagance I would mention is the railway station at Lucknow which has cost Rs. 88 lakhs. Now, if this question had been seriously discussed by the Assembly, I would certainly have requested the Railway Board to drop this project, and that the taxpayers' money, instead of being thrown away in costly buildings like the railway station at Lucknow, should be utilised in securing comforts for the third class passengers. I would have very much have liked, and the public would have looked upon it with satisfaction, that this amount should have been spent, if it was decided to spend it on buildings, in constructing third class waiting rooms in all the stations in Oudh. The Barons of Oudh might be required to give special donations for the particular railway station in their locality.

The fourth example of extravagance which I would like to mention is the Cawnpore railway station, which was estimated to cost about Rs. 90 lakhs, but now they have revised the Budget and the estimate has already been increased to one crore, and by the time it is finished I do not know at what figure it will end. Now, have the gentlemen who are responsible for this considered whether it would not have been more paying from the

[Mr. B. Das.]

the result of that separation. He forgot what my friend, Mr. Jamnadas Mehta, once said—I am so sorry he is not present with us today and that he will not be present on the floor of this House for another six months. Mr. Jamnadas Mehta was a member of the Standing Finance Committee for Railways and he said—my friend Mr. Aney will contradict me if I am wrong—that we have no control over the expenditure; railway projects are brought to us and no sufficient reasons are given; and even the Standing Finance Committee for Railways is very often overruled. My Honourable friend, Dr. Ziauddin Ahmad has just quoted an instance of extravagant railway expenditure—the electrification project at the Kalyan Power House. It was not a technical project; it was a political project undertaken in order to ruin the Tata Electric Company of Bombay; the power house was built to ensure a supply of electricity to the railways as the Tata Company—an Indian-managed Company—could not be trusted to do so during a war or rebellion. I hope my friend, Mr. Parsons, when he replies today, will tell us something about the Kalyan Power House, whether it is an economic and efficient scheme; and I hope he will tell us whether thereby he has reduced the capital expenditure of the great Indian Peninsula Railway and also the working expenses on that Railway. I challenge him to say that on the floor of the House.

Sir Purshotamdas Thakurdas then alluded to the magnificent results achieved by the separation. All alone, Sir, Mr. Neogy has been opposing the separation. At one time I was with him, but when I found the whole House coming to the other view, under the sweet influence of my Honourable friends, Mr. Parsons and Sir Charles Innes, I succumbed to that influence. (Laughter.) I thought the scheme might be allowed to be tried for three years; but now, Sir, another three years have gone and I find there is a breach of contract; even after these six years they have not come forward of their own will to ask us to examine that convention. When I found that breach of contract and after what I came to know in the Public Accounts Committees about the mismanagement on the railways, the scandalous waste of money and also the policy of non-Indianisation which was being pursued by the Railway Board, I felt convinced that we must bring back the Railway finance to the old conditions. After all, Sir, what is the real state of this separation that Sir George Schuster just now told us of? It is merely separation of accounts. If that be so, why not go back to the old conditions? My friend, Dr. Ziauddin Ahmad and others have told us of the wonderful achievements that have been made since the separation was brought about, but they forget the main thing; they forget it is all due to the spirit of the Reforms. It must be remembered, Sir, this was after 1921 whereafter the Railway Budget is amenable to the vote of the Members of this House, and the Government have to take the permission of this House to carry out all expenditure. Whatever has been done—and that is very little—I attribute to the Montagu-Chelmsford Reforms. I do not see that any good result has come out of the separation, because the separation is nothing but a little better control of the Finance Department, through the Financial Commissioner, and through the many Chief Auditors and Chief Accountants. If there was laxity of control during the time of Sir George Schuster's predecessor, if Sir Basil Blackett had too much confidence in Mr. Parsons and did not examine the Railway finance himself very often, we are feeling the pinch of it today.

The Honourable the Railway Member had a dig at the Audit. He referred to a speech of his which he gave to the Railway Agents' Conference in September last. I did notice that and I wanted to raise the matter on the floor of the House by a sort of interpellation or by Resolution. But, Sir, unfortunately, as you know, events in the country are marching so rapidly—the Viceroy's statement in October last, the Lahore Congress, the Viceroy's withdrawal from his statement, certain assurance thereafter—all these have so absorbed us that I could find no time to challenge my friend over that fling at Audit. I agree, Sir, that audit is very important. But audit is not the only thing that matters. It is efficiency, efficiency of engineers, efficiency of railway management, efficiency in administration, proper Indian atmosphere . . . (Mr. Fazal Ibrahim Rahimtulla: "Hear, hear.") Yes; I am an engineer too, and I could tell my friend, Mr. Fazal Ibrahim Rahimtulla, how much mismanagement is happening on the railways on account of these European engineers, and how our money is being squandered . . .

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Simply because they are European?

Mr. B. Das: Yes, certainly so; and you ought to know that being yourself an industrialist.

Mr. Fazal Ibrahim Rahimtulla: No; I did not know that they are not efficient merely because of their colour.

Mr. B. Das: I shall come to that later on. Now, Sir, what was the policy of the Acworth Committee? What was the policy of the European Chambers of Commerce when the Acworth Committee was sitting? What was the policy of the capital expenditure of the Railway Board before the separation convention and after? The Acworth Committee on page 5, para. 11, of their Report, quote extracts (paragraphs 2 and 3) from a letter from the Bengal Chamber of Commerce to the Secretary to the Government of India, Finance Department. In paragraph 2—I shall quote one line—they say, "This severe curtailment of capital expenditure on the Indian railway system has been received with deep regret by the Chamber. At the same time, the existing financial situation of the Government of India is not overlooked, etc., etc. Further on, the letter quotes from the address of the President of the Chamber, Sir Alexander Murray, whose services to the British Empire everybody knows, but whose services to India I am not aware of, unless he helped to bring on the 18½ ratio to the Statute-book in order to impoverish the masses: He says, "Money must be found and spent on the railways, no matter whether we are to have direct State management or management by boards sitting in London or in India."

Sir, these European Chambers of Commerce represent the applied engineering industry of Great Britain; they want orders for railway appliances such as wagons, underframes, rails for their iron manufactures and locomotive controls, signal boxes, etc., for their engineering firms. They do not mind if Sir Malcolm Hailey's policy in finance had ruined India and India had no money at the time as a result; they wanted capital expenditure so that fresh orders could go to England and the engineering industry in England could flourish.

[Mr. B. Das.]

Now, Sir, the Railway Board was first organised in the year 1905 and the separation took place in 1925. What have the Government done, I ask,—what has Mr. Parsons done—to organise the applied engineering industry in India so that railway appliances can be completely manufactured, and purchased in India? What is the use of your spending 100 crores and sending away 80 or 90 crores every year outside India? It may be that the Tatas are getting a few orders under sufferance as it were. If the Agent of the Bengal Nagpur Railway is so pleased, the orders may not be placed with Tatas at all; he may buy anything that he likes from England because there are combinations and pools well known to this House. Sir, as long as the railway are not nationalised, there is no use of quoting instances of Japan regarding nationalisation of railways. *Railways must be controlled and managed by Indians.* Now, who controls the railways in India? Of course, I do not question the spirit of honesty of the Honourable the Railway Member, but then he is a part of that machinery, a part of that Government which we want to end. His Government's policy is to continue and perpetuate the old policy to see as to how far the British industries can flourish at the cost of India. British industries must flourish, they must get orders from India, and that is why our friends on the Treasury Benches are not fighting extravagance.

Now, regarding Capital expenditure, I will just quote from a very handy book which Sir Frederick Gauntlett, the former Auditor General, published before leaving India, "An Epitome of the Reports from the Central Committees of Public Accounts, 1923-27 and of the Government orders thereon". I will quote a few lines showing how expenditure was incurred without budget provision:

"They naturally made provision for proceeding with works that they had started or were starting during the course of the year under any contingency that might arise, so that each railway asked for the maximum amount that it could spend, and the result was that, taken all together, the estimates proved to be too high, and there was every year a considerable lapse" (paragraph 8, p. 27 of the Epitome).

Another instance of gross extravagance prevalent in the Railways was the system of "advance indents" whereby orders are placed without Assembly sanction. On page 19 of the Epitome, Honourable Members will find the comments of the Public Accounts Committee and the order of the Governor General in Council. I quote the latter:

"The matter of 'advance indents' for Railway stores is receiving careful consideration. The Government are in full sympathy with the object aimed at by the Committee."

Even in last year's Public Accounts Committee we found that orders for locomotives were placed in London without the knowledge of the Finance Department, or without the sanction of the Standing Finance Committee for Railways. The Honourable Sir George Schuster, as the Chairman, felt surprised at these commitments.

Of course, I do not blame my Honourable friend, Mr. Parsons, for everything, because Mr. Sim was in charge for a certain period.

Then, Sir, I will refer to another matter. The total capital expenditure in 1923-24 proved to be only 23 crores, against a grant of 41½ crores. They spent only 23 crores and 18½ crores were the surplus, and in that

year the working expenses were so over-estimated that there was a surplus of two crores in the working expenditure. So the Government order said:

"The Governor General in Council regrets the wide divergence between the actual expenditure of the year and the estimates."

Further on it says:

"As pointed out by the Committee, the most serious divergence was under Railways, where there was a saving of 2 crores under Revenue expenditure and 18 crores under Capital expenditure."

Well, whatever order the Government of India passed, I think the Railway Board might show their fingers to the Government of India, because the Railway Board are not amenable to the control of the Government of India. They are committed to a policy of heavy capital expenditure—that is what the European Chambers of Commerce, the Associated Chambers of Commerce and all these Chambers say. That has been the policy of the Railway Board, and that has been going on till we have come to the deficit which the Honourable the Railway Member read out to us this year. Sir, I do not mean to say that the Financial Commissioner is appropriating too much power to himself, but yet cases have happened when we had to discuss the power of the Financial Commissioner in the Public Accounts Committee. We had to question him about his interference in the matter of new services. We had also to make a recommendation to the Governor General in Council regarding "New Services" as interpreted by the Railway Board; the Governor General in Council had to consult the Secretary of State for India over that matter, and orders have been passed that no expenditure on a new service can be undertaken without a token cut before the Assembly and without the permission of this House. Sir, it usually happened that the Honourable Mr. Parsons, with his two crores surplus money, could easily find finance for the survey of the Kangra Valley Railway or a similar project to the extent of a few thousand rupees. Well, if that sum of Rs. 1,000 is granted, afterwards when Mr. Parsons comes before the Standing Finance Committee,—my friends Messrs. Aney and Jamnadas Mehta might have been absent on that occasion,—but my friends Mr. Fazal Ibrahim Rahimtulla and Haji Chaudhury Ismail Khan would be there who usually think, "Oh, Mr. Parsons is a nice fellow" and Sir, they sanction the expenditure, thinking that it is only an expenditure of Rs. 1,000, but afterwards it would be seen that the expenditure has come to over 3½ crores.

Again, Sir, I have to mention the name of Sir Malcolm Hailey, now His Excellency Sir Malcolm Hailey, because he insisted that the Kangra Valley Railway should be built for political reasons, of course and yet, for an expenditure of over 3 crores the Punjab Government would only guarantee towards interests Rs. 4 lakhs per annum for 13 years. That means for the mistakes and follies of the Provincial Governments and Provincial Governors the taxpayer of the whole country should suffer and the Railway Budget becomes a deficit Budget.

(At this stage the Honourable Member paused to consult some notes.)

Mr. President: Does the Honourable Member (turning to the Honourable the Railway Member) wish to say anything in reply?

Mr. B. Das: Sir, I have not yet finished. I will take about twenty minutes more. (*Some Honourable Members:* "No, no.") Sir, I am in a minority here. This is a matter of great national importance. There are some sleeping Members of the Railway Committee on the separation convention, who have done no work for one year. Let them stand up and reply as to why they have not done any work. You can say "No, no" to me. But why have you not done your work for one year? We are sent there to look after the taxpayer's interests.

Regarding the capital expenditure on the railways, I would again allude to it for a moment. We did give a hundred crores of rupees from the taxpayer's money to meet the deficit income to pay the guaranteed interest in the old days. If the Railway Member will admit that debt to the taxpayer and pay us at least $3\frac{1}{2}$ per cent. interest, the taxpayer is entitled to get $3\frac{1}{2}$ crores of rupees every year. Let me forego the interest up to date that has not been paid to the Indian revenues so far. Well, that 100 crores of rupees has been allowed to lapse, and the capital estimate of the railways was fixed at the time of separation at 400 crores and odd. Sir, the Honourable the Finance Member, a few minutes ago, observed that we are going through hard times. I do not mean this year, it may be next year that the Honourable the Finance Member may meet with a heavy deficit and may not have any money to fall back on. I consider he will have to fall back on the Railway Reserve, otherwise he will do the worst thing for India; he would double the salt tax, which will mean the poor man will go without his salt. Why should it be so? The railways have thrived in the past through the taxpayer's money. So if there is any money accumulated in the Reserve the Finance Member must avail himself of that money instead of taxing the poor man again.

To tax salt is the most unreasonable and cruel thing to do.

1 P.M. My friend, Dr. Ziauddin Ahmad, did not know that since the separation convention, the Agents have got very wide powers. Formerly they were allowed to spend only a few lakhs. Today any Agent can spend up to 50 lakhs or a crore. They are a happy family. The Railway Members and the Engineer members control the whole thing. I as an engineer know what it is. Those of us who can recollect our old friend, Sir Clement Hindley, know how rude an engineer could be. Sir, he used to say on the floor of this House during discussion of Railway Budgets that he wanted only advice from us. He did not think that the Assembly had any control over the railways! He never thought that we were masters and that we were here to control the Railway Administration. He said, "If you want to give me advice, I will listen to you, otherwise I do not care". That was his temperament. That is the temper of the European railway engineer. It does not matter whether it is Sir Clement Hindley or Mr. Russell, who comes from the Great Indian Peninsula Railway, which was until recently a Company-managed railway. *Is your spirit Indian or British?* That is what we have to see. If Mr. Neogy takes his motion to a division, I know that only he, myself and Mr. K. C. Roy will go into the same lobby with him. (*Mr. K. C. Neogy:* "I will get many supporters.") We offer these criticisms with a view to help the Honourable the Finance Member and the Railway Member and also those sleepy Members of the convention on the non-official side who have not done their duty so far.

One more point. The Lee Commission Report never contemplated that the Lee concessions should be given to railway officers. They have been given not only to Europeans but also to Anglo-Indians. I ask Sir George Rainy who was once President of the Tariff Board. He is supposed to dabble in figures too much. Since 1924, there has been a clamour for more and more pay. Is it not time that the salaries of the Europeans were reduced? The prices have fallen very much since 1922. Will Government revise the scale of salary and special allowances of European officers? Let my friend the Railway Member draw a little less in allowance and let this discriminating Lee concession be done away with. At least, the index of prices justify such reduction.

Now, Sir, I only want to give a few suggestions to Government, if they really wish to work the convention which was to be established in a real spirit of service to India and to which some of us only gave a half hearted support at the time. Sir, (1) I would suggest that a technical Member of the Railway Board should be in future a Member of this House to answer questions on the technical side, and my Honourable friend, Mr. Parsons, should only deal with financial questions. (2) I suggest that the Railway Board's minutes of discussions should be published and put before the Standing Finance Committee for the Railways and in the Library. (3) I further suggest that the Railway Standing Finance Committee should be elected only by the non-official Members of this House, and that the Railway Member and the Financial Commissioner should be Members by their own right. (4) The Agent's power of large expenditure should be curtailed and it should be limited to a maximum of 5 to 10 lakhs. (5) My next suggestion is that, when the Assembly is sitting or whenever it be possible, a non-official member of the Standing Railway Finance Committee should attend every meeting of the Railway Board, if he is in the locality or such members can attend by rotation. For this purpose, they should be treated, by their own right, as honorary Members of the Railway Board. I further suggest that there should be immediately established a Rates Tribunal. There is no use in quoting paragraphs from the Acworth Committee and saying that the Acworth Committee said so and so when that most important recommendation has not been given effect to. We are tired of the Advisory Committees and so I condemn the Rates Advisory Committee.

Sir, I am sorry for speaking long and taking the time of the House. The subject is of vital importance to India; hence my excuse. With these words I support my friend Mr. Neogy's motion.

Khan Bahadur Sarfaraz Hussain Khan, (Patna and Chota Nagpur *cum* Orissa: Muhammadan): I do not understand why we should now go into this question of the separation of the Railway Budget from the General Budget. The time for going into the larger question in connection with the constitutional reforms is very close when all these matters will be taken up and discussed. Sufficient time has not been allowed for the working of the convention. In these circumstances I may be permitted to ask my friend, Mr. Neogy, to withdraw his motion and, if he does not see his way to do it, not to press it. The matter has been talked out and I am sure the Honourable the Railway Member will give full attention to all these things.

Mr. A. A. L. Parsons (Financial Commissioner, Railways): Sir, my Honourable friend, Mr. Das, appears to me to have reviewed almost the whole field of railway activity and to have found it almost entirely bad. I wish he had been able to show a little more of that spirit of leniency for which Sir Purshotamdas Thakurdas made a plea, or even a little more of that judicial attitude, which, I noticed at the time of the general discussion, was displayed by the Honourable Member sitting near him, Mr. Gaya Prasad Singh. If I may interject, I should like to thank Mr. Gaya Prasad Singh for the generous spirit in which he made his remarks about the Bengal and North Western Railway, and I can assure him that the point of criticism will never be lost on the Railway Board when their critic is eminently fair. Sir, I do not wish to follow Mr. Das in his review at this stage of the debate, nor can I deal with the suggestions which he has made for the betterment in his view of the present state of affairs, except for the one suggestion that another Member of the Railway Board should be nominated as a Member of this House in order to deal with technical questions. Personally, I would welcome that suggestion very much, for it would relieve me of some work, though I am not sure that the whole of this Government Bench can be tenanted by people from the Department to which I happen to belong! I do, however, wish to mention this suggestion because, to my mind, it is relevant to the criticism that possibly, when the Financial Commissioner has been for some time in the Railway Department, he becomes more a railway officer than a financial officer. I think that view is taken partly on account of the fact that in a great many of his public appearances the Financial Commissioner of Railways has to speak on, support and defend activities of, the Railway Department on other sides of their administration than the financial, and therefore naturally there is a tendency to think that his financial duties are taking a second place. That, if I may say so, from my own personal experience, is not so.

My chief object in rising at this stage is to reply to one or two points that have been raised by Members since the Honourable the Finance Member spoke. I should like first to deal with the speech of Mr. K. C. Roy, who appears still to be in some doubt as to what the position of the Financial Commissioner of Railways is. Admittedly, and for reasons that were given in the Acworth Committee's Report, there is no position exactly corresponding to it in the other Departments of the Government of India. But the position in itself is perfectly clear. The Acworth Committee recommended, in paragraph 58 of their Report, two radical reforms; they stated that the essence of their reforms was contained in two things, one, the complete separation of the Railway Budget from the General Budget of the country, and, two, the emancipation of the railway management from the control of the Finance Department. Except on one point, I do not propose to deal with the separation of the Railway Budget. As the House is aware, what has been accomplished is not a separation of the Railway Budget, but a partial separation of the railway accounts and Budget. The only point to which I wish to refer is one mentioned by Mr. Roy. We have again consulted the Legislative Department, who have informed us, as indeed we knew before, that our procedure with regard to the presentation of the Railway Budget is perfectly regular; that procedure is to obtain the authority of the Governor General for the presentation of the Budget by the Railway Member in this House and by the Chief Commissioner in another place. And the legal position is that, though there

is separate presentation, the Budget is still one undivided whole, though it is presented in two parts. As the House is aware, the main railway figures still appear in the General Budget.

I turn now to the position of the Financial Commissioner. There, again, the recommendation of the Acworth Committee has not been wholly accepted. The position of the Financial Commissioner has always been, first of all, *vis-a-vis* the Finance Department, that the Railway Department is bound to consult the Finance Department on any matter affecting the general ways and means position of the Government of India, and in practice, of course, the duty of seeing that they are so consulted falls on the Financial Commissioner. The position of the Financial Commissioner *vis-a-vis* the Finance Member has always been that the Finance Member can direct him to submit any case or any class of cases to him, in fact, can deal with him in this respect exactly as he deals with the Finance Secretary on the general side of the Government of India. And here I will interpose a remark on something said by Mr. Neogy. The Financial Commissioner does not exercise powers in excess of those of the Government of India. The powers of the Government of India are greater in Railway matter than in other matters, but the Financial Commissioner does not exercise powers which are in excess of those conferred upon the Government of India. If he did so, he would be very soon called to account by the Secretary of State.

Mr. K. C. Roy: Might I ask if the Financial Commissioner is not allowed the same access to the Viceroy as is the case with the Secretaries of the Government of India?

Mr. A. A. L. Parsons: No, it has never been claimed that the position of the Financial Commissioner is exactly the same as that of the Finance Secretary. In answer to a question given by the Honourable the Railway Member a few days ago, the position was only described as more closely corresponding to that of the Finance Secretary.

Mr. K. C. Roy: In a case of difference between the Financial Commissioner of Railways and the Finance Member, who goes to the Viceroy for orders?

Mr. A. A. L. Parsons: That entirely depends upon the Department to which the case belongs. If it happened to belong to the Railway Department, the case would be taken by the Secretary in the Railway Department who is the Chief Commissioner. Mr. Roy also charged the Railways on the ground that the financial results of the separation have not been good. Here, if I may say so, I wish he had followed the example of my Honourable friend, Pandit Hirday Nath Kunzru. Mr. Roy took the figures of the best year the Railways ever had since to separation, namely, the year when there was a surplus of about 13 crores

Mr. K. C. Roy: I took the figures from Mr. Jukes' note.

Mr. A. A. L. Parsons: And compared them with the figures of the revised estimates for this year which, as the House is aware, has been a thoroughly disappointing one. That is not a fair method of comparison, because railway receipts are bound in all countries of the world, and particularly in this country, to go up and down in various years. Mr. Kunzru very fairly chose a year which was a fair average year, namely, 1925-26,

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and what we are anticipating next year, and made his comparison on those figures. I do not entirely agree with what Pandit Hirday Nath Kunzru said about those figures, but I do not think this is the time to analyse them. I do anyhow agree with him that they justify our pausing before we again begin to incur capital commitments on a large scale.

Several Members have charged us with extravagance in certain remodeling schemes, and in the construction of the Kalyan Power House. I am afraid the present moment is hardly the time at which to deal with these particular matters, particularly as I have not got the details of the schemes nor the exact figures with me. Speaking from memory, I am doubtful whether the figures quoted by Dr. Ziauddin Ahmad with regard to the Cawnpore remodelling are correct. That is all, Sir, I wish to say on the points raised since the other Members on behalf of the Government spoke.

Mr. M. S. Aney: Sir, ordinarily, I would not have intervened in this debate at all but for the repeated reference made by my Honourable friend Mr. Das to the non-official Members of the Convention Committee having been sleeping all the time. At least during his speech I was not sleeping and this House will admit that.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Now you are awake.

Mr. M. S. Aney: I have been wide awake all the while. That is what I want to say. My point is this. I do not know whether my Honourable friend, Mr. Das, really followed the whole story which the Honourable Sir George Rainy narrated regarding the formation of this Convention Committee of this House and how that Convention Committee has gone into a sub-committee and how, owing to the complexity of the nature of the subjects before them, that Committee has not been in a position to come to any conclusion up to this time. The real difficulty as regards the motion before us is this. The Honourable Member raises a question to which nobody can take any exception, that is the re-examination of the convention regarding the separation of the Railway finance and General finance. As a matter of fact this House has already agreed to the question of examination. It has appointed a Committee for that purpose and the Committee has been sitting, of course, not as regularly as it should have, but the difficulties were not at any rate on the side of the non-official Members or their unwillingness to work on that Committee, but the difficulties were of a different nature. Members on the other side that is official Members have not yet been able to make up their minds as regards the points which they must take into consideration before they can make any recommendation to modify the present convention. Whether the official members of the Committee were sleeping or whether they did not want this Committee to do anything at all, I cannot say. The position is this. Whenever we met, they did not find sufficient time to carry on the discussion on the points which we, the non-official Members, raised. When the whole Committee met twice or thrice, it was soon found that it was necessary to appoint a sub-committee and first settle the points which should be discussed by the general Committee. Then, of course, we succeeded to this extent. The terms of reference were prepared and 17 points have been jotted down as essential for the Committee to consider.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): When was that?

Mr. M. S. Aney: That was done some time in March, 1929. Last time the sub-committee met in Bombay, if I remember aright. We met there and then at that time the discussion turned on the point, namely, whether there was any statement made on behalf of the Railway Board before the Simon Commission at all and if so, what stand the Railway Board took with regard to the constitutional status of the Railways before that Commission. If they had taken that point, it was up to the Committee to know it, before they could proceed further with that work. There was a good deal of discussion on that point and no further information was vouchsafed on that point and the matter ended there. After that day, I believe, I am right in saying, no further meeting of that sub-committee was convened at all and the matter stands there.

Mr. A. H. Ghuznavi: Because the Honourable Sir George Schuster was away.

Mr. M. S. Aney: Yes; nothing could be done in his absence. Now, Sir George Schuster is here and probably, I believe, this sub-committee might meet before we disperse from Delhi. That is the position in which the sub-committee stands today. If this sub-committee's work is over, then there will be something for the general Committee to do. It is true the questions are of a complex nature. Although I differ from my Honourable friend, Mr. Neogy, as regards the fundamental point, namely, whether the separation should be scrapped—on that point I have not much doubt in my mind—I entirely agree with him in regard to inquiry on the necessity of re-examination of the convention. Whether the conditions under which the separation up to this time have been worked require to be further modified in the interests of the tightening up of the popular control over the financial affairs of the Railway Board or not is a point on which I and most of my non-official colleagues hold very strong views, and those who have read these terms of reference will find that they are sufficiently comprehensive to include all points to enable the non-official Members to introduce at least some conditions to establish greater popular control over the Railway Administration. The Committee will undoubtedly discuss that aspect of the problem, so that this Committee, if it completes its labours within a reasonable time, may be in a position to place popular control on a more firm and effective basis than what it is on today. I do admit that there is extravagance in the Railway Administration, I do admit that the existing arrangements do not enable us to have sufficient time to study the various plans and estimates that are placed before us, I do admit all these things, but these are defects in the system and these defects can be cured without changing the fundamental thing, namely, the keeping of the two finances apart from each other. It is not necessary to pool the two finances together. In fact it has been expressly admitted that it is not real separation of the two finances at all, it is merely a separation of the accounts only. These two accounts might be kept apart and yet popular control can be properly tightened up if the bodies which are associated with the work of the Railway Administration today, namely, bodies elected by this House, such as, the Standing Finance Committee and the Central Advisory Council for Railways, are placed on a statutory basis and their functions properly specified. Today the position is this; nobody

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knows exactly what the powers of the Standing Finance Committee are; nobody knows what the functions of the Central Advisory Council are.

Mr. B. Das: None.

Mr. M. S. Aney: None, precisely. It is only such work as is placed before the Standing Finance Committee that has to be discussed within the time allotted to them. In the Central Advisory Council, we have to formulate our position, on proposals placed before us and all that we do is by way of advise to the Railway Board. They are now doing everything on their own responsibility. That is where the matter stands. How these powers can be properly specified; whether an amendment of the Railway Act itself becomes necessary or not for this purpose; all these are matters which are to be considered by the convention Committee. The Committee is there. The non-official Members are not sleeping, and they do not want to sleep. The question is what will be the proper and convenient time for the Government Members to convene meetings and have the work done. I do not know if the present discussion will at least serve the purpose, namely, of impressing upon the Government the necessity of expediting the work of that Convention Committee, and if it does that, then I think the discussion may be taken to have served a very useful purpose. From that point of view, I endorse the suggestion in the motion of my Honourable friend, but I cannot accept the central suggestion made by my Honourable friend in the course of his speech, namely, to do away with the separation altogether.

Pandit Hirday Nath Kunzru (Agra Division : Non-Muhammadan Rural): That is not the motion.

Mr. M. S. Aney: Yes, I know, the motion is not that, but the arguments used in support of the motion tend to show that he wants to do away with the separation. Though he has not worded the motion to that effect, yet by his arguments, he mainly supported the point of view of separation. So far as the motion is concerned, in fact the House has already agreed to it and the Government Members cannot express their dissent from that motion as the Committee has been appointed with their full consent for the examination of this very thing. If this motion is only intended to expedite or accelerate the thing, I believe the Government cannot oppose this motion. Therefore, I find that, although I disagree with some of the arguments advanced by my Honourable friend, I quite agree as to the urgency of the examination of this question and as to getting the work of the Convention Committee expedited without any further delay.

Pandit Hirday Nath Kunzru: Sir, the general impression created by the speech of my Honourable friend, Sir Purshotamdas Thakurdas, was that most of the important questions before the Committee could not be decided without knowing the constitutional changes that we all expected would soon come about. Do Government propose, in these circumstances, that the Committee should set to work and produce its report speedily, or have the Government come to the conclusion in their minds that the Committee is dead? That is the main point on which we require an explanation, and from that point of view, I do not think that the motion of my Honourable friend, Mr. Neogy, is out of place. It is strange that on this point, neither the Honourable Sir George Rainy nor Mr. Parsons gave

any reply at all. Indeed the other day when a question was put to my Honourable friend, Sir George Rainy, with regard to the work of the Committee, I believe, he told us that it had met only thrice. When asked further as to the reasons why the Committee had not met more frequently during the last fifteen months since its appointment, he deprecated any further questions being put and said that, in his opinion, it was not advisable that the matter should be pursued any further. It was left to my Honourable friend, Sir Purshotamdas Thakurdas, to make plain to us the reasons.

The Honourable Sir George Rainy: I think the Honourable Member must be speaking under a misapprehension. What Sir Purshotamdas Thakurdas said today was with reference to what I said in my speech this morning. I dealt fully with the matter but possibly the Honourable Member was not present then.

Pandit Hirday Nath Kunzru: I was present throughout. If the Honourable Member thinks that he said anything today which might in any way be regarded as not putting a stop to the work of the Committee. I should be very glad if he would reconcile his position today with what it was some time ago. But the reply which he himself gave to some supplementary questions the other day and to which I have already referred did create a great deal of uneasiness. I think therefore that it is up to Government to assure us that the Committee that has been appointed will set to work immediately and will produce its report without any avoidable delay.

The second point, Sir, on which I should have liked Government to throw more light was the position of the Financial Commissioner. Honourable Members on the other side know that exception has been taken to the fact that the Financial Commissioner is not a purely financial officer. My Honourable friend, Sir George Rainy, objected to his being called the other day a Member of the Railway Board. Technically, Sir, he may not be a Member of the Railway Board, but practically, as Sir George Rainy himself admitted, the Financial Commissioner is concerned not merely with financial questions but also with administrative questions. It is also clear from the reply which Sir George Rainy gave to a question of mine, that the Financial Commissioner is, except in regard to questions of a financial nature, under the control of the Chief Commissioner of Railways. We should like to know,—because this is a matter of great importance,—whether the duties of the Financial Commissioner are purely financial or in any way executive or administrative; for I confess I do not quite clearly understand how it is that the Financial Commissioner comes in any matter under the control of the Chief Commissioner of Railways. The main point, however, is whether the Financial Commissioner of Railways is to be an independent financial officer; whether the system that is followed in regard to the Railway Board should be the same as is followed in the Army and the Postal and Telegraph Departments, or whether a different method should be followed and the present practice should be continued. Government have yet to convince us that the Financial Commissioner should take part in the discussion of administrative questions and thus identify himself with the Railway Board.

[Pandit Hirday Nath Kunzru.]

the promise then given by the Government has not been fulfilled. Government would be incurring a very serious responsibility indeed if they act again in the manner in which they acted in the past. We have been reminded, Sir, that we are on the eve of great constitutional changes, and I take it that one of the inevitable results of those constitutional changes would be the greater amenability of the Government of India to the control of the popular representatives. It is up to the Government, even before the new constitution is settled, to act in the spirit of the changes that they know will soon come about, whatever the volume of opposition may be amongst our critics in this country or amongst people elsewhere. I trust, Sir, that when this question comes up for consideration, Government will bear the wishes of this House in mind and fulfil, even though in a belated manner, the undertaking, the practical undertaking, which they gave about six years ago.

Mr. President: The question is:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was negatived.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair.

Relations of Railways with their Customers.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I do not propose to move motions Nos. 7 to 11. Therefore I come to No. 12. I move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

I want to discuss the relations subsisting between the Railway Administration and its customers. A commercial undertaking is primarily to be judged on the results as shown in its financial statement and the balance sheet; but when that commercial undertaking represents a public utility service, certainly its results can also be criticised from the point of view as to how far it satisfied the primary conditions of a useful public utility service. During past years on such occasions Honourable Members have related their personal experiences in regard to the grievances of passengers who have to travel over the Indian railway system. My present intention is not to relate to this House any personal experience at all. I intend to refer to three cases, recent cases, which were decided by competent courts of law, and I want to give to this House the opinions of judicial officers on the actions of the subordinate employees of the Railway Department in relation to the commercial community and the passenger public. The first case to which I would refer is one which has recently been decided in the Calcutta High Court. This suit was brought by one Muhammad Shamsul Haq against the Secretary of State. This gentleman, it appears, is a hide merchant. He was sent a consignment of raw skins, and on July 2, 1927, he went to take delivery of the goods. I may say that this case relates to the East Indian Railway. It was discovered, when he made the application for delivery of the goods, that one of the bundles appeared to be different and

was three seers short in weight. The Railway authorities thereupon refused to deliver the goods to this consignee, and he was told on August 22, 1928, that is, more than a year after the consignment had arrived, that it was available for delivery. I am giving the facts very briefly. The consignee stated that, the goods being perishable goods, they had become absolutely worthless then, and he was not going to take delivery of them, and thereafter he brought a suit against the East Indian Railway. I will now give a few extracts from the judgment of the Calcutta High Court on this particular case. This is what the learned Judge stated:

"His lordship confessed that he did not know whether he was most astonished by the course taken by the Railway authorities, or those who advised the Secretary of State . . . The railway authorities not only broke their contract as carriers of the goods and committed a tort on delivery, but were guilty of conversion of the petitioner's goods."

Then again;

"Every step taken by the railway official was as improper and illegal as it well could be, but far from being apologetic for their irregular and high-handed behaviour, they had sought to escape from their just liability by raising the plea that they had not received notice of claim as required by section 77 . . ."

—a technical plea which the railway authorities had set up in defence of their action. His lordship emphasised this particular point towards the end of the judgment. He said:

"I repeat I am surprised at the attitude adopted by those who have advised the Secretary of State. A great disservice has been done to the Government by involving them in a conduct such as is disclosed in this case. The complainant delivered his goods to the Railway Administration and he paid the freight. It is not suggested that he had been at fault in any way. His goods have been rendered worthless owing to the conduct of the railway officials acting as they suggest under the orders of the police. The object of section 77 is to protect the State against possible dishonest claims. It is intended as a weapon of defence against fraud, but not as a means to enable the railway authorities to deprive their customers of their just dues. Owing to what the Railway Administration and the Government must now realise was a series of blunders and illegal acts on the part of their official, the petitioner has lost both his goods and his money. The loss is admitted and in these circumstances I should have thought that the most urgent desire of those in authority would have been to make amends and not shelter themselves behind technical pleas in their endeavours to escape liability."

I do not remember, Sir, to have seen any stronger strictures having been passed by any High Court in India in such a case. I do not know whether it is the East Indian Railway authorities who alone are to blame, or whether the Railway Board are expected to share some amount of responsibility for the individual railways when a suit like this is brought in the name of the Secretary of State and is fought out to a finish as it has been in this particular case.

Now, Sir, the next case to which I want to refer relates to an incident

which created some amount of sensation in Calcutta very recently. A very well-known publicist of Calcutta, named Mr. Roy Chowdhury, was travelling with his family over the Khulna section of the Eastern Bengal Railway. At a station called Bongaon they got down, and along with other passengers changed into an empty carriage, which usually goes to Calcutta, as so and so Down. It happened, however, that on that particular occasion this rake was ordered to be detained at Bongaon and another train was to start for Calcutta from another platform. This sudden change in the train arrangements was not communicated to the passengers beforehand and consequently the passengers were put to a good deal of inconvenience; and when they went to the Assistant Station Master on duty to ascertain the real state of things, they were

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“savagely treated” by that official and to add insult to injury, Mr. Roy Chowdhury, who was the spokesman of the passengers there was prosecuted under section 504 of the Indian Penal Code and section 120 of the Railway Act. Now, Sir, let us come to the judicial decision in this particular case. The trying Magistrate held that the passengers had a genuine grievance, and that the station officials were entirely responsible for the inconvenience of the passengers and that the conduct of the accused, Mr. Roy Chowdhury, amounted to nothing more than a representation of a legitimate grievance and entreaties for the redress of that grievance. It goes without saying that this gentleman was acquitted honourably by the Magistrate; but what is more, it appears that in cross-examination the Assistant Station Master stated that he was not really displeased with the conduct of the accused, (laughter) but that he brought the case only as an excuse for the delay in starting the train for which he was liable to censure. Sir, look at the trouble and humiliation to which this respectable gentleman was put simply because the Assistant Station Master thought that he might as well prosecute him in order to escape the liability of explaining a little delay in starting a train. I do not suppose that Honourable Members opposite will be disposed to defend the conduct of their subordinates in this particular case.

The third case, which has also created some sort of sensation, relates to the East Indian Railway. This was a case in which the President of the Congress Committee, Gondia, had to pull the communication cord for the purpose of stopping the train when he found, on going to the lavatory, that there was no water supply in the lavatory. He was travelling third class, as many prominent Congressmen do. He was prosecuted under section 108 of the Railways Act for pulling the chain at Jumna Bridge Station near Agra and this is what the trying Magistrate has found: he found that the accused was perfectly justified in pulling the communication chain under the circumstances of the case, and so acquitted the accused. The Magistrate further passed a sort of censure on the action of the railway authorities, especially the Station Master and guard at the Jumna Bridge Station, and a platform inspector at Tundla station, as in the opinion of the Magistrate it was their legal duty to supply water to the accused, and they had no business to put him in custody, which was probably due to the fact that the accused had published complaints against the railway staff at Tundla in the local weekly called the *Sainik*. That is to say, they were on the look out for an opportunity of punishing him for the dire offence which he committed of criticising the local railway authorities in a vernacular newspaper. This is what the Magistrate found upon a consideration of the evidence. It seems that the accused in this particular case is contemplating further civil action against the railway authorities, and perhaps the Honourable Member will hear more about it in future.

But, Sir, for every three cases which I have drawn attention to in this House, there must be three thousand which never come to public notice. It is a great curse on this country that every little official, whatever his station may be, considers himself to be a pocket edition of His Majesty George V. So far as the Railway Department goes, I can speak from my own personal impression that most of the officials who are in charge of railway stations and platforms, consider that it is an act of great condescension on their part to allow the public to travel by railway trains. I remember to have seen, at least on one occasion, an official dressed in very

fine uniform at the Howrah station flourishing his cane, striking the floor occasionally with it, hurling abuse on the people because there was a large crowd on the platform on that occasion—hurling abuse as the best means of regulating the crowd. It is not my desire to relate any personal experiences on this occasion; but if I were to relate some of them I could give instances in which the railway officials have been guilty of the grossest amount of discourtesy and could be hauled up even before the courts for what they did, if only the Indian public were not so tolerant as they are in these matters. Our besetting sin is to put up with these inconveniences and insults and that is what constitutes the greatest security of the Railway Department.

Maulvi Mohammad Shafee Daoodi (Tirhut Division: Muhammadan): Sir, I have heard my friend, Mr. Neogy, speaking about the inconveniences and troubles which are experienced by the travelling public as well as the commercial public on this side of the Ganges. But, if I may say so, the trouble is far greater; it is of every day occurrence in the country on the north side of the Ganges, I mean where the Bengal and North Western Railway and the Assam Bengal Railway run their lines. On that side I have seen no railway servant who is polite to a third class passenger.

An Honourable Member: Are they polite to first and second class passengers?

Maulvi Mohammad Shafee Daoodi: Of course they see the person: if the first or second class passenger is a European they are bound to be polite; but when they find that it is an Indian, and especially one who is not educated in English, then there is no chance for him for getting any good treatment at the hands of the railway servants. The traders in that part of the country—I am speaking of that part of the country because I have got experience of that only—cannot get any hearing. They are generally uneducated, but they know their business very well. They do not know the language, and so they are treated as if they were so many cattle. It has come to my lot to find them treated like that, and I have devoted my time to go to the Station Master and ask him as to why the state of things is so bad under his administration. (*An Honourable Member:* “Quote an instance”.) Even then I find they do not care for my interference. They would of course hear me and try to do something, but as a rule the treatment meted out to the passengers is very very bad. I would therefore appeal to the Honourable the Railway Member, who has been in that part of the country, who has passed his days in that part of the country as Collector of the district, to see that the uneducated people are not treated so badly by the railway servants. He has got a sympathetic heart, I know, and for that reason he will certainly be feeling more for the people of that description. I would therefore ask the Honourable Member for Railways kindly to look into these matters and mend the unsatisfactory state of affairs. I believe it was last year that I saw a notice hung up at all the stations telling the railway servants that any incivility on their part would be severely dealt with. That has been done, I know, but it has been done only recently, say during the last one or two years, but I feel, Sir, that much more scrutiny is required and greater care should be taken to enforce good treatment to the travelling public.

The Honourable Sir George Rainy: Sir, the first case alluded to by my Honourable friend, Mr. Neogy, the civil suit by Mr. Shamsul Haq, had already attracted my attention from the report which appeared in the

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Statesman and it struck me at once that we ought to make inquiries, because, as Mr. Neogy has pointed out, the comments of the Judge were extremely severe, and it seemed to me that it was desirable that inquiries should be made promptly. I should like to point out, however, that because the learned Judge referred to the advisers of the Secretary of State, it does not in the least follow that the case has at any stage been before the Railway Board, because any civil suit in which the East Indian Railway is concerned must be brought in the name of the Secretary of State, since the whole property is vested in him, and the adviser of the Secretary of State may have been the solicitor or the counsel employed by the East Indian Railway in Calcutta. As regards the other two cases, I had not noticed them, and I shall be very grateful if the Honourable Member will let us have a brief note about each of them so that we may be in a position to institute inquiries promptly.

The Honourable Member said that these were only three cases, but he feared there might be 3,000 cases going all over the country. I had hoped that in these matters things were gradually getting better, because there can be only one desire amongst all Members of this House, on whichever side of the House we may sit, and that is to ensure to passengers reasonable and courteous treatment and to prevent bullying and improper action by railway officers. The difficulty is to know what precise measures can be taken which will bring about the desired results.

I was sorry to hear from my Honourable friend, Mr. Mohammad Shafee, of the state of things which he says exists now north of the Ganges, a part of the country with which I am very well acquainted. One point occurred to me when he was speaking. I do not know whether he has ever written to the Agent to bring to his notice a concrete case. Obviously, he has taken a keen personal interest in the matter, and I think it would be desirable that, when he finds a really bad case, he should write to the Agent direct and ask him to take action

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Agents do not care to reply.

The Honourable Sir George Rainy: One of the difficulties is that sometimes these cases do not come to the notice of the higher authorities, and I should be perfectly prepared to write to the Agent myself, send him a copy of what I have said in this House and tell him that, when complaints are made to him by persons whom he knows to be respectable persons, he should make a real effort to make the subordinate staff understand that it is their business, as far as they can, to attend to the needs of passengers and assist them, and not to obstruct them or bully them. I hope that that will show, at any rate, that we are anxious to do what we can to bring to an end a state of things which we all unanimously deplore.

Mr. President: The question is:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was negatived.

Indianisation of the Staff of Railways.

Mr. K. C. Neogy: Sir, I beg to move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

If you will permit me, I will combine the three points in Nos. 13, 14 and 15 for the sake of economy of time and speak on the question of Indianisation generally.

Mr. President: Indianisation generally?

Mr. K. C. Neogy: Yes, Sir. It is not my intention to make a long speech. I feel that I have already been responsible for taking up a long time, but I am

Mr. President: Is there no other cut on Indianisation later down on the list?

Mr. K. C. Neogy: I believe there is

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): If you will kindly turn to page 3, you will find that there is a motion by me for a cut, and that deals with racial discrimination.

The Honourable Sir George Rainy: May I point out, Sir, that No. 30 (Racial Discrimination) is not necessarily the same thing as Indianisation?

Munshi Iswar Saran: Indianisation is part of racial discrimination.

Mr. K. C. Neogy: Sir, it will be very difficult to keep out racial discrimination from Indianisation, and we are bound to have that point brought in once again when you come to

Mr. President: Very well. Let the whole question of Indianisation be discussed on Racial discrimination.

Failure of the Railway Board to settle Labour Problems and the Great Indian Peninsula Railway Labour Troubles.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I beg to give notice of the motion to discuss the question of the Great Indian Peninsula Railway troubles. I have reason to believe that the Railway Member will be approached by a deputation from the Railwaymen's Federation at an early date, and in these circumstances I do not.

Mr. President: Order, order. If the Honourable Member does not wish to move his motion, he should not make a speech.

Mr. B. Das: One sentence more, Sir.

Mr. President: Order, order. The Honourable Member is not entitled to make a statement if he does not make the motion.

Mr. President: The next motion, Mr. B. Das.

Mr. B. Das: I will move my motion, Sir, that the Demand under the head 'Railway Board' be reduced by Rs. 100.

Mr. A. M. Hayman (Railway Board: Nominated Official): On a point of order, Sir. Did you not just rule that we should pass on to the next motion?

Mr. B. Das: You must have mercy on this particular question, because it has attracted the attention of the whole country. I have reason to believe that the Railway Board was approached by the Railwaymen's Federation and that at an early date.

Mr. President: Order, order. The Honourable Member is not entitled to make a statement if he does not wish to move the motion.

Non-development of Railway Communications in Orissa.

Mr. B. Das: I beg to move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

In the budget estimate of 1927-28, the Railway Board proposed the survey of the following railway lines in Orissa:

Berhampore-Russelkonda,
Bhadrak-Chandbali,
Jagatpur-Kendrapara,
Jajpur Road-Jajpur, and
Rayagudda-Sasahandi-Jogdalpur.

After some time, Government thought of retrenchment. They did survey these lines and spend a little money. It was shown in the Pink Book of the Bengal Nagpur Railway Budget of that year that the actual construction of these lines would be taken up in the year 1928-29. Then the subject was entirely dropped. I do not know whether it was due to a policy of retrenchment on the part of the Railway Board or whether it was the policy to deny the people of Orissa proper communication. Although money is found for the development of railways, though at a loss in other provinces, I find that my sub-province has so far been denied the pleasure of having adequate railway communications. The former Railway Member, Sir Charles Innes, once told us that some of the lines would be taken up soon besides the Cuttack-Talcher-Sambalpur line which will form the central communication of natural Orissa. But he was always in love with the Madras Presidency. He developed the Vizagapatam-Raipur line and neglected the Orissa communications. When the people in Orissa heard, in 1927, that these lines would be constructed, they were happy. The whole trouble is that the European Chamber of Commerce in Calcutta and the Bengal Nagpur Railway itself do not like the construction of these lines to be taken up because that will short circuit the traffic on the Bengal Nagpur Railway and interfere with its profits, although the British India Steam Navigation Company will get increased profit by increased coastal trade and traffic. If my Honourable friend, Mr. Parsons, brings forward the argument that such lines will not pay, I will point out to him cases where crores and crores of rupees have been spent, which cannot bring in more than 3½ per cent. My part of the country is frequently affected by floods and scarcity and I would ask the Honourable the Railway Member to consider the question of developing communications in Orissa, which is badly in need of them.

Mr. A. A. L. Parsons: To deal with the last remarks of the Honourable Member first. The Honourable the Railway Member authorises me to say, on behalf of the Honourable the Commerce Member, that he is not in charge of communications! Mr. Das has wisely anticipated the first and main objection that I have to raise, namely, that though we have investigated a good many projects in areas which include Orissa, very few of them have been found to hold out any chance of being remunerative. Admittedly, there is in Orissa as a whole a paucity of railway communications, considering the large area to be served, though actually we are improving the position by the construction of the Raipur Vizianagram line, which will pass through a good deal of the south west portion of Orissa. That at least will open up some part of the province for which

the Honourable Member speaks, and I hope that he is glad that, in a poverty year, we have made a large allotment for the continuation of that line. I failed, I am afraid, to catch the names of all the other lines he mentioned, but three at least were recently, investigated, the Bhadrak-Chandbali, Jagatpur-Kandrapara and Jajpur Road-Jajpur. None of them showed the slightest chance of being remunerative. So following our usual practice, I think, the Local Government was asked whether they would like to guarantee them; and as the Local Government was not prepared to give a guarantee, I am afraid all we can do is to postpone them indefinitely. Further, as the Honourable Member must be aware, a time like the present is not the time when we can make a promise that we shall be able to take up fresh extensions of the railway system, particularly where those extensions do not seem likely to earn a high return. I do not know if the Honourable Member mentioned another line—the Sambalpur-Khurda. It was investigated a good many years ago, and it was not possible to make out that it would anywhere near pay for construction. The real trouble is that a good deal of Bihar and Orissa is not very thickly populated, and a lot of the country there is very difficult country for railway construction and the cost of building railways is therefore correspondingly high. It may be inevitable therefore that the development of communications should take another form than that of railways.

Mr. President: The question is:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was negatived.

Reorganisation of the Central Advisory Council for Railways and of Local Advisory Committees.

Mr. B. Das: Sir, I move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

Sir, we, the non-official Members of the House, do not like the constitution of the Central Railway Advisory Council. We do not like that there should be a panel system of election for eight members, out of whom six will be nominated to this Advisory Council at the option of the Honourable the Railway Member. Further, we have very often, in the debates on the floor of this House, asked the Honourable the Railway Member to make the debates and the proceedings of the Central Railway Advisory Council public. Nothing is published and, although this year while the Budget was being prepared, we did receive a pamphlet publishing minutes of different Local Advisory Committees, nothing has been mentioned about the work of the Central Railway Advisory Council. We cannot understand why the activities of that body are treated so confidentially.

Mr. President: That is not relevant.

Mr. B. Das: Sir, in a former debate, the Honourable the Railway Member said that the discussions . . .

Mr. President: The question is about the reorganisation of the Central Advisory Council and not about the publication of its proceedings.

Mr. B. Das: Sir, I am coming to that question. Therefore, I would like that there should be no panel system of election, and whenever the Government want any number of Members from this House to assist them in their

[Mr. B. Das.]

work they can come to it for the exact number. I might mention here that we wanted to send two gentlemen from our party for nomination to this Committee but one of them, whose name I will not mention, refused to stand, because it was a panel system of election. That happened only this morning. So, when the reorganisation takes place, I hope this House will then have more material about the proceedings of the Central Railway Advisory Council.

Now, I will come, Sir, to the next part of my reason for this cut. The Local Advisory Committees are functioning much better on the Great Indian Peninsula and the Bombay, Baroda and Central India Railways where the Bombay capitalists and industrialists exist. They also work well on the East Indian Railway. There they work much better, but in the part of the country from which I come, the Advisory Committee of the Bengal Nagpur Railway does not function properly. I have some experience of that Committee, and my inference is that the Agent of the Bengal Nagpur Railway is not amenable to the dictates of the Honourable the Railway Member. The Agent receives his instructions from the Managing Director of the Bengal Nagpur Railway about the number of persons that each Advisory Committee should have. There are at present four Advisory Committees on the Bengal Nagpur Railway, one is at Calcutta, one is for Bihar and Orissa, one is at Nagpur and the one for Vizagapatam, which has not yet been constituted. In each of these Advisory Committees there are only six members, two representing the Government of the locality in which they may be working, two representing the European business interests and two representing the public interests. If one were to turn to the pages of the East Indian Railway time table, one would see that it has got half a dozen Advisory Committees and each Advisory Committee consists of 18 to 20 persons, representing the municipalities, the Chambers of Commerce, both European and Indian, the Legislative Council, the public, and various other interests. I think, when the Railway Board advised the various railways to form their Local Advisory Committees, they did not advise them properly as to how they should be constituted and manned. I think it is high time that the Honourable the Railway Member should ask each of the Agents of various railways, both Company-managed and State-managed, to see that the Advisory Committees should be more representative in character. They should not only represent the Government of the locality and the Chambers of Commerce, but the representatives of the people should also be represented on them adequately. I know that, in the Bihar and Orissa Legislative Council, they passed a Resolution the other day demanding that the Bihar and Orissa Councillors should be represented on the Bengal Nagpur Railway Advisory Committee. That has not been yet conceded. I do think that it is not proper and it is an injustice to people of Orissa and Bihar too that only two persons should represent the public interests on the Advisory Committee of the Bengal Nagpur Railway for the local section of Bihar and Orissa and that is the reason why I have moved this cut.

Mr. Anwar-ul-Aziz (Chittagong Division: Muhammadan Rural): Sir, I want to say a few words on one or two matters concerning the Local Advisory Committee in Eastern Bengal. I think this is the only occasion when we get a little chance of making our ideas heard by the Railway people in this House. As the House knows, there is a State-managed railway line which is at present controlled by a company with headquarters

in Chittagong. Its length is more than 1,100 miles and it has its branches in many parts of Eastern Bengal. This railway has also got a Local Advisory Committee in Chittagong. This line extends from the borders of the Bay of Bengal to the jungles of the Himalayas. On the Advisory Committee of such a big line you will find that the Chairman of the Chittagong District Board and the Municipality are alternately represented, and the Commissioner of the Chittagong Division is an *ex-officio* member. One member is nominated by the Assam Government from amongst the Members of the local Legislative Council and one is nominated from the ranks of the non-official Members of the Bengal Legislative Council. The total number of members comes to about 11. If anybody were to read the discussions of that body, it would astound him. During the course of its existence, I do not think it has sat more than half a dozen times and I cannot think for a single second that they have at all taken the trouble of paying any heed either to matters relating to the local representation or the representation of the non-official members on that body. That is one complaint. In the second place, I do not know how it is manœuvred, perhaps it is God's work. It is so very inexplicable that invariably those gentlemen who happen to come from the Bengal Legislative Council or the Assam Legislative Council can hardly follow its proceedings. Some time ago I had the privilege of putting a question to the Railway Board here and a list of their activities was given. It was placed on the table of the Library and not the table of the House. If anybody were to take the trouble to ransack the volumes kept under that big dome, he would find that a hundred and one questions were discussed by this body, but not one was of any substance. In short my grievance is this. If, as has been described by Mr. Neogy, the Assam Bengal Railway cost the Indian taxpayers ten crores, and if they have been losing up to now—I find they lost 6 lakhs last year and 14 lakhs this year—if these efficient officers on that Railway mean business, I think they will take counsel from the railway officials here at Delhi and Simla and try to mend matters. With these few words, I support Mr. Das' motion.

Munshi Iswar Saran: Sir, I do wish to ask Sir George Rainy earnestly to consider this very modest proposal of my Honourable friend, Mr. Das. Why have a system of nomination at all? Why insist on this House giving you a panel and on your retaining the power of choosing six or whatever may be the number out of the panel? Can't you have, I ask, so much confidence in this House as to say, "Please elect the exact number that is wanted". It may be that there are some rules somewhere in support of this procedure. If there be some such rules I say that those rules must go. We are not going to have nomination now in the year of grace 1930. Let it be straight election, and if you cannot trust the Legislative Assembly, then I do not know whom you are going to trust. Then, there is another matter which I think deserves serious attention and it is this. As my Honourable friend has pointed out, the Advisory Committee in certain provinces has got a smaller number of men, while in other provinces the number is larger. I wish to ask Sir George Rainy kindly to pay a little attention to this anomaly. Why not go into the whole thing carefully and put the Advisory Committee on a systematic and organised basis, so that there may be framed rules and regulations to guide their work as well as to fix their numbers? If this is done, I am inclined to think that these bodies will prove more useful than perhaps what they are today. But, anyhow, I shall certainly expect the Honourable Sir George Rainy to do away with the system of panel as far as the Assembly

[Munshi Iswar Saran.]

is concerned. I understand—I do not remember it myself—that last year in connection with the election for a certain panel, this House took strong objection to this course. Personally, Sir, I must say that, if I were to be asked to be elected to a panel and to run the risk of not being nominated, I should certainly not agree, and I am very pleased to hear that some Members of my party took up the same attitude. It is not an extravagant proposal, and I hope Sir George Rainy will convince us of his sweet reasonableness, to which testimony has been borne by so many Honourable Members on this side of the House, by accepting it. Indeed, this proposal is very modest. If it is not accepted, then we shall say that there is no change in the spirit of Government.

The Honourable Sir George Rainy: Sir, I should like to deal first with this question of the system of election by panel instead of direct election for certain Committees. The matter was raised last year rather emphatically more than once, and the opinion was firmly expressed on the other side of the House that a number of Honourable Members disliked the panel system and preferred to have direct election. Last September when I proposed the reconstitution of the Advisory Committee of the Commerce Department, I undertook that the matter would be examined in order to see whether any change of system could be carried out. I am speaking now not of the Central Railway Advisory Council, but of the ordinary departmental Advisory Committees which are constituted under rules made by the Governor General. That is to say, it is not a matter in which the Governor General in Council passes orders, but the Governor General himself.

Munshi Iswar Saran: Can't representation be made to the Governor General himself with great respect?

The Honourable Sir George Rainy: Obviously representations can be made. But I wish to say—I am authorised to say—on behalf of the Governor General, that he does not consider it advisable to make any change at the moment, and he thinks the best plan would be, in view of the probability that the life of this Assembly, after the end of the Session, will be short, that the members of the departmental Advisory Committees, who are already in office should be invited to continue to constitute the Advisory Committees up to the date of the dissolution of the Assembly. The whole matter would then be reconsidered before the time comes to constitute Advisory Committees in the new Assembly. But as regards this particular body to the reconstitution of which this motion partly relates, I should like to point out that the manner of election is provided for in the separation convention itself, and therefore, it would be a very unusual method for the Government of India to depart from the convention by changing the method of election. Whatever may be the case about other Committees, I am bound to say that, in the case of the Central Railway Advisory Council, the panel system can be of very little importance because it consists of the 12 Members of the Standing Finance Committee for Railways—that is one nominated official Member of the Legislative Assembly and 11 Members elected by the Legislative Assembly—and in addition, there are, in the Central Advisory Council, six Members of the Council of State and six Members from the Legislative Assembly. Thus the total strength of the whole body is 24 (including one official), and the only difference from direct election is that altogether 27 members are elected, 11 directly by the Assembly, and two panels of 8, one

from each House. From each panel six members are then nominated. Obviously the panel method makes a very small difference indeed as regards the constitution of this particular body, and personally I should not be prepared to argue keenly about the substitution of the method of direct election. However, for the moment, we must carry on in accordance with the provisions of the convention, and this is hardly the appropriate time at the moment to make a change.

Now as regards the local Advisory Committees, I think the grievance of my Honourable friend, Mr. Das, is mainly against the Bengal Nagpur Railway, and in particular the small number of members on its various Advisory Committees and the non-representation of interests which he thinks ought to be represented. When we get his speech in print I shall be quite ready to look into that particular matter on that particular Railway.

Very much the same applies to the complaints made by my Honourable friend, Mr. Anwar-ul-Azim, about the Assam Bengal Railway.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): And the same complaint about the Bengal and North Western Railway.

The Honourable Sir George Rainy: If the Honourable Member had spoken before I did I should have made my promise to him also. However, I do not mind adding him to my little list. Most of the Committees contain a much larger number of members. A Committee of six certainly seems to be small and I see no reason why the enlargement of these Committees might not be considered. It is a matter on which I think the Local Government would often be in the best position to advise us whether a satisfactory Committee consisting of a larger number could be constituted. The only thing I should like to say by way of qualification is that, when we are dealing with a Company-managed railway in a matter of this kind, the final decision must obviously rest with the Company. It is not a matter in which our contracts with the companies give us any power. But if we are satisfied that there ought to be changes, then we should not hesitate to use all the influence we could with the Company.

Mr. B. Das: Sir, I beg leave to withdraw the amendment.

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

Removal of Penal Clauses from the Agreements by Company-managed Railways and their reintroduction.

Mr. B. Das: Sir, I beg to move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

On this motion I want to deal with the question of the removal of the penal clauses from the agreements of the Company-managed railways and I want that they should again be introduced if the law permits it.

Sir, I do not know why the Acworth Committee, of which my Honourable friend Sir Purshotamdas Thakurdas was a member, did not observe that certain penal clauses were removed from the contracts of Company-managed railways and it was these clauses that gave the Secretary of State and the Government of India the option to terminate the contracts with certain Company-managed railways for their mismanagement. My attention was particularly directed to this point because I live on the borders

[Mr. B. Das.]

of the Bengal Nagpur Railway, and in the Appropriation Accounts on Railways I found so many charges of gross mismanagement, so many scandals against that Railway. Mr. Parsons asked the Public Accounts Committee of 1926-27 to give him time for one year more so that he could properly investigate the charges against the Bengal Nagpur Railway. Then last year we could not go into the details as the Railway Board could not decide finally, and on the assurance of the acting Financial Commissioner that they were going to write a very strong letter to that Railway, we dropped the matter till the next Public Accounts Committee meeting. Then while we were looking into the contracts of these railways, we found that, in 1912, the following penal clause, which gave the Secretary of State the option to give six months' notice to the Bengal Nagpur Railway, was removed, and I directed the attention of the House to this by putting a question on the 25th September last which was question No. 919:

"Is it a fact that in paragraph 89 of the original contract of the Bengal Nagpur Railway (main contract dated the 9th March, 1887), the following penal provision occurred :

"The Secretary of State may also, if default be made by the Company . . . or in case the undertaking or any part thereof at any time in the opinion of the Secretary of State be in course of gross mismanagement by the Company or be worked at a loss as shown by the revenue account and have been so worked for not less than three half-years continuously down to the time at which the Secretary of State shall give to the Company the stipulated notice of termination under this present power, terminate this Contract by giving to the Company in England six calendar months' previous notice in writing of the termination of this contract'."

The Honourable Sir George Rainy replied:

"There is nothing on record showing the reasons for the change."

Then my friend, Mr. Neogy, put a supplementary question:

"Do I take it that the Government of India were not consulted before this change was made?"

The reply was:

"They were not consulted about this particular change."

This change took place in 1912. Then my curiosity went further to find out how far the Secretary of State had parted with our national birth rights to his cousins the Directors of the Company-managed railways. With regard to the other Company-managed railways Sir George Rainy gave the following reply:

"There was no penal clause in the original contract of the Bombay, Baroda and Central India Railway, but there were such clauses in the contracts of the Assam Bengal, Madras and Southern Mahratta and South Indian Railways. The penal clause in the Madras and Southern Mahratta Railway contract was deleted in a supplemental contract dated the 26th June, 1908. The correspondence relating to this supplemental contract does not throw any light on the reasons that led to the deletion of the penal clause."

Sir, some of us know that the Government of India only serve as hand-maidens to the Secretary of State, sitting six thousand miles away. That the Secretary of State should part away with such provisions simply to help British trade and commerce and British financial interests! I could never understand, and I blame more the present Railway Board, which is nothing but a replica of the old Railway Board that was formed in 1905, and after the formation of that Railway Board these things happened. Yet I find some of the Members of that Railway Board are at present

Managing Directors of the different companies. I find myself unable to understand the policy by which Members of the Railway Board afterwards become Directors of the Bengal Nagpur Railway. I find there are two, Sir C. Wynne and Sir Ernest Bell, who are Directors of the Bengal Nagpur Railway, and I find from the Acworth Committee's Report that Sir Henry Burt, of whom my friend Munshi Iswar Saran spoke the other day, is also a Director of the Bengal and North Western Railway. At the same time he used to represent the India Office on the Company-managed railways as Director of the India Office. This is the sort of patronage which the Secretary of State extends to the very men who try to exploit India. It is a very serious question that the Secretary of State should part with so many of our birthrights, where such large sums of money, involving the Bengal Nagpur Railway and other Company-managed railways, are concerned. And then he goes and extends the contract of the Bengal Nagpur Railway till 1950. Why did he not extend it for two or five or even ten years? Sir, I am an electrical engineer, and if I get a licence for electrifying a town, I get it for the first 30 years, and then it is extended for every ten years, whereafter the municipality has the right of option to purchase. Sir, in this particular case, I should like to know who was the Secretary of State who parted with so much privilege of the people to the Bengal Nagpur Railway for 38 years from 1912 to 1950. I know the Bengal Nagpur Railway will be left in the same dilapidated condition as the Great Indian Peninsula Railway was in when it was taken over. The permanent way will be found in a worse condition. There will be no wagons, no carriages and all the money will be taken away in surplus profits and in salaries by the top-heavy European management. That was actually the condition on the Bengal Nagpur Railway until it was brought to the notice of the Public Accounts Committee by the Audit Department. I may not carry this motion, but I have done a public service (Hear, hear.), in drawing attention to this injustice by the Secretary of State and the Government of India of the time. (Hear, hear.)

Mr. A. A. L. Parsons: I am afraid I cannot satisfy my Honourable friend's curiosity as to the Secretary of State whom he held to be responsible for the change in the penal clause in the Company-managed contracts. But judging from the dates on which the contracts were amended, I suspect it was in the time, first of all, of Lord Morley and possibly later, of Lord Crewe. The Honourable Member has resurrected a matter which lies buried in the mists of the past, for we have entirely failed to discover exactly why these changes were made in the penal terms of the contracts. I can, however, venture a surmise what the reasons were. Originally, when there were guaranteed Companies who had no capital in the undertaking, the contracts were simple in form. I say simple because they contained, I believe, very few clauses, some of which were quite general in terms. Time passed, and experience was gained as to the directions in which it was necessary to tie down the Companies; and when the contracts were revised the duties of the Companies and the rights of the Secretary of State were more carefully defined. To take the Bengal Nagpur Railway, there are clauses in the contract which probably contain all that would have ever been acted upon under the old penal clause. One clause says:

"The Company shall keep the undertaking and the stations and works belonging thereto in good repair. And shall also keep so much of the undertaking as for the time being shall have been opened for public traffic and the stations and works belonging to the part which for the time being shall have been so opened in good working condition and fully supplied with rolling stock, plant, machinery and stores to the satisfaction

[Mr. A. H. Ghuznavi.]

done to give effect to your announcement that 33 per cent. will be employed from the minority communities? What have you done, I ask in all seriousness? What have your Agents done in response to those circulars? They have treated them as mere scraps of paper. Sir, I am giving concrete cases, and I quote facts and figures. Take for instance, the District Medical Officers. Among the State Railways the total number is 39. Out of a total of 39, you have got only 2 Mussalmans, and I will give you further figures. I ask the Honourable the Railway Member to contradict my figures. On the Eastern Bengal Railway there are one European and 3 Hindus. On the East Indian Railway, there are 4 Europeans, 1 Mussalman and 10 Hindus. On the Great Indian Peninsula Railway, there are 7 Europeans, 4 Hindus. On the Burma Railway, 4 Europeans. On the North Western Railway, 1 European, 1 Mussalman, 2 Hindus and 1 Sikh. So, out of 39 you have got 2 Mussalmans in all the State Railways. Then, Sir, I come to the next concrete case, and it is this. I will ask the Honourable the Railway Member, is it or is it not a fact that there is not a single Mussalman in any State Railway who is either the head or the deputy of any department?

Lieut.-Colonel H. A. J. Gidney: The Chief Medical Officer on the Eastern Bengal Railway?

Mr. A. H. Ghuznavi: I am referring to the head or the deputy of executive departments. There is not a single Mussalman in any of the State Railways, although they have got many Mussalmans who have been employed for the last 15 or 20 years, and have got very good records of services. And this is the way they treat us and they try to bluff us from year's end to year's end, and that bluffing, I can tell you, you can have this year only and no more. (*An Honourable Member:* "Why not?") We shall make the deaf ears hear. (*An Honourable Member:* "You mean you are going to get independence.") I will give further figures. In the Report of the Railway Board on Indian Railways, Volume I, page 114, there is a "Statement of gazetted officers and corresponding ranks employed on Class I Railways, Railway Board and other railway offices, excluding the Nizam's State Railway and the Jodhpur Railway". Let us examine this statement of gazetted officers. What is the position of the Mussalmans? The position is this. Out of the total in 1928 and 1929, the percentages were, Europeans in 1928, 68.5 per cent. and in 1929, 67.3. Hindus in 1928, 17.4, in 1929, 18.51. Then come the poor Mussalmans with 3 per cent. in 1928, and what is the improvement in 1929? 3.3 per cent. My friend Colonel Gidney's community of Anglo-Indians

Lieut.-Colonel H. A. J. Gidney: I thought we were recognised as Indians?

Mr. A. H. Ghuznavi: Here they are separately shown as 8.3 per cent. in 1928 and 7.7 per cent. in 1929. Then, Sir, I come to the subordinate officers drawing a salary of Rs. 250 per mensem and over. Let us see what you have got there. Even on Rs. 250 we have got absolutely nothing. The percentages were, in 1928, Europeans 23.8 per cent., in 1929, 23 per cent.; Hindus, in 1928, 22.3, in 1929, 23.1; Mussalmans again, in 1928, 3.8, and in 1929, 4 per cent. Even on a pay of Rs. 250 per mensem the Mussalmans have got only 2 per cent. (*An Honourable Member:* "What is the page please?") It is on pages 118 and 119. Anglo-Indians

were in 1928, 43.9 per cent., and in 1929, 42.5 per cent. Then, Sir, I will refer to pages 120 and 121. Here there is a statement showing the number of appointments created and vacancies which occurred among officers of gazetted rank on the State Railways, and of corresponding rank on Companies' railways (class I),—of course excluding His Highness the Nizam's Guaranteed State Railway and the Jodhpur Railway: Let us see the position here.

State-worked Railways:

No. of vacancies actually filled in 1928-29—49.

Of these the percentages are, Europeans—25, or say 50 per cent. (Hear, hear.)

Hindus 14, or say 28 per cent.

Muslim 1, or say 2 per cent.

Anglo-Indians 8, or say 16 per cent.

Out of 49 only one Muslim was appointed.

What was the position in 1927-28?

No. of vacancies actually filled—96.

Europeans 44 (again nearly 50 per cent.)

Hindus 30, say 31 per cent.

Muslims 3, say 3 per cent.

Anglo-Indians 16, say 17 per cent.

I am reading from the Railway Board's Report on Indian Railways for 1928-29, Volume I. This is the position which the Muslims have got in the State-worked railways. I will take one or two more railways,—the Assam-Bengal Railway about which my Honourable friend, Mr. Parsons felt so embarrassed the other day that he was afraid even to lay on the table of this House certain information asked for by my friend, Mr. Anwar-ul-Azim. I had a suspicion then and my suspicion is now confirmed by what I have now seen, that they do not appoint any Mussalmans at all on that Railway; and that is the reason why Mr. Parsons did not want to lay that information on the table of the House, but merely put it in a shelf in the Library. The number of vacancies on the Assam-Bengal Railway actually filled was 5; Europeans 2, Hindus 2 and Anglo-Indian 1—Mussalmans nil. Then, Sir, take the Bengal Nagpur Railway:

No. of vacancies actually filled—19.

Europeans 10,

Hindus 4,

Muslim 1,

Anglo-Indians 4.

Taking the South Indian Railway next.

No. of vacancies actually filled—16.

Europeans 4,

Hindus 8,

Muslim 1,

Anglo-Indians 2.

[Mr. Anwar-ul-Azim.]

Then again, if we look at the Report for the year 1928, we find that, on the 31st March, 1928, the number of gazetted officers was 2,178, whereas the number of Mussalmans was only 65, and there also we find the term "other classes" mentioned. The figures for 1929, of course, have been given by Mr. Ghuznavi. Therefore, Sir, if the House looks at these things dispassionately, it will see that—surely the people for whom we have been speaking are not pariahs, have certainly some stake in the country, they have a great heritage behind them,—therefore, as I said, if Honourable Members will look at this question dispassionately, they will see that our demand for a proper share of representation in the services is right and just. Of course, one hundred and one replies are ready when we put interpellations in the House, and they go on behalf of the community as a whole. We get answers to the effect, "The reply will be submitted to the Honourable Member in due course. It will be sent to the Library after publication" and so on. If the idea is only to give such evasive answers, I say the Railway Board are entirely mistaken in their policy, because, after all, a man, and for that matter, a nation has got its various phases of life. A child attains adolescence in time, and in time it gets into its full senses and demands his full rights. I think, so far as this side of the House is concerned, Sir, every one will agree with me when I say that our representations have been treated in a manner to make even a sober man like myself feel that our cries are cries in the wilderness. This is a very serious matter, and I should like the Treasury Benches to give their serious attention to it. With these few observations, Sir, I bring my remarks to a close.

Mr. Fazal Ibrahim Rahimtulla: May I suggest, Sir, that the Honourable Member in charge should speak at this stage in order to find out whether the debate should be prolonged any further.

Mr. A. M. Hayman: Sir, I find myself at a great disadvantage in answering Mr. Ghuznavi at this stage, because I feel I cannot keep off the ground of Indianisation generally if I am to give him a satisfactory answer. Now, Sir, to begin with, if Mr. Ghuznavi wishes to start from say the year 1924 or 1925 and to charge the Government and the Railways of India for not having proceeded with Indianisation at a pace that they ought to have, previously to that I am not going to say I can defend the position entirely.

Mr. Fazal Ibrahim Rahimtulla: Are Mussalmans not Indians?

Mr. A. M. Hayman: That is why, Sir, I said at the beginning that I am at a disadvantage.

Mr. Fazal Ibrahim Rahimtulla: Why do you make so many promises to Mussalmans?

Mr. A. M. Hayman: Therefore, Sir, I wish to ask the House to consider this. We started in 1924 with a certain number of Mussalmans in the different branches of our service.

Mr. A. H. Ghuznavi: Do you mean to say that there were no Mussalmans in 1924?

Mr. A. M. Hayman: I do not know, Sir. What the Honourable Member means. He is very well acquainted with the figures. What I wanted to point out was that we have to look at this question in three separate

parts, the officers' grade, the upper subordinates' grade, that is, posts which carry a rate of salary of Rs. 250 or more, and then all the other posts in our services. What have we done in recent years to increase Indianisation in the officers' grades? Perhaps I shall be able to say more on this subject later on another motion, but I want to tell the House now that, since 1925, when Government gave an undertaking to proceed as expeditiously as possible with Indianisation of the superior services and to fill 75 per cent. of our vacancies, we have, within this short period of four or five years attained by last year a percentage of 71. If that is not a good record, I do not know what is.

Mr. Fazal Ibrahim Rahimtulla: That is not the point before us.

Mr. A. M. Hayman: I will come to the point of the Mussalmans.

Mr. Fazal Ibrahim Rahimtulla: The question of Indianisation is going to be debated on the motion of my friend, Munshi Iswar Saran. The point is now quite different.

Mr. A. M. Hayman: I explained my position to the Chair. However, Sir, I will pass over this point very quickly. The point I want to make here is that we have attained to 71 per cent. in four years for the officers' grades. Ever since I have been in charge of this business, I have made up my mind that we shall soon fill vacancies up to 75 per cent. and thus meet our full obligations, and, Sir, we have taken in in this 71 per cent. as many Mussalmans as qualified under our rules. If the Honourable Member made a charge against us that our rules are defective, that our procedure is defective and that the rules of selection for our officers' posts are defective from his point of view, yes, if he brought that forward, I am sure that Government would consider any suggestions that he had to make.

Mr. A. H. Ghuznavi: Do you mean to say that you don't get Mussalmans to appear at the examinations or that they don't pass?

Mr. A. M. Hayman: I will give you a direct answer. The Muhammadans do appear, but few of them pass sufficiently high to be selected. I will give you an instance. Take the Indian Civil Service of Engineers examination of last year. We got one or two Mussalmans out of a large number that we wanted, and because we felt that the Muslim community was not fully represented in that service, we went down the list and took one more on the basis of filling one-third of the required number to redress communal inequalities.

Mr. Abdul Latif Sahib Farookhi (North Madras: Muhammadan): Why do you come with the plea of Indianisation now?

Mr. A. M. Hayman: Recruitment of Muslims is part of the scheme of Indianisation. I pass on now, Sir, to meet another point made by my Honourable friend, Mr. Ghuznavi, namely, that among the heads and deputy heads of departments there was not a single Mussalman on any of the railways of India.

Mr. A. H. Ghuznavi: State Railways.

Mr. A. M. Hayman: You might well have added Company-worked lines also. Now, I wish to say, in the first place, that the policy of the Railway Board and of the Government of India, in filling posts in the administrative grades, is exactly what was reflected in the remarks made by my Honourable friend, Sir Purshotamdas, this morning. For these grades

[Mr. A. M. Hayman.]

we do not go by actual seniority. We pick out the best man we can get for a job, paying due regard to seniority. I think the Mussalman community of India should be very proud, because I cannot remember a single instance of a Muslim officer having been superseded for any one of these posts, although I remember many cases of Europeans, Anglo-Indians and Hindus being superseded on grounds that they were not fit for promotion.

Mr. A. H. Ghuznavi: Why have they not been superseded?

Mr. A. M. Hayman: Because they have not reached that stage of seniority yet when they have to be considered. That is the answer to my friend Mr. Ghuznavi. There is another point of which my friend is unaware. While on the one hand we have not yet superseded any Muslim officer for promotion, we went, I think, out of our way in selecting a very capable officer on one of our State Railways for the post of head of a department on another railway. I refer to the Chief Medical Officer of the Eastern Bengal Railway. My Honourable friend, Mr. Ghuznavi, complained of the paucity of Mussalmans in the Medical Department grades. My Honourable friend, Mr. Parsons, explained the other day, in answer to a question, why that was so. I would like to supplement his remarks in just one particular. Very recently when we wanted to fill up three posts of District Medical Officers on State-worked railways, I particularly asked the Public Service Commission not to recommend three qualified officers, but to recommend a very much larger number. Now, Sir, I did that because I wanted to get a large list of qualified Indian officers for such posts. I did that because I felt, just as Mr. Ghuznavi felt, that although we had only three vacancies on the State-worked lines, the Company-managed lines ought to take some of our Indian officers as District Medical Officers. I got a list of nine officers who were qualified, and of those one was a Mussalman in the first three places. There were two other Muhammadans who were qualified. I have specially written to the Agents, of each of the Company-worked railways and asked them particularly to take into consideration the claims of these gentlemen when filling posts on their railways. Perhaps in a little while this request will bear fruit. That is the answer to my friend Mr. Ghuznavi's complaint about Medical Officers, Sir.

I do not think the House would require me, in view of the explanation I have given, to follow Mr. Ghuznavi through the figures that he has quoted of the paucity of Muslim officers in our services. The paucity is there because we began with a very low figure. We are out to do everything possible to take them in, and they on their side must qualify themselves for our examinations, or at least pass sufficiently high. We cannot pass on to Company-managed lines, with real hope of success, the names of people at the bottom of a long list.

The next point to consider is the representation in the subordinate services. As I said previously, we will consider this under two heads, and I take the easier head first, that is the subordinates other than those who are drawing salaries of Rs. 250 and over. I have got some figures which compare the figures of the different communities on the 1st of April, 1926, with those on the 1st of April, 1929.

The Assembly then adjourned till Eleven of the Clock on Monday, the 24th February, 1930.



LEGISLATIVE ASSEMBLY.

Monday, 24th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

APPOINTMENT OF PANDIT HIRDAY NATH KUNZRU TO THE LIBRARY COMMITTEE.

Mr. President: I have to announce that I have appointed Pandit Hirday Nath Kunzru to the Library Committee in the vacancy caused by the resignation of Mr. T. C. Goswami from the Legislative Assembly.

THE INDIAN TARIFF (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I present the Report of the Select Committee on the Bill further to amend the Indian Tariff Act, 1894, for certain purposes.

THE STEEL INDUSTRY (PROTECTION) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I present the Report of the Select Committee on the Bill to amend the law relating to the fostering and development of the steel industry in British India for certain purposes.

THE RAILWAY BUDGET—LIST OF DEMANDS.

DEMAND No. 1.—RAILWAY BOARD—*contd.*

Larger Employment of Mussalmans.

Mr. President: Mr. Hayman will now resume his speech on Mr. Ghuznavi's cut on Demand No. 1.

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Mr. A. M. Hayman (Railway Board: Nominated Official): Sir, when the House adjourned on Saturday, I had just completed my review of the position as affecting the Muslim representation in our services, so far as it concerned our superior grades, and I had just got on to the subject of Muslim representation in our subordinate services. I said I would approach this question under two headings, firstly, in relation to those employees who draw a rate of salary of Rs. 250 and over and, secondly, all other classes, that is, those who draw salaries less than Rs. 250. Now, Sir, in respect of the latter class, I have some figures before me which compare the representation of Mussalmans on the 31st March, 1926, with that on the 31st March, 1929, and which show the increased percentage that has taken place in regard to Muslims. I will read these figures to the House:

31st March, 1926. 31st March, 1929.

Europeans	..	..	..	4,920	4,841
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Fall in percentage—1·61.

Hindus	..	..	..	512,666	547,885
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Increase in percentage—6·80.

Muslims	..	..	..	164,185	173,876
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Increase in percentage—5·90.

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): These figures include coolies also, who get only 6 annas per day.

Mr. A. M. Hayman: The Honourable Member is right; these figures include all such classes.

31st March, 1926. 31st March, 1929.

Anglo-Indians	..	..	..	13,559	14,231
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Increase in percentage—3·48.

Total including other classes	..	..	..	721,242	773,888
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Increase in percentage—7·30.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Does the Honourable Member realise that there are no coolies nor scavengers amongst Europeans and Anglo-Indians? Is this a fair comparison to give on this debate in this House?

Mr. A. M. Hayman: I am stating our published figures and I leave it to the Honourable Member to draw his own conclusion.

Sir Purshotamdas Thakurdas: I am only pointing out that, by quoting these figures, the Honourable Member does not help to clarify the position. On the contrary, he is making the issue more confused.

Mr. A. M. Hayman: When you have heard me out, Sir, you will change your opinion. (*An Honourable Member:* "But the figures do not indicate that.") These figures, Sir, relate to Class I Railways, that is, the State-managed Railways and the State Railways worked by Companies. A study

of these figures will bear out the fact that, in respect of the totals, the Muslim representation in our services is increasing. It will perhaps help the House if I just quote a comparison of the increases and decreases on particular railways. The increases are as follows:

	Percentage increase.
Assam Bengal Railway	40·5
Bengal and North Western Railway	3·07
Bengal Nagpur Railway	20·6
Bombay, Baroda and Central India Railway	0·34
Eastern Bengal Railway	23·21
East Indian Railway	12·1
Great Indian Peninsula Railway	5·13
Madras and Southern Mahratta Railway	4·99
South Indian Railway	6·76

The above figures show the increase in the percentage of Muslim representation. There is only one railway in which there has been a decrease and that is the North Western Railway, where the percentage decrease is 0·98. I am not going to make too much of these figures, and I pass on to the consideration of the first heading, namely, the appointments on salaries of Rs. 250 per mensem and over. I feel quite rightly that, in this case, if the Muslim community is absolutely disappointed with the percentage of their representation, they may take it from me that I am also disappointed.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): What do you propose to do if you are disappointed?

An Honourable Member: To appoint more Muslims!

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): He is going to tell us that the Muslims are inefficient.

Mr. A. M. Hayman: I think I had better quote the figures. The following relate to our State-managed Railways.

	Total number of posts.	Number of Muslims.
1926	5,486	198
	Percentage 3·6.	
1927	5,554	227
	Percentage 4·08.	
1928	5,767	263
	Percentage 4·56.	
1929	5,985	291
	Percentage 4·86.	

[Mr. A. M. Hayman.]

The position on our Company-managed railways is worse:

	Total number of posts.	Number of Muslims.
1926	2,687	49
	Percentage 1·82.	
1927	2,744	60
	Percentage 2·18.	
1928	2,719	57
	Percentage 2·09.	
1929	2,772	56
	Percentage 2·02.	

There has been some increase in the percentage on the State railways, but, I am not going to make much of this. But actually in the case of the Company-managed railways the percentage has fallen in 1929. I can quite understand the dissatisfaction of my Honourable friend, Mr. Ghuznavi, with these figures. I am not going to say that he should be less disappointed with them because there has been some increase on the State-managed railways in recent years. The figures are really very low. But, Sir, there are difficulties in the way of increasing them rapidly and I wish to put before the House as frankly as I possibly can what those difficulties are. In the first place, Honourable Members would, I have no doubt, realize that, after all, the total number of posts in these grades is limited.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): I have been quoting from figures where you said that a number of appointments had been filled up. That is what you said. You have not taken more Muhammadans there.

Mr. A. M. Hayman: The fact that you have an increased percentage of Muslims on our State-worked railways is a direct answer to that question, Sir.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): By how much?

Mr. A. M. Hayman: I will give you the figures. I hope to meet your point if you will just listen to me. I wish just to tell the House that the total number of posts in these grades must necessarily be limited, and the number of Muslims that can be appointed to these posts is therefore necessarily limited. There is one other consideration. It is this, you must have vacancies. And when the number of posts is limited, necessarily the number of vacancies that you get year by year is correspondingly limited. There is also something, Sir, which the Government are not going to do. Government are certainly going to try their very best to remove the defect about which the Honourable Member has complained, but Government are not going to create vacancies in these grades by ousting existing employees, no matter to what community they may belong. (*Interruptions.*) I do not mind the Honourable Members interrupting me. My point is that we cannot oust the existing holders of posts, no matter to what community they belong. We shall not be guilty of that. We shall not

also be guilty of something else, which might bring about quicker promotion of Muslims. We shall not be guilty of superseding the claims of men with long services who are well qualified for promotion.

Nawab Sir Sahibzada Abdul Qaiyum: Nothing of the sort has been suggested to you.

Mr. A. M. Hayman: It is best that I should explain the difficulties. Now, with the limitation in the number of posts and with the limitation in the number of vacancies and with our desire not to do injustice to our existing employees of all communities, including Muslims, it seems to me that the pace cannot be too rapid, by which we will be able to remove the defect complained of. There is a further suggestion, which is often made to us, to the Agents of Railways and to the Railway Board as to the means by which we really could remove the defect rapidly if we had the heart to do so, and that is by the direct appointment of people of particular communities to the upper subordinate grades. This suggestion has been put forward to us very often. I will ask the House to bear with me a little when I tell them that the duties and responsibilities which we attach to these posts in the upper subordinate grades, that is, posts of Rs. 250 and over, are such that require knowledge, training and experience. Often we are pressed to take in persons direct into the rank of Traffic Inspectors of Railways. Now, Sir, I just give a brief outline of the duties of a Traffic Inspector of Railways. He is required, so far as his jurisdiction is concerned, to see that all trains, passengers and goods run to time table time and to investigate causes of delay. He is expected to take the initiative to put matters right. He is concerned with all matters connected with the working of trains and to bring important defects to the notice of his superior officers. He is expected to make suggestions for the framing of working time tables of railways. He is required to assist the Traffic Officers in getting most out of the wagons during the busy season of a railway. The importance of this duty cannot be over-estimated and it is only a Traffic Inspector with ability and experience that can give his best to the railway in this connection. He is also in charge of the duty of seeing that no unavoidable delay takes place in loading and unloading of wagons at stations. He is required to give close and constant attention to the quick transit of smalls. For this purpose a detailed knowledge of traffic in smalls and a clear conception of working costs and operating conditions generally is essential. I can go on enumerating many more of the duties and responsibilities of a Traffic Inspector, but I do not think I need weary the House any further. I think it is quite clear that, in order to discharge those duties efficiently, we want men of training and of experience. And what, Sir, is true of the duties of a Traffic Inspector of a railway is true, although the degree might differ, sometimes a little more and sometimes a little less, it is true of the duties of all the upper subordinate posts of our railways which carry a salary of Rs. 250 and more. But I can quite understand my Honourable friends who are interested in this question from the point of view of proper Muslim representation and who are absolutely dissatisfied with this low percentage of four, saying, "But what are you going to do, if you are really out to increase this percentage at the quickest possible rate?"

Nawab Sir Sahibzada Abdul Qaiyum: We do not want an increase. We only want justice to be done to us.

Mr. A. M. Hayman: What we are going to do is this. We have already started training schools some years ago, and we are going to carry out our policy of training our employees with greater vigour and with greater intensity. We are going to see that our subordinates in the lower grades of all classes and communities—particularly the Muslim community, which is not properly represented in the upper grades—are taken into our training schools and given proper technical training so as to fit them, within the quickest possible time, to fill the higher posts that fall vacant. I am hopeful that the rate at which the Muslims will get into these posts will be much faster than hitherto.

Mr. A. H. Ghuznavi: When will you start doing that?

Mr. A. M. Hayman: I should like, in this connection, to read out to the House a passage from a letter that I caused to be written to the Agents of all Railways.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): What is the date?

Mr. A. M. Hayman: This month.

An Honourable Member: Perhaps yesterday?

Mr. A. M. Hayman: May be. I ought to explain the reasons for not writing this letter two or three months back. It was decided that this subject should be discussed with the Agents of Railways in March when they all come up here for a Conference with the Railway Board. We have placed this subject for discussion before them. There is and was no intention of delaying the matter. The matter could not be discussed earlier. The letter says:

"The Board would be obliged if Agents of Railways would come prepared to discuss also the arrangements in force for training persons already in service to become equipped with knowledge and experience to be able to undertake efficiently the conduct of the duties of the higher paid posts in the subordinate ranks of all departments of the railway. One important aspect of this question is that ample opportunities should be afforded to the Indians in the different lower grades to qualify quickly for promotion to the higher grades. It is the Board's desire that the arrangements should be such that their practical effect will be evident in the figures relating to the number of Indians occupying the upper subordinate posts in the different departments of railways."

I may add, Sir, that in addition to what is written there, I am going to take up the matter with vigour with the Agents, especially the Agents of the Company-managed railways

Maulvi Muhammad Yakub: The Honourable Member has been telling us things like this for the past four or five years. Agents come and Agents go, but nothing is done and things go on in the usual way.

Mr. A. M. Hayman: The signs are hopeful. It is better that we hold meetings twice a year than once in five or six years.

I now turn for a moment to the observation made by my Honourable friend Mr. Anwar-ul-Azim. He said that two vacancies occurred on the East Indian Railway by the transfer from that Railway of two Mussalman officers to the Railway Board. He wanted to know why we did not take this excellent opportunity offered to us and put two Mussalman officers in their places. I want to explain, for the information of my Honourable friend, that when officers of our services are transferred from one post to

another, it does not mean that we have a vacancy in our services and can recruit people against those vacancies. Our recruitment is made upon the basis of calculating the number of vacancies against our cadre and we rectify the recruitment numbers so arrived at with reference to the number of vacancies that actually occur from year to year and the members of the community that get in are those that come in under our ordinary rules. Now, I must pass on to make a reference . .

Mr. A. H. Ghuznavi: Are those two vacancies then filled up by somebody else? Then there is no vacancy there at all for the Mussalman gentlemen who were brought into the Railway Board?

Mr. A. M. Hayman: Of the two Mussalmans that were brought into the Railway Board, one was brought in to fill a post that had been in existence for a considerable time, and it merely meant that one officer went from here—a European officer went from here—and the Mussalman officer from the East Indian Railway came in his place. There was no real vacancy at all. In the other case, it was a newly created post of Deputy Director of Establishment. Inasmuch as it is a new post, we recruited one more man to fill a vacancy in our services in the ordinary way. I think, Sir, at this stage I ought to refer to the fact that a deputation of Muslim gentlemen,—I think they were all Members of the Assembly and the Council of State,—waited upon Sir George Rainy in September, 1929, and complained of the paucity of Muslims in the Railway services, and instanced the office of the Railway Board, the Audit Department of the Eastern Bengal Railway and the Accounts Department of the East Indian Railway. Sir George Rainy pointed out that the Audit Department of the Eastern Bengal Railway was not under his control, that the Accounts Department of the East Indian Railway was under the Financial Commissioner of Railways and that he understood that the Financial Commissioner had introduced a competitive examination for the recruitment of people in the subordinate services, and that, in accordance with the general declared policy of the Government of India, one-third of the vacancies were reserved for the rectification of communal inequalities. For the rest, he gave me strict instructions that I was to review the position and to see what could be done in order that Muslims should have proper representation.

Mr. Anwar-ul-Azim: Is it not a fact that this competitive system was introduced very recently?

Mr. A. M. Hayman: Is the Honourable Member talking of the competitive system in the Railway Accounts Department?

Mr. Anwar-ul-Azim: Yes.

Mr. A. M. Hayman: The Accounts Department is an infant only one year old and therefore the system was very recently introduced.

One of the members of this deputation suggested the issue of a supplementary circular letter to all Agents, drawing attention to the previous orders of Government on the subject of recruitment to the subordinate ranks, and asking that the Agents of Railways should be instructed to observe them very carefully in future. But after some discussion, the deputation agreed with Sir George Rainy that the better course would be for the Railway Board to discuss the question with the representatives of the Railways when they come up in October and to find out from them what

[Mr. A. M. Hayman.]

difficulties they had in obtaining a suitable proportion of Muslims for the subordinate services. The deputation represented that it was possible that we did not get all the Muslims that we wanted because advertisements did not appear in the newspapers which were read by Muslims. We took up that question at once and we wrote to every Agent and told him that he was to pay strict attention to this. Now, Sir, I should like to explain that, when the Agents came for the discussion, I took them over all the figures that I had, and other figures too which they brought with them, and I insisted on the view which I just mentioned, that I was absolutely disappointed with the percentage of Muslims in the upper subordinate ranks, and I asked them to do their best to see that their arrangements were such that the defects were remedied in the quickest possible time. But I think I ought, in fairness to the House, to refer to just one or two passages which the Agents put before me as to their difficulties in getting the number of Muslim candidates that they required. Here is a brief extract from what the Agent of the North Western Railway said. I am not going to say that I entirely agree with all the views of the Agents, but they are in day to day contact with things and we are entitled to hear them.

Maulvi Muhammad Yakub: Did you inquire who wrote this note for the Agent?

Mr. President: Mr. Hayman.

Mr. A. M. Hayman: I do not do that, Sir,

"The great majority are not wanting Railway employment. I imagine a very large proportion of Muslims are at the land. I think it is very difficult to lay down any rule which would ensure our recruiting even the full proportion of Muhammadans."

The Agent of the East Indian Railway gave me certain figures to show that the number of Muhammadans was very low in the upper grades but had doubled itself in the course of four years and he thought that the rate of increase was going to continue until the representation reached a reasonable figure. He informed me that he had pressed upon his Divisional Superintendents and Heads of Departments the desirability of giving Muslims a fair chance, and especially of making appointments to suitable grades. He said that selections were made by selection committees, and he assured me that there was no communal bias of any sort against Muslims. He added:

"Our upper subordinates are recruited from people in the lower grades and all appointments are made from men who come in at the bottom, but when it comes to clerical work, the work of Assistant Station Masters and people of that sort, there is a distinct difficulty in getting Muhammadans. At Asansol for 25 vacancies we examined something like 300 applicants, of whom only 5 were Muhammadans. I was particularly keen on getting in Muhammadans to balance up matters, but they were not putting in applications, and I know that it was not that applications were withheld because all applications were opened by the Staff Superintendent himself who was just as keen as myself to get Muhammadans."

Maulvi Abdul Matin Chaudhury (Assam: Muhammadan): Were the posts advertised in the papers?

Mr. A. M. Hayman: They were advertised; but I will not take the line that they had been properly advertised, because we admit that we did examine this question and gave instructions to the Agents as to how they were to proceed in the matter of advertisements in future.

This is what the Agent of the Eastern Bengal Railway said:

"We have difficulty in getting guards, clerks, storemen, first-class apprentices and train examiners who are Muhammadans. I may say that, while I have had many letters from Hindu gentlemen asking me for jobs for their relatives, I have not had one single letter from a Muhammadan,—direct application to myself I mean. And if you take the case of my Chief Medical Officer who is a Muslim, he had the greatest difficulty in finding one Muslim Assistant Surgeon to accept employment on the Railway."

Mr. A. H. Ghuznavi: I could give him half a dozen if he had asked me.

Mr. A. M. Hayman: I made that remark in order to provoke my friend Mr. Ghuznavi to reply. I am glad he made that statement because I shall be happy to pass it on.

Mr. Richardson, representing the Great Indian Peninsula Railway said:

"Our experience seems to be similar to that of the East Indian Railway. In the ordinary way Muslims do not apply."

I impressed upon all those present, Sir, what I told you I did, and I followed it up by making up our mind that we should discuss this matter again with the Agents when they come up in March on the basis of the figures I have placed before the House today. But there is one other little thing that I ought to mention to show that we are really in earnest in our efforts to accelerate the pace at which Muslims shall get proper representation in our upper subordinate grades. I have felt, not only now but even before I took my present post, that one of the ways by which Muslims would get fair representation was if some of the posts of Staff Officers on our Railways were filled by Muslim officers. It is only a little time ago that, following up this idea, the Railway Board consented to send out a Superintendent of the Office as an officer in the North Western Railway in one of these staff appointments. Very recently again when I wanted a staff appointment on the East Indian Railway, I went out of my way to the Department of Industries and Labour and got a Muslim gentleman from there and put him into the post. Now I am going to follow that up and if I have two Staff Officers in this little time, I shall have a proper proportion of Muslim Staff Officers on our State Railways as quickly as I possibly can; and I think that, if our Staff Officers are Mussalmans, they will, without doing injustice to the other communities,—I make a strong point of this, Sir,—make the Muslim subordinates understand the value of getting better equipped and better trained and becoming more efficient and thus qualifying for the higher posts.

I think, Sir, I can bring my remarks to a close just now. Before I do so, I wish again to emphasise that I am still not satisfied with the representation which the Muslims have in the upper subordinate posts on our railways. But I give my solemn undertaking that I have this question at heart, and I will push it forward with all the energy that I can command. I will be the driving force in this question, and I shall get the Agents of railways to take my view and to rectify the existing defects. But, Sir, I also wish to make it clear that nothing that I or the Agents will do will be done in a way to bring about injustice to any of the other communities.

Sir, I oppose the motion.

Raja Ghazanfar Ali Khan (North Punjab: Muhammadan): Sir, such a speech, even if it had come from a Back Bencher of the Nationalist Party, would have been the cause of great disappointment to every fair minded Member of this House. It is a greater disappointment when it comes from such a responsible officer of the Railway Board. He has enumerated certain usual drawbacks which are generally pointed out against a community whose proportion in the services is very unjust and unfair. He has not told us of any specific remedy to remove those defects. He has laid great emphasis on certain things, about which no mention was made by any Member. He has said that the Government would not be guilty of this and that. He has said that they would not be guilty of giving preference to juniors over seniors who are already in the service and have got a long record of service behind them. Nobody has so far brought forward that suggestion or put that suggestion before him. What we wanted was that, subject to efficiency, the representation of each community should be in proportion to its population. Nobody denies that efficiency is absolutely essential for any responsible service. But what we want is that a community which is already backward, even if it satisfies the minimum demands, the minimum qualifications required for that service, should be given preference, even if the members of the other communities happen to hold a few more qualifications by way of getting more marks in the examinations. This is what we want. He has said he has been writing letters to the Agents every year and that Agents have been meeting annually in March with a view to consider whether they can find means and ways of giving more appointments to the minority communities. The result of all these efforts for long years has been that the percentage of the Muslim community still remains at 4 per cent. Whatever his reasons may be, whatever arguments he may have given, however many meetings may have been held, and however many circulars might have issued, the fact remains that the Muhammadans are still 4 per cent., and that percentage remains almost stationary or has remained stationary for a long time. As I have already pointed out, we do not want that the service should suffer on account of inefficiency. We would not insist that a non-technical Muhammadan should be appointed to a technical post if he has not qualified himself for that post. But what we want is that the community should not be deprived of a fair and equal opportunity of getting these appointments, even when we are thoroughly convinced that they have been making rapid progress in education and can produce and supply any number of young men absolutely efficient and able to carry on the duties if they are given a fair opportunity. I am afraid the real trouble is that in all these comparatively unimportant posts, when they fall vacant, it is not the Members of the Railway Board who decide as to who should be appointed to these posts and how these posts should be advertised. It is the men in the office, the Superintendents, the Head Clerks and so on in whose hands lie these appointments mostly. I would not blame them for having communal prejudice. Some of them, I am sure, must be absolutely fair-minded and liberal-minded who do not care for these small communal matters; but it is natural that every human being would like to give preference to one who is related to him in some way, by ties of blood or by friendship or by association.

Now, the fact is this, that a Superintendent who happens to be a Hindu, because as you know a large majority of them are Hindus, receives

a recommendation letter from a friend who has got his son-in-law or some cousin of his son-in-law applying for a post. If Sir Hari Singh Gour's efforts would be successful in getting a Bill through this House for inter-marriages, I think this question would not arise. (Laughter.) But when the Superintendent is determined to appoint one of his own relations or the relation of a friend of his as a clerk, that man must be a Hindu. Under the present circumstances, he cannot be a Muhammadan. That is the real trouble, and unfortunately the subordinates form an idea of the policy of the officers, but not by the circulars which are issued nor by the speeches which are made in this House where the speaker knows fully well that there are at least 20 or 30 people sitting opposite who will have the opportunity of criticising. But they judge from the temperament, from the general habits and nature of that officer as to what he wants. For instance, you issue a circular. In that circular you write that efficiency should be the chief consideration; nobody's interests should suffer; you must not be unjust to any community and so on, and you put down about one dozen qualifications and then down below you write that you are gravely disappointed to find that there are certain communities who have not got a fair proportion of appointments. Your last sentence has got absolutely no value for them. They know that you are doing it just to get up and answer a charge when it is levelled against you that a certain community has a very poor representation. That is the fact that you have to face. Unless you are determined to pass a definite rule that, for a certain service you want a B.A. or M.A., or a man with certain qualifications, and for some years to come you would not entertain any application from any person belonging to the majority community who are already preponderating in that service, unless you make that your definite policy, your attempt would not be successful. But if you make this a point, a definite matter of policy, your attempt next year would not be, when we again start this question, simply to get up and read out half a dozen circulars to us. Unless you make it a definite policy, I think there is absolutely no use, and no person will be satisfied with whatever reasons you may give.

Another point to which my Honourable friend has just now referred—I am glad he has given me an opportunity to say something about that—is that a certain officer was disappointed that, while half a dozen Hindu friends sent introductory letters to him, no Muhammadan sent any and that shows that the Muhammadans are indifferent. Luckily I have got a little bit of personal knowledge of the North Western Railway because I come from that province. In the first instance, I think it is much easier to have an interview with His Excellency the Viceroy for one hour than to see your Agents even for five minutes. (Hear, hear.) It is not an easy process to approach an Agent. The man who wants to see him may have a very important public position and he may want to see the Agent on a matter of public interest, still if I just describe the process he has got to go through, you will all agree with me that no self-respecting man would ever consider to go near him. You go to the office and half a dozen chaprasis come up to you and ask you, "Whom do you want to see?" You say, "Agent". "Yes, all right, you see the Superintendent first." "I have not come to see the Superintendent, but I want to see the Agent. If you want I will see the Agent's Private Secretary." They say "No; if you want to see the Agent's Private Secretary, you have got to see the Superintendent". The Superintendent, if he

[Raja Ghazanfar Ali Khan.]

thinks that there are sufficient reasons to give, will recommend your name to the Secretary. Then the Secretary will call you. He will hold another inquiry, and if I satisfy him, he will say, "Yes, there is some legitimate object for which you want to see the Agent". Then he will mention it to the Agent who may send you the word before you get into his room that he could hardly spare three minutes and you must finish your conversation within three minutes.

I can tell you, it is not a story, these are all facts. How can you expect any man who has got any worth among the public to go and even discuss these questions with your Agents? If we were convinced that every responsible officer in the Railway Department was honestly after finding out means to satisfy the legitimate demands of various communities, everyone of us would have given our heartiest support to him and would help him in every possible way. On the other hand, we find that their attitude is most hostile and insulting.

Then another thing which you mentioned to us was that the number of vacancies is limited. I do not think there is any Member of this House who would ask you to increase Budget and to create new post simply to employ Muhammadans. What is the use of your plea? If a man is prosecuted criminally and is before a court for a charge of theft or murder, he goes there and says, "Well I most emphatically deny that I have ever committed a theft, I most emphatically deny that I have ever committed a murder", but that is not going to help him. You say that the Government

Mr. President: Order, order. Owing to his long absence from this Chamber the Honourable Member has perhaps forgotten the rule that he should address the Chair.

Raja Ghazanfar Ali Khan: I am much obliged to you, Sir. I am absolutely certain, Sir, that if the Members of the Railway Board, and every responsible officer for the matter of that—we cannot draw any distinction between one Department and another, particularly in the Government of India—almost everywhere they are more busy with higher matters of policy than with these little affairs which do really matter. If the Government of India would persist in this policy, which is more or less one of indifference in communal matters, I am sure unfortunately they will be responsible indirectly for creating trouble. What will be the result? Now, supposing, Sir, after one year, we have got people's representatives sitting on those benches and in charge of the various Departments, and supposing a Muhammadan happens to take the place of the Honourable Sir George Rainy, he would naturally be anxious to see at least that his community is not unjustly treated. No doubt, within one month, Sir, you will find big articles appearing in all the papers that a Muhammadan has been appointed and there is another Aurangzeb who has come to India. But on the other hand, if this policy is really pursued by the Government, of doing justice to the legitimate claims of the Muhammadan community, just as they are situated at present, nobody would blame them for being another Aurangzeb. They are therefore in a better position to satisfy our legitimate demands, and I trust that, instead of making speeches, giving arguments, and trying to

reply to all the points put by the Opposition, they would honestly and earnestly do their best to remove these legitimate grievances.

Maulvi Abdul Matin Chaudhury: Mr. Hayman has told us that he is disappointed with the rate of progress of the employment of Muhammadans in the railway services, but I am very much disappointed, Sir, with the speech he has made. Lord Reading, Sir, laid it down as the policy of the Government that in all Government services one-third of the vacancies should be reserved for minorities for removing communal inequalities. Some years ago the Home Department issued a circular to that effect to all Government Departments. But, Sir, the autocrats of the Railway Board have no respect either for the Home Department circular or the pronouncement of the Viceroy. In the office of the Railway Board, the policy of the Government acquires a new orientation; they absolutely ignore the Home Department's circular and the Viceregal pronouncement. They have got, Sir, a wonderful set of rules, which must have precedence over everything else. Mr. Hayman says that there are few vacancies in the railway services. Mr. Ghuznavi referred to 49 appointments that were made last year in the gazetted rank in State Railways, and searching throughout the length and breadth of India from Kashmir to Cape Comorin, Mr. Hayman could not find more than one single Muhammadan who could satisfy the requirements of his rules. I do not know, Sir, what those wonderful rules are, but whatever his rules may be, I think they are only fit to be thrown into the waste-paper basket, because these rules contravene the policy laid down by the Government of India, by the Viceroy. Then, Sir, Mr. Hayman says that Muhammadans do not stand high up in the examinations. May I inquire, Sir, from Mr. Hayman what is that examination which all the Anglo-Indian boys pass when they get into the railway services in their hundreds? His talk about all these examinations is mere eye-wash. (Interruption.) I do say, Sir, that in making appointments in the railway services, there is nepotism and jobbery. Mr. Hayman himself has quoted what one Agent said, namely, that he received several letters from several Hindu friends for one particular job. Then Mr. Hayman said, in reply to an interruption from Mr. Ghuznavi, that there had been an increase in the percentage of Muhammadans. The increase has been, Sir, from 3.8 to 4 per cent. in one year. I think, Sir, that if we make progress at this magnificent rate, Dr. Ziauddin will be able to calculate if, by the end of this century, we shall be able to reach the one-third percentage! But, Sir, I am not going to make any appeal to the Government to redress the grievances. I know it is absolutely futile. I have no illusions in that respect, Sir. My Honourable friend, Mr. Anwar-ul-Azim, with a very pathetic faith in the sense of justice of the Government, goes on interpellating day after day only to receive the most evasive and most arrogant replies from Mr. Parsons. When I think, Sir, of the attitude of the Government towards Mussalmans, I am reminded of certain lines of Kipling in his ballad "Tommy Atkins" in the "Ballads of the Barrack Room":

"It is Tommy this, and Tommy that,
And Tommy get away. . . .
It is thank you, Mr. Atkins,
When the Band begins to play,
And the Band begins to play,
And the Band begins to play."

[Maulvi Abdul Matin Chaudhury.]

Well, Sir, whenever any nasty job is to be done, when the Simon Commission is to be supported or the Public Safety Bill is to be rushed through, Government remember their dear old friends, the Mussalmans. It is then all fraternisation, all hugs, embraces and kisses, all a case of, "Thank you, Mr. Atkins, I am very much obliged", but when the job is finished, the Government have no use for the Mussalmans. Then the position is, "Get away". I want to say to Mr. Ghuznavi and Mr. Azim that this is the reward of all flirtation that they have been carrying on with the Government for the last three years. The more kisses we bestow, the more kicks our community receives. So, Sir, I am not going to appeal to the Government. I shall address my appeal to my Honourable friend on my right, my own fellow countrymen; I wish to tell them that here is a section of their countrymen who are smarting under a real sense of grievance, and they look to them, Sir, and to Pandit Madan Mohan Malaviya, as Nationalists, as the custodians of the interests of Indians both the Hindus and Muhammadans, to see that their grievances are redressed. We, Sir, do not want any special privilege, we want only bare justice; we want that, having regard to the requirements of efficiency, our community should get their due share. That is all we want. And we shall be satisfied with nothing less.

(Munshi Iswar Saran rose to speak.)

Mr. President: Does the Honourable Member wish to address the House?

Munshi Iswar Saran: It looks like it, Sir.

Mr. President: I hope no heat will be introduced into the debate. Munshi Iswar Saran.

Munshi Iswar Saran: Sir, I am rather surprised that an inoffensive, harmless and cold and cool-headed person like myself should by any stretch of imagination be considered to be guilty, even in his wildest moments, of producing heat.

Sir, I deeply regret that I have to intervene in this debate. I had not the slightest idea of addressing the House on this question, though I have considerable sympathy with the motion of my Honourable friend, Mr. Ghuznavi. My Honourable friend, Raja Ghazanfar Ali, however, has left me no choice but to make the position of the Back Benchers of the Nationalist Party quite clear. May I say, in passing, that this kind of game is one at which two can play? I shall not condescend to cross swords with Raja Ghazanfar Ali over the political attitude of the Back Benchers of the Nationalist Party. I shall only tell him that, only yesterday and the day before, the Back Benchers were discussing this question, and each and every one, without any exception, was in considerable sympathy with the grievance of the Muhammadans that their representation in the railway services was not what it ought to be. But, Sir, a friend of mine, whose name I shall not mention, has told me after Raja Ghazanfar Ali's speech that, in view of the remarks that he has made and the suggestions that he has put forward, the only course left was to remain neutral. I do not know what course we shall ultimately adopt. But I wish to say

Maulvi Sayyid Murtuza Saheb Bahadur (South Madras: Muhammadan): Is that the decision of your party, or your individual opinion?

Munshi Iswar Saran: A Back Benchers' decision, Sir.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Back Benchers in rebellion!

Munshi Iswar Saran: Thank God that ours is a party in which the Back Benchers are not in battalions; it is much better than a party which has got no Back Benchers.

There is one very dangerous remark which was made by Mr. Hayman, and I sincerely hope that Sir George Rainy or the Railway Board or the Executive Council will not accept it. What he says is this; appoint some Staff Officers who are Muhammadans and then this difficulty will be removed. No, Sir; do not appoint Staff Officers who are either Hindus, Muhammadans or Parsis or Christians in order to make up the deficiency of their respective communities in this or that service. Appoint Staff Officers who will hold the scales even. You want men who will not allow their judgment to be influenced by the consideration that they belong to this or that community.

Mr. Anwar-ul-Azim: Past story is so very shady.

Munshi Iswar Saran: I have very little acquaintance with shady affairs, Sir, and so I am afraid I cannot express any opinion about them. I do think that the suggestion of Mr. Hayman that the appointment of Staff Officers should be made in order to enable these officers to make up the deficiency of their communities is thoroughly wrong in principle and a strong protest against it is necessary.

Maulvi Muhammad Yakub: Then you will have to remove all the existing Staff Officers.

Munshi Iswar Saran: My Honourable friend, the distinguished Deputy President of this House, hardly does me the honour of following me. I cannot have the impudence to suggest that he has not got the brains to understand my remarks, he has not been gracious enough to follow what I was saying. Have by all means Muhammadans in adequate numbers in the railway services; they should not have a feeling of grievance as indeed no community should have a feeling of grievance. But what I say—and I beg you to consider it seriously—is, do not appoint any Muhammadan or any Hindu in order that that particular officer may be able to appoint more men of his community. That principle is vicious and should be condemned outright.

Maulvi Muhammad Yakub: Therefore I said you will have to remove all the existing officers.

Munshi Iswar Saran: No, because they have not been appointed for this reason, they have not been appointed with the distinct object that they will make up the deficiency of appointments of this community or that.

Nawab Sir Sahibzada Abdul Qaiyum: But still the result is the same.

Munshi Iswar Saran: My Honourable friends do not realise what they are talking about. If that be so, then they are giving a handle to the other side to say, "If we appoint Hindus, Muhammadans suffer and if we appoint Muhammadans, the Hindus suffer". Where are we going to end then? (An Honourable Member: "That is childish.") (Another Honourable Member: "The Muhammadans have suffered.") My

[Munshi Iswar Saran.]

Honourable friend, Raja Ghazanfar Ali, put forward a suggestion which I think again requires a word of very strong protest, and it is this; he says, make a rule that no one of the majority community should be appointed till the percentage of the Muslim community is completed

Raja Ghazanfar Ali Khan: No; of all the minority communities.

Munshi Iswar Saran: Let us pause and consider the matter (*An Honourable Member*: "This was the scheme of Mr. C. R. Das.") It does not lie in the mouth of those who have deserted Mr. C. R. Das to take his name in vain. What I submit is this; if you are trying to lay down a principle like this, you are bound to create more bad blood. I cordially support my friend, Mr. Abdul Matin Chaudhury, in the remarks that he has made. It is a matter which has to be settled by goodwill, by forbearance, by sympathy.

Raja Ghazanfar Ali Khan: It is Government's duty as well.

Munshi Iswar Saran: I agree, it is Government's duty as well, and let Government do it, not in the way suggested by Raja Ghazanfar Ali, but in the way which meets with the approval of every sensible, every thoughtful and every patriotic Hindu, Muhammadan, Christian, Parsi or Sikh.

Raja Ghazanfar Ali Khan: I agree with the word "sensible".

Munshi Iswar Saran: Sir, I will allow that remark to pass without notice. I wish only to say this; that the motion of Mr. Ghuznavi has considerable force. While I was studying the question of Indianisation only yesterday, I felt myself that the representation of Muhammadans in the railway services was very inadequate and that it did need looking into. There is no doubt about it. I shall discuss this question in detail later on. I shall say only one word to my friends on the other side and then resume my seat. Let them and us unite in putting forward such proposals as will bring them the relief they are entitled to. Let us unite in getting Indianisation and at the same time in getting the share of the Muhammadan, the Hindu, the Sikh, the Parsi and every other community in India; let every one have its due share, but let us unite in order to get the real power. Let us unite so that these services might be Indianised; let us concentrate our attention on Indianisation rather than on proposals which lead to discord. And may I, before I sit down, say that my Honourable friends, like Raja Ghazanfar Ali, should, particularly at this juncture, take great care not to say things which are unnecessarily provocative, because every effort is being made so that such differences as we have may be destroyed and not perpetuated.

Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): Sir, I did not want to speak on this occasion, as I thought that my 12 Noon. proposed cut would give me an opportunity to express my views on this subject, but I am afraid that, at the rate we are progressing, I may never reach my cut, and therefore, Sir, I welcome the occasion which is afforded to me by this proposed cut of my friend, Mr. Ghuznavi. Sir, I do not desire that this debate should degenerate into a purely communal discussion. I do not desire that any communal bitterness should be introduced on this occasion, but I do desire that the just claims of the communities, especially of the minorities, should be conceded, and I

expect my friends on both sides to consider that, in the matter of giving justice, there should be no question of communities. They must come forward and follow the divine law that justice should be administered without fear or favour

Mr. B. Das (Orissa Division: Non-Muhammadan): Hear, hear, I am with you.

Sir Zulfiqar Ali Khan: I know that some Honourable Members on my right and some others on the official Benches are terribly bored on account of the long discussion on this subject, but I would request them to have a little patience and to weigh the question scrupulously and see on which side the justice lies. Sir, no organised community can last long unless it is based on justice and fair play, and if justice is not given, then that community is doomed to failure and destruction. We are now approaching a period when new aspirations will find material expression, I hope very shortly, in the matter of new reforms, and I appeal to my Hindu brethren that they must on this occasion show by their attitude that they can be safely entrusted with the interests of other peoples, and if they do not show that attitude, then India's aspirations will not materialise. It is a great problem, and I hope that they will not, by their attitude, try to destroy the efforts which are made by the whole of India to regain the liberties lost by her.

Mr. M. S. Aney (Berar Representative): Including yourself.

Sir Zulfiqar Ali Khan: Sir, in this matter of the employment of Mussalmans in the service of the railways I am very deeply interested, as my community set up a great agitation when they knew that they were very unfairly and unjustly treated, and in response to that agitation the Government issued a circular in 1925, in which they laid down, in categorical terms, that the claims of the minorities must be properly safeguarded, and that 33 per cent. of the appointments should be reserved for redressing communal inequalities, and the remaining 67 per cent., should go to other communities, but the minorities also might be given the benefit of these appointments. The Mussalmans were for the time being satisfied, and they thought that, after all, justice was coming, but experience showed that justice delayed was justice denied. No real amelioration of the conditions of service with regard to Mussalmans took place. The Railway Clearing Accounts Office was established soon after this, and the Muhammadans expected that, as a result of their agitation, the assurance given by Government in 1925 was adequate and that their claims would be properly considered. The Clearing Accounts Office had, as its Director, Mr. Scott, and as Assistant Director, one gentleman called Rai Bahadur Faqir Chand. I need not introduce the Rai Bahadur to the House here, because his notorious activities with regard to ignoring Muhammadan claims are well known, and although articles appeared in the public Press, and questions in the Assembly were asked, no notice was taken of his activities. Not only that. On the contrary, Government tried to justify the high-handed proceedings of this officer. (*An Honourable Member*: "He was promoted.") Yes, as my friend tells me, he was promoted. That was the reward of his notorious activities. Numerous questions were asked in this Assembly demanding that figures might be supplied as to the strength of the staff and the situation of the communities in this office. But Mr. Parsons systematically refused to give this information, and I think his plea was that he did not want to accentuate communal feelings. Well, that was a very honourable and admirable object, but may I ask him, if

[Sir Zulfiqar Ali Khan.]

these figures you can easily conclude that the silence or the refusal of Mr. Parsons was rather significant. Mr. Mitra has said that 17 men were given rapid promotion, and out of these 17, there was only one Muhammadan. I will show the House how that rapid promotion was given. I will read out the names:

Name.	Qualifica- tion.	Date of appointment.	Pay at the time of appointment.	Present Pay.
			Rs.	Rs.
Mr. Kashi Ram	F.A.	April 1926 . .	100	190
Mr. Jodish Ram	Matric.	December 1925	80	120
Mr. Prem Chand	B.Sc.	January 1926 . .	60	160
Mr. Jaswant Rai	B.A.	February 1926 . .	60	170
Mr. Faqir Chand	Matric	Transferred from Audit.	54	146
Mr. Kishori Lal	do.	do. . . .	42	146
Kunwar Kishor	do.	December 1925 . .	60	115

—Now, comes the list of wretched Muhammadans—

Mr. Abdul Rahman	B.A.	April 1926 . .	60	76
Mr. Abdur Rashid	F.A.	April 1925 . .	50	60
Mr. Mohammad Hasan	F.A.	April 1925 . .	50	60
Mr. Abdur Rashid	F.Sc.	Transferred from Audit.	60	78
Mr. Saeed	Matric.	July 1927 . .	100	80 plus 20

—It is a sort of degradation—

Mr. Sardar Mhammad	F.A.	May 1926 . .	50	76
Mr. Ahmad Hasan	B.A.	1928 . .	60	60
Mr. Abdul Hamid	B.A., LL.B.	1928 . .	80	80

Well, Sir, from the above list you can easily see how the Muhammadans are being treated. Although the official Benches were doleful and very bored, I cannot help saying that, in spite of their boredom and ennui, they must pay some regard to the claims of the Muhammadans, and I do hope that this voice which is raised in protest against the injustice done to the Muhammadans will carry weight with them and pave the way for the amelioration of the lot of the Muhammadans in the near future.

Colonel J. D. Crawford (Bengal: European): It was not my intention, Sir, to intervene in this debate, but I think we feel very strongly on these Benches that there is every necessity to show the utmost justice to minorities. It may be that we, minorities ourselves, are not active enough in

pushing our way into the various services, but if that is the position, then it seems to me that it is up to Government to go out and make a greater endeavour to secure recruits from communities inadequately represented, rather than leave the position as it is. I recognise that Government on this occasion have made a very reasonable statement to the Muhammadans. Mr. Hayman's speech seems to me to have been thoroughly conciliatory. Still the figures—I think even my Hindu friends will admit—are not satisfactory, and if this sort of proportion is to remain in the services, we are going to have our communal differences extended for a considerable time. The way out of the difficulty, it appears to me, is to go out and see if you cannot find, by special recruitment, sufficient numbers of any particular community to meet your requirements. It is perfectly true that the Muhammadans have not turned their attention adequately to service in the Railway Department, and I admit, therefore, the difficulty of Government, but it might be possible for Government to advertise more freely and make a real effort to see whether they cannot get members of the Muhammadan community suited to their purpose. The actual motion, of course, if passed, would be a motion of censure on Government, and I do not feel that that is justified in view of Mr. Hayman's reply to the House. It seems to me that the debate points to the fact that we all desire Government to continue with its policy of finding equality in the services for the various communities, and if the opinion of my Muhammadan friends is that, I suggest that the debate might be left there by the withdrawal of Mr. Ghuznavi's motion.

Mr. Abdul Haye (East Punjab: Muhammadan): Sir, I want to say only a few words by way of reply to what fell from the lips of my Honourable friend Munshi Iswar Saran. After making certain remarks, towards the end of his speech he appealed to the Muhammadan Members and said, "You make common cause with us in the matter of Indianisation of the services". Well, Sir, I have been in this Assembly for seven years now, and during this period, there has not been a single occasion when a Mussalman Member has stood in the way of Indianisation of the services. We have always lent our unqualified and whole-hearted support to this national claim. But here this morning, I want to say, that even in that matter of Indianisation, my unfortunate community has suffered. Sir, my Honourable friend Mr. Hayman, the spokesman of the Railway Board, when he was on his legs on Saturday afternoon replying to the arguments of my Honourable friend Mr. Ghuznavi, did not dare to come to the point at issue straight. For a pretty long time, he was beating about the bush. He said, "We, Members of the Railway Board, have been very busy with the scheme of Indianisation and we have achieved a great success". He said, "About 75 per cent. of Indianisation has been accomplished and when what remains is also achieved, we shall turn round and see what is due to the Mussalmans. We shall then do something in that direction." This clearly means that, up till now, they have ignored this important community. Sir, his argument reminded me of the robbers and their code of ethics. What do robbers do when they go out to carry out their nefarious trade? They put their heads together and they say, "Here we have to rob other people of their property. At the time when we will commit a dacoity or robbery the time at our disposal would be very short. Let us make the best of the occasion and carry away as much property of our victim as we can. Let us neither quarrel, nor find fault with each other. Do not say, you have taken more than myself, and when we go

[Pandit Madan Mohan Malaviya.]

superior nature. Whether we are Hindus or Muhammadans or Christians, if statements are made which we think are unjust and which we think had better not have been made, we need not necessarily reply to them. Let us ignore them and yet see what justice there is at the bottom of the proposal that is put forward. Perhaps in that way we shall be holding up a much better example to our fellow-workers than by attempting to answer and to criticise what we disapprove and hold to be wrong.

Well, Sir, I do not wish to detain the House longer. I feel that there are some steps which may be taken. There is something evidently wrong. The number of Muhammadan young men available in the country is happily now very much larger than it was twenty years ago. Education has made great progress, and Muslim young men are giving a very good account of themselves even in the competitions at the Universities and in their examinations. May it be that want of due publicity of vacancies in these offices or at the requirements of these offices, *i.e.*, want of knowledge among Muslim candidates of these requirements, is responsible for a sufficient number of young men not offering themselves for the services to which reference has been made? In any case I hope that the Government of India and the Universities and other Educational institutions will co-operate to let the student world know what the requirements of particular departments are. And not merely that, but they should give students facilities to qualify themselves for service in those departments in which Mussalmans may be found to be very deficient in number. I think, Sir, it should be recognised that it is the duty of the Government of the day, whichever Government it may be, that it should inform the youth of the country, without any distinction and without any partiality, of what opportunities there are for them in the public services of the country and afford them facilities to obtain that particular kind of education which may be needed to qualify them for those services. If we introduce such a system, this kind of talk of any possible partiality on communal grounds will become a matter of past history. Sir, I support the motion.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, although the motion before the House involves a very minor issue in itself, it has got a very far-reaching effect on matters of much graver importance both within the House and outside in the country. That, Sir, is my only excuse for taking part in this debate and detaining this House for a little while.

Now, Sir, my Honourable friend, the Leader of the Opposition, just now said that there must be some cause—of course he was not able to define it—for this appalling state of affairs which was disclosed so eloquently, not by language or oratory but by cold print, printed figures, which speak more eloquently than any language or rhetoric or any arguments. The facts have been disclosed from the official records. Now, I think it is admitted and cannot be denied that they disclose a most deplorable state of affairs. The next question is, what have the Government of India been doing, and what have the real authorities been doing. That is the next question. The same story goes on year after year. It is true—and here I can assure my Hindu friends—that some of us feel very keenly, feel very strongly on the subject, and yet we restrain ourselves from questions of this character in this House if we can possibly help it, because we do not desire that there should be created any bitterness or ill-feeling amongst Honourable Members of the position and responsibility that we find in this House. But I have

always wondered, and I wondered when my Honourable friend was speaking as to what is the cause of all this. He said it may be want of due advertisement. It may be due to some causes, something or other. Sir, am I to assume that the Government and the Railway Board are so inefficient or so ignorant and so incapable of understanding a simple question of this character, namely, the recruitment of a particular community on the ground of fairness and justice to that community? Are they so incompetent that they cannot devise methods and measures? Are the Government really so bankrupt that they cannot handle this simple question? And for all these years, you know, Government knows, Sir, that this has been one of the sorest points with the Mussalmans, and we find unfortunately, beggars cannot do anything else except to wait in deputations on the Railway Board and the Government Member and His Excellency the Viceroy when he goes on tour, and every time a very nice reply is given, and we are informed that we are very loyal, and Government are always our friends, Government are always ready to do anything for the Mussalmans particularly, but "what can we do, you are not efficient, you are backward in education, we cannot find men in your community suitable for the various posts". Now, Sir, that is the argument and reason that is advanced. I am really beginning to think—and I am sorry if I am unduly accusing the Government of India—but I really am beginning to think that this is done with some object or policy behind it. I hope, I am wrong. I make the statement with great hesitation. I am really beginning to think, Sir, that this is done with some definite policy or object behind it, and that object, it seems to me is this, that Government deliberately—not because of their incompetence or incapacity of realising or appreciating—I refuse to believe that—but they deliberately follow a policy which leaves a very great grievance on the part of the Mussalmans. There are unfortunately some Hindu friends of ours who look upon this question with great resentment, and who say that the Muhammadans are, day in and day out, clamouring for appointments in the services of the Government whether they are efficient or not. The Government take advantage of that sentiment of the Hindus. In view of this sentiment the Government feel that, whenever the question comes up, the Hindus are more likely to stand up and take up this position that in the services nothing but pure merits should count, recruitment should be by competitive examination—in short, survival of the fittest. Government rely upon this attitude and feel sure that some will resort to this argument. Government therefore make use of all the sentiments, feelings and the opinions which are expressed, and know that, whenever the question comes up, the Hindus are not likely to support the Mussalmans, and that therefore the Mussalmans will be provoked, embittered, and thus estranged, they will look to Government for favours and so then steps in the Government and goes on with sweet words and occasionally throws a few crumbs with the definite object that there may not be any good understanding arrived at between the Hindus and the Muhammadans. (Hear, hear.) Now, is that your object?

Sir Hugh Cocke (Bombay: European): Sir, I rise to a point of order. Is the Honourable Member entitled to continue addressing the Government and not the Chair?

Mr. M. A. Jinnah: Sir, Sir Hugh Cocke, I think, will have to learn yet to teach me. I have been in this House much longer than he has been (Hear, hear) and I think his interruption was without any justification whatever and I think he knew it and he probably too felt my

[Mr. M. A. Jinnah.]

argument too strong, and he wanted to take me away from that line. I do not think he will succeed in that. (Laughter.)

Therefore, I say, and I appeal to my Hindu friends not to play this game and estrange Mussalmans, and here I want you not to misunderstand me, because, as far as I am concerned, I have from the very start of my career stood for Indianisation, and I certainly will be the last person to advocate that the efficiency of the service should in any way be prejudiced (Hear, hear.), because of communal claims. We do not want incompetent officers or servants, we want competent men. (Hear, hear.) But you must admit that, in getting competent men, in getting qualified men, you must have regard to the interests of the various communities, whether they are Anglo-Indians, whether they are Parsees, or Christians or Muhammadans. (Hear, hear.) I have always stood for Indianisation, from, I think, the days of Dadabhai Naoroji. I have always supported it, and whenever an argument was advanced in favour of efficiency, I have supported it and I think Pandit Madan Mohan Malaviya will remember, once the Honourable predecessor of the Home Member, Sir William Vincent, said that if we were going to have a system of competitive examinations, the Mussalmans would suffer tremendously, and he was at that time the champion and the guardian of the interests of the Mussalmans in that particular question. I think, Sir, you were also in that Council and I remember this game being played very often. I think it has been given up now to a certain extent. Perhaps it is finding its roots deeper and becoming more ingenious than the obvious game that used to be played. His game was again to divide the Hindus and Mussalmans over this question because the motion was moved by a Hindu whose opinion was that this particular service in this particular Department should be recruited by competitive examination. And I remember, Sir, on that occasion I said that I was in favour of efficiency, and that if the competitive test was the only test of efficiency (about which I have my own doubts), I would rather follow that test, even at the expense of Mussalmans. But, Sir, that is not the point. Competition is not really after all, the best test. (Lieut.-Colonel H. A. J. Gidney: "Hear, hear.") It has been so found not only in this country, but in many other countries—however, I won't go into that matter now, Sir.

I therefore, Sir, whole-heartedly support this motion, and I am very glad—if I may say so, I sincerely congratulate the Leader of the Opposition on giving a correct lead to his community, which I most cordially reciprocate. (Applause.)

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I just want to make a few remarks, and as usual in my own philosophical way. I will be very brief. I am sure my Muhammadan friends will believe me when I say that, so far as one humble Member of this House can do anything to support this motion, I am whole-heartedly with them. I think it is a duty which I owe to myself, indeed it is a duty which I owe to my Muhammadan fellow countrymen, for whom I have so much love and regard, that I must raise my humble voice in support of what they may consider to be their legitimate share of public appointments. I am, however, a little sorry, Sir, whenever any

of my friends come up with any of these questions as to the larger employment in any inferior services, or for that matter, even in the superior services, on behalf of this particular community or that particular community, and so on. I thought, Sir, that we old-fashioned Brahmins alone were beggars. I am afraid our Muhammadan friends, perhaps by long association with us, have become adepts also in this art of begging. I wish, Sir, that we could forget for a moment the art of begging, and talk of something not of service but of some kind of rule, self-rule. "How many clerks are there in such and such a Department?" I am sorry that these questions are raised constantly and are allowed to turn the course of the debate, and very often allowed too to appeal to our lower natures. That is the feeling that I had when I heard some of the remarks made today. Of course, anybody will say that it is absurd that some very good Muhammadans, clerks in offices, should be started on Rs. 60 and remain on Rs. 70 or Rs. 80 for two or three years, while some other clerks, Hindu or Anglo-Indian or Parsi, who start on Rs. 70 or Rs. 80, within two or three years rise to Rs. 200 or Rs. 270 and so on. That is injustice, and as the Honourable the Leader of the Opposition well put it, I hope such cases will be brought to the notice of the senior officer concerned, who is responsible for dealing with such petty inequalities and injustices, and that he will be dealt with it in a manner that will open the eyes of others and put them on a proper code of justice to their subordinates.

While admitting this, Sir, I will appeal to my Muhammadan friends just to think whether, having been rulers for such a long time in India, it is not rather a little derogatory to themselves that they are constantly bringing up these questions relating to the services, and laying so much stress upon the fact that there are very few Muhammadan clerks here and very few Muhammadan clerks there. Talking for the Hindus, I wish that we were able to yield more places to Muhammadans, or even to get on without Government service for that matter. I often used to tell many a graduate that had come to me, "Even a chauffeur gets Rs. 40 or Rs. 50 and even a cook gets Rs. 30, why do you wish to get a clerkship on Rs. 20 or Rs. 25?" That is my feeling with regard to these services, so let us not make a great mountain of this minor issue. As Mr. Jinnah has said, it is unfortunate that there is a major corollary attached to it. Whether we are Hindus or Mussalmans, we in this country should live in amity and peace and goodwill, and not quarrel on this small question, which is likely to engender communal heat. Let ninety per cent. of all offices be given to my Muhammadan friends rather than that communal heat and communal ill-feeling should be engendered. After all, service is not going to elevate the nation. Service is not going to bring us Swaraj. It is character, it is merit of a different calibre, and not the traits that are being cultivated as clerks in offices that we require in the great national task that lies ahead of us. That is my appeal to my Muhammadan friends. By all means let them get as many clerkships as they wish, and let my Muhammadan friends have no feeling of injustice in their minds; let the Hindus cheerfully give to them as many vacant clerks' places or even officers' places as will satisfy them; but let us stand closer together and not be deflected from the great national work that lies before us, by the consideration of a less number of Muhammadans here or a less number of Muhammadan employees there.

***Maulvi Sayyid Murtuza Saheb Bahadur:** Sir, but for the speech of the last speaker, my Honourable friend, Mr. M. K. Acharya, I would not have intervened in the debate at this moment. Of course, as a philosopher he has placed his philosophic observations before the House. I know what amount of philosophy he has taught to us. But am I to understand, Sir, that he is not in favour of Indianisation because Indians need not care for these appointments? If he is not in favour of Indianisation, he may of course oppose the token cut put forward by my Honourable friend, Mr. Ghuznavi, but, Sir, I do not see any reason why the Mussalman demand for a due share in the services should be ignored altogether. If non-Moslems get their due share, of course, we do not grudge it, but there is no reason why there should be animosity or ill-feeling between the communities. On the other hand, if our Sikh friend, for instance, Sardar Gulab Singh, should move the token cut standing in his name, all Mussalmans will support him. Mr. Acharya says that Mussalmans were rulers once: that is the chief reason why even now they want to rule in each and every department of the public service. Of course, we would not be contented to remain in service. So far as Swaraj is concerned, of course, my Honourable friend, Mr. M. K. Acharya, who comes from my province, knows that we are at once with him in demanding Swaraj, but before we get Swaraj, this kind of Swaraj also is necessary. Along with Indianisation we want our due share.

So far as my Honourable friend, Mr. Hayman, is concerned, he said he had succeeded in achieving the object to a great extent in the matter of Indianisation, but I would ask my Honourable friend as to how it is that, in attending to Indianisation, he has ignored this important minority community. He says, "Let Indianisation go on, afterwards the claims of Mussalmans will be attended to". The same thing is repeated by my Honourable friend, Munshi Iswar Saran. Sir, he also says that Indianisation should be carried out first, and Mussalman claims may therefore be put off. But, so far as I know, Sir, he knows Persian; he cited a Persian couplet the other day. Today I am going to ask whether he knows the other couplet: Are the Muslims to keep waiting till Indianisation is effected? Are they to keep waiting for centuries? That is our case, Sir. (*An Honourable Member:* "This Government will pass away.")

As for another point raised by Munshi Iswar Saran, I have to say this. When he started his speech, he said at the outset that he was in favour of this cut; but after having heard the speech of Raja Ghazanfar Ali Khan, he changed his mind; and not only he but all the Back Benchers of his party. I do not know, Sir, how we come to conclusions as regards certain points. Are we not open to conviction? Are we not convinced of the justice of a certain point and then decide as to which way we should vote? Or is it the case that, because Raja Ghazanfar Ali Khan or somebody else says something which may be offensive to him, he should change his mind along with other Back Benchers? I am glad that the Leader of the Opposition has come forward and said what the attitude of that party will be. I hope the appeal made by the Leader will find a ready response in all the Members of that party. With these few words, I support the motion.

**Speech not revised by the Honourable Member.*

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, my Honourable friend, Mr. Hayman, has explained so clearly the attitude of the Government and of the Railway Board in this question and has also explained the action which we are trying to take in order to increase the proportion of Muhammadans in the railway services and I do not think it will be necessary for me to speak at any length. I have listened with the greatest interest to the debate and I should like very specially to acknowledge the words which fell from my Honourable friend, the Leader of the Opposition, and also from my friend, Colonel Crawford, who spoke on behalf of the European Group. I believe that it must be a cause of satisfaction to all Members of the House that a question, which my Honourable friend, Mr. Jinnah, described as small in itself but in its relations by no means small, should have been discussed in a worthy and high-minded spirit.

My Honourable friend, Mr. Jinnah, with some hesitation, expressed a doubt whether the previous action of Government in this matter was not due to some motive. All I shall say, in reply to that, is this: that for nearly three years now this question in one form or another has been before me, and I am not conscious that, on any single occasion, the motive suggested was even indirectly present to my mind as a possible motive which might dictate my line of action; and I do not believe that it has ever been present to the minds of any other Members of the Government. The other alternative is—and this, I admit is a more probable one—that the Government are incompetent

Mr. M. A. Jinnah: That is clear.

The Honourable Sir George Rainy: At least we hear it so often from the other side of the House that we almost begin to believe it. Mr. Jinnah has said that, when it was such a simple matter, why did not we get to business and put things right? But, Mr. President, we know that it is not quite as simple as that. There are difficulties. I do not wish to enlarge upon these difficulties, but I must mention one, because it enables me to say something about what fell from my Honourable friend, Sir Zulfiqar Ali Khan, on the subject of the Railway Clearing Accounts Office. From the figures he read out to the House, it must have been clear to Members that a very considerable proportion—I think something like four-fifths—of the men in that office are people who have been transferred from other Government or railway offices to the Clearing Accounts Office; and so far as they are concerned, necessarily the communal composition of that section of the office must be determined purely by the people who happened to be in these other offices at the time the transfer took place.

Sir Zulfiqar Ali Khan: Because they are all non-Moslems?

The Honourable Sir George Rainy: I merely mean this, that if you find that in the staff of the offices from which these clerks were transferred, there was a certain proportion of a particular community, necessarily after they had been transferred the proportion will still be the same. Now, my Honourable friend, the Financial Commissioner, after the transfer took place, and recognising the great preponderance of the majority community among the men taken over from other accounts offices, undertook to go somewhat beyond the ordinary rule and to give one-third of the vacancies to minority communities, irrespective of the number of appointments these communities might obtain out of the other two-thirds owing to their success

[Sir George Rainy.]

in the examination. But the difficulty is to find enough candidates from three communities to come forward and get a pass in the examination, because it appears especially in the case of the Muslim community, that those who are in a position to pass can get better appointments elsewhere. Now, I do not want to lay any great stress upon that, but it is a real difficulty. What I wish to lay particular stress on today is the view which Government take. Difficulties there are, but we want to overcome these difficulties.

Maulvi Muhammad Yakub: You have been saying that all these years.

The Honourable Sir George Rainy: Where there is a will there is a way, and I hope my Honourable friend, Mr. Hayman, has convinced the House

Maulvi Muhammad Yakub: Not at all.

The Honourable Sir George Rainy: That, so far as he is concerned, there is the will, and that he is confident he will find a way, and I hope that the pessimism of my Honourable friend, Maulvi Muhammad Yakub, will not be justified.

One of the ways he proposed to adopt came in for a little criticism from my friend, Munshi Iswar Saran. He suggested that it was wholly improper to select Staff Officers because they belonged to a particular community in the hope that they would recruit large numbers of their own community. Surely that is not quite the position. My Honourable friend, Mr. Hayman, pointed out that he wished to have Muhammadan Staff Officers in the right proportion, to their numbers, in the services. Surely, no one would propose to lay down a bar against the employment of Muhammadans as Staff Officers, and surely when the position is that for one reason or another suitable candidates of the Muslim community do not present themselves for these railway appointments and that if special attention were paid to the matter, suitable candidates would come forward—surely then it is reasonable to employ as Staff Officers people who will take pains to see that they do come forward and that their claims are fairly considered? We are not dealing with a race in which both sides start fair and even. The position we have to deal with, as it is put to us from the Benches on my right, is that the Muhammadan does find great difficulty in getting a fair chance. It seems to me in those circumstances that it is most reasonable that a proper proportion of Muhammadans should be employed as Staff Officers, because if they are so employed then we can really test the assertion that there are plenty of suitable candidates if we only take the trouble to look for them. I will only add one word in conclusion, Mr. President. I have said, and in doing so I echoed the words of my Honourable friend, Mr. Jinnah, that although this particular question may be a small issue in itself it may have very important repercussions. What I wish to add is this, that nothing could give greater relief to Members of the Government than to see this communal question satisfactorily settled not only as regards appointments but everywhere else also.

Mr. President: The question is:

“That the Demand under the head ‘Railway Board’ be reduced by Rs. 100.”

(Mr. A. H. Ghuznavi rose in his place.)

Mr. President: I thought that the Honourable Member rose to reply?

Mr. A. H. Ghuznavi: No, Sir.

Mr. President: Does the Honourable Member wish to withdraw?

Mr. A. H. Ghuznavi: Yes, Sir. After the assurances given by Mr. Hayman, I want the leave of the House to withdraw my motion.

Mr. President: Does the Honourable Member wish to withdraw?

Mr. A. H. Ghuznavi: Yes, Sir.

(Cries of “Yes” and “No” from several parts of the House.)

Khan Bahadur Makhdum Syed Rajan Bakhsh Shah (South-West Punjab: Muhammadan): “Ham log taiyar nahi hain.” (We are not prepared to agree.)

Mr. President: What is the wish of the Honourable Member? Does he wish to withdraw?

Mr. A. H. Ghuznavi: Yes, Sir. (Cries of “Yes” and “No” from several parts of the House.)

Mr. President: The question is:

“That leave be given to Mr. Ghuznavi to withdraw his motion.”

The Assembly divided:

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, before the Division results are announced, may I raise a point of order?

Mr. President: What is the point of order?

Dr. Ziauddin Ahmad: The point of order is this. In the Manual of Business and Procedure supplied to every Member of the House, on page 55, No. 155, it is said:

“Not more than fifteen days shall be allotted by the Governor General for the discussion of the Demands of the Governor General in Council for grants. Of the days so allotted,”

Mr. President: Order, order. Is it in connection with the division?

Dr. Ziauddin Ahmad: It is. It may refer to this motion as well, if my point of order is admitted by you. The point is this:

“Of the days so allotted, not more than two days shall be allotted by the Governor General to the discussion of any one demand.”

We are on Demand No. 1, and we have taken two days and a half on it. Are we in order according to the rules?

Mr. President: Has the Governor General allotted two days for any one Demand for grant?

Dr. Ziauddin Ahmad: That is what I read in the book. I do not know.

Mr. President: Order, order. The result of the voting is Ayes 43, Noes 26.

AYES—43.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chambers, Mr. G. W.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghuznavi, Mr. A. H.
Gidney, Lieut. Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hayman, Mr. A. M.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Lamb, Mr. W. S.

NOES—26.

Abdul Haye, Mr.
Abdul Matin Chaudhury, Maulvi.
Abdullah Haji Kasim, Khan Bahadur
Haji.
Anwar-ul-Azim, Mr.
Badi-uz-Zaman, Maulvi.
Dakhlan, Khan Bahadur W. M. P.
Ghulam Kadir Khan.
Farookhi, Mr. Abdul Latif Sahab.
Ghazanfar Ali Khan, Raja.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Ismail Khan, Mr. Muhammad.
Kidwai, Sheikh Mushir Husain.
Mittra, Mr. S. C.

The motion was adopted.

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

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. President in the Chair.

Desirability of State Railways running Steamer Services between Important Points in the Railway System.

Mr. A. H. Ghuznavi: Sir, I beg to move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

I have tabled this motion with a view to discuss the desirability of State Railways running steamer services between important points in the railway system. Sir, developing my point which I raised on Wednesday last as regards the State Railways running steamer services of their own between important connecting points, let me at once disabuse the minds of Honourable Members of the impression, if I have given any, that the State Railways should run inland steamer services in competition with private enterprise. That was far from my mind. I did not mean, Sir, that the State Railways should in any way interfere with the present working of the inland steamship companies. What I meant was that, as the State Railways run their own ferry services across rivers connecting the railways from one side of the river to the other, they should also run their own steamer services connecting the railway system between two important points. For instance, before the Sara Bridge was built, the State Railways had their own passenger service, steamer service, which crosses the Padma River between Damukdia Ghat and Sara Ghat, thus connecting the Eastern Bengal Railway with the Northern Bengal Railway. This service was abolished, after the Hardinge Sara Bridge was constructed. Now, when the State Railways were running their own ferry steamers, there existed two inland steamship companies, and they had their own steamer services running along the Padma, carrying passengers and goods from the stations on either side of the river, including Damukdia Ghat and Sara Ghat. I may inform Honourable Members that those steamship companies in spite of the State Railway having their bridge and in spite of the State Railway discontinuing their steamer services, have still their steamer service running along the Padma river. Similarly, the Eastern Bengal State Railway, even up to now, runs its steamer ferry, Fulchhari and Bahadurabad, connecting the Eastern Bengal Railway and the Northern Bengal Railway at those two important points. Here also the two steamship companies ply their steamers, and have their stations at both these places, and they are continuing to ply even now.

Sir, in 1884, when the State acquired the Eastern Bengal Guaranteed Company Railway, they had their own steamer service connecting the two important points, namely, the railway termini at Goalundo and Narayanganj. But at the same time these two inland steamship companies plied their own steamers between Goalundo and Narayanganj all the same. Then, Sir, the Eastern Bengal Railway had their own steamer service between Goalundo and Sirajganj and so had these two inland steamship companies theirs. And though, after the Sara-Sirajganj Railway line was opened, the passengers from the Calcutta side do not travel by the new circuitous way, namely, *via* Goalundo, the steamer companies all the same are maintaining their services and evidently without suffering any loss. All that we want is that there should be no break in the link, that is, the railways should connect their lines where they have their termini and where a steamer service is necessary, steamer services should be run by them, as otherwise there will remain a break in the through communication of railways, in consequence of which the railways will not have full and efficient control over the entire route. At the same time this House is deprived of that control. It can by no means lead to any competition with private enterprise, whereas the railway services will be more useful and efficient. I have already said that the railways had their own steamer services between Goalundo and Narayanganj. At that time two steamer companies ran their services in competition with each other, with the

[Mr. A. H. Ghuznavi.]

result that the rates were fair and the conveniences of the travelling public were looked into.

We have at present the two inland steamer companies, the R.S.N. and the I.G.S.N. As far as my information goes both are now the properties of the Inchcape group. Now, Sir, these two steamer companies, somewhere in 1885 or 1886, approached Government, and the Government agreed that their State Railways would abolish their own steamer services, with the result that the two steamer companies combined and they now enjoy an absolute monopoly. Since then the fares have gone up by leaps and bounds, concessions such as reduced fares for return journeys are practically denied, and they have now an absolute monopoly in the jute traffic. Finding that they have no other companies competing with them, finding that the State Railways have abandoned their own steamer services, they have fixed the freight between Goalundo and Narayanganj terribly high. That freight is to my mind out of all proportion to their prevailing rates elsewhere, where they find that the Railways have also similar lines which they run. Sir, had these Railways continued their steamship services, had they been in existence now, it would have served as a check on their high-handed action. When my Honourable friend, Mr. Neogy, introduced his Inland Steam Vessels Bill, he did, I must say, a distinct service to us who come from Bengal. After the introduction of that Bill the steamer companies realised that trouble was ahead. Formerly, when the Railways were running their own steamers, they had their first-class cabins, second class, intermediate and third class. And even when the Railways abandoned their own steamer services, but these steamer companies had not combined, they also gave various facilities to the passengers. But when they felt absolutely secure, they combined, and what was the result? The steamers that plied between Goalundo and Narayanganj had only first class cabins, and the most rotten arrangements that could exist, because they found that there was no competitors in the field and the Railways had given up their own services. Then, again, what they did was this. The Eastern Bengal State Railway could carry the jute traffic from Goalundo to Calcutta, Calcutta being the centre where this jute of Eastern Bengal has a market. But to bring that jute from Eastern Bengal one has to go further beyond Goalundo. In order to carry the jute from Narayanganj to Calcutta one will have to go to the steamer companies to book their jute so as to take it as far as Goalundo, because they have no State Railway service. Now, these steamer companies increased their rate of freight between Narayanganj and Goalundo in order to cover the loss of freight that they incurred in not being able to capture the full freight from Goalundo to Calcutta, and thereby deprived the State Railways from having their legitimate freight from Goalundo to Calcutta. I think I have made it clear.

Sir, the railway freight between Goalundo and Calcutta, a distance of 154 miles, was much cheaper than the steamer freight for taking their jute or any other commodity by the steamer route from Goalundo to Calcutta. But the steamship company made their profit from exorbitant freight between Goalundo and Narayanganj, and to deprive the State Railway from earning their legitimate charges from Goalundo to Calcutta, they reduced their freights by the steamer route from Goalundo to Calcutta to such an extent that no trader would think of sending his commodity by rail unless that particular commodity was urgently required at Calcutta,

and only because he could get it to Calcutta in a shorter time. That is the reason why I say that, in connecting two important State Railways or two Railways, one managed by the Company and the other by the State, the important links should be served by the State and not by private enterprise. I have no quarrel with the present steamship companies. They can run their own steamships as they are doing now. What I want is that the Honourable the Railway Member should consider whether or not, in the interests of the State, the railways should have a service connecting the important points between two railways, either Company-managed or State-managed. Sir, I move.

The Honourable Sir George Rainy: Sir, I do not wish to speak at any length upon this motion today. My Honourable friend, the Mover, has stated that he had no wish to see the State Railways, engaging in competition with private enterprise, and as I understood his argument, he drew attention to various cases where the Railway had its own ferry service from a point on one bank of the river to a point on the opposite bank and where nevertheless the Indian steamship companies had their own service running up and down the river and calling at these opposite points.

Mr. A. H. Ghuznavi: The State Railways were running a steamer service between Goalundo and Calcutta and at the same time the steamship companies were running too.

The Honourable Sir George Rainy: If my Honourable friend will give me a little time, I think I was actually reproducing what he said. It is the earlier part of his speech. Then he went on to say and he drew attention, quite correctly, to the fact that formerly there used to be State Railway steamers between Goalundo and Narayanganj. It was long ago, but I have no doubt it was so, and he expressed the view that, if we were to revive this service, there would be no real competition with private enterprise. I do not know what the steamship companies would say about that; but I know what I should say. As soon as I revived the service, I would find that the inland steamship companies would be competing with me, and the effect of the competition would certainly be that both the services would be carried on at a loss. That may be a very good thing for the travelling public and for the merchants.

Mr. A. H. Ghuznavi: But you are suffering a tremendous loss. You are not allowed to carry on, because the steamship companies have reduced the rate to such an extent between Calcutta and Goalundo that they do not allow the railways to get the freight.

The Honourable Sir George Rainy: I am afraid there is no particular bearing on the point I was dealing with at the moment. The position would be very pleasant no doubt for the public and for the merchants, but would not perhaps be so attractive to those who are responsible for the financial results of the State Railways. After all, that particular route between Goalundo and Narayanganj is the most important inland water route in the whole of India, excluding Burma, which is in a different category, and I think it is quite clear that, if we were to undertake that service, we should be letting ourselves in for a great deal more than what might appear at first sight. It will be a somewhat expensive service, and would involve a certain amount of capital expenditure of various kinds, and just at the present juncture, I am by no means anxious to extend our activities in any

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the State of the Eastern Bengal Guaranteed Railway, it was found desirable and necessary, in the interests of the State Railway which then comprised, as I have already shown, three railways, the Eastern Bengal, the North and South Bengal Railways, that this amalgamated railway should do away with steamer journeys and should connect the line between Aricha and Dacca, thus establishing a through railway communication all over the province which would not only give this particular railway much more income than it is now making, but would be of very great convenience to those who have to travel through that part of the country. But, Sir, the steamer services between Goalundo and Narayanganj were a standing block in the way of the accomplishment of this very useful project. Honourable Members are aware that Bengal holds the world's monopoly in jute. Let me tell Honourable Members that the jute is mainly grown in Eastern Bengal and that the percentage of jute growing districts—I myself have been in the jute trade ever since my childhood and Honourable Members can rely on the statements I am making so far as the jute trade is concerned—in Northern Bengal is about 40 per cent., in West Bengal it is less than 10 per cent., and the rest of it comes from Eastern Bengal, which is known as the hessian jute, or the fine quality jute which is mostly grown in Eastern Bengal. My Honourable friend, Sir Purshotamdas Thakurdas, was complaining the other day as to why the Honourable the Railway Member had not treated agricultural produce in the same manner as coal.

Sir Purshotamdas Thakurdas: I hope you agree with me.

Mr. A. H. Ghuznavi: Certainly. Was it, he asked, because the agricultural interests were not so vocal as the coal interests? Sir, today I ask the same question. Why is it, I ask, that the Government have not constructed the Dacca-Aricha Railway for so long? Is it because it would break the practical monopoly of the steamer companies in the transit of jute from East Bengal to Calcutta, as it would then enable the cultivators to export their jute to Calcutta at a much cheaper figure than the one they are compelled to pay to the steamer companies at the present moment?

Sir, the House will be shocked to hear something more about this matter. There are some Indian companies, apart from these two inland steamer companies. They can also carry, and they do carry, a portion of this commodity at much cheaper rates than these two steamer companies charge. But, Sir, do you know why those Indian companies cannot carry jute and these commodities? Do you know, Sir, that, if they want to send their commodities through these Indian steamer companies; they cannot do so? Do you know the reason? The reason is that the English banks refuse to pay the advance 90 per cent. on the bill of lading. If you bring your jute—I wonder where my friend Mr. Haji is today—by other than these two steamer companies, the banks refuse to pay or advance 90 per cent. on their bills of lading. And not only that, Sir. The jute mills say, "We will not advance a pice unless you bring your jute through these two favoured companies." And still the Honourable the Railway Member thinks that the Dacca-Aricha Railway is not such an urgent project and that it can be shelved, and the Finance Member came to his aid! I will say this, Sir, that this shelving of this railway on account of the stringency of the money market is not true. That is not the reason behind it. It is something more. For, after all, what did we want this year? Nothing more than the amount required for the acquisition of the land. You have provided that amount in this Budget; but still, there was a belated reply to

a letter which the Chamber of Commerce wrote asking the Honourable the Railway Member to withhold his hand from going on with this scheme—a letter which was addressed to him on the 4th of June, 1929,—and no reply was vouchsafed to this letter for ten months and it was only on the 10th February, 1930, that the Honourable the Railway Member gave them a very long reply—and what does he say in that reply? He says, "We do not agree with you; we have investigated the whole thing. We will continue the construction of the railway. But—there came the 'but'—since we cannot go on this year owing to financial stringency, we will reopen the whole question again." As I said already, the financial stringency was not standing in the way, because we did not want more than a couple of lakhs of rupees in the present year. But what was the real trouble? The real trouble was the Inchcape twin was in the way, and that was the trouble of the Honourable Member. He dare not go against the interests of the Siamese twin, the steamer companies. Sir, with your permission I will just deal with that letter. After stating what the Bengal Chamber had said, it is stated in the letter: "We find that the railway will be useful. We find that all the arguments that you adduce in favour of the abandonment of the scheme are of no use. We also find that the Bengal Government is with us". This is very interesting, and I should like to read it to the House:

"The Government of Bengal, to whom a copy of your letter was forwarded, have stated that their support of the project is not affected by the representation of the Bengal Chamber of Commerce. In the ordinary course, therefore, the construction of the line would have proceeded. But, owing to financial circumstances, it is impossible to allot funds in 1930-31 for the commencement of the actual work of construction."

Surely, you cannot commence the actual work of construction before you have acquired the lands, and the acquisition of land will at least take you one year. You had no business to stop the acquisition of the lands; you have got the necessary money provided in the present year's Budget, and as late as the 15th January, 1930, when you were holding a meeting of the Railway Standing Finance Committee, I asked my Honourable friend, Mr. Parsons, whether the scheme of the Dacca-Aricha Railway was a settled fact. He said it was. He also said that the money that was required, so far at least as this railway was concerned, was provided in this year's Budget.

Then comes the letter of 10th February, 1930. What does it say? That letter says this:

"But, owing to financial circumstances it is impossible to allot funds in 1930-31 for the commencement of actual work of construction and an opportunity has thus presented itself to make sure, and as your Committee suggest, in a project of such magnitude this was in any case desirable, that the construction and traffic estimates are as accurate as they can be made."

Does the Honourable the Railway Member want to tell us that, when he presented the scheme before the Railway Standing Finance Committee, the matter was not fully gone into, and those estimates which had been already prepared were not correct? Or had he any doubts about those estimates which had been prepared already? If that be the case, I should say that, whatever estimates are produced before the Standing Finance Committee for Railways are a mere sham. Does he mean to say when he went up to the Secretary of State for sanction, he had not got a correct estimate on which he wanted sanction? Why is it necessary for the Honourable Member again to have a correct estimate? Is it contended that the estimate you have already prepared is not correct? Is that the

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practice you have with regard to all the other railway estimates which you present before the Standing Finance Committee for Railways? Certainly, if the estimate which you had already prepared was not a correct estimate, what business had you to put it before the Standing Finance Committee for Railways and get their sanction? Not only that, Sir. The Railway Department has got the sanction of this House to construct the line, and so you have no business now to come forward and say that we are going to reconsider the whole question again.

Then further on in that letter my Honourable friend, the Railway Member, says this, because he does not intend to go on with this Railway. This is what he says: "The total estimates are at present under preparation". Good Heavens! We thought that the total estimates were made long ago and placed before the Railway Standing Finance Committee. We also thought that you had got the sanction of this House and you then went up to the Secretary of State. But he says that the total estimates are at present under preparation, and they have apparently instructed the Agent of the Eastern Bengal Railway to go on with another estimate and perhaps to carry on the working out of the estimate for a couple of years so that the money allotted for this year need not be spent. But the Honourable Member for Railways does not want to say that in so many words. (Laughter.) He merely refers to the money trouble, but it is not the fact. I know the real reason. I have my own suspicions. I can tell the House that the visit of Sir George Schuster to England had perhaps something to do with it. I can tell the House quite plainly, that is the principal reason. (An Honourable Member: "You have got Sir George Schuster on your brain.") His return to India as late as December last has got something to do with this affair. Something must have been put in his ears by the Incheape people in London. That is the whole thing, but the Railway Board want some camouflage to hoodwink the House; they want some ostensible reason to put before the House as to why they did not start the work of this railway after getting the sanction of the Secretary of State, especially when we were given to understand by a responsible Member that, though the financial stringency existed generally, it did not exist so far as this railway line was concerned, because we wanted only two lakhs which had already been provided in this year's Budget.

Now, Sir, whatever I have said so far will be confirmed by this letter from which I was reading out. They want to shelve the whole scheme absolutely for the present, and so they say that they want further material. The present Agent, Mr. Maffin, who is in favour of this railway scheme will be going away shortly, say on the 1st of April, and the permanent incumbent, Mr. Pearse, will be in his place, but Mr. Pearse has been dead against this scheme from the very beginning, and the Railway Board want that the reconsideration of the scheme should not be started when the present Agent, Mr. Maffin, who is favourably inclined towards this, is in office, but they want the scheme to be examined by his successor who, it is well known, is opposed to this project. This will be clear from the fact that when he had no authority to make any statement, in the year 1928, Mr. Pearse made a statement in Dacca, I call it a very prophetic statement, as if he was the Finance Member of the Government of India and knew all about the finances. He said in effect "What rubbish are you talking about this railway? The Government of India have got no money to provide for this scheme, and so this scheme cannot go on". This is what he said.

Mr. M. S. Aney: Is that speech printed somewhere?

Mr. A. H. Ghuznavi: Yes, it is not with me just now, but I will give it to you tomorrow. Of course, my friend Mr. Neogy immediately wrote to Mr. Parsons, and he too was surprised. This is what I understood from my friend, Mr. Neogy. Mr. Parsons seems to have said, "How on earth could he (Mr. Pearse) make such a statement; he was not the Finance Member". Of course, it was contradicted. He says: "Detailed estimates of the work are at present under preparation"—we know they will be under preparation till Mr. Pearse returns from leave—"and the only expenditure to be incurred"—this is a camouflage—"in 1929-30 and 1930-31, is in connection with the final location and its acquisition of land". In order that Members may not think that the whole thing is shelved, how nicely the whole wording has been put! They say we will go on with the acquisition. Then the letter says "The Agent of the Eastern Bengal Railway has been instructed that, in preparing the detailed estimates"—as if no detailed estimates were prepared before—"no pains must be spared"—as if pains were spared on the former occasion—"certainly no pains will be spared"—because Lord Incheape is there—"in ascertaining the probable cost of the line," and he has also been asked to review carefully the traffic estimates, including the jute and coal traffic "about which your Committee are specially concerned". His special attention has been directed to the difficulties "your Committee anticipate in the working of the Padma Wagon Ferry," and the doubts they expressed regarding the bridge over the Dhaleshwari River. Lest we should think that the scheme will be shelved, there is again this assurance: "I am, however, to add that the information at the disposal of the Railway Board as regards the working of other wagon ferries does not lead them to endorse the views of your Committee on the former point". A sort of assurance is still given to the effect that your information is not so accurate as to enable us to abandon the railway. All that we want is a little time, so that the whole thing can be shelved and nothing will be heard of it afterwards! Sir, I will not take more of the time of the House. I shall add only one word, and that is, that unless the Honourable Member gives us an assurance on the floor of this House, we shall give him no peace. Sir, I move.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadian Rural): There has not been one other topic during recent times in which public opinion in Bengal has been so unanimous as in regard to this question. I do not want this House to be misled into thinking that, in so far as it relates to a small tract in Eastern Bengal, this particular scheme is absolutely of local importance and nothing more. If Honourable Members have studied the Railway Board's reply to the letter of the Bengal Chamber of Commerce, they must have seen that the Railway Board itself mentions that, apart from the fact that this particular railway will serve the local needs of the district of Dacca, it will form a very important link in the chain of communication between Eastern and Western Bengal. Indeed, this small length of railway line, if built, will provide an all-rail route from Western Bengal to Eastern Bengal and also connect Assam with Bengal by an all-rail route. Now, Sir, apart from the question of its local importance and the position it is going to occupy in the future in regard to communication in Eastern Bengal and Assam, this question merits the serious attention of this House. It has already been pointed out in the letter of the Railway Board that, having regard to the development in railway traffic in Eastern Bengal, which is at present cut off

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from Western Bengal by a very wide stretch of water, and having regard also to the development of railway facilities in Assam, if Eastern Bengal and Assam be linked up with the rest of India by an all-rail route, the revenues of the railways generally are likely to go up considerably. Therefore the merits of this particular line are not to be judged merely from the probable income which it will yield as a local feeder service. So much for the financial prospects of the line.

Then, Sir, with regard to the urgency of it from the point of view of the locality which it is going to serve I do not know whether it is at all known to this House that there is a tract in the Indian Empire where it sometimes takes about thirty hours to traverse a distance of 40 or 50 miles for the purpose of going from the headquarters of a district to certain places in its sub-divisional areas. But this is exactly what happens during the dry period when there is lack of communication between the town of Dacca and the sub-division of Manickgunje. Sir, even the Chamber of Commerce in their letter admit,—I am quoting from the letter itself,—

“In the past, the lack of water has compelled the closure of steamer service above Manickgunje during the dry season.”

And they go on to express the hope that things will improve in the future and that there may be more water in the river in future than there has been in the past. It is a very cautious admission, so far as it goes. They admit that there is no regular steamer service beyond Manickgunje, but what about the steamer service between Dacca and Manickgunje? I happen to come from the particular area which lies between Dacca and Manickgunje and I may tell this House that through steamer service is not always possible to be maintained between Dacca and Manickgunje for more than four or five months in the year. During the remaining months passengers have to get down midway between the two stations and they have sometimes got to wait for long till arrangements for transshipment are made. The rivers are drying up very fast, and the speed at which the steamers travel in this tract exceeds the average speed of a fast bullock cart by very little, even when there is a steamer service. Now, Sir, having regard to these facts, the Government of Bengal have, for the last few years, been insisting upon the Railway Board undertaking the construction of this line, because even from the administrative point of view, the want of suitable communication between important sub-divisional areas and the district headquarters has been leading to very great difficulties. My Honourable friend, the Member in charge of Industries and Labour, if he were to make inquiries, would find out what difficulties the Postal Department have got to undergo in order to carry on the mail service between Dacca and Manickgunje. They never depend upon the steamer services. If the steamer service was really so very satisfactory as the Bengal Chamber of Commerce want to make it out to be, there should have been no reason for the Postal Department not to avail themselves of the facilities thus offered by the steamer companies. Then again, Sir, I remember to have seen a report of an economic inquiry made at the instance of the district authorities of Dacca some years ago, in which it was pointed out that, as a result of the lack of communication between the sub-division of Manickgunje and the rest of the world, there was sometimes an appreciable difference in the

prices of things that rule in that particular area which is so unfortunately situated. It was also commented upon in that Report as to how far this affected the economic condition of the people living in the Manickgunje sub-division. It is no wonder, therefore, that the people of Eastern Bengal have for the last half a century—fifty years, Sir—been pressing for the construction of this particular line. No Viceroy has visited Dacca, no one Governor has ever visited Dacca, but has not been told, in the addresses of welcome presented to him, as to what importance the people of that locality attach to this particular line; but for a very long time the Government were not disposed to pay any heed to this public demand. For some years past, however, the Government of Bengal have taken up, I am glad to say, the cause of the public in this matter. It is the practice of every Local Government to submit a list of railway schemes, on which they are keen, for the consideration of the Railway Board every year, and I am sure, I will be borne out by the Honourable Member in charge that the Government of Bengal have been placing this project, if not always at the top of the list, at least very high up in the list successively for the last few years, and yet the Government of India would not relent. About six years back they said, “Well, we are not very keen on constructing this line for you, unless you guarantee to refund to us the cost that will be involved in carrying out a survey”. The Government of Bengal meekly agreed to that proposition, because they were so very sure about the financial prospects of this line. Then, the Government of India undertook an inquiry, and once they went into the matter, they found what great possibilities this particular line had before it. They are now fully convinced that this is going to be one of the most paying propositions in the whole of India so far as railway extensions go. I know that that estimate—I mean the estimate of earnings—which has been placed before this House and the Standing Finance Committee is considered to be an unduly modest one indeed by responsible Members of the Railway Board themselves. Now, Sir, the Railway Board having completed the survey and having satisfied themselves that the line will be a very paying one, submitted its proposals to the Secretary of State, because the total amount involved in this scheme would exceed the financial limit of the Government of India's authority for sanction, and therefore as a matter of formality, the scheme had to go up to the Secretary of State. The Secretary of State sanctioned this scheme, and thereafter it was placed before the Standing Finance Committee, and the Standing Finance Committee sanctioned it, and then the scheme was included in the budget proposals of the Railway Board, and this House, without any division and without any dissentient voice, agreed to this scheme being undertaken. And here may I pause for a minute just for the purpose of pointing out that although at all these various stages this scheme has been before this House continuously during the last five years, and although this was included in the budget proposals of the Government during the last year, and the year before last, and although the interests of the Chamber of Commerce are fully represented in this House as also in the other, nobody ever thought of raising his voice of protest against the construction of this line. (Hear, hear.) Perhaps the steamer companies thought that, after all, the Honourable Sir George Rainy would not have the courage to undertake the construction of this line in view of the interests of the steamer companies that are involved. However, Sir, when it was found that the scheme was about to be undertaken for

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construction, the Bengal Chamber of Commerce, like the spoilt child that it is, sent up a protest to the Government of India asking them peremptorily to stay their hands. Now, I should like to know whether the Government would tolerate this sort of language from any other public body. The Bengal Chamber say, "This has been engaging the serious attention of the Chamber and they request that until their views have been received by the Board, any action committing the Government definitely to the construction of the line should be suspended". Well, long before that the Government had definitely committed themselves to the construction of this line.

Then again, Sir, towards the close of this letter, the Committee hope that they may be informed at an early date that it has been
4 P.M. decided to withhold any further action as regards the scheme until an enquiry such as they have asked for has taken place. I should like to know from the Honourable Member in charge as to whether he would stand this kind of hectoring language from any other public body. (Laughter.) Now, Sir, Government received this letter in June, 1929, and they sent out their reply only in February, 1930. When a letter like that came from the Bengal Chamber of Commerce, all the five Members of the Railway Board began to quake in all their five pairs of shoes, and when that process of quaking was over, they sat down to compose a suitable reply to the Bengal Chamber of Commerce. So far as the reply goes, I have nothing to complain with regard to the first portion of it, which very satisfactorily meets every point made by the Bengal Chamber of Commerce. But it seems to me that two hands were employed for the purpose of drafting this letter. The first portion was drafted, I imagine, by an honest railwayman, and for the purpose of drafting the second portion, I think my Honourable friend requisitioned the services of Mr. Howell, the Foreign Secretary, in order to give it a proper diplomatic touch. (Laughter.) Now, Sir, in the concluding paragraph of the Bengal Chamber's letter they have condensed many inaccuracies,—I was going to say downright falsehoods. It is difficult to imagine that it could be possible even for the Bengal Chamber of Commerce to condense so much of misstatement in so short a compass. They first of all say that this is not a matter of urgency. That is a statement which I deny. It is an absolute and deliberate lie. I understand there is an Honourable gentleman here who represents the interests of the Bengal Chamber of Commerce. I may tell him that I am prepared to repeat all that I am saying now outside this House so as to give him an opportunity of taking any action he likes against me. Then the second lie is this: "The traffic is already adequately provided for by the inland steamer companies". The third lie is that it "is little needed", and the fourth lie is that, "Opportunity was not given to the public to express their views on the scheme".

The scheme has been before the public of Bengal for the last half a century, and before this House at least for the last five years.

My Honourable friend, Colonel Crawford, made a very generous offer. He said, "I am prepared to make a present of a road to you, will you accept it?". I do not know whether my Honourable friend holds the portfolio of the Public Works Department in the Government of Bengal,

because as far as I understand the constitutional position, none but the Government of Bengal have got any authority with regard to the construction of roads within the provincial boundaries.

An Honourable Member: What about the Roads Committee?

Mr. K. C. Neogy: The Roads Committee can only say as to whether they are going to find money for a particular scheme or not. It is not for them to dictate which particular road is to be taken up.

Now, Sir, when Dacca was the capital of the Eastern Bengal and Assam Government, I know that that Government, finding that the Government of India were adamant in this matter, themselves wanted to investigate the possibilities of a motor road over this area, and I am told that the estimates which they got were absolutely prohibitive; and if my Honourable friend Colonel Crawford were to make inquiries from the Government of Bengal, he would at once understand the absurdity of his suggestion. Moreover, there is certainly a good deal of difference between a railway and a motor road. The Government proposal is to construct this bit of railway on the broad-gauge system. I may tell Honourable Members of this House who may know this fact that, in Eastern Bengal and Assam, there is not one inch of broad-gauge line at the present moment. The intention of Government has been to construct this line on the broad-gauge system with a view to making it possible for goods waggons to travel right from Peshawar down to Eastern Bengal with loads of merchandise; and I think it is also conceivable that in future, when traffic develops, they would convert the metre-gauge sections of the Eastern Bengal and the Assam Bengal Railways into broad-gauge, so that a time may come when it would be possible for a broad-gauge wagon to travel right from the North-West Frontier of India to the North-Eastern Frontier.

In this connection, Sir, I want to emphasise the importance of the wagon ferry, because without a wagon ferry, the utility of this broad-gauge system would suffer considerably; and if there is a broad-gauge ferry between Goalundo and Aricha and this line is constructed on a broad-gauge basis, it will be possible for coal to be transported from the coalfields of Western Bengal and Bihar right down to Eastern Bengal, apart from merchandise of other kinds. This would be a very important development in railway transport in Eastern Bengal, and surely all these facilities could never be supplied by the construction of a motor road between Dacca and Aricha.

Now, Sir, I beg this House not to consider this question as a parochial one. I have already indicated the importance of this line in the railway system of India, and I have also shown how, at different stages, this House has committed itself to the construction of this line. And if it does not materialise, whatever reasons may be put forward by the Government in support of their action, I may tell the Honourable Member that the conviction will go deep down in the hearts of the people of Bengal that, when it comes to a question of taking an action which is likely to prejudice the interests of the British commercial people, the Government of India have absolutely no nerves left in them to stand up and say, "We are going to do this because we think it is the right thing and we are not going to listen to your interested cries of opposition".

Sir, one of the things stated in the letter of the Bengal Chamber of Commerce amused me very much, because I do not remember to have come across a more comical thing in my experience. They say that this line is

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likely to affect the sanitation of the country. Since when did the Bengal Chamber of Commerce come to feel such a great concern in the sanitation of the country? Sir, there is a Bengali saying that if a woman pretends to love a child more than its mother, that woman is surely a witch.

Sir Darcy Lindsay (Bengal: European): Sir, my Honourable friends Mr. Neogy and Mr. Ghuznavi have brought considerable heat into this discussion, which was aimed at the Bengal Chamber of Commerce, and also Mr. Ghuznavi's friend Lord Inchcape. Sir, I would like to inform the House straightaway that I have had no word whatsoever from the Bengal Chamber, and so I am not talking as their spokesman. But I do feel, coming from Bengal, coming from Calcutta, that Mr. Neogy has been a little hard. He has, I think, no less than five times given them the lie direct.

Mr. K. C. Neogy: Yes, and I am prepared to repeat them outside this House if you want it.

Sir Darcy Lindsay: I do not propose to take him up on those particular points, but I would like to assure him, Sir, and the House that the Bengal Chamber, when they put forward the letter they did about this line, did so with the best of intentions and in the interests of the country. They, like all of us, are aware that money at the moment is not readily available and they felt that the money that was going to be expended on this project would be better expended elsewhere.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): On sanitation?

Sir Darcy Lindsay: Sanitation I thought was a provincial subject.

My Honourable friend, Mr. Ghuznavi, has even challenged the honesty of Sir George Schuster. I am ashamed of you, Sir. He insinuated that Sir George Schuster had, during his sojourn in London, been influenced by Lord Inchcape and he came out here again and blocked this proposition. I would like, if it was possible, to take up a small bet with my Honourable friend, Mr. Ghuznavi, that there was no truth in it.

Mr. A. H. Ghuznavi: I do not go to the races unfortunately.

Sir Darcy Lindsay: Now, Sir, in my view, the Railway Board, if they had wished to listen to the demands of the Bengal Chamber or the views of the Bengal Chamber in the way my Honourable friend Mr. Neogy, indicated, would have answered that letter at once. No; they did not do so because their intention was to go on with the railway. At a later stage, they found that a shortage of money prevented them from going on with the scheme, and I do not think it is unreasonable to adopt the course they propose adopting and the course that they have outlined in their reply to the Bengal Chamber which implies, "You have made certain statements as regards the line not being required or the line not giving as full a return as we think it will do. As we cannot go on with the construction immediately, we are quite prepared to look further into the question that you raised". I am quite convinced, Sir, knowing the Railway Board as I do, and their Financial Commissioner, that if this line offered the prospects, the golden prospects, that my Honourable friend, Mr. Neogy, has portrayed, it would

be the very first project the Railway Board would enter into. Much has been made of the vested interests. I deny that the Chamber, the Bengal Chamber, had any such thought when they put forward this letter. All they did was to point out that there was no immediate urgency for the line. The trade in jute down and the trade in coal up was efficiently provided for by the steamer services and therefore there was no real urgency for the line.

Mr. K. C. Neogy: Have you been over that section?

Sir Darcy Lindsay: I have not, but I am only putting forward the view, as I see it, as put forward by the Bengal Chamber. I do protest at these unkind inferences that have been brought in by the two Honourable Members I have mentioned.

Mr. K. C. Neogy: I am prepared to give the Honourable Member an opportunity of suing me in a proper court of law for stating what I have done on the present occasion. Why does not my friend take that opportunity? There is no use of complaining like this.

(Dr. Ziauddin Ahmad rose in his place.)

Mr. President: Is the Honourable Member going to take long?

Dr. Ziauddin Ahmad: No, Sir, only a few minutes.

Sir Purshotamdas Thakurdas: Will not the Government Member reply?

Dr. Ziauddin Ahmad: I thank Mr. Ghuznavi and Mr. Neogy for the illuminating information they have given us this afternoon. They have established beyond doubt five points which I will just mention. In the first place they have proved that the estimates prepared by the Railway Board are not reliable. I gave four illustrations day before yesterday and now another illustration is added today. The estimates are not very reliable and the Railway Board themselves are doubtful at every stage. The second point, which is equally important, is that they cannot make up their minds about the order in which the capital works ought to be undertaken. They had money for building a railway station at Cawnpore, and a railway station at Lucknow, in which they can have no profit whatsoever, but they had no money to build this very important line, which would have given an income from 6 to 10 per cent. The third very important point is that the Railway Board have saved 30 crores of rupees in the Reserve Fund and the Depreciation Fund. Now where is this money invested? Is it not possible to invest this amount in building a new railway which would have yielded an income of from 6 to 10 per cent.? The fourth point, which is also equally important, is that these steamer companies are exceedingly inefficient. I wonder whether any Member of the Railway Board has travelled by these steamers. I had the opportunity to travel by them and I found that they were all old steamers, probably purchased from some Rhine company long ago, where they were ordered to be dismantled. Probably the companies purchased them second-hand at very cheap prices. They certainly would not have been allowed to be used in any river in a European country. It is very desirable that this monopoly should be ended as early as possible.

The last point which Mr. Neogy brought out—it is really very important—is the fact that the Railway Board set aside their decision or the wishes of the Assembly on account of the single letter from the Chamber

[Dr. Ziauddin Ahmad.]

of Commerce. It is a practical proof that to the Railway Board the Chamber of Commerce is much more important than the Assembly. Today I very much sympathise with the people who have left the Assembly on account of the fact that it was a waste of time and waste of energy when it had not even got the status which the Chamber of Commerce at Calcutta enjoys. Their authority is manifested from the language which the Chamber of Commerce uses in addressing the Railway Board. I would ask you, Sir, whether you would permit a Member to move a motion in the Assembly in the words used by the Chamber of Commerce: "That this Assembly hopes that it would be informed by the Government of India at an early date that they have decided to take such and such an action". The Resolution which we are permitted to move is only in the shape of a request, and I think the Assembly is not permitted to use language which the Chamber of Commerce has used in laying their grievances, or I should say orders, before the Government.

The Honourable Member from Calcutta has just said that money was not available and any money that was available had been spent elsewhere. Of course, what is the meaning of "elsewhere"? Probably another railway station at Jhansi or some other place (Interruption.) would not like to make definite suggestions: I withheld my suggestions the last time, as I understood definitely from Sir Purshotamdas Thakurdas that a sub-committee was sitting to consider all these matters and we would like to have the report of that sub-committee before the next Session of the Assembly.

The Honourable Sir George Rainy: I am not sure that I can congratulate the last speaker on his intervention in this debate, for I was unable to see the bearing of most of what he said upon the construction of the Dacca-Aricha Railway, which after all is the matter raised on this particular motion. Now, Mr. President, my Honourable friend Mr. Neogy asked me why was it that I stood "this sort of language from the Bengal Chamber of Commerce", and he evidently thought that I ought at once to have taken my tomahawk and gone for their scalps. Well, I am a man of peace, Mr. President, and I do not know that I am very much moved by people using strong language and I have never felt myself that a case gains in strength by the violence of the language in which it is expressed. Now, as regards the question of the Dacca-Aricha Railway, I should like to make certain things clear. In the first place, the Railway Board and the Government of India are quite satisfied that this railway is needed, and that it is a matter of urgency and that it should be constructed as soon as possible. There is no question at all about that. It is explained very clearly in our reply to the Bengal Chamber of Commerce. It is not only, as my Honourable friend Mr. Neogy put it, as a means of local communication that it is important, but much more as an essential link in a trunk system of through communication. I believe that, in the future, it will be quite an important line. That is why we propose to construct the line on the broad gauge.

Now there have been dark surmises, and even definite assertions, that the one thing which weighs with the Railway Board and the Government of India is the letter from the Bengal Chamber of Commerce. I have never been very much afraid of that very eminent and respectable body, and in this matter I do not see any reason why I should be afraid. No doubt the Bengal Chamber of Commerce rightly and naturally regard it as part of

their business to see that private enterprise gets a fair show, and naturally, they approach this question as one in which the inland steamship companies are interested. It seems to me that, in the nature of things, they must do so. Now, while I have indicated more than once in this House that I am not very much in favour of the railways leaving the solid ground and embarking on the rivers to compete with steamship companies, I am very much in favour of the proposition that, where there are good grounds for constructing a railway line, we should enter into competition with the steamship companies in our own sphere, and the fact that the construction of the Dacca-Aricha Railway may bring about a reduction in the rates and fares charged by the steamship companies is, to my mind, a very strong argument for the construction of the line. I should like to make that point perfectly clear. But I have been asked why then, when we found that we could not provide funds this year or the next to construct the line, we said that, in connection with the preparation of the detailed estimates, certain questions would be re-examined. Well, if I had not the fear of the Bengal Chamber of Commerce before me, I had at least a salutary respect for the views of another body, namely, the Public Accounts Committee, I think my Honourable friend Mr. Neogy will agree with me, that the Committee were not altogether satisfied with the procedure sometimes adopted in recent years of starting work on important projects before the preparation of detailed estimates. In any case, in this case we shall have the detailed estimates before us before we start construction, and when admittedly it is an expensive line, it is certainly desirable that we should have these estimates. In essence what we said to the Bengal Chamber of Commerce was this, that we were prepared to re-examine two things. The first was this. Supposing the detailed estimates revealed that the line was going to cost a great deal more than the original estimate, surely we should have to reconsider the matter, unless indeed our revised estimates of traffic showed that the traffic was likely to be a great deal larger than we originally estimated. It seems to me that, in the nature of the case, you cannot say, "I don't care what figures are revealed in the detailed estimates, I shall refuse to reconsider the matter". That is an attitude which no responsible authority can adopt. The other matter is the question of the effect that the construction of the line might have upon river conservancy and the public health. Now, as my Honourable friend Colonel Crawford in an interjection at an earlier stage of the debate asked, "Why not have a road", I would like to point out that the effect of a road, both on river conservancy and on public health, would be exactly the same as the effect of a railway, for unless it was an embanked road, it would be under water for about four months in the year, and if it is an embanked road, then you have to face the complicated questions of the adequacy of the water-ways, the obstruction to drainage and so on. In the letter to the Bengal Chamber of Commerce it was mentioned that these matters would be re-examined, because it is always at the stage of the detailed estimates that these matters come up for final settlement. When we get the final location survey as it is called, it is at that stage that the size of the water-ways to be provided is settled in consultation with the Local Government, and also all points in which the construction of the line might have a direct bearing upon river conservancy. As far as I can see,—I am not an expert in these matters—there is no real danger that the line will seriously interfere with these interests, but naturally the experts on these subjects must have their chance. It is the Government of Bengal who are specially charged with responsibility in these matters, but whatever be the opinions, the views or

[Sir George Rainy.]

the figures we receive at the time of the submission of the detailed estimates, the Railway Board and the Government of India will approach them from this point of view, namely, that they regard the line as very necessary and urgent and one which they would desire to construct at the earliest possible date.

Sir Purshotamdas Thakurdas: Sir, I am not intimate with the area about which the discussion is on, but I am very much interested, after hearing what has been revealed to us, to know exactly why the Government of India and the Railway Board have put off the construction of this line for which experienced non-officials and officials from Bengal have repeatedly said that there is the greatest necessity. It is not usual, Sir, to make any remarks when an Honourable Member is presenting a Budget, either the Railway or the General Budget to this House, but for once, this year, when the Honourable the Railway Member was presenting the Budget and he came to the point giving some information about the postponement of this line, my Honourable friend Mr. Neogy used rather a strongish expression, which, I felt at that moment was indiscreet. But after hearing what I have heard from both my Honourable friends, Mr. Ghuznavi and Mr. Neogy, even though one may agree with what has fallen from my Honourable friend Sir Darcy Lindsay, I would very much like Sir Darcy Lindsay to appreciate that the remarks made by my two Honourable friends on both sides can justifiably be forgiven as being due to their exasperation at the way in which the Government of India seem to have played with this scheme.

Sir, it is comparatively easy to preach patience to people when one is not hurt himself; and my friends in the European group have always been in that happy position of getting up and asking us to be moderate and modest and to have patience. I feel strongly that if my friends on those Benches were in half the position in which Mr. Ghuznavi and Mr. Neogy are today, pleading for this railway line, they would have used not only similar language, but perhaps stronger methods of asserting their views and their wishes. All that I can say is that, bearing in mind the history of this line, as given in this letter of the Railway Board dated the 10th February, 1930, the people of Bengal in that district appear to me to have patience which can almost be said to be angelic.

Now, Sir, what is the history of this project? For fifty years the people of Bengal have asked for this Railway. Since 1920 the Government of Bengal actively pressed for it. The Government of Bengal—and surely they cannot be said to be partial in this connection—have offered to pay for the expenses of survey, and they have even offered the Railway Board that, if there should be a deficit in the minimum earnings required from this line, they would pay it out of the provincial revenues. Apart from any other views which have been expressed by my two friends in the course of this debate, may I venture to ask the Honourable Member what justification the Railway Board had in not taking up this line when there was such solicitude shown by the Government of Bengal, and when there was this offer of the Government of Bengal? This is a plain question which will require a good deal of explanation. It is not necessary to give us assurances of the *bona fides* of this Chamber or of the Government of India. What we want to know is, in view of this, how is the Railway Board justified in putting off the construction of this line when they undertook the construction of other lines,

The only reply and the only inference that can be justifiably drawn, especially by non-officials who are not in the know of what is noted in Government files, is that the influence of some person or somebody may have helped to put this scheme off till now. It need not necessarily all have happened in the time of my Honourable friend, Sir George Rainy. But if one reads the history, as given by the Railway Board themselves in this letter, the inference is perfectly justified that the scheme has been delayed in spite of such great pressure from the Bengal Government, and even in spite of that Government's offer to make good any deficit in the return on this line, in order to please some one or satisfy some interest. It is no good giving us mere assertions and saying that that is not so; we want to see the proof of it; and surely unless the Railway Board are prepared to say that the Bengal Government were also led away by the enthusiasm with which Mr. Ghuznavi and Mr. Neogy put forward their case, only then can the Railway Board say that the pressure that is now being brought to bear upon the Railway Department by Members in this House is unjustified.

Sir, a good deal has been said about the money part of this scheme being somewhat prohibitive at this juncture. I am one of those who feel that, at this particular juncture all avoidable expenditure should be put off. But on the admission of the Railway Board itself, this line, to use their own words, "will more than pay its way". Further on they say:

"I am to explain that the traffic estimates of the new line assume that only a small proportion of the jute traffic will be transferred from the inland steam vessels to the railway."

In addition, Sir, as I have said, the Bengal Government offered to make good any deficit, should there be a deficit in the minimum return on this line. All this is not enough to make the Railway Board move in the direction which will give an assurance to the people of that locality that they are going to get the railway; for what is it that has really frightened and exasperated my two friends, so far as this reply is concerned? The question of re-survey and fresh estimates. Now, I think they are justified in suspecting

The Honourable Sir George Rainy: May I point out, Sir, that the re-survey and the detailed estimates were inevitable in any case?

Sir Purshotamdas Thakurdas: They may have been; why not then start acquiring land as my friend, Mr. Ghuznavi, said? Can the Honourable Member give any reasons?

The Honourable Sir George Rainy: I would only point out that it is better, before you acquire any land to decide whether it is that particular land which you really want to acquire—that is the object of the final location survey.

Sir Purshotamdas Thakurdas: How long do Government think it will take them to make up their minds about it? Perhaps the Honourable Member might oblige me with a reply now by interrupting me; I will wait for his reply.

The Honourable Sir George Rainy: We shall make up our minds when we receive the detailed estimates.

Sir Purshotamdas Thakurdas: How long does it take Government to receive detailed estimates in this sort of matter? I wait for a reply. (There was no reply.) Surely, the Honourable Member can interrupt me completely now and give me a complete reply so that we may know what the exact situation is.

The Honourable Sir George Rainy: May I say, Sir, that I am very sorry if I have in any way inconvenienced the Honourable Member. I think the House will bear me out when I say that I do not very often interrupt; but I am afraid I did so on this occasion and I am very sorry I inconvenienced the Honourable Member, particularly as my interruption may have seemed discourteous.

Sir Purshotamdas Thakurdas: I thought the Honourable Member was going to elucidate a point of view which very much required elucidation. I welcome the Honourable Member's interruption, but I see the Honourable Member is not prepared to give me further replies in order to clear up the matter. However, Sir, I will not press that point of view. The Honourable Member is invariably most courteous to everybody in this House.

My point therefore is that I think the Members on the Treasury Benches and my Honourable friend, Sir Darcy Lindsay, and my friends on the European Benches should fully realise the feelings of my two friends. They feel that, if the Government think that it is inevitable to have re-estimates made, by all means do so. But why not go on with the acquisition of land and why not indicate to the House in this debate that the period required for that purpose will be two, four, six or eight months? For, Sir, it has not been unusual to have re-estimates which may give a set-back to a scheme. And my friends, Mr. Neogy and Mr. Ghuznavi, say, "We have been clamouring for this line for fifty years; we came almost to the point of getting it and here comes the Bengal Chamber to tell you, 'Do not go ahead until you have heard from us; we would like you to modify it' ". I feel, Sir, that there is a great deal of justification for most of what has been said, although I very much wish that a few somewhat heated words which were used had not been used. The omission of some allegations would have improved the case of this side of the House.

Sir, I cannot help feeling that if the Government of India really wish to assure the House that they are looking after the interests of the agriculturists this is a case where we want proof of it. I am told—in fact the Honourable Member in the course of his remarks admitted it—that the construction of the railway will have a beneficial effect by bringing about a lowering of the steamer freight rates. And what is it that is being transported on these steamers? The most substantial part of the revenue comes from the transport of cultivators' raw produce. What better investment can the Government of India have? They have the opportunity of killing more than the proverbial two birds with one stone; they are serving the best interests of the cultivator and meeting with what has been a popular clamour, both from the people of Bengal and from the Government of Bengal. I believe, Sir, that it was the Acworth Committee which said that the construction of railway branch lines with private capital should not be encouraged. In fact it was after that Committee's Report that the Railway Board stopped all construction of

branch line railways with private capital. I myself then believed in that and I still believe that private capital brought in with State capital side by side does cause some complication. Unfortunately, we have now come to a stage where the Government of India can plead that they are unable to borrow with normal ease. We know the reasons for it,—one need not go into them here,—but the Government of India cannot have things both ways. They cannot hold up a most useful project on the ground that they have not the money or the credit with which to raise money. If they feel that they cannot raise the necessary money easily, I would like to ask the Honourable the Railway Member whether the Government would like to entrust this to private enterprise. I realise fully that it means going past a very important decision taken by the Railway Board on the unanimous recommendation of a Committee, but in the case of a line like this the construction of which has been hanging fire for the last fifty years, I would strongly suggest to the Government of India that they may, as a very last resort, even try this method of entrusting the raising of the capital to private enterprise if they feel that they cannot get money on their own. Sir, I very greatly sympathise with the motion moved by my friend Mr. Ghuznavi, and would ask the House to support it.

Mr. A. A. L. Parsons (Financial Commissioner, Railways): Sir, I should not have risen today except for the remarks which have fallen from my Honourable friend Sir Purshotamdas Thakurdas. He suggested in his speech that the Railway Board had played with this scheme. That is not so. I have, I regret to say, not got all the papers with me, but I am practically certain that this scheme has taken less time to get through than most of the larger schemes for the construction of railways which we have had before us in recent years. The position is briefly this, Sir. Up to 1924, and before we had opened up or decided to open up a good deal of the area served by the Assam Bengal Railway, there was very little chance of the Dacca-Aricha Railway being a paying proposition, either on the broad gauge or on the metre gauge. In 1924 the Bengal Government again asked us to re-investigate this scheme, and—this is the date I am sorry not to have in my memory—I think we began the re-investigation and survey in the winter of 1925. But I am not quite certain on that point. In any case, a survey can only ordinarily be done in the cold weather, and I am quite certain that, when we got the results of the survey, it took us no unreasonable time to examine the scheme, considering that it raised the very big question whether the line should be built on the broad gauge or the metre gauge. That does require very careful consideration when you are proposing to build an important new railway in a tract which is partially served by the broad gauge and partially by the metre gauge. I am certain that there was no delay, after the Railway Board had dealt with the scheme, in obtaining the sanction of the Government of India or the sanction of the Secretary of State, or in placing it before the Standing Finance Committee for Railways; and as soon as it was passed by the Standing Finance Committee, we placed the money for the scheme in this year's Budget. The amount was actually 27 lakhs. Except for the beginning of the final location and preliminary steps in regard to acquisition of land, we should not in any case have been able to spend any money on the construction of the Dacca-Aricha Railway until this cold weather; and by this cold weather it was known that the financial position next year was such that we could not put down any large sum for the continuation of the construction. Obviously,

LEGISLATIVE ASSEMBLY.

Tuesday, 25th February 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN:

Mr. Sadasheo Dhoondiraj Talatuley, M.L.A. (Central Provinces: Landholders); Mr. J. Ramsay Scott, M.L.A. (United Provinces: European).

SHORT NOTICE QUESTION AND ANSWER.

COMMUNAL RIOT AT DACCA.

Mr. A. H. Ghuznavi: (a) Are Government aware of a serious Hindu-Muslim riot, entailing loss of lives, that broke out in the city of Dacca in the last week of January last?

(b) Is it a fact that riot continued for several days and that it brought the normal life of the city to a standstill?

(c) Is it a fact that, in consequence thereof, all Law Courts, schools and colleges had to be closed?

(d) Is it a fact that the authorities had notified, on January 25, under section 35A of Act V of 1861, prohibiting all unlicensed processions throughout the city of Dacca?

(e) Are Government aware that the student champions of Independence were determined to take out a procession without licence?

(f) Did the processionists take out any licence from the authorities on the "Independence" day?

(g) If the answer to the above question be in the negative, why did not the District Magistrate disperse the procession in the beginning, especially when the authorities were satisfied that an unlicensed procession was likely to bring about a breach of the peace?

(h) Are Government prepared to form a mixed committee of officials and non-officials to inquire into the matter?

The Honourable Sir James Crerar: (a), (b) and (c). I would refer the Honourable Member to the reply I gave to the short notice question by Mr. Anwar-ul-Azim on the 11th instant. I understand that for some days the normal life of the city was suspended after sunset, but that during the day business was not greatly interfered with, except for occasional closing of shops in areas in which outbreaks occurred. The Law Courts continued to function throughout, but schools and colleges were closed up to the 5th February.

[Sir James Crerar.]

(d) to (f). Notices were issued under section 30 of the Police Act, requiring processions to take out licences. The gathering which was the cause of the disturbance was formed by the amalgamation of small groups of students carrying flags and shouting. These groups did not apply for a licence.

(g) The District Magistrate did not anticipate any communal trouble or other disturbance, and decided that, instead of dispersing such gatherings, it would be preferable to take action against the leaders afterwards.

(h) I understand the Local Government do not propose to constitute any committee of inquiry. I have no doubt the facts will be in issue before the Courts.

Nawab Sir Sahibzada Abdul Qaiyum: Do Government feel strong enough to enforce their orders, whether they are with respect to the grant of permission for processions or whether they are for refusal of permission?

The Honourable Sir James Crerar: This matter was dealt with by the local authorities, and I have no doubt that the District Magistrate, who had to deal with a difficult and emergent situation, exercised his discretion properly.

Nawab Sir Sahibzada Abdul Qaiyum: Do the Government of India feel any responsibility in this respect, or does the whole thing lie with the Local Government? The matter is one of imperial concern and not very much of a local nature.

The Honourable Sir James Crerar: The action to be taken in a particular position of this kind is necessarily one which devolves immediately upon, and must be discharged immediately by, the local authorities.

Nawab Sir Sahibzada Abdul Qaiyum: I asked whether the Government of India feel strong enough to get their orders respected in matters like this?

The Honourable Sir James Crerar: Yes, Sir.

Dr. A. Suhrawardy: The Honourable Member has just stated that the District Magistrate did not anticipate any communal trouble. Will the Honourable Member please state whether the District Magistrate anticipated any political trouble, due to difference of opinion between the champions of Independence and those who did not share the view of those champions? If not, why did he require licences to be issued at all?

The Honourable Sir James Crerar: The District Magistrate no doubt considered that, in view of the demonstrations which had been announced for that day, there was considerable possibility of trouble and he took his measures accordingly.

Dr. B. S. Moonje: Are Government aware of the allegations that have been made in the papers regarding the action of the District Magistrate, the Deputy Superintendent of Police and other police officers in the matter of refusing adequate protection to the Hindus.

The Honourable Sir James Crerar: The whole of the circumstances with regard to these disturbances will be before the Courts in connection with the cases which are now pending, and I do not think it would be proper for me, at this stage, to make any further statement with regard to them.

Dr. B. S. Moonje: Has the attention of the Government been drawn to the allegation that has been published in the papers regarding the action of the District Magistrate and the police officers?

The Honourable Sir James Crerar: I have seen statements in the Press.

Mr. Anwar-ul-Azim: Is it a fact that the first trouble arose as a result of the burning of the holy books of the Mussalmans by the processionists?

The Honourable Sir James Crerar: These are questions likely to come under investigation in a Court of law.

Dr. B. S. Moonje: Do the Government propose to make inquiries about these allegations?

Mr. President: That question will be under investigation by a Court of law.

Mr. K. C. Neogy: Is it not a fact that there are certain allegations, which cannot possibly be the subject matter of any judicial investigation that may be taking place at the present moment?

The Honourable Sir James Crerar: I am not aware of that.

Mr. K. C. Neogy: Is the Honourable Member aware that certain allegations have been made regarding the apathy of the District Magistrate, when particularly the Hindus wanted protection from him, which he was not inclined to give?

Mr. President: There cannot be any fine distinction as to what will come before the Courts and what will not.

BILLS PASSED BY THE COUNCIL OF STATE LAID ON THE TABLE.

The Secretary of the Assembly: Sir, in accordance with rule 25 of the Indian Legislative Rules, I lay on the table the following Bills which were passed by the Council of State at its meeting held on the 24th February, 1930:

- (1) A Bill further to amend the Special Marriage Act, 1872, for certain purposes.
- (2) A Bill to amend certain enactments and to repeal certain other enactments, and
- (3) a Bill further to amend the Prisons Act, 1894, for a certain purpose.

MESSAGES FROM THE COUNCIL OF STATE.

The Secretary of the Assembly: Sir, the following two Messages have been received from the Secretary to the Council of State. The first Message is as follows:

"I am directed to inform you that the Council of State has, at its meeting held on the 24th February, 1930, agreed without any amendments to the Bill to centralise and vest in the Governor General in Council the control over certain operations relating to dangerous drugs, and to increase and render uniform throughout British India the penalties for offences relating to such operations, which was passed by the Legislative Assembly at its meeting held on the 12th February, 1930."

[Secretary of the Assembly.]

The second Message runs as follows:

"I am directed to inform you that the Bill further to amend the Indian Patents and Designs Act, 1911, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 27th January, 1930, was passed by the Council of State at its meeting held on the 24th February, 1930, with the following amendments, viz.:

1. In sub-clause (1) of clause 1, for the figures '1929' the figures '1930' were substituted,
2. In sub-clause (b) of clause 9, in proposed sub-section (1A), for the word 'January' the word 'July' was substituted, and
3. Clause 28A was renumbered as clause 29 and the subsequent clauses were renumbered consecutively.

The Council of State requests the concurrence of the Legislative Assembly in the amendments."

Sir, I lay on the table the Bill as amended by the Council of State.

THE RAILWAY BUDGET—LIST OF DEMANDS.

DEMAND No. 1—RAILWAY BOARD—concl'd.

Mr. President: The House will now resume further discussion on Demand No. 1 of the Railway Budget.

Policy of Reservation of Compartments as "for Europeans".

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I beg to move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

My intention is to invite Government to make a declaration of their policy in regard to the reservation of railway compartments as "for Europeans". About five years back I had the privilege of bringing forward a Bill for the purpose of making such reservations illegal. That Bill was passed by the Legislative Assembly, but Government, in the plenitude of their wisdom and in the plenitude of the support which they can always command in the other House, prevented that Bill from reaching the Statute-book. A few days back my Honourable friend, Mr. Aney, introduced a similar Bill. Unfortunately, it has not yet been possible for this House to take that Bill into consideration. I should, therefore, like the Honourable Member in charge to make a declaration as to whether their policy in this matter has undergone any change.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I can dispose of this motion quite briefly. My Honourable friend, the Mover, has referred to the Bill for which he was responsible, which was carried by the Assembly five years ago, but was subsequently rejected in the Council of State. At that time the view advanced by Government was that the practice was dying out of itself that the reservation of compartments was being reduced to much smaller dimensions and that, in course

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of time, the practice would disappear. In connection with Mr. Aney's Bill, which was not reached on any of the days devoted to private Bills, the Government of India again reconsidered the matter. It appeared that since Mr. Neogy's Bill was before the House, the practice of reserving third class compartments for Europeans and Anglo-Indians had been abandoned on the Burma and South Indian Railways. The practice now only obtains on five railways, viz., the Bengal Nagpur, the North Western, the Madras and Southern Mahratta, the East Indian and the Great Indian Peninsula Railways. In the whole of India, one small compartment is reserved on 83 trains, which is 4.4 per cent. of the total number of trains. The Government of India, after considering the matter carefully, came to the conclusion that the time had come when the practice might be discontinued altogether. What they have decided to do is to take steps on the State-managed railways, so that, by the end of the year 1930 the reservation of third class compartments for Europeans and Anglo-Indians will be discontinued. They have also decided to use their influence with the Company-managed railways of which there are only two, viz., the Bengal Nagpur and the Madras and Southern Mahratta, to bring about the same result. They have no reason to believe that these Companies will be unwilling to fall into line with the policy of the Government in the matter.

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

Reduction of Rates and Fares on the Bengal Nagpur Railway.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, with your permission I would omit Motion No. 25 and move Motion No. 26, which runs thus:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

This motion relates to the reduction of rates and fares on the Bengal Nagpur Railway in 1927-28. The Honourable the Railway Member, in his budget speech that year, announced certain reductions of third class rates and fares on the East Indian and the North Western Railways. He said:

"We expressly invited the attention of the Agents to the passenger fares in the light of statistics, and did tell them that it would be proper to consider further reductions. As a result of this, the East Indian Railway, the North Western Railway and the Southern Mahratta Railway were justified in proposing further reductions, and they have already been brought into force in one case on 1st January."

Sir, I began to wonder why the rates were not reduced on the Bengal Nagpur Railway. When I looked at the accounts of the various railways in India, as submitted before the Public Accounts Committee, last year, I began to compare the profits of the Bengal Nagpur Railway with those of the Eastern Bengal and the North Western Railways. I give below the profits of the three railways for the years 1925-26, 1926-27 and 1927-28:

					[Percentage of profits.]
Bengal Nagpur Railway	..	..	..	..	4.72
				..	5.08
				..	5.03
East Indian Railway	..	..	..	..	3.97
				..	5.37
				..	5.38
North Western Railway	..	..	..	..	4.22
				..	3.48
				..	3.55

[Mr. B. Das.]

I cannot understand why, in the North Western Railway, which gives a net income of 3·55 per cent. there was a reduction of third class fares for people travelling on that line. It may be that the territory over which the Bengal Nagpur Railway travels is not adequately represented on the floor of this House, and therefore nobody brings forward a motion to press on the Honourable the Railway Member that there should be a reduction of rates there.

Sir, as a member of the Public Accounts Committee, last August I put various questions as to what was happening on the Bengal Nagpur Railway, regarding reduction of third class fares. I have referred already on the floor of the House to the fact that there have been various extravagances on that line, and that matter is still under the consideration of the Public Accounts Committee and the Government of India. Sir, last year, at Simla, the Public Accounts Committee appointed a sub-committee, which was presided over by my Honourable friend Mr. Neogy, and that sub-committee gave its finding about the Bengal Nagpur Railway in the following terms:

"As regards the serious irregularities on the Bengal Nagpur Railway, we understand that a comprehensive letter has been addressed to the Company by the Railway Board, which will be considered by the main Committee. In the circumstances, we refrain from making any comments at this stage."

The main Committee went into their findings and their conclusions are given in page 24 of the Report of the Public Accounts Committee:

"As regards the sub-paragraph 8 of the Report of the sub-committee, we are satisfied that the points raised by us have for the present been adequately dealt with in the letter addressed by the Railway Board to the Agent, Bengal Nagpur Railway, but we desire to have a full report next year, on the action taken as a result of this letter."

There has been a huge waste of expenditure and a huge waste of money. I would quote only one instance, which will convince Honourable Members how the Bengal Nagpur Railway has been recklessly squandering money. This is found in page 93, paragraph 14 of the Appropriation Accounts of Railways in India for 1927-28:

"Loss in Departmental brick manufacture. In 1923 an estimate was sanctioned by the Agent—"

Of course, the Agent had the advice of the Chief Engineer and other Engineers who are supposed to be experts in the line,—

"for cost of plant, kilns, etc., amounting to Rs. 2,97,244 for manufacture of bricks by departmental agency. This estimate was further revised in 1924 under Agent's sanction to Rs. 4,59,432. . . . The cost of outturn for bricks thus works out on the year's outlay to Rs. 102 per thousand, and including proportionate charges on Capital Block Account, to Rs. 139 per thousand, against Rs. 14, the contractor's rate."

This conclusively shows the extravagance of the Bengal Nagpur Railway, and how public money is squandered, while we want saving, so that third class passengers, who are the largest contributors to the Railway might get the benefit of reduced fares. Instead of that, the Bengal Nagpur Railway is spending money on mad experiments. Probably that engineer who advised the Agent was not an expert. I do not know whether he is still in service. What could have been obtained at Rs. 14 per thousand from the market, the Railway manufactured at Rs. 139 per thousand. Sir, I do not want to quote other instances of extravagance, but I would ask Honourable Members, who would be interested in rectifying the mismanagement of this Railway, to look into the Appropriation Accounts of

Railways in India for 1927-28, and they will find ample material supporting my statement. I would have thought that the Honourable the Railway Member would press on the Bengal Nagpur Railway to bring about that happy result, when they would reduce their rates and fares. It seems that, before 1916-17, the Bengal Nagpur Railway had an investment of about £45 millions, and when in 1912 the Government of India entered into a fresh contract with that Railway, the rate of interest was reduced to 3½ per cent., and the money that has been borrowed since then by the Government of India, except a few crores borrowed after 1922, was borrowed at more than 3½ per cent., so that the Bengal Nagpur Railway makes a profit every year. Any surplus which the Bengal Nagpur Railway might earn, after paying 3½ per cent. to the Government for paying interest on borrowed capital, must go towards the reduction of rates and freights.

Now I claim reduction from another point of view. I find on page 18 of the same Appropriation Accounts that the number of passengers who travelled on the Bengal Nagpur Railway in 1926-27 was 24,540,700, and in 1927-28, they were 25,874,300. As regards the tonnage carried, in 1926-27 it was 13,546,000, while in 1927-28, it was 15,617,000. Well, I look to the favoured railways, that is railways in which the passengers are favoured with reduced fares so far as third class passengers are concerned, such as the East Indian Railway and the North Western Railway, and there I do not find any appreciable increase in the number of passengers or in the tonnage, rather I find in the North Western Railway that the tonnage carried has been reduced from 19 million odd tons to 17 million odd. In the East Indian Railway, I find just a slight increase of tonnage and also passengers. Sir, I am not an expert in these matters. I think my Honourable friend Mr. Haji may contribute something to the discussion of this matter. While there has been an increase in both the number of passengers travelling as well as in the quantity of tonnage carried, we find that the same post-war high rates of tariff still prevail on the Bengal Nagpur Railway.

Why should not Government enforce an equitable system of rates on all railways? If the Government do not insist on reduction of rates and freights, they help the Company-managed railways to appropriate their surplus profits towards payment of higher dividends, in addition to the guaranteed interest that Government pay. Apart from that, I do not wish to see that the Government should simply be a tax-collecting department. The railways are public carriers, and if they are carriers, they should charge only reasonable rates so that all classes of people, especially the third class passengers, might be benefited. My Honourable friend the Railway Member has himself admitted that the Bengal Nagpur Railway travels through a poor country. When Government think of reducing railway rates and freights, they ought to consider first the claims of the railways which travel through comparatively poorer parts of the country. Sir, I submit that the time has come when the rates and freights on the Bengal Nagpur Railway should be reduced. I remember in the last Public Accounts Committee, we raised a discussion on this subject, and even the Chairman, Sir George Schuster, was pleased to observe that circumstances, as they appeared before the Public Accounts Committee, justified a reduction of rates and freights on the Bengal Nagpur Railway. With these remarks, I move my motion.

Mr. A. A. L. Parsons (Financial Commissioner, Railways): Sir, I admire the ingenuity with which my Honourable friend has at last brought

[Mr. A. A. L. Parsons.]

the irregularities of the Bengal Nagpur Railway to notice on the floor of the House. I presume his argument is more or less as follows. The Bengal Nagpur Railway has been squandering money. If it had not been squandering money, it would have been better off, and if it had been better off, it could have reduced rates and fares, and more particularly it could have reduced third class fares. I do not think that misrepresents my Honourable friend. I am not sorry that he has succeeded in bringing up this question, which I understand raised some public comment at the time when the matter came before the Public Accounts Committee, because I think there are some remarks which ought to be made. It is not an easy position for the Financial Commissioner of Railways to defend a Railway Administration against charges of irregularity, because it is very much his duty and his wish to enforce regularity on railways, and anything he says may, therefore, be misconstrued, as showing a lightness of heart or spirit on his part towards one of the important sides of his duties. On the other hand it is necessary, in these matters, to be judicial. Therefore when I came out from home, I myself went through the various irregularities which came to the notice of the Public Accounts Committee. The number actually mentioned in this year's Report was 30. They were not all serious, and some of them were mainly formal, nine being first brought to notice in the Report for 1927-28, while 21 had come forward from the previous year's Report. Now if there were 30 irregularities spread over two years on any individual Railway Administration, serious enough to be brought to notice in an Appropriation Report, there would be very good *prima facie* grounds for condemning wholeheartedly the administration of that Railway. But actually,—and this is what I think was not realised at the time,—that was not the position. Of these 30, only four were irregularities relating to the years on the accounts of which the Reports of 1926-27 and 1927-28 were compiled. With regard to another three or four irregularities, I have not been able to get any information as to the date of the occurrences, and I may mention that, in some cases, the dates of the irregularities were not given in the Reports. That makes 8. The remaining 22 were spread over the years from 1910 onwards to 1925-26; that is to say, these 30 irregularities were spread over a period of 18 years. That obviously puts a very different complexion on the matter, and is obviously relevant to any charge that the Bengal Nagpur Railway has been, as a whole, badly administered. I myself have had my quarrels with the Bengal Nagpur Railway Administration on certain of these cases, but I do think that it is desirable to be judicial in a matter of this kind, and not to condemn a Railway Administration root and branch because certain things have not been done well on that railway.

I will now pass on to the question whether the Bengal Nagpur Railway should be asked—or compelled as, I think, the Honourable Member said—to reduce its rates and fares, and particularly its third class fares. No one would, I think, gather from my Honourable friend's remarks that the Bengal Nagpur Railway in some respects may even be said to have gone further than some other railways in the matter of reductions. Their reductions in fares, I may say, are all for distances of over 300 miles. As a whole, the Bengal Nagpur Railway has followed the policy which we follow, of reducing fares and freights for longer distances, in order to encourage traffic over longer distances, and that is an extremely sound policy. In 1926 they reduced intermediate class passenger fares, and also third

class passenger fares. They reduced ordinary third class fares, for example, from 3½ pies per mile for distances over 300 miles, to 2½ pies per mile,—a reduction of a full pie. They also reduced, following our own reductions of 1929, their luggage and parcels rates. They increased, as we have done, the free allowances of luggage of third class passengers from 15 to 25 seers, i.e., an increase of over 50 per cent., and they made various substantial reductions in the rates on various agricultural commodities, such as oil-cake, manures and wood. They followed us in the reductions on coal.

Now, the question whether they should make further reductions is, to start with, very much a question of the financial position of that Railway; and if the Honourable Member had referred to the Pink Books which we supply, he would have seen that the Bengal Nagpur Railway had a loss in 1928-29, the last year for which accounts are available, of nearly 48½ lakhs, whereas the North Western Railway, with which he made a comparison, had in that year a profit of Rs. 33,80,000. Obviously a railway which has incurred a fairly substantial loss is not in as good a position to effect further reductions of rates and fares as a railway which is earning a profit, and I myself should not be prepared to press the Bengal Nagpur Railway to make a further reduction at present, unless it was a reduction which was likely immediately to bring a corresponding increase of revenue from increased traffic.

There is a further point with regard to the Bengal Nagpur Railway. It is, as a whole, a line which runs through a country which is not thickly populated. It has heavy gradients, so that trains are expensive to move, and its goods traffic is largely in heavy ores, a not very paying traffic. Therefore you cannot expect that Railway to pay as well as other Railways, nor can the inhabitants of that area actually expect to get their transportation as cheaply as the inhabitants of other areas, for instance, those served by the East Indian Railway, because the line has cost more to build and the revenue obtained from the line, when opened, is lower than it is in more favoured localities. As regards the recommendation which has been made in the Public Accounts Committee's Report, we shall of course give that recommendation very serious consideration owing to the body from which it came. It does, however, as far as I can see, go against the whole of the previous rates policy of the Government of India, which has been to fix the rates, subject to certain maxima and minima, with regard to the individual circumstances of each Railway Administration.

Mr. President: The question is:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

The motion was negatived.

Sardar Bahadur Honorary Captain Hira Singh, Brar (Punjab: Nominated Non-Official): On a point of order, Sir, my motion No. 62* is on the same subject as No. 28

Mr. President: We are only half way yet.

Racial Discrimination.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): Sir, in view of the discussion which has already taken place, I do not propose to move my cut No. 29, and therefore by your leave, I shall go to cut No. 30.

*"That the Demand under the head 'Railway Board' be reduced by Re 1. (Transportation of food stuff and fodder from Punjab colonies to other places.)"

[Munshi Iswar Saran.]

I beg to move:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

Sir, this debate year after year is humiliating and provoking. It is humiliating that we should go on protesting year after year against our being deprived of the full opportunity to serve in the Railway Department in our own country and that our protest, our entreaty and our request should all go in vain. It is provoking because we find that the bar sinister still exists in spite of our protest and struggle. But I suppose we have to carry as long as the wrong is not righted.

May I, with your permission, say only one brief word here as regards the Anglo-Indian community, because in the discussion unfortunately something will have to be said about them. I wish to assure that community that we all are anxious that it should have its due share in the railway service, indeed in all services. But at the same time, we are very anxious that no community, be it the Hindu community or the Muslim community or the Anglo-Indian community, should have a preponderance of posts in any Department or in any service to the detriment of other communities. (Hear, hear.) I shall offer a word of advice, if I may, to the Anglo-Indian community. The time has come when the Anglo-Indians ought to make up their minds once for all in regard to the attitude they will adopt towards the big problems that are engaging the attention of the country today. Let me say in all friendliness that they should cease to play the role of Mr. Facing-both-ways. That role will not do; it will not pay. I hope they will take suggestion in the spirit in which it is offered. They ought face the realities of the position. They ought to determine their aim, and the destiny that lies before them.

As regards racial discrimination, Sir, there is no one who will be prepared to assert that it does not exist. If I am right in making this statement, as I submit I am, then the question naturally arises, what is Government doing in regard to it? I must confess, Sir, that, perhaps on account of my ignorance or want of information, I am unable to comprehend the attitude of Government. I do say, and I do wish to lay stress on it, that they have no consistent policy unless the policy be to tolerate racial discrimination. May I invite the attention of the House to a speech which was delivered by Mr. Parsons in the budget debate of 1928? On that occasion Mr. Parsons said:

"Whether Government holds" (*I am leaving out the unnecessary words*) "Whether Government holds that Indians are incapacitated constitutionally or otherwise from carrying out properly the duties of the subordinate posts which we are now discussing; the answer is immediately and directly 'no'. Government do not propose"—

I shall beg the House to mark these words—

"Government do not propose to have any policy of racial discrimination in that matter. It has been pointed out by my Honourable friends that, in certain specific instances which they have brought before the House, there appears, I should prefer to call it, a remnant of racial discrimination either in the terms which are offered for initial employment or in the treatment after employment of different communities. I wish to say here and now that the Railway Board do not countenance any such discrimination. They have definitely informed all Railway Administrations that discrimination of that character should be abolished and they have obtained assurances from the Railway Administrations that they are taking steps to abolish that discrimination."

This statement was made not by a private Member; this statement was made by the Government spokesman on behalf of the Railways. If we carefully consider this statement, the conclusion seems to be irresistible that Government admitted the existence of racial discrimination and made up their minds to remove it as quickly as they could. Then, Sir, we come to the speech of Sir George Rainy, which he delivered in 1929, and I apologise to the House for giving this long quotation, because it is necessary for the purpose of the particular argument which I wish to develop that I should give a somewhat long quotation from his speech. Says Sir George Rainy:

"We have to recognise specially on a railway like the East Indian Railway or the Great Indian Peninsula Railway, which are now State-managed, that we took them over with all the inheritance of the rules which had been framed under Company management, and that we cannot, by any sudden stroke of the pen, eliminate all the differences which have grown up under those rules. What we can do, and what we ought to do, is steadily to maintain the pressure so that where these rules definitely admit racial discrimination in particular matters, this should be rectified and the racial discrimination eliminated. That is what we are aiming at, and I entirely agree that these annual debates on the subject in the Assembly are of great use because they keep the attention of the Railway Board and of the Railway Member concentrated on the point, so that more rapid progress is made than would otherwise be the case."

Again, Sir, I submit that after carefully considering this statement of Sir George Rainy, one felt certain that the existence of the disease was admitted. It was further admitted that Government was going to apply the remedy and that these annual debates in the Assembly would make Government apply the remedy with greater rapidity. But, Sir, in the present speech of the Honourable the Railway Member, what do we find? He says:

"I must also refer to the elimination of racial discrimination, but I can do so only briefly. The whole question has been systematically considered and we have now reached a stage when the material has been digested and consultation with the Central Advisory Committee is likely to be both helpful and fruitful."

After admitting the existence of racial discrimination, after telling us that Government are going to remove it, we are now told in 1930 that the materials have been collected, and we have now reached a stage when a consultation with the Advisory Committee will be both helpful and fruitful and the conclusion obviously will be come to after this consultation.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): In regard to the method. It is a step in advance.

Munshi Iswar Saran: I am indebted to my Honourable friend, Sir Purshotamdas Thakurdas.

Sir Purshotamdas Thakurdas: I am only putting forward a construction which strikes me.

Munshi Iswar Saran: I take it that it is in regard to the methods by which racial discrimination is to be removed, that consultation is necessary. Am I right?

Sir Purshotamdas Thakurdas: Yes, about right.

Munshi Iswar Saran: I am content if I am about right. I submit, Sir, that as far as this racial question is concerned, if Government are really

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in earnest, very little consultation is necessary. If any consultation was necessary, that stage has passed.

There is racial discrimination as regards recruitment to the services; there is racial discrimination as regards the treatment that they mete out to their Indian and non-Indian servants; there is racial discrimination as regards the facilities and amenities they give to their Indian and non-Indian servants. Sir, this is a matter which has been discussed threadbare; this is a matter which has been agitated in this House and in the public Press and on the public platform for a very long time. Are we to understand that the question is so full of difficulty and complexity that it is necessary, in order to come to some conclusions, to consult the Railway Advisory Committee? I ask, Sir, why was this consultation, which has been mentioned now by Sir George Rainy, not mentioned by him last year or by Mr. Parsons the year before? I do submit that, in spite of my very best efforts—I wish to assure Sir George Rainy and my Honourable friend Sir Purshotamdas Thakurdas—that in spite of my very best efforts to put the most generous and the most charitable construction on this idea of consultation, I am very painfully and reluctantly driven to the conclusion that this was not necessary. We know, Sir, that in 1926 Mr. Sim, speaking on behalf of the Railway Department, admitted the existence of racial discrimination, and it is in 1930 that the question of consultation has been brought forward! I say, Sir, if this consultation has to be made, it ought to have been made much earlier. Did the Government take six years' time to make up their mind whether they should consult the Advisory Committee or not? I submit, Sir,—and I shall be sorry if I am doing any injustice to Sir George Rainy or to Government,—that for a man who has studied this question carefully and deeply, there is no other conclusion possible than this, that they are not serious about this matter. We get lip sympathy in abundance. Personally, speaking for myself, I hate that word "sympathy". Indians do not want sympathy; they want justice; they want recognition of their rights. Then, Sir, sympathy becomes of no avail when it is not translated into action. We are told that instructions have been sent to the Railway Administrations, and yet I shall show to the House later on that those instructions have not been observed, have not been obeyed. A tree is known by its fruits; the value of the instructions lies in the action that they lead to. If they lead to no action, or to unsatisfactory action, then it is very little satisfaction to us that they were issued. There is one question which I should like to put. Are Government unable to enforce the policy which they lay down, or which they approve of? Is it possible for Railway Administrations to snap their fingers at the instructions which are issued by the Railway Board on behalf of Government? If that be so, Sir, then there are only two alternative conclusions, and I leave it to Sir George Rainy to decide which he will accept; either the Railway Board is feeble and incompetent, or all this talk about bringing about a change is insincere. The alternatives, Sir are incompetence or insincerity; let the Railway Member make his choice as to which he will accept.

Now, Sir, as I have already submitted this question has been engaging the attention of the House for a long time. I shall give a few figures to show how the matter actually stands, and I have been careful to take only figures of the period since Sir George Rainy came into office.

We find that in the year 1926-27, the number of Indians filling gazetted posts—I shall beg the House to mark this—increased from 26.85 per cent. to 29.7 per cent. On the four State-managed lines the increase was from 32.02 per cent. to 34.68 per cent. In the year 1927-28, the number rose from 29.26 per cent. to 31.82 per cent., and on the four State-managed railways it rose from 34.74 per cent. to 38.09 per cent. Then, in the year 1928-29, from 31.51 per cent., it rose to 32.71 per cent., and on the five State-managed railways it increased 35.99 per cent. to 36.22 per cent.; Sir, at the rate roughly of 3 per cent. annually Indianisation is proceeding. I ask, how long will it take to reach the maximum?

My Honourable friend Mr. Hayman told us, in answer to my friend Mr. Ghuznavi, "Good heavens, what nonsense about Indianisation you are talking? We have almost reached the highest figure possible". Mr. Hayman either takes us to be very simple-minded because he is new to the House, or he has said something which I for one am unable to understand. I shall request Mr. Hayman to controvert the conclusion that I have drawn from the figures that I have quoted that, during these years, the increase has been only 2 per cent. or 3 per cent. at the outside. I shall now ask him to consider how he has been filling the vacancies that have been occurring. I submit, Sir, that this is a very good test of Indianisation. We find that in 1927-28—I am taking only one year's figures—the percentage of Europeans to the number of vacancies filled among officers of gazetted rank was 32.0 per cent., and it rose to 43.0 per cent. in 1928-29. What do we find about Indians? In 1927-28 the percentage was 68.0 per cent., but it fell in 1928-29 to 57.0 per cent. Sir, this is how Indianisation is going amongst gazetted officers.

Let us turn for a moment our attention to Indianisation in the subordinate staff, as I may call it, who get Rs. 250 or over on: 12 Noon. Class I Railways.

In 1928 the number of Europeans was 2,046.

In 1929 the number of Europeans was 2,051.

In 1928 the number of Hindus was 1,921.

In 1929 the number of Hindus was 2,068.

As regards the Mussalmans, I must say that their representation is very very inadequate; in 1928 the number of Mussalmans was 330 and the number rose in 1929 to 360.

The number of Anglo-Indians was 3,784 in 1928, and it rose to 3,800 in 1929.

The number of "Other Classes" rose from 536 in 1928 to 662 in 1929. Taking the subordinate service alone into consideration, if you go on Indianising at the rate at which you have gone on, I assert that it will take a very long time to Indianise the entire service which is enough to exhaust the patience even of a very patient man like myself. My Honourable friend, Dr. Moonje, says it will take a century to Indianise. What is a century when compared with eternity. (Laughter.)

Let us come to the Railway Board itself. What do we find there? We had thought that, any rate in the Railway Board itself, Indianisation

[Munshi Iswar Saran.]

would proceed at a greater pace. We find that in 1928 there were five Europeans (I am talking of the subordinate staff) and in 1929 there were six. The number of Hindus went up from 87 to 130 in that period, while the Mussalmans increased from 10 to 13 and Anglo-Indians from 17 to 23, and other classes remained at the same figure—12 in 1928 and 12 in 1929. That is how it goes on in the Railway Board.

Look at the result of the instructions that have been issued to various Railway Administrations and see how Indianisation is being carried on by them. Take the Assam Bengal Railway. We find that in the Agency Department there were three Europeans in 1928 and the same number continues in 1929—there are no Indians whether Hindus, Mussalmans or any others. (*An Honourable Member*: "It is a Company-managed railway.") Never mind whether it is a Company-managed Railway or not. On the Bombay, Baroda and Central India Railway in the Agency Department in 1928 there were seven Europeans, and in 1929 their number increased by one. The number of Anglo-Indians was one in 1928 and we find the same number in 1929. There are no Hindus or Mussalmans in this Department.

Then take the subordinate staff on the Eastern Bengal Railway. There are a number of Traffic Inspectors who get from Rs. 300 to 500 and there is no Indian amongst them. Take the Assistant Station Masters—there are a number of them who get from Rs. 280 to Rs. 330 and there is no Indian among them.

Mr. B. Das: They are all Anglo-Indians; they are not Europeans

Munshi Iswar Saran: My Honourable and gallant friend, Colonel Gidney will give you an answer that might satisfy you.

Then on the East Indian Railway we find that, in the Stores Department, there are four officers who get from Rs. 550 to Rs. 600, and there are no Indians among them. There are two officers who get from Rs. 500 to Rs. 550 and there are no Indians among them. Amongst the three officers who get from Rs. 425 to Rs. 500 in the same Department, there are no Indians. Then take the Boiler Inspectors; there are no Indians among them. There is no Indian mechanic. Then take the Station Masters, A class—Rs. 430 to Rs. 530—there are no Indians. Station Masters, B class—Rs. 360 to Rs. 400—there are no Indians. Station Masters, C Class—Rs. 300 to 350—there are no Indians. I shall not trouble the House with any more figures; the few that I have given are enough to show that the picture is sad and depressing.

An Honourable Member: Take the North Western Railway; it is no better.

Munshi Iswar Saran: I have cited only a few cases by way of example. I know it will be said that some of these are Anglo-Indians who are statutory Indians and that no objection can be taken to them.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Have you any objection to it?

Munshi Iswar Saran: My Honourable and gallant friend, Colonel Gidney, asks me if I have any objection. I say "Yes" for this reason: Conceding the claim of Anglo-Indians, what we have to decide is whether

they should be allowed to shut out members of other Indian communities from railway services, and whether the members of this particular community should be allowed to have, if not, the practical monopoly, at any rate, the vast majority of the railway posts, I say, Sir, the present policy is wrong. It is true that, having regard to their past history and the present condition of the Anglo-Indian community, they are entitled to certain considerations and certain concessions; that is very different from saying that the Anglo-Indian community should continue to enjoy the advantages which it has enjoyed so long.

Lieut.-Colonel H. A. J. Gidney: Whoever said that? I do not remember to have said so, but I know you envy my position.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): You need not say it; it is a fact.

Munshi Iswar Saran: I wish to make it perfectly clear to them that, as far as we are concerned,—I hope I am speaking on behalf of a great majority of Members on this side of the House—we do not wish the Anglo-Indian community to be kept out of railway employment, but we do object to the unfair advantage which they are enjoying today and we do resent the disadvantages and handicaps of other Indian communities. I say to the Anglo-Indian community, "Please go into other Departments as well, have your share in them, as indeed every other Indian community is entitled to have its share". Let me illustrate this point, and it will be clear even to my Honourable and gallant friend, Colonel Gidney. Take the Judicial Service; suppose we had competent, educated and capable Anglo-Indians who came forward and said, "Let us have our share in the Judicial Service", can Hindus or Musalmans turn round and say, "No, thank you; look at past history; we have made the Judicial Service what it is"? That would not be fair. (*An Honourable Member*: "But we are kept out as a matter of policy.") There are so many interjections and interruptions that I hope Sir George Rainy will take note of their meaning, significance and force; then only will he be able to appreciate the extreme moderation of the remarks which I have the honour of addressing to the House. . . .

Sir Darcy Lindsay (Bengal: European): In all humility.

Munshi Iswar Saran: Quite right; my Honourable friend, the Leader of the European Group is perfectly right; it is in all humility that I am making these submissions, but my trouble is that, in spite of the humility, the request will not be granted. (*An Honourable Member*: "Why do you say that?") Because I know from past experience.

Intimately connected with this question is the question of the training of Indians in various workshops. I shall only ask some one, on behalf of the Railway Department, please to answer these questions:

(1) How many Hindu and Muslim boys are being trained in the various workshops such as the Jamalpur or Kharagpur workshops?

(2) Is the test of admission the same in the case of all boys, or is there any distinction made between these tests?

(3) Do the Indian and Anglo-Indian boys get the same allowance during the period of training?

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(4) Do they start on the same salary after they come out of the workshops?

I fully recognise that my Honourable friend Sir George Rainy is a terribly busy man, and I suppose his duties are so multifarious that he cannot be expected to look into every detail of every department, but I shall beg of him to consider, whether in his opinion the training that is being given to Indian boys is sufficient, whether he thinks that they are receiving the encouragement that they ought to receive or whether he feels that there is a distinction made between them on the one hand and between Anglo-Indians on the other.

These questions have been discussed, I might say, *ad nauseum*, and therefore, I do not wish to repeat them. I am only inviting the attention of the Honourable Sir George Rainy and the Railway Board to these questions.

Now, what about the education of the children of the railway employees? What amount do you spend over the education of the children of Anglo-Indian employees and of Indian employees? Have you raised the position of the teachers of purely Indian schools, or are you still in the stage of contemplation? Has the process of the digestion of the material on the subject been completed or is it still going on? The next question is, what is the East Indian Railway Company doing at the present moment in regard to

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): It is a State-managed railway now!

Munshi Iswar Saran: Many unpleasant facts have been brought to my notice, as well as communicated to me, but I think I shall do well in not referring to them. I shall only ask the Honourable Sir George Rainy to see for himself whether there is any distinction made in respect of leave rules and the rules of promotion.

Then comes the old questions of accommodation and of medical relief which have been brought to the notice of the House and of the Railway Member, and I hope when some one gets up to reply on behalf of the Railway Board he will be able to tell us that that distinction has at any rate disappeared.

Sir, there is one other minor matter, for which of course I suppose the Railway Board cannot be held responsible, but it is a matter which I wish to bring to the notice of the Honourable Sir George Rainy in the hope that something will be done to remove a little irritation that we sometimes feel, and that is the question of platform tickets. It is a very very minor and small matter, but I know how it irritates us. An Indian goes to a railway station and the ticket collector, very rightly of course, asks, "Have you got a platform ticket?". But if the Indian has got European clothes on, the chances are fewer of this question being asked, but if an Anglo-Indian or European goes, then in nine cases out of ten he is not asked to produce a platform ticket. I know that the Railway Board have got nothing to do with it; this is a very small, very insignificant and very trivial matter; but these little things do give rise to irritation and produce a lot of unpleasantness. I would therefore ask my Honourable friend the Railway Member to give a little attention to it.

The question under discussion is so vast that if one desired to go into all the details, one would occupy the whole day and even then the catalogue of grievances would not be complete. Having regard to the time of the House that I would be justified in taking, I have made only a few brief remarks, which indicate our difficulties, in the hope that they will be speedily removed. I wish to assure the Honourable Member in charge and other Members of Government that it is not pleasant for us to be constantly harping on this question. But Government must bear the responsibility of these unfortunate discussions. If a man has a pain, he will continue to cry, unpleasant though it may be, as long as the pain lasts. There will be no necessity for this unpleasant debate if the causes are removed.

My friend Sir Hugh Cocke last year said, "Indianisation or no Indianisation, we want efficiency". This attitude gives rise to misunderstanding and trouble as it is based on a woeful disregard of our real position. I was very pleased to read the report of a speech or interview of the Honourable the Leader of the European Group, wherein he asked his countrymen to try and get underneath the skin of Indians and to see what they feel. If Sir Hugh Cocke had anticipated the spirit and attitude of my genial friend, the Leader of the Opposition, he would not have made this remark. Sir, we are more interested in India and its future than any Member of the European Group can ever pretend to be and we desire to increase our efficiency and will not and cannot allow it to be impaired in any way. But I say, do not in the name of efficiency for the sake of Heaven perpetrate an injustice. Give us a fair chance, give us opportunities for which we are clamouring, and at the same time see that efficiency does not suffer.

Now, Sir, what is the remedy for all these troubles? The remedy is that Sir George Rainy instead of being responsible to the Governor General in Council or to the Government in England, should be responsible to this House. If he is responsible to this House, this difficulty will vanish in no time. That is the real remedy. (*An Honourable Member:* "That is the only remedy".) Yes, I stand corrected, that is the only remedy. I hope we shall get that remedy soon. I do not make a secret of this fact that I feel,—and I am very sorry to say that,—that my protest and the protests of other speakers who will follow me may not produce the desired results; but, Sir, as the late Mr. Gokhale said in the present condition of India, we have to serve her not by our successes but by our failures.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Sir, I have listened very carefully to the speech of my friend, Munshi Iswar Saran, and I agree with him to a very great extent. Perhaps there is a point in his speech wherein I may not agree with him. It may be due to the fact that I may not have fully comprehended his ideas or his object. The point that is under debate at the present moment relates to racial discrimination, and racial discrimination, so far as I have been able to understand it, relates to such discrimination between Indians on the one hand and non-Indians on the other. That is what I have understood by racial discrimination. If that is so, I have not been able to understand how he has complained against the monopoly which the Anglo-Indians are at present enjoying in the railway service. I cannot understand that, in the public administration of a country, there could ever be this distinction between Indians, Anglo-Indians, Hindus, Mussalmans and Sikhs. I have always

[Dr. B. S. Moonje.]

understood that the administration stood for equal opportunities to all, whatever their caste or creed might be. If on the point of merit, the Anglo-Indians have got the monopoly, I have not the least grudge or grouse or complaint. The complaint comes in when that monopoly has not been based on merit ascertained through open competition. If an Anglo-Indian boy competes for a certain position, along with other Indian boys, and if he is found fit physically, educationally and morally, then I would be the first man to say that that boy must have precedence over others.

An Honourable Member: What about military services?

Dr. B. S. Moonje: This is not the occasion to discuss that subject.

An Honourable Member: You wanted the *baniyas* for the Army. Where were they in the Great War?

Dr. B. S. Moonje: Whether a *baniya* is a *baniya*, a non-military man so long as he is Hindu or he becomes a military man immediately he is converted to Islam and becomes a Mussalman, or whether he remains a *baniya*, even after he has been made a Mussalman is a thing on which I will say something at the proper time. This is not the occasion for it. What I complain of now is the system under which merit and open competition are not given precedence, and which is based on distinctions of caste, creed and colour. The British bureaucracy is now doing things as it likes, in spite of our pleadings and warnings, but it must understand that its time is up, that the time is coming when power will have to be transferred, and when we get self-government or Swaraj, there will be no such distinction of creed or colour in the matter of recruitment to the public services. Public Services form the very soul of Swaraj and I hate the idea of poisoning the soul with the virus of communalism. It is on the public services that good Government, peace and order are based, and I grieve most when that fountain of good Government, peace and order is being infected with the poison of communalism, such as Indians against Anglo-Indians, Hindus against Mussalmans, Sikhs and so on. It is this kind of communalism that I condemn most.

Mr. President: The Honourable Member must confine himself to racial discrimination.

Dr. B. S. Moonje: I want to explain what the Government have done.

Mr. President: Communalism has nothing to do with the question before us.

Dr. B. S. Moonje: I bow to your ruling. I would like to know from the Government Benches on what basis they give a monopoly to Anglo-Indians as against non-Anglo-Indians.

Mr. President: As the Honourable Member has himself pointed out, racial discrimination is between Indians and Europeans.

Dr. B. S. Moonje: I accept your ruling. I should like to know from the Government on what principle they have discriminated Anglo-Indians as against non-Anglo-Indians.

Mr. President: I would ask the Honourable Member not to open that question.

Dr. B. S. Moonje: There is another kind of discrimination. I may call it racial discrimination. I may call it discrimination which is not based upon any justice or equity. I will give an instance to make myself clear. There are Assistant Station Masters. They have to pass certain examinations. I am told, I am open to correction, that when the examination is held, an Anglo-Indian is set a less stiff examination and the Indian has to pass a stiffer examination.

Mr. President: I thought the Honourable Member did not make a discrimination between Anglo-Indians and other Indians. The question really, according to the Honourable Member himself, is that racial discrimination means discrimination between Indians on the one side and Europeans on the other.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): I raise a point of order. Do the Anglo-Indians admit or acknowledge that they are Europeans or that they are Indians? If they are Indians, then your ruling will hold good. In the other case . . .

Dr. B. S. Moonje: As this question of discrimination has cropped up, I will not qualify it as racial or communal. I would call it only discrimination. Now, is there such discrimination in the matter of railway recruitment?

Mr. President: The question we are discussing is racial discrimination.

Dr. B. S. Moonje: I would now deal with racial discrimination. Now, Sir, there are English boys who are residents in India. They are set the same examination along with Indians but the test is less stiff for them and stiffer for Indians excluding Anglo-Indians who are included in them. After passing the same examination, the English Assistant Station Master is given higher pay and the Indian Station Master is given less pay. Is that racial discrimination or not? If that is so, then I would insist upon the Government Benches explaining why this happens, and whether this kind of discrimination exists in the services or not. I appeal to the Government Benches to bring to an end this kind of discrimination as soon as possible, and if that is not going to be done, we shall give them no peace, nor shall we allow ourselves to have peace of mind. We are bent upon seeing that all kinds of discrimination, not based on merit and competency, as ascertained through open competitive examination, whether it is racial or otherwise, is removed from the services, and it is from this point of view that I support the motion.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, before I proceed to criticise the Honourable Member for Railways, I think it is necessary that the House should know the statement that the Railway Member made in connection with the Indianisation. In his speech on page 7, paragraph 19, under the head "Indianisation" he says:

"I should like to mention the special efforts which have been made to bring the Transportation (Power) and the Mechanical Engineering Branches into line with the Civil Engineering and Transportation (Traffic) and Commercial Branches in the matter of Indianisation. A scheme for the training of apprentices has been in force since 1926, but the period of training being six years, it could not provide fully qualified officers until the end of 1932."

[Mr. Fazal Ibrahim Rahimtulla.]

And the last sentence of this paragraph says:

"It is proposed to continue similar arrangements until 1933, when the scheme for the training of apprentices will bear fruit and provide the requisite number of Indians for these Departments."

Paragraph 20 runs thus:

"Under this head I must also refer to the elimination of racial discrimination, but I can only do so briefly. The whole question has been systematically considered, and we have now reached a stage when the material has been digested and consultation with the Central Advisory Council is likely to be both helpful and fruitful."

Sir, I can only say that this statement is not satisfactory, and also that it does not go far enough. I would therefore like to mention what we mean by Indianisation. We mean by Indianisation this, that every class of people that belongs to India or calls itself Indian should have an equal opportunity to serve in Government Departments, and the total amount of Indianisation should be 75 per cent., as stated by my friend Mr. Hayman. We want to lay great stress on the question of the gazetted officers. There are two definite issues before the House. The first is, when was the competitive examination system introduced? And the second is, why was it introduced? The impression that is created in the mind of the Indians here is that these competitive examinations are a sort of obstruction put in the way of the people who are qualified to get into Government service or the railway service. And, though my friends, Munshi Iswar Saran and Dr. Moonje, have criticised the preponderance of Anglo-Indians in the services, I think the point before the House is that what we mean by the term "Indianisation", is the equal distribution of services between all classes and communities. I particularly want to lay emphasis on this point, that racial discrimination not only between Indians and Europeans, but also between Hindus and Muhammadans should cease. That should be the objective.

Mr. President: Order, order. I cannot allow the Honourable Member to proceed in that strain.

Mr. Fazal Ibrahim Rahimtulla: I want to emphasise what I mean by Indianisation.

Mr. President: Indianisation is Indianisation.

Mr. Fazal Ibrahim Rahimtulla: Indianisation means the throwing open of equal opportunities to all Indians.

Mr. President: Order, order. That is a different issue altogether. It is a question between the Europeans and the Indians that we are discussing now.

Mr. Fazal Ibrahim Rahimtulla: Sir, the question is that Government must inform the House as to how many vacancies have occurred in the various Departments of the railways and also how many new appointments have been made by them to fill in the posts. After this information has been obtained, we would like to know how many posts have been filled by Indians, and how many by non-Indians. And I would also like to emphasise, in this connection, that in every case where the appointment has not been given to an Indian, Government must explain their reasons for doing so. If those statistics are provided to this House, I think it will

be satisfied, or at least will be able to find out, how far Government have carried out the intentions and wishes of this part of the House. This part of the House, Sir, is very keen that Indianisation should go on as rapidly as possible, and if Government find any difficulty to get suitable Indians, then efforts should be made by them, through the help of provincial committees of responsible men to bring in new recruitment. Sir, I do not believe, I must say at the outset, in any of these competitive examinations, because they are nothing but a farce, and generally lead to dissatisfaction. They are mere obstructions. Government therefore should lay down minimum qualifications necessary for particular appointments. They have suggested apprenticeship for seven years, which means that for seven years there will be no real Indianisation. Now, I think we have got enough qualified men in India who can be taken in the railway services, and, though it may look a little tiring to the Government Benches to hear a debate of this character, or it may appear that we are wasting the time of the House on this debate, I must say that this is the only place where we can make our voice felt and can also make the Government understand that they must now try their best to have Indianisation in the services, especially in the case of the gazetted officers, who are getting Rs. 250 and more. The figures, that were supplied by Mr. Hayman the other day regarding the Muslim representation, relate to a separate matter of Indianisation, and, though he told the House the other day that 75 per cent. of the services had been Indianised, I hope he will tell us today what percentage of the Indianisation has been enforced in the gazetted ranks. This is the most important point to which we would like to draw the attention of the Honourable the Railway Member, and I hope he will pay serious attention to it and meet the wishes of this House in such a way that there will not be any occasion to move a similar cut next year.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Sir, whatever I may say on this motion, I am extremely anxious not to say anything that would cause any bitterness between race and race. I am perfectly sensible of the statements that have been made by the Honourable the Railway Member and Mr. Hayman, that they are extremely desirous to remove, as far as they can, all traces of racial discrimination that exist in the railway services and in the matter of facilities that are given to the employees on the railways. I am not so pessimistic as my friend, Munshi Iswar Saran. I also realise that there are certain inequalities in the shape of concessions that have been enjoyed by a certain class of servants for a long time, and cannot in fairness be withdrawn at a moment's notice. I am also further prepared to admit that certain classes of His Majesty's subjects are, by reason of their upbringing or education or their physical fitness, particularly fitted for a certain kind of work in the public services of the country. But notwithstanding all that, my only desire is to call attention to one phase of the question. I would not describe it as an instance of racial discrimination, but rather of racial inequality that exists and seems to exist in a definite, distinctive and decided measure among the employees of the railways. I refer, Sir, to the inequality in the matter of educational facilities for the children of European employees as against those provided for children of Indian employees.

Now, Sir, reading from this book which is a report of the inquiry on the expenditure of railways on the education of the children of employees in the Railway Department, conducted by Mr. C. W. Jones and submitted

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to the Railway Board on the 31st October, 1927, we find that Government accepted the responsibility for the education of the children of European railway employees in the following terms. The Report says:

"The educational facilities provided by the railways seem to have had their origin in the necessity felt by the Railways, in the absence of other agencies, of providing some form of education for the children of imported European employees who, in the earliest days, formed a considerable proportion of the Railway Companies' employees and many of whom were stationed at places where no European schools were available. Almost every large railway settlement had its European school from the earliest times."

Now, Sir, the same Report goes on to justify the expenditure which the Government undertook to incur on the education of children of European employees by saying:

"Not only is expenditure in this matter required in the interests of the railway employees themselves, but the railways will be indirectly reimbursed by the greatly improved recruits they will be able to secure locally without indenting, as they now do, on England. It should be an object at these schools to bring up as many lads as possible for employment as guards, drivers, fitters, etc., and they should not be encouraged, as so many Indian school boys seem to wish to do, to qualify merely for clerkships and such like employments."

In this matter, the Government of India went further and in 1881 the Governor General, from the Home Department, issued a circular and laid it down:

"That the Governor General in Council desires that European schools may eventually be opened in every station where the average daily attendance of 12 children could be got together."

It was a good thing that the railways accepted responsibility for the children of their European employees. The Report also states that, after some time, they also accepted responsibility for the education of the children of Indian employees. The Report goes on to say:

"With the entrance of educated Indians in large numbers into the services of the railways, the railways seem to have been impressed with the desirability of providing educational facilities for the children of Indian employees in places where the local authorities do not provide schools of any description or in some cases where such authorities do provide schools which contain only primary schools."

I have shown, Sir, that the railways have accepted responsibility for the children of European employees as well as for those of their Indian employees. That is so far as it goes quite right and proper. Railways being great employers of labour, ought to set the example of how employers ought to treat their employees and the children of those employees, by providing amenities and facilities for their employees and for their children. Now, the main point is how have these responsibilities been discharged by the railways. I am quoting from the Report of the Inquiry, which was presented in October, 1927. In that Report we are told that the railways maintained 95 European schools. I want to lay special stress on this fact, that no less than 30 of these 95 schools have got only 20 pupils, or less, on their rolls. Then, again, 11 of these 95 schools have got only 10 pupils, and even less, on their rolls, and yet these schools are maintained at a large cost. Now, we find that the total employees who are classed as Europeans on the railways are 15,074.

Mr. K. C. Neogy: Does that include Anglo-Indians?

The Revd. J. C. Chatterjee: I am not going to separate Europeans and Anglo-Indians.

Mr. K. C. Neogy: But I want to know whether the figures you give include Anglo-Indians.

The Revd. J. C. Chatterjee: I think they include also Anglo-Indians, because, so far as I understand, railways class for this purpose Europeans and Anglo-Indians together. The cost of these 95 schools is no less than Rs. 7,60,009 a year, and in addition to this cost of Rs. seven lakhs sixty thousand odd, the railways also supply scholarships and other assistance in the form of free passes, and so on, to the children of European employees, and I hope to some extent to the children of Indian employees as well. I want to draw the particular attention of the Honourable the Railway Member, not to the fact that European employees have been given educational facilities,—for that is right and proper and may they long continue to have those facilities, for a better educated European is an asset to this country just as much as a better educated Indian is—I have no quarrel with that position, but what I want to point out is that the Indian employees and their children also deserve raising up in this matter. I submit that they also ought to have such facilities as are commensurate with their numbers, and to which they are entitled, because the railways have accepted responsibility for the education of the children of all their employees, whether they are Europeans or Indians. Now, Sir, the total number of employees on the railways is 693,986—there again I quote from the figures in the Jones Report—and if you take out 15,074 European employees from this number, the bulk still remains. This is for over six lakhs of employees, there are only 57 railway schools for Indians.

Colonel J. D. Crawford (Bengal: European): Would there not be ordinary schools available in those places?

The Revd. J. C. Chatterjee: We are also informed that four lines, the Bengal and North Western, the Great Indian Peninsula, the Rohilkund and Kumaon and the Eastern Bengal, do not provide any schools for their Indian children. The cost of these 57 schools for Indians is Rs. 2,95,000, whereas the cost of 95 European schools was over Rs. 7,60,000.

Then, there is another aspect that I want to draw attention to. Every European child in a railway school in the primary department costs as much as Rs. 115 per annum, whereas an Indian child in a similar primary school run by railways, costs only Rs. 19 per annum. If we compare the cost of education of each child in an Indian railway school, we find that, in a great many cases, the average cost is even less than the average cost of other civil schools in the same station, or in the same province, and who is here who can say that the average cost of an Indian pupil in an ordinary Indian school is at all large, or even say that they receive the best kind of education. We all know how poor the ordinary school is. That has been pointed out again and again in this very House. Well, Sir, my Honourable friend, Colonel Crawford, asked me whether there are no civil schools for Indian children in those railway centres. I quite see the force of that point. I see from this very Report that, in some of the schools for Indian children, which the railways maintain, the proportion of non-railway children in some cases is as large as one-third of the total. But my point is, are there not a large number of outside European children being educated in the railway schools which are maintained for European children of railway employees? But that is only one point. I want to

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point out that the Governor General in Council laid it down that, wherever 12 European children could be got together in a railway station or in a railway colony, there a school should be established. I am trying to plead for the Indian children whose parents are stationed, because of their service under the railways, in out of the way, lonely railway stations. I plead that there is hardly a railway station on a line—even a flag station—where the number of Indian children is less than 12. The number of subordinate employees or it may be the number of menials, as they are unfortunately designated, employed at railway stations—even though they are flag stations—must be larger and surely there would be more than 12 children in those stations, and in many cases the number runs into 50, 60, 100, or even more.

Lieut.-Colonel H. A. J. Gidney: Three children per employee is the usual calculation.

The Revd. J. C. Chatterjee: You can take it at that. There might be even four. I do not think there is any flag station where there are less than four employees. I am not so anxious about the children of employees in large stations because in those places you have the ordinary schools where they can send their children. It is the duty of the railways to assist those in need, and the great need lies in the case of thousands of children in little, lonely out of the way stations where they receive no education whatever. It has been repeatedly said that, whereas the railway employee in a small station, if he is a European—I am including Anglo-Indians also in the category and refer to them as Europeans generally—if he receives a scholarship, he sends his children to a boarding school at Mussoorie or elsewhere. He receives a liberal scholarship, which enables him to send his children to a boarding school. Now, is there a system where an Indian employee, living in these tiny little places, gets similar facilities? Is he able to get a scholarship to send his child to another place? It was said at first—I see in this very Report an argument—that Indians do not desire and do not care to send their children to boarding schools, and therefore the question of scholarships did not arise. I submit that that day has long passed and an Indian would now be willing to give education to his child even if he had to send him across the seas; and therefore that is a point to which I want to draw the attention of the Honourable the Railway Member, that he may be able to devise some means by which scholarships could be made available for these people to send their children away to boarding schools, or to places where schools do exist. And more than that I want to make one point as strong as I can, namely, that there is a need for the railways to provide primary schools in places where no schools exist, and there are hundreds and hundreds of such stations where no schools exist. I also want to point out that, in the case of the existing railway schools, it has been shown that they are no better than the other ordinary schools and in some cases they are much worse. The conditions of service there are worse: the salary of teachers is not higher but much lower, and there is not the same security of tenure as in other schools. As the railways have thought it necessary, and rightly thought it necessary,—I have no complaint against that policy,—to improve the conditions of employees, for instance in the Oakgrove School, or in other schools which they maintain for European children, I want them to do all that they can to improve the status, pay and salaries of their teachers in Indian schools, so that the

right kind of education may be given there. Then I also want to make it clear that whereas the railways justify their expenditure upon the education of the children of their European employees on the score that it makes them more efficient guards, more efficient Station Masters and more efficient railway servants, the same argument applies with equal force as a plea for their doing more for the education of the children of the Indian employees. There is no reason why these children should not make as efficient guards or Station Masters or whatever is required of them if proper education and training is given to them.

In conclusion, I will say only one thing. In his Budget speech, the Honourable the Railway Member laid great stress on this, that whereas the Budget in many respects was of rather a despondent character as it was a lean year, he said that the one bright spot,—he may not have used those words but that is how I interpret them,—the only bright spot was, that money was being provided to ameliorate the conditions of the subordinate staff, and he said that everything would be done to make their conditions brighter and more hopeful. Now, Sir, I ask, is there anything which they value more than educational facilities? People who are already in service may be labouring under certain handicaps; they may be inefficient in certain ways, but all our hope lies with the rising generation.

He has also laid great stress on the subject of Indianisation. He wants efficient Indians, and the best way to produce them is to provide good schools for the children of the Indian employees. I do hope that, in all the concessions that he desires to grant to the subordinate staff, and in all the prospects that he has held out to them, that one question of the education of their children and facilities for them will be put in the forefront, and that something will be done and done before long. This Report was submitted as late as 1927. I am told that the Central Advisory Council were to be taken into confidence in considering this Report. I have been a member of that Council, being a member of the Railway Finance Committee for the last year. I know of no proposal that has been brought before us for the education of children of railway employees, and I do not know what action Government have taken. So far we know no definite scheme, and certainly no definite action seems to have been taken. I urge, therefore, that this matter should be expedited and the hopes that have been raised may soon be fulfilled.

The Honourable Sir George Rainy: I should like to intervene in the debate at this stage, Mr. President, to deal specially with what fell from the last speaker on the subject of education, and I should like, if I may, at the outset, to express my appreciation of the admirable manner, if I may say so, in which he put forward his views. I propose to leave my Honourable friend, Mr. Hayman, to deal with the greater part of the remarks made by other speakers.

Now, as regards this question of the education of the children of railway employees, I should like to explain how the matter stands. A scheme was drawn up and it was provisionally approved by the Central Advisory Council, I think about a year ago. Then we consulted the Railway Administrations about certain details, and the matter was mentioned in the Central Advisory Council last September. At that time the Council appointed a sub-committee to examine the case further, and it was hoped that it would be possible to assemble the sub-committee to discuss the question

[Sir George Rainy.]

before the Budget was introduced. It has not been possible, and I should like to explain exactly why. The scheme which has been drawn up provides that, in respect of all railway servants admitted to the service after the 1st February, 1929, there shall be no discrimination according to race, community or creed, and that if assistance is given to one class of employees, that will also be given in similar circumstances to others. That is the vital element in the scheme. At the same time it was thought right that the privileges, which existing employees enjoy under the rules at present in force, should not be withdrawn from them.

The second essential point in the scheme is this, that for the future, that is, in the case of those recruited after the 1st February, 1929, assistance should be given only when suitable education cannot be obtained at the place where the parents of the child are posted, and it is necessary to send the child away from home to be educated. A further limitation is imposed in the scheme, namely, that assistance should cease when each child has completed the middle course, and should not extend to high school education. I have given a considerable amount of time and thought to that question since the papers reached me from the Railway Board just five or six weeks ago. I know how deeply interested in it Members of this House are, and coming from a nation myself which has a certain reputation in educational matters, it is a question in which I take a personal interest. I could not satisfy myself that we ought to acquiesce finally in the position that the assistance is to stop with the termination of the middle course. The House will note that I do not contemplate going back on anything we have already agreed to. We will go on with the scheme as it stands at present. But I am anxious that the question of continuing assistance up to the high school course should be fully explored. I do not feel that I personally could acquiesce finally in discontinuing assistance after the termination of the middle course unless it could be demonstrated that the cost of granting assistance during the high school course also was prohibitive. I quite recognise, of course, that there are important financial considerations to be taken into account. It was because I was unable to place before the sub-committee or the Central Advisory Council any considered proposal for a modification of the scheme in respect of high school education that I did not summon a meeting of the sub-committee. Perhaps I was wrong. Perhaps I was too sanguine in thinking that

1 P.M. it would be possible to work out a scheme. At any rate the scheme already approved by the Central Advisory Committee does, as I have said, provide for the grant of assistance to children of Indian employees during the primary and middle courses in all cases where the children cannot obtain suitable education at the place where their parents are posted and have to be sent away from home in order to obtain education. Whatever else may happen, that stands. I am afraid it will be necessary, before we can work out any scheme for extending to high school education, to try and ascertain what the number of children is at places where there is no high school within easy reach. It is obvious, I think, that it is likely to be much larger than the number of children whose parents are posted at places where there is no primary or middle school. That question, however, will be explored.

Mr. K. C. Neogy: What about discrimination? May I know whether it is proposed to abolish the discrimination that obtains in regard to the rates of expenditure per head?

The Honourable Sir George Rainy: No, Sir. We do not propose to abolish it as regards employees who were already in our service on the 1st February, 1929. But we definitely issued orders last year that all employees recruited after the 1st February, 1929, are to be entitled only to such benefits as may be admissible under the new scheme and not in accordance with any rules or system previously in force.

The Revd. J. C. Chatterjee: May I ask the Honourable Member if he proposes either making an inquiry or taking steps to provide primary schools in small stations where no such primary schools exist?

The Honourable Sir George Rainy: That, Sir, is a very difficult question. I was impressed by the earnestness of my Honourable friend. What the Railway Board have felt is this. They do not consider that Railways are usually well organised for the management of schools, and they doubt whether railway officers are the most suitable persons to run schools. For this reason an essential part of the scheme provisionally approved by the Council is that we should try, as opportunity offers, to make over the schools already in our possession to be managed either by Local Governments or by local bodies, or by suitable private trusts or committees. I think that the Railway Board would be averse to undertaking a large increase of responsibility in the way of establishing new railway schools in large numbers. In certain cases, there may be special reasons for establishing railway schools. Let me take the case of the Bombay, Baroda and Central India Railway Workshops, which have been transferred to Dohad in Gujrat, or the new workshops of the South Indian Railway at Golden Rock in Trichinopoly. Where you have got a case like that, where a new railway colony is established, we cannot expect that Local Governments or local bodies will establish schools at once to meet the needs of the school children at such places, and the Railway may have to establish its own schools. But I should feel a good deal of difficulty myself about embarking on any large programme of railway schools scattered up and down the country. I feel that, for the present, I would rather concentrate on the system already adopted, and confine our assistance to helping the parents to get their children educated by sending them elsewhere. The only limitation I can think of is this. If it could be shown that you could do it more cheaply by having a school at a particular place instead of giving the grants to all the children to go elsewhere, that would be a fair case for consideration.

The only other point that I wish to mention before sitting down, Mr. President, is this. The Honourable the Mover of this motion said, if we were in earnest in removing racial discrimination, why do we consult the Central Advisory Council? May I inquire whether the Central Advisory Council is regarded as unnecessary in any case in which the Government of India are in earnest?

Munshi Iswar Saran: I did not say that.

The Honourable Sir George Rainy: What I particularly wish to do is to inform the Council fully of the action we have already taken, and in my reply in the general discussion of the last Budget I gave half a dozen instances in which we have already taken action. In addition to that, there are some other points which present difficulties, and it seemed to me that it was a fair thing to do, a proper thing to do, to put these difficulties before the Central Advisory Council and hear what they had to say. I think that completes what I can usefully say at this stage.

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LEGISLATIVE ASSEMBLY.

[25TH FEB. 1930.]

Lieut.-Colonel H. A. J. Gidney: Sir, it is often asked, what is there in a name? Others say, "a rose by any other name would smell as sweet". I have today been honoured with such a multitude of names that I really do not know what I am, but I do know the value of a name. First of all, I desire to thank the Honourable the Mover for the very very reasonable and moderate way, in which he referred in his speech to the community I have the honour to represent, though he made a pointed attack on it. Sir, as railway employment forms the chief source of existence for the Anglo-Indian community, I feel I am entitled, with your permission, to enter into this matter in some detail. I was not present last year when this discussion took place; but, I feel very fortunate in having the opportunity of listening to my Honourable friend, Munshi Iswar Saran. The speeches that have fallen from previous speakers have revealed a confusion of thoughts which never fails to manifest itself when the subject of racial discrimination or call it "Indianisation" is discussed. (Hear, hear.) Sir, I yield to no one in this House in my desire to effect Indianisation, compatible with efficiency, at the quickest possible moment. You may call it racial discrimination if you like,—to my mind these two terms are homologous. But, Sir, I decline to entertain the suggestion for one single moment, that the plea of Indianisation can be in any way whatever connected with the charges of racial discrimination—in favour of Anglo-Indians;—charges which resolve themselves in the last analysis into nothing more than a covert attack on the established tradition which the Anglo-Indian community occupies on railways. Now, Sir, as you rightly pointed out, racial discrimination as referred to by the present motion can only be practised where many races are concerned. I should like to hear from my Honourable friend, Munshi Iswar Saran, how many races there are in India, and how many races are represented on the Indian Railways. I thought my Honourable friend was a Nationalist—

Munshi Iswar Saran: You are right.

Lieut.-Colonel H. A. J. Gidney: And I thought that, as a Nationalist, be always looked at a question of this character from a nationalistic point of view and not from a racial or communal angle, yet, I have had the misfortune to listen today, to what I would not but call (though moderately worded) a diatribe against the Anglo-Indian community employed on railways, a community which possesses only 14,000 jobs out of almost a million—a fraction only. Sir, as I listened to him I wondered, whether he was serious or whether he was pulling my leg. But I seemed to discern in what he said that the fly in his mental ointment was a tiny little yet very important community called Anglo-Indians.

Mr. President: I have so far restricted Honourable Members to the European community in this discussion, but if the Honourable Member wishes to drag in the Anglo-Indian community, it will open up a very wide field.

Lieut.-Colonel H. A. J. Gidney: Thank you, Sir. I have no desire to open up a wide field of discussion. I am only dealing with the points my Honourable friend the Mover made in his speech with reference to my community and which you allowed.

Mr. President: The Honourable Member must take the risk.

Lieut.-Colonel H. A. J. Gidney: Very well, Sir, I am not afraid of the opposite Benches or to take risks. To prove any racial discrimination you must bring facts and figures in support of it. Generalisations are useless, for they always react on the speaker, as my Honourable friend Mr. Kelkar realised the other day, and I am afraid the Mover's speech lost much of its weight because it was devoid of any facts or figures. Fortunately, Sir, I possess a large number of official facts and figures, which I have carefully collected, to show that, as far as the community which I represent is concerned, any discrimination that exists, places me in the position of a plaintiff rather than that of a defendant as the Mover has indicated. I ask Honourable Members of this House to refer to the Pink Books that were supplied to us the other day, and to devote their attention—because it wants serious attention—to the last four or five years' figures, 1926 to 1929. I am talking about State Railways in particular, but my figures include all first class railways. Now, Sir, it will be found, by reference to those books, that Government have divided railway employees into two categories or into two races, and these are the only two races between whom there can be any real racial discrimination, the two races being Europeans and Indians, who are generally called Statutory Natives, which is sub-divided into Hindus, Mussalmans, Anglo-Indians and other classes. (*Munshi Iswar Saran:* "Not Statutory Natives, but Statutory Indians.") These are the two categories. Now, Sir, I want this House to take particular notice of the category in which the Anglo-Indian community is included. It is included along with Hindus, Mussalmans and the other classes as Statutory Indians. (*An Honourable Member:* "You go to European schools.") Yes and you go to Moslem schools. Now, Sir, a perusal of the figures that I shall presently quote will give rather astounding results. In the year 1925-26 there were 721,242 total employees on the railways, and in the year 1928-29 there were 773,888, a difference of 52,646. Now let us see who these new employees are. We find—I want my Moslem friends to listen—of these 52,646, there were 31,290 Hindus or 59 per cent. of the total, 9,691 or 18.4 per cent. were Muhammadans, and 11,143 or 21 per cent. belonged to other classes. (*An Honourable Member:* "What about you?") There were only 672 Anglo-Indians recruited or 1.28 per cent. of the total. And this notwithstanding the fact that during this period 2,500 miles of railway were added and an equal number of miles are under construction and traffic returns had increased by 70 per cent. The figures for 1927-28 and for 1928-29 further show that there has been a decrease of 14 Anglo-Indians as against 5,501 new Indian employees. Indeed, the total figures for 1928-29 show that there was only one additional Anglo-Indian employed during the whole year.

I see some Honourable Members are smiling; no doubt they will say that such general figures are of no use at all. Now, Sir, these figures are of use because, in general terms, they show that there is no racial discrimination though there is a marked reduction in the Anglo-Indians. These figures include all grades of employees, from the menial to the highest official. But taking them as a whole, I challenge my Honourable friend, the Mover, to prove that there is even a vestige of racial discrimination. In fact, Sir, the figures that I have just quoted prove quite the reverse. Surely

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neither he nor any of my Honourable friends on the opposite side—I know I have very many friends on the opposite side, except when railway matters are discussed in this House—do not deny these 14,000 appointments that are held by the tiny Anglo-Indian community on the railways or the 672 new appointments out of 52,646 recruited within five years, surely none of you want to deny this to my community, and which you have tried to exclude

Mr. President: I have tried my best to save the Honourable Member, but if he is subsequently attacked by other Honourable Members, he will have to thank himself for it.

Sir Purshotamdas Thakurdas: The Honourable Member is misleading himself, Sir, by quoting these figures.

The Honourable Sir George Rainy: I wish to submit just this point, Sir. Perhaps other Honourable Members who were called to order at an earlier stage might have some sense of grievance if the subsequent debate were allowed to take a wider latitude in its course.

Mr. President: I entirely agree with the Honourable Member. But if the Honourable Member himself does not take the hint, the Chair will not give him any protection when he is attacked.

Lieut.-Colonel H. A. J. Gidney: I ask for no protection. I do not fear the opposite Benches—I am prepared to attack and to be attacked and to defend myself, but I am not prepared

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Are you an Indian or not?

Lieut.-Colonel H. A. J. Gidney: I now want to show to Honourable Members what these 14,000 Anglo-Indians' appointments consist of and to do so I must divide these 14,000 appointments into (a) those lower subordinates receiving salaries from Rs. 25 to Rs. 250 per month, (b), those in receipt of salaries above Rs. 250, and (c), officials. Such division will give you a correct idea of the actual appointments held by Anglo-Indians. This will give you a real idea as to how many appointments you are attacking and how many you envy. Out of these 14,000, there were in the year 1929, 10,262 jobs occupied by the community carrying salaries less than Rs. 250 per month. There are 3,800 upper subordinates' jobs carrying salaries over Rs. 250 per month, and there are some 168 or 169 jobs as officials. Now, Sir, it is these 3,800 upper subordinate jobs which are the storm centre of the Mover's criticism. There are 3,800 Anglo-Indians today as against

Mr. President: The Honourable Member is answering a charge that I have never allowed other Honourable Members to make.

Lieut.-Colonel H. A. J. Gidney: But, Sir, if the appointments held by the Anglo-Indian community are to be attacked by the Honourable the Mover, I want to attack him back. I am not afraid of him, and I want to come to grips with him.

Mr. President: Very well.

Lieut.-Colonel H. A. J. Gidney: I want to attack and to challenge the Honourable the Mover's charge of racial discrimination and his remarks against my community.

Dr. B. S. Moonje: We wish, Sir, we had been given that opportunity.

Lieut.-Colonel H. A. J. Gidney: What I mean is this: these 3,800 upper subordinate appointments should be added to the similar appointments held by Indians; and why? Because we are Indians; we are classified as Indians in official records, we have admitted ourselves as an Indian community and the Statute, Victoria XXXIII, gives us our status as Statutory Indians

An Honourable Member: What about the schools? Why do you go to European schools?

Lieut.-Colonel H. A. J. Gidney: For the same cultural reasons as you go to Indian Schools—but you can go to European Schools if you like.

Maulvi Muhammad Yakub: If you are an Indian, why do you belong to the European Group in the Assembly?

Lieut.-Colonel H. A. J. Gidney: For the same reasons as you belong to the Muslim groups. Therefore, Sir, the contest is between Indians and Europeans and this is the only racial discrimination that can exist. There can be absolutely no racial discrimination between Anglo-Indians and Indians, because Anglo-Indians are an Indian community, the same as the Hindu, the same as the Muslim, etc. After this classification by Government, by Parliamentary Statute and by the community's own acceptance, why do you ask me if I am an Indian? That question was settled in 1870 when Act XXXIII was passed—years before I was born—and it stands good and is legal and occupational tender whether you or I want it or not.

An Honourable Member: Why do you sit on those Benches then?

Lieut.-Colonel H. A. J. Gidney: That is my business, just as it is your business to sit on your particular benches. With the position of the Anglo-Indian community clarified, how can the Honourable the Mover say that there is racial discrimination between me and him? Therefore even in the lower and upper subordinate ranks, Indians preponderate by more than 75 per cent. because in 1929 together we hold 6,890 out of 8,941 upper subordinate jobs. The Honourable Member has already been told that, the official grades, nearly 75 per cent., are Indians; i.e., the high water mark has almost been reached. This being so, Sir, how can the Mover now state that there is racial discrimination? He would certainly be right if he said there was communal discrimination. The whole trouble lies in the Government responding to appeals from the opposite Benches, in the shape of questions, Resolutions and such motions, calling upon Government to answer how many Europeans, how many Indians and how many Anglo-Indians are employed in a particular service. The fault does not lie with the community which I represent, because the Government, in their replies, forget the undeniable and legal fact that Anglo-Indians and for that matter, Sir, even pure-blooded Englishmen, permanently resident in this country, are Statutory Indians, the same as Hindus, Muslims, etc., (Hear, hear), and I stand here and state that I am proud to be recognised as belonging to an Indian community. (Mr.

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K. C. Neogy: "Oh!" You can say "Oh" if you like, Mr. Neogy. In fact I do not care what you say on this matter, for neither you nor any one or the opposite Benches can deprive me of this right.

Mr. President: Order, order.

Lieut.-Colonel H. A. J. Gidney: I am sorry, Sir; but when the Honourable Member wants to interrupt me, I think he ought to stand up in his seat. Anyhow I desire to add that it matters not whether the Anglo-Indian community say they are Europeans or Indians. You Indian-Indians have decided to refuse to accept them as such: He is by statute and by every law an Indian community and he is advised by Government to accept this status, yet you reject him and say he is not an Indian nor is he a European—but let me tell you—you won't deprive me of my jobs for this reason.

An Honourable Member: Do not claim better rights than the ordinary Indian.

Lieut.-Colonel H. A. J. Gidney: That is a right I have never claimed, though I have more claims to such rights than you.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): May I ask the Honourable Member one question? I say that, notwithstanding the definition of Anglo-Indian as a statutory Indian, Government themselves make a distinction between Anglo-Indians and Indians. Are you aware of that?

Lieut.-Colonel H. A. J. Gidney: Sir, I am not here to answer for Government's action or the distinctions they make; I am here to state

Mr. N. C. Kelkar: But if they do make that distinction, are you prepared to take cognisance of it?

Lieut.-Colonel H. A. J. Gidney: I take what is given to me and more if offered; so would you if given the opportunity.

An Honourable Member: You take more than you should.

Lieut.-Colonel H. A. J. Gidney: Certainly, I'd take more if I could get it. Sir, I want clearly to define our position on the railways. It is not the fault of the Anglo-Indian community that you object to it being classed as Indians; it is the fault of my friends on the opposite benches in their envy of my position. I realise the fact that India is changing and I want you to realise that the policy of the Anglo-Indian community has also changed—the unfortunate thing is that to suit your own purposes you refuse to realise it. According to the 1870 Parliamentary Statute, I am an Indian and my Honourable friends opposite know it; but if they want to twit the community on the matter, this racial or communal discrimination degenerates into a farce. Do not twit the Anglo-Indian with not being an Indian when you will not accept him as such. A concerted attack was made on the community last year by my friends on the opposite side; unfortunately I was not here then; but I am here now to fight it. I am, however, glad to see that the Honourable the Mover has not done so in his speech and I much appreciate it; but I do repudiate that any

racial distinction exists in the railways today in the sense that the Honourable the Mover has tried to prove; and I would ask Government in future, when replying to questions, not to encourage the opposite side on this question of racial discrimination. (Hear, hear.) The Legislative Assembly Debates are full of questions, "How many Hindus, Muslims, Anglo-Indians and Europeans are there in various services?" and the Government in their replies place Europeans and Anglo-Indians apart to other communities. (Laughter.) You are apparently dissatisfied, and are hungry to secure these four thousand upper subordinate jobs which we hold today after long and continuous service (*An Honourable Member*: "Prescription?") amounting to nearly 70 years, during which period we have helped the Railway Administration of this country and made the railways what they are today. The Anglo-Indian community has gone unrecognised for the great services it has rendered to the railway administration of this country. I call upon the Government to deny whether it would have been possible for the railway administration of this country to have run, especially during the many recent crises, I mean the strikes, without the loyal and patriotic work of its Anglo-Indian employees? That is an undeniable fact, Sir. You on the opposite Benches can say what you like, but the fact remains that you envy these 4,000 upper subordinate jobs which we have gained by long, faithful and loyal service to our railways and our Government. One of the Members now, in the year 1930, asks the Anglo-Indian community on the railways to make up its mind and to determine on their loyalty their aims and objects? To whom? Our loyalty, Sir, has been determined years ago. It has never faltered—may be to our loss—but our loyalty is to the British Raj; and our loyalty has always been on the side of law and order and to the railways we serve.

Maulvi Muhammad Yakub: Is he talking relevant to the motion, Sir?

Lieut.-Colonel H. A. J. Gidney: As I say, Sir, these 4,000 jobs are the storm centre of the opposition on that side, but they may take consolation in the fact that more than fifty per cent. of the Anglo-Indians in these jobs today are men over forty years of age; this will give you some indication of how many years' service they have rendered before they got these jobs. In another ten years at least half of these men will have been superannuated and that will be your time for Indianisation of these jobs, and your desire will be satisfied. In the last five years Indians were given 852 upper subordinate jobs, while Europeans were decreased by 75, and Anglo-Indians by 9. Is this not 75 per cent. Indianisation since railways came under State control? Again in the official grade, during the past five years, Indians secured 148 appointments, Europeans lost 27 and Anglo-Indians gained 17 only.

Now, Sir, I submit, it is up to the Government to boldly state on the floor of this House whether it is their intention to respond to this clamour of the Opposition Benches by taking away these jobs we occupy today by virtue of our long and continuous service. Surely my friends on the other side are not so envious of these 4,000 jobs as to dispossess us of them? Surely you can allow us to be superannuated after we finish our term of service and then get into our shoes. Surely you do not want to drive us out when for years yourselves merely sat down and refused to enter railway service and only did so after we had made it more attractive for you? (*A Voice*: "Really?") Yes "really," only the illiterate and partially educated Indian went into railway service about 15 years ago, but now more educated

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Indians are coming in and, though I admit you have got every right to get your rightful share, for God's sake do not try to step into the shoes of these four thousand before their time is up; men who have done well by the country and who have served the Government and railway for nearly 70 years.

Now, Sir, I call upon Government to state in unequivocal terms that it is not their policy in any way to bargain with any party in this House, be it Hindu or Muslim (*An Honourable Member*: "Or Anglo-Indian"), in their clamours to dispossess us of these jobs. Mr. Hayman stated yesterday in very clear terms that Government were not going to deprive any community of their present jobs. But since then we have had forceful appeal from my Muslim friends to recognise their claim for a higher percentage of appointments. I remember the time, Sir, two years ago when I pointed out to my Muslim friends the paucity of appointments they held on railways and I think my friends Mr. Abdul Matin Chaudhury and Mr. Ghuznavi will remember how I urged on them to make their demand. I am delighted to see today they are demanding a proper share of appointments in the railway services. I sympathise with them in their just claims and I am prepared wholeheartedly to support them.

Having disposed of alleged racial discrimination, Sir, I will now deal with those instances where true racial distinctions exist.

Mr. President: Order, order. Does it mean that the Honourable Member was irrelevant so long?

Lieut.-Colonel H. A. J. Gidney: No, Sir.

Mr. President: He says he will come to racial distinctions now?

Lieut.-Colonel H. A. J. Gidney: No, Sir. I am now, referring to genuine racial discrimination as between Europeans and Indians in certain matters. I have explained the position of my community

Mr. President: Order, order. Considering that the Honourable Member was in the minority of one, I tried my best to save the Honourable Member's community from attack; but he has not taken the hint from the Chair.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. President in the Chair.

Lieut.-Colonel H. A. J. Gidney: Sir, having shown that racial discrimination cannot and does not exist between Indians and Anglo-Indians, and that none exists between Europeans and Indians as far as the percentage of railway employment is concerned, I shall now refer to the subject of covenanting employees to the railways from Europe, as this is a matter in which there is real racial discrimination. Formerly the practice of covenanting railway servants was largely resorted to, but as time went on, these covenanted employees were replaced by recruitment in India.

My complaint is that, though our railway workshops have been in existence for 30 to 50 years, covenanting of employees in the disguise of skilled workmen still continues, and under the excuse that skilled workmen cannot be obtained in this country. I had a recent communication from the Railway Board, which states that, during the last three years, 101 employees were covenanted from England to State and Company railways. I refer to subordinate employees, mainly in connection with the workshops, and from the statistics of various railways I have been able to extract a table of figures. I have before me the figures of nine of the largest railways in India. There is a total of 294 Foremen in these nine railways. Of these, 197 are Europeans, and of the balance, 95 are Indians. If you were to add to these European Foremen, those who claim a non-Asiatic domicile, you would get a total of about 215 European Foremen, as against 79 Indians, i.e., about 66 per cent. are Europeans. I should like to add that the Indian Foremen are mainly composed of men employed in two or three of the largest railway workshops. I take as my illustration the most modern railway workshop in India today, the one at Golden Rock. Now, in the Golden Rock Workshops, there are 12 European Covenanted Foremen and 22 Indian Foremen, and on this Railway—the South Indian, there are only two European Loco. Foremen as against 11 Indians. Compare this with what obtains in other railways where there is 80 per cent. of covenanted imported men, as against 20 per cent. of those recruited locally. This recruitment of covenanted men today is supposed to be due to want of properly trained men in this country. As I said, our railway workshops have been in operation for over half a century in the case of some railways and yet we are told that we cannot produce skilled workmen to undertake these jobs. These workshops are maintained at an enormous expenditure. Trained Works' Managers and trained specialists, skilled mechanics and Foremen have been brought out from Europe on large salaries, and in the year 1930 we are told that we are still wanting in knowledge and are unable to provide our own needs, although there are many engineering firms in this country that are able to produce skilled Indian workmen who can turn out work of as good quality. Recently, the North Western Railway with a knavishness native to that railway, asked the Railway Board to covenant 12 Chargemen from Europe, as if we could not produce Chargemen in our railways in India. Mr. Hayman, the Labour Member in charge, rightly objected to this. He asked the Agent to recruit these men locally, and the Agent replied that he was unable to get any suitable Chargeman from the workshops. Yet we have these 11 first class railway workshops annually turning out skilled Indian Chargemen by the hundred, indeed there are 392 Indian Chargemen in these eleven workshops today, and in the South Indian Railway Workshops alone over 50 per cent. of the Foremen are Indians. Still this Agent writes to the Railway Board that he can not get these Chargemen locally and urges on the Railway Board to recruit them from England. Surely 12 Chargemen were procurable from the State Railways. The Labour Member, be it said to his credit, refused to comply, and asked the Agent to recruit his men locally. Finally the Railway Board agreed to four Chargemen being recruited from England.

Now, what happens when these covenanted men arrive from England? They are insinuated into a cadred service, they are entertained on a higher initial salary and for this reason they are put on the top of the list over

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the heads of every one of the other Chargemen; in other words these men of 25 and 30 years of age become senior to experienced men of 40 and 45, who are waiting for promotion, and so block the promotion of all those who are senior to them in service. I consider this to be unjust and fundamentally wrong. This is what I call genuine racial discrimination, and a very glaring type. It affects nearly 600 to 700 locally recruited skilled workmen—Foremen, Assistant Foremen and Chargemen in our railway workshops. Now, let us see what happens in the case of covenanted railway officials. When a young European official comes out, he is not placed in a cadres service above locally recruited officials. He takes his place along with others—Indians—according to the date of his enlistment. He moreover gets his basic pay, the equivalent of locally recruited officials, but to that is added his overseas Lee Commission allowance. He therefore receives a higher salary, but he is not for this reason placed in the cadre above those recruited locally. But in the case of a young Chargeman who comes out to this country, he is supposed to be a more skilled and experienced mechanic. I ask; what skill could he have attained at the age of 25? He is brought out as a specialist in some piece of modern machinery. Now, I submit, with the rapid changes in mechanical devices, that any new machinery of today is old machinery tomorrow. These men are therefore specialists for a very brief period, but they are permanently engaged and in time they are mainly used as supervisors or Sergeant Majors looking after the discipline of the workshops, and they not only start on a higher initial salary, but receive other advantages, such as passages to England, etc., which are denied to Indians, but the gravest injustice is that they are placed in a cadres service above the heads of senior and more experienced and higher trained technical men recruited in India. Furthermore, that Chargeman by virtue of his being brought out to India on a higher salary, gets the first vacancy as an Assistant Foreman, although there are hundreds of better and senior men waiting for promotion. For that reason he has prior promotion as a Foreman and ultimately becomes an official. I submit that that is absolutely wrong.

I want the Government Benches to state what their future policy is going to be in this matter. I know that the covenanting of these men has been considerably reduced during the last few years. We have no objection whatever to the covenanting of these workmen from England, but what I do object to is this, that they should be placed above all locally recruited men on the top of the cadre and given priority and all these privileges over locally recruited men. We welcome them as workmen and as comrades, but when they come to this country to work in a workshop they must be given their position in the cadre according to the date of recruitment and not initial salary. They should be given the same basic pay as we receive, but they can be given an overseas allowance as is given to officials and in that way may be allowed to make up any deficiency of their present pay. But to put them in a position prejudicial to the other workmen is, I consider, unwarranted and unjust racial discrimination, and I call upon the Railway Board to take the earliest opportunity to discontinue it. It cannot be denied that Indian railway workshops are quite capable of providing all their skilled workmen. Of course, I can well imagine most of the Railway Agents denying this fact, and from what

I have recently witnessed I do sincerely sympathise with the Honourable Member in the possession of some of the Railway Agents that he has today working the railways. But apart from this I want to know the reason why the Government of India should continue to allow Railway Agents to covenant at the rate of about 40 men annually, especially when I confront them with what the expert engineering officer of the Railway Board, a man who has made himself famous in the production of railway workshops—I mean Mr. Wrench, has said in a recent contribution from him to the London *Times*, dated 18th January, 1930. This is what he says:

“India can now claim that so far as the railway workshops are concerned she has little to learn from the rest of the world.”

Now, Sir, I would ask the Railway Board, in the face of such an admission, if the importation to India of covenanted workmen can be justified any longer on the plea of superior training or on the plea that, because a man comes from England, he must *ipso facto* be superior to men trained in Indian workshops, that have nothing to learn from the rest of the world.

I now come to my next point, Sir, another case of genuine, not alleged racial discrimination. Perhaps Members of this House are familiar with a system of confidential reports that is practised on railways. Certain railways do not practise it, but you may take it from me that in most State Railways these confidential reports are of a demi-official nature in which records are kept on the file right up to the end of a man's service. In other words, this poor subordinate's future and promotion are ruined, i.e., he is stabbed in the back by such reports and does not get a chance to defend himself. The Railway Board issued a circular in July, 1929, to all Agents, instructing them, in regard to confidential reports on officials. Thus, they have brought into practice a procedure which is in operation for all Government servants, officials and subordinates, especially in the Army. Under that system, any adverse remarks made against an officer, are communicated to the officer concerned and he is given the option of defending himself. The Railway Board has very rightly introduced that system so far as their officials were concerned, but no such system has been introduced regarding subordinate officers recruited in this country. I consider that this is not right and should be remedied. In my opinion, every man, official or subordinate, who is adversely reported on should be given an opportunity of defending himself and should not be attacked in the dark and carry that stigma throughout his service to his prejudice and detriment. I submit that demi-official correspondence should be stopped.

My next point is one of very marked racial discrimination between Europeans and Indians—based on domicile. It has been generally admitted, and the newspaper reports have broadcasted the complaint that the medical administration of the railways in India is sadly deficient. I would qualify that criticism by adding that the *raison d'être* of that deficiency or inadequacy is the want of money. And when you have no funds, you cannot make progress at the rate at which you want to. Notwithstanding that extenuation, there is no doubt that the medical administration of Indian Railways is really at a very low level, both from the quantitative and qualitative points of view. The result is that railway workmen in India have great trouble in obtaining

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medical relief, because of the pressure that is brought to bear on medical officers by District Officers of the railways. There are many instances when skilled medical or surgical aid is necessary, but in all such cases Indian workmen have to pay from their own pockets. Let me illustrate my point. If a man suffers from an infectious disease, he is taken to a civil hospital and he has to pay all the expenses of his stay there, which sometimes come to Rs. 20 or Rs. 30 a day. It is true this money is returned to him after a few months when the railway authorities have satisfied themselves. In the meantime, the employee is driven to the money-lender and contracts a debt. This is a small matter compared with what I shall now refer to.

There is a circular which has been in operation for years in all railways regarding medical relief for officials with a non-Asiatic domicile as against those with an Asiatic domicile. This I look upon as not only racial but unjust discrimination. All officials who can claim a non-Asiatic domicile are entitled by this order to free medical and surgical attendance including skilled nursing not only in their railway hospitals, but also in civil hospitals. They are entitled to the services of specialists, surgeons, physicians and nurses and even special medicines when necessary. They have to pay for their food only. In short, no matter what happens to this official, he is entitled to all these privileges simply because he is born in England and not in this country. The Railway pays for all such expenses. But an official born in this country of Asiatic domicile is denied all these privileges and the order says that when such medical aid is necessary, he has to pay for everything. I can understand racial discrimination in the case of active workmen, but when it is practised among officials who do equal duties and bear equal responsibilities and who are exposed to the same diseases, I must confess I am lost in amazement to justify this marked racial discrimination. This House should not tolerate such treatment and it should insist that such difference be stopped at once. It is a thing that is not fair either to the workman or to the administration, and would not be tolerated in any other civilised Government.

Mr. President: The Honourable Member will now conclude his observations.

Lieut.-Colonel H. A. J. Gidney: I will take only five or ten minutes more, Sir. There is another important racial matter, which concerns recruitment in this country. Honourable Members must be aware of the fact that there are, practically speaking, two classes of officials engaged on railways. One class of official is imported from England, and the other class is recruited in India. I am not referring for my purpose to Indian officials permanently recruited in India, my criticism refers only to subordinates officiating as officials. I will take one railway to illustrate my point, namely, the East Indian Railway. On that Railway I believe there are to-day over 50 subordinates who are officiating as officers. Now, Sir, when a subordinate—say a Station Master is promoted to officiate as an official on the junior scale—he is given his own grade pay of Rs. 300 or so plus an extra monthly allowance of Rs. 10, which I would call *bakhshish*. He therefore starts as an acting railway official on Rs. 310 with an annual increment of Rs. 20. The official whose duty he is performing is on the grade pay of Rs. 300—50—900 per month. This sort of racial difference

should not be tolerated by this House. In my opinion equal duties with equal responsibilities, should be the rule, and whether the employee be black, brown or white, he should be given equal remuneration and status. Evidently the Railway Board do not think so. They utilise these skilled and experienced upper-subordinates as their hewers of wood and drawers of water. While occupying these responsible posts, these subordinates are expected to maintain an adequate social position and carry out these responsible duties, and yet they are paid an extra Rs. 10 on starting, with Rs. 20 increase per annum. I have previously brought up this matter in this House and I received assurances from Mr. Parsons last year that it would be remedied. I now once more appeal to the Honourable the Labour Member on the Railway Board not to delay any longer. I call this practice dishonest economy, because you are making use of a class of subordinates as officials not only at one-third the wages, but as a leave reserve to your permanent officials. You are estimating a class of subordinate officials on a mere pittance of Rs. 10 extra. Surely you cannot call this honest economy?

Two more points, Sir, and I have finished. One point refers to racial discrimination in a particular service, I refer to the Signal Engineering service. Sir, officers recruited into this service from India are called "Probationers" and those recruited from England are either "on probation" or "short time covenant". All are generally recruited to the junior scale. Those locally recruited are invariably started on Rs. 300 per month while those recruited from England are started on higher salaries ranging from Rs. 435 to Rs. 1,000 per month. Now, Sir, the point is this, a junior scale officer has to put in 16 years of service to reach the senior scale, the pay of the junior scale man recruited in India being Rs. 300. In reply to a question I asked the Honourable Member on this very point last year, he said there were no officers at present who were placed in higher positions than the dates of their entry into service justified. I refer here to those imported from England. I also asked the Government of India whether it was not a fact that officers who were recruited from England were engaged on a higher pay, and they therefore reach their maximum much sooner than they would if they had been started on the lower scale of pay, and who by virtue of their higher initial salary would supersede those officers recruited in India but senior to them in service. It is therefore apparent that those who are recruited from England have thus a great advantage over those recruited in India and the latter, for no fault of their own have to suffer. I should like the Honourable Member to look into this and remedy this injustice, otherwise the chances of promotion and the future of those Indian recruited officers who are now in this Department will be seriously affected. The Honourable Member also stated, in reply to the same question, that the initial salary of an officer was fixed according to age and qualifications. This is the sort of loophole possessed by those in whose hands the power of making such appointments lies. The Honourable Member may take it from me that, out of six men who were recruited from England and who would affect the promotion of those locally recruited, none of them possesses a degree in Signal Engineering and some of them were previously employed as subordinates in English railways and yet they have been brought out as high officials and supersede Indian recruited men. Two of them are younger than all the locally recruited men and most of them do not possess qualifications, equal or better than the locally recruited men. How can the

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Railway Board justify such recruitment, which is unfair to its locally recruited officers? Why should such imported officers be placed, simply on account of a higher initial salary, in a cadred service above locally recruited senior men? This is racial discrimination with a vengeance, and in my opinion should be stopped forthwith.

Before I sit down, Sir, I want to ask the Honourable Member, when he is deciding on a policy of standardisation of wages in the various communities—I am now referring to those recruited in England as against those recruited in this country—to see that the standardisation is not done with reference to the domicile of the employee, but purely on merits. In standardising and any reduction in wages of those recruited in India, I wish the Honourable Member to give to this House an assurance that he will take into serious consideration the minimum living wage of the particular community and assess the wages accordingly. All I ask is for a living wage compatible with one's standard of living—not an existence wage. I ask the Honourable the Railway Member to give this House a clear pronouncement on this matter.

Pandit Hirday Nath Kunzru: Sir, the subject of racial discrimination has been before the House ever since 1925. The Railway Board wrote to the various Railway Administrations in that year and informed them of the views expressed in this House regarding the treatment of Indians in matters of employment, etc. But it is strange that the Board called for no report from the Railway Administrations. Perhaps they have complete confidence in the railway managements. Perhaps they do not attach too much value to the opinions expressed in this House. But if the Railway Board had taken the trouble of circularising the company-managed railways on the subject of Indian employment, I think it was up to them to inquire to what extent these managements proposed to give effect to the policy recommended by the Railway Board. If they had done so, the question might have been solved earlier. It was only two years later, Sir, that the Railway Administrations were asked to submit their report. Very nearly all of them stated that they well knew what the wishes of the Railway Board were and that they were trying to act up to them. Not one of them, so far as I remember, admitted that there was racial discrimination in connection with the employment of Indians. A year later, after the debate that took place in this House, the various Administrations were circularised again. Some of them found, strange to say, that there were some matters in regard to which objection could be legitimately taken, but these were all of a minor character. On the whole the replies received last year are of the same kind as those received earlier. I do not know whether the Honourable the Railway Member has any papers in his possession on this subject which have not been placed in the Council Library. But if the papers placed in the Library are all that he has in his possession, I must say that the memoranda that we have received are not worth the paper on which they are written.

In 1928, when the question of racial discrimination was brought prominently to the notice of the Railway Member, various points were raised showing how Indians were discriminated against. Besides, general figures were given to show what were the proportion of Indians in what are known as the subordinate grades. But apart from that, definite instances were given with regard even to lower grades to show how Indians were being treated. Specific illustrations were given with regard to the manner

of appointments of guards, drivers and ticket collectors. Attention was drawn to the different methods of selection of Indian and European apprentices at Jamalpur for the technical services. The question of medical relief was also prominently drawn attention to. So far as I was concerned, I concentrated my attention on the East Indian Railway. But other Honourable Members, who took part in the debate, pointed out that the distinctions I had complained of were rampant on other railways also. It was the clear duty of the Railway Board, when asking the railway managements to report on the action they proposed to take to remove all traces of racial discrimination, to inform the Board what the existing rules were in regard to matters complained of in this House, what were the other matters in regard to which racial discrimination existed, and how the Administrations proposed to change the rules against which legitimate complaints had been made. That procedure does not seem to have been followed. If it has been followed, at any rate we have not been informed of it, and there are no papers before us to show what replies have been sent by the railway managements. I must therefore trouble the House again for a while with our grievances in the East Indian Railway with regard to the very subordinate services of which I have just made mention. I will not repeat what was said in this House last year or the year before last. I only propose to place fresh instances of racial discrimination in regard to these services before Government and this House.

First, take the question of Guards. I should like to know how these guards are selected for "A" grade, because that was the grade in regard to which complaints were made in this House. I understand that selections are arbitrary, and neither seniority nor educational qualifications are the determining factor. Again, I should like to know how many Indians have been either appointed direct to "A" grade or even promoted to that grade. I should also like to know whether the Sunday allowance is now allowed to Indians. Perhaps my Honourable friend, Mr. Hayman, will tell me that a rule has been made now on the East Indian Railway that no man appointed after the 1st April, 1929, would be eligible for this allowance. But I understand that, in spite of this recent rule, men bearing European names have been allowed the Sunday allowance, while it has not been allowed in the case of a single Indian.

I will now pass on to the case of Drivers. Have Indians been promoted to the "A" grade of drivers as yet? If not, why not? Has the period during which an Indian can rise from fireman to driver, which is 10 to 15 years as compared with 5 to 10 years in the case of a European, been shortened? There is nothing in the replies that we have received to show that any action has been taken in this direction.

Coming, Sir, to the technical services, I understand that, while Indians are required to have passed the Matriculation examination in the first division, the passing of the Junior Cambridge examination is considered adequate in the case of Anglo-Indians. Exceptions are not made in the case of Indians, while they are made in the case of Anglo-Indians. Indians are required to compete amongst themselves, and people bearing European names amongst themselves. Even when Indians have passed out of Jamalpur, I understand they are not employed in the Loco. sheds. I have been told that no technically trained Jamalpur Indian has yet been sent to these sheds either as a fitter or as a supervisor or as an inspector.

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Take the question again of medical relief. Questions have been asked on this subject repeatedly in this House, and my Honourable friend Mr. Parsons has answered them in his usual unsatisfactory manner. I should therefore like to tell the House again what the grievances of the Indian staff in respect of medical relief are. There are no nurses for indoor Indian patients. There are Anglo-Indian nurses, but they attend Anglo-Indian indoor patients. When there are no Anglo-Indian patients, I understand, even then, they do not attend on Indian patients. (*Lieut.-Colonel H. A. J. Gidney*: "Yes, it is so.") I know of cases where they have refused to attend on private Indian patients, even when promised adequate fees. Then, Sir, there are no proper arrangements for Indian maternity cases. Some time ago my Honourable friend Mr. Parsons sent me a statement, showing the number of cases confined in East Indian Railway hospitals. I should have liked to know what were the fees that Indians had to pay in those cases to the District Medical Officer, or to the officer subordinate to him. I should have liked to know how many of these cases related to lady passengers and not to the wives of the railway employees. Again there are no midwives employed for Indians. The staff of the East Indian Railway has, I believe, approached the Agent more than once in that respect, but a deaf ear has been turned to their request. There are other questions that can be put in that connection, but I am perfectly certain that my Honourable friend Mr. Parsons is thoroughly aware of them. They can all be easily removed if he would only exert himself a little in this respect.

Lastly I will take the question of housing accommodation for Indians. Indians, whatever their pay, are allowed quarters in exceptional cases: Europeans and those who are allied to them, are allowed quarters as a rule. In the second place, the amenities allowed to Indians are far inferior to those allowed to Europeans, and those classed with them by Government. Then, Sir, all quarters for Europeans and cognate classes are fitted up with electric fans and lights, irrespective of pay. Indians getting above Rs. 125 per month can be allowed electricity, but in practice their applications are turned down. I could give many other instances of this nature which are exceedingly galling and humiliating, but I will give only one which relates to the Fines Funds, to which the attention of the House was drawn last year. I see that the deputation of the All-India Railwaymen's Federation, which waited on the Honourable the Railway Member last May, also drew his attention to this subject. The complaint has generally been made that the Fines Funds, although contributed to largely by Indian employees, are used mainly for the benefit of European and allied railway servants. Government promised last year to convert the Fines Funds into Staff Benefit Funds, and to have committees representative of railway employees for their management. I should like to know what has been done in this respect. If these funds were properly used, institutes could be set up for Indian employees as they are in existence today for European employees. I trust, Sir, that some satisfactory explanation on this subject will be given; for connected with these institutes are many other questions which I do not wish to raise today. There is one other point with regard to which I should like some explanation from my Honourable friend Mr. Hayman. I understand that the East Indian Railway Company employs a musical band, which is reserved for the use of European institutes, and that wherever swimming baths are provided, they are reserved for Europeans and those who are supposed to be allied to them.

I hope, Sir, that the instances that I have given will convince the House of the existence of grave racial discrimination in connection with the employment of Indians and their subsequent treatment. As regards housing accommodation and medical relief, I have the testimony of the Honourable the Railway Member himself on my side. Speaking during the Railway Budget debate last year, he said with regard to these two matters:

"Now, Sir, we have received reports from the Agent which refer, amongst others, to these two matters, and I think it is clear, that as things stand at present, there is not complete racial equality in those particular matters. I think there are differences in the quarters allotted to European and Anglo-Indian subordinates which apparently are in some cases more spacious and comfortable than those allotted to Indian subordinates. As regards medical attendance and medical assistance, it appears from the reports we have received that there are differences in the rules as regards the kind and quality of attendance that is to be given."

This confession was made by the Honourable the Railway Member last year. Has any improvement taken place during the last twelve months? If not, how long are we to wait for it?

Sir, I shall now deal with one case relating to those services which are technically regarded as subordinate. I refer to the local traffic service. I understood from my Honourable friend, Colonel Gidney, last year that all the direct recruits for the local traffic service were Indians. The House should therefore know how these direct recruits had been treated. When the Local Traffic Service was formed, it was laid down that men belonging to this service would be eligible for 20 per cent. of the annual recruitment to the superior traffic service and that promotion would usually be made at an early period of service. In 1926 the rule was changed and the subordinates were included in the allowance of 20 per cent. which was laid down only for the direct recruits formerly. My Honourable friend, the Railway Member, promised in September last to look into this matter. But we do not know what the result of his inquiries has been. Take another point, Sir, in this connection. Since 1925-26, when direct recruitment to the Local Traffic Service ceased, only six persons had been promoted from the subordinate services and the Local Traffic Service to the Superior Traffic Service. I explained that point during the discussion on the Railway Budget last year. Only one of these, Sir, was a man directly recruited to the Local Traffic Service. Of the other five, I believe only one was an Indian and the rest all bore European names. My Honourable friend, Mr. Parsons, promised to look into this matter, and to see whether those men in the Local Traffic Service, who were considered fit for promotion, could not be speedily promoted, so that there might be no sense of grievance amongst the members of the Local Traffic Service on this point. On this point again, we are ignorant of the action taken by the Government. Indeed we have some right to complain that, although this matter has been before the House for the last three years, they have taken no action, either to give satisfaction to their employees or to assure this House that they mean to treat their Indian employees in the same way as they treat their European or other employees.

Just one more point, or two points more, Sir, before I sit down. My Honourable friend, the Railway Member, knows that I have frequently drawn his attention in this House to the position of the teachers of the Indian Railway High schools. I do not know whether provision has been made in this Budget for an increase in their salaries. But I understand that the East Indian Railway is trying, despite the clear orders of the Railway Board, to introduce a lower scale than that recommended by the

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[Pandit Hirday Nath Kunzru.]

Board. I asked for a definite reply regarding this matter from my Honourable friend opposite the other day; but none was forthcoming. I press my point again and I want to know whether the East Indian Railway is subordinate to the Railway Board or its master? Is it to be allowed to defy the express instructions of the Railway Board or must it bow to them and loyally and ungrudgingly carry out the instructions that have been issued? Sir, this House is in no mood to tolerate the idiosyncrasies of the individual Agents on these matters. The Railway Board must show that they can control their subordinates.

Mr. President: That is not a case of racial discrimination.

Pandit Hirday Nath Kunzru: It is, Sir, for this reason. The question arises because the salary of the teachers in the Oakgrove High School, which is meant for Europeans, are much higher than those allowed to the Indian teachers. The salaries allowed to the Head Mistresses of the European primary schools are in many cases higher than those allowed to the Headmasters of the Indian Railway high schools. While as a rule free quarters are allowed to the Head Mistresses of the European primary schools, these quarters are allowed only in exceptional cases to teachers in Indian Railway high schools. I had placed these facts before the House earlier and therefore did not wish to weary it by repeating them. But I am obliged to you for reminding me that, but for the additional explanation that I have given, what I have said might not have been fully intelligible to the House.

There is one point in this connection, on which the Railway Board themselves have to make up their mind. The Railway Board, while directing that the provincial scale of pay should be applied to teachers in the Indian Railway high schools, have laid down that it should be applicable only to those teachers who possess qualifications corresponding to teachers of similar grades in Government high schools. Now, Sir, the Government of the United Provinces, at least, made no distinction between teachers already in Government service when it reorganised the educational service in 1921. Men who have been with you for years may be supposed to have made up in experience for their deficiency in respect of technical training. It is only fair that the benefit of the new scales should be allowed to existing teachers unreservedly. Otherwise there will be very few who would be able to take advantage of the new scales. Unless the condition laid down by the Railway Board is abrogated in connection with the existing teachers, it will be a case of breaking in the spirit the promise uttered to the ear.

The last point I wish to refer to is in connection with the higher services. My Honourable friend, Mr. Hayman, the other day said that the Railway Board was trying to do all it could to increase Indian recruitment and that this year it had recruited Indians for 71 per cent. of the vacancies. I have a little difficulty in that respect which, I hope, will be removed with the assistance of my Honourable friend, Mr. Hayman. I have consulted the Railway Administration Report for 1928-29, and I find that, in that year, there were 49 vacancies that were actually filled on State-worked Railways. Twenty-five of these were given to Europeans, so that more than 50 per cent. of the vacancies were filled by Europeans. Now I know that the rule with regard to the appointment of Indians to 75 per cent. of the vacancies, which is connected with the recommendation made by the Lee

Commission, refers to the superior revenue establishment of State Railways. The spirit of that rule should be understood if the wishes of the House with regard to Indianisation of the services are to be given effect to. It is not sufficient that the revenue services alone should be Indianised. Adequate opportunities must be given to Indians for employment in other directions also. My Honourable friend, the Railway Member, said the other day, that definite attempts were being made now to increase the employment of Indians, in the Transportation (Power) and Mechanical Engineering Departments, but there are other Departments too in which I see that a larger number, a majority of the vacancies has gone to Europeans. I think this is a thing that requires some explanation, and I trust that it will be forthcoming.

There is, Sir, no subject on which this side of the House feels so keenly as on that of racial discrimination. We have been assured that the matter is under consideration by the Railway Board and that their policy is to eliminate old differences based on race or colour. But of what use is their sympathy? Of what use are their enunciations of policy? Of what use are their circulars, if they cannot compel their subordinates to fall into line with their wishes? This House expects the Railway Board, Sir, to make its pressure felt. If the Railway Board is incapable of it, it is time that it made room for other men who can show greater efficiency and managing capacity.

Sir, I have, during the discussion, deliberately refrained from referring to the community which is so ably represented in this House by my Honourable friend, Colonel Gidney. My Honourable friend, Sir, did not deserve the indulgence that I have shown to him. He failed to take the hint you gave him, and instead of resting, under the protection which you so kindly accorded to him, he attacked us right and left and asked the Government to continue to show that preferential treatment to his community which it has received in the past. I do not wish, Sir, to deal with my Honourable friend according to his deserts, but since his speech might have misled this House I think it is pertinent to point out what position the Anglo-Indian community themselves take in regard to their relations with Hindus and Muhammadans and other Asiatics of pure descent. My Honourable friend, Colonel Gidney, in a memorandum, which he has submitted to the Royal Commission on Labour in India, has stated:

"It is an undisputed fact that it was with British capital that the pioneer Englishman and his offspring the early Anglo-Indian and domiciled European laid the first railway sleepers in India about seventy years ago."

Here he claims kinship with the European. As a member, Sir, of the Territorial Force Committee he asked that Anglo-Indian accused should enjoy the same privileges as the European accused in the matter of juries. In regard to enlistment in the Army, he did not ask that Anglo-Indians should serve along with Indians in the Indian Territorial Force; he wanted that they should be in the Indian Auxiliary Force, and that having been conceded, he used it as a lever to press Government to treat Anglo-Indians on the same footing as Europeans in the matter of trials before law courts. This shows, Sir, that the Anglo-Indian community think that they are more nearly related to Europeans than to Indians. If this is their view they ought not to object to their being classed by us as Europeans in matters of employment. They must be prepared to fan the criticism that is directed against Europeans and to bear the consequences of their action.

Lieut.-Colonel H. A. J. Gidney: I am not afraid of the consequences. Your criticisms refer to 1923. This is 1930.

Pandit Hirday Nath Kunzru: I am not perturbed that my Honourable friend has decided upon this course. He has resolved to throw in his lot with Europeans. I wish him well, but let him not complain if we, hereafter, relying on what he has said, treat him as a non-Indian. I do not say that there is no time for the Honourable Member to retract what he has said; I will give him unlimited time to change his position, but so long as he classes himself with Europeans he must be content to be regarded as a non-Indian.

Mr. Lalchand Navalrai: I thought he became a good boy in the end?

Pandit Hirday Nath Kunzru: Now, Sir, my Honourable friend took the figures relating to the employment of Indians in all grades, even in the lowest grades—he took Indian scavengers and peons too—and showed to what extent their number had increased. If my Honourable friend's argument is sound, then no trace of racial discrimination exists even as between statutory Indians on one side and Europeans on the other. I am sure when he proved his point, he proved too much. (*Lieut.-Colonel H. A. J. Gidney:* "Too much for you.") Too much for the Honourable Member himself, who, at the end of his speech, indulged in special pleading on behalf of his own particular community. Sir, my Honourable friend told us that the Anglo-Indian community occupied its present position in the Railway services because of its aptitude for Railway work and because of their proved fitness and efficiency for the duties that had been entrusted to them.

Lieut.-Colonel H. A. J. Gidney: I never used the word "aptitude".

An Honourable Member: He is improving on your language.

Pandit Hirday Nath Kunzru: I am not using the exact words of the Honourable Member. I am only quoting the substance of what he said. He must remember that Indians were definitely kept out of the railway services in the past, and that the educational qualifications were deliberately kept low in order to permit of the admission of Anglo-Indian candidates. If that is the situation, the Honourable Member cannot say that he is coming through the open door and that no favour is being shown to his community. If the same standards are observed in regard to recruitment, if equal opportunities are given to all communities for admission to the railway services and if then the Anglo-Indian community can hold their own, he would be justified in getting up in this House and saying that the Anglo-Indian community possessed what it did because of sheer merit. But so long as the present position remains, so long as he allies himself with Europeans and the Europeans take his community under their protecting wings, it is no use pretending that the Anglo-Indians enjoy predominance in the railway services because of their special merits or qualifications.

Lieut.-Colonel H. A. J. Gidney: That does not take us very far.

Pandit Hirday Nath Kunzru: One word more, Sir, and I have done. My Honourable friend, Colonel Gidney, drew attention to the grievances of the Anglo-Indian community towards the end of his speech.

Lieut.-Colonel H. A. J. Gidney: I did not. I referred to genuine cases of racial discrimination of which the Member was ignorant.

[Mr. Amar Nath Dutt.]

emoluments that are given to the various communities, because it has been, to a certain extent, thoroughly discussed. But, Sir, there is another aspect, namely, the matter of railway construction, where racial discrimination is rampant. It is the policy to carry on railway construction on the basis of racial discrimination. I can give you instances if you please. I think the Honourable the Railway Member knows that there is such a place as Talcher, where we had no railways before; but the reason why a railway was constructed there was because certain European miners went there with prospecting leases at a very advantageous rate when no Indian would think of taking leases of those tracts, because they knew that to carry coal from that place would cost them so much that they could not carry on a trade profitably; but these European miners who went there knew very well that, as soon as they got advantageous terms, they would be able to have a Railway line constructed with the help of the Railway Board. This is one aspect of racial discrimination which should also be condemned.

Now, Sir, there is another tract of country in West Bengal, far more civilised, which was in fact the harbinger of civilisation in Bengal, which is called Gangarides or Rarh; and will you believe it, Sir, that that tract of country has got no railways up till now? Why? Because eminent men like Sir Rash Behari Ghose and others came from that tract and they wanted that the tract should have railway communication. If the Government could postpone a line like the Dacca-Aricha Railway, about which we had ample discussion the other day, a proposal which they had before them for fifty years for which they have been rightly condemned, their conduct deserves greater censure for neglecting this tract of country for more than half a century. It was in the early seventies that Horace Bell the great engineer first thought of having a railway through that tract. It was in 1878. Ten or twelve years afterwards there was another survey, about 1888 or 1889, and after thirteen or fourteen years, there was another survey during Mr. Chadwick's time. I do not know whether the Railway Department is in possession of all these facts; but I know all these facts personally from my childhood as my father happened to be a railway engineer. In 1906 the project took the shape of the Howrah-Bishnupur-Chord, and we thought the line was going to be constructed. But somehow or other it dropped though the late Mr. Bhupendra Nath Bose, a Member of the old Imperial Legislative Council tried his level best to have this line constructed. But as soon as Mr. Bhupendra Nath Bose was away from the council, the Railway Board did not think it necessary to take any further steps. Since then, Sir, humbler individuals like myself have come in their places in this Council and they have been approaching every one possible from the Honourable Member downwards to construct a line through that tract, but the Government have turned, so far, a deaf ear to all these requests. Two or three years ago the District Magistrate of Hooghly and another Honourable Member and myself approached Mr. Parsons, and he told us that he would look into the matter. This tract of country is the birth-place of the greatest of Bengali poets, Kavi Kankan and other poets like Rupram and Ghanaram and others. It is inhabited by a highly civilised race, and therefore, probably, the Honourable Member thinks that this tract should be cut off from other parts of the country.

Sir, the Bankura-Damodar River Railway was constructed with a guarantee from the Government, and what are the figures of that line? In 1927-28, the gross earnings amounted to Rs. 2,12,000 while the working expenses were Rs. 2,28,000 or a loss of Rs. 16,000 in running the railway.

Pandit Hirday Nath Kunzru: In so far as he wished to point out that Anglo-Indians were treated differentially from Europeans as a class, I am entirely with him. Should he desire that Anglo-Indians should have the same privileges as are afforded to Indians, he will have our hearty support.

Lieut.-Colonel H. A. J. Gidney: Yes, I do.

Pandit Hirday Nath Kunzru: But should he desire that Indians should remain where they are, but that his community should be afforded a privileged position, there will be no greater opponents of that claim than we on this side of the House. We recognise Anglo-Indians as our countrymen. We are prepared to deal generously by them. We are not going to insist on proportions in their case. We are not going to say that they should not be given a single appointment more than they are entitled to by virtue of their population. But the Anglo-Indians must definitely regard themselves as Indians. They must throw in their lot with the people of this country. They must develop an Indian patriotism and remember that their glory lies in serving the land of their birth.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, this subject of racial discrimination has been discussed only from one aspect so far, namely, the percentage of the various communities in the railway services and the amenities offered to the various communities in the service in the shape of medical relief and other things. A certain amount of heat was also generated, as it must do, when such racial questions come up. I for one stand for nationalism and do not believe in any racial discrimination and in that I am backed by the gracious message of Her Most Gracious Majesty, Queen Victoria, of revered memory, who, when assuming the reins of Government of this continent of India, assured her people that, in all appointments there would be no distinction of caste, creed or colour. But of late the rulers sent out to India, have overlooked that policy, and have introduced racial and communal discriminations in the matter of appointments to services from political motives. I remind them that, in the near future, they will be hoisted with their own petard as the engineer was. If they rake up these questions of communal antagonism in the way in which they have been doing, at times sedulously asking one community to come in and make its representations, and assuring them of appointments, then you are bound to create bitterness in other communities by rousing racial jealousies.

(At this stage Mr. President vacated the Chair which was taken by Pandit Madan Mohan Malaviya.)

I for one believe that efficiency should be the sole test for the public services. I do not believe in any communalism. It may be to the interests of our foreign rulers to rake up the worse feelings in us, but I warn them that such things will not last long. The majority communities are in a position to bid goodbye to you and all your services; in fact this hankering after service has been the bane of our public life in this country and has dissuaded many a patriot from active service in the field of politics. I know, Sir, that it has spoiled even the Calcutta Bar. When one man was raised to the peerage, there were twelve other aspirants in the Calcutta Bar who thought they would one day become peers of the United Kingdom of Great Britain and Ireland.

So, Sir, I want to say nothing about the racial discrimination so far as the percentage of appointments in the railways is concerned or the

In 1928-29 the gross earnings were still less—Rs. 1,82,000—and the working expenses came to Rs. 2,35,000, or a loss of Rs. 53,000. Besides this, the Government have to give to this railway line the guaranteed interest which they promised. Why is this line not paying? Because it would not traverse that portion of the country from which there could be enough traffic. There is the sub-divisional town called Arambagh, which is about fifteen miles from the railway station of Sehara on the Bankura-Damodar River Railway, and ten miles North is the town of Burdwan intercepted by that great river, Damodar, whose floods create havoc. Am I to understand, Sir, that because they have to construct a bridge over the Damodar, they will not extend the line from Sehara to Burdwan? Or is it because we, humbler people, are there and they don't want to do anything for us. (*An Honourable Member:* "Where is the racial aspect?") This is the racial aspect.

Mr. Chairman (Pandit Madan Mohan Malaviya): Will the Honourable Member confine his remarks to the question before the House, which is racial discrimination in the railway service?

Mr. Amar Nath Dutt: Now, Sir, why should the Railway Board make this racial discrimination against people who reside in this highly civilized part of the country which is known as the Dakshin Rarh? I believe the Dakshin Rarh has been responsible for producing the greatest men of Bengal, who have been a thorn in their side. Beginning from Raja Ram Mohan Roy, up to date, most of the greatest men like Sir Rash Bihari Ghose and Mr. Bhupendra Nath Basu came from the Dakshin Rarh, and therefore the Railway Board will not care to build a railway

Mr. M. S. Aney: Discriminating against the gifted Bengalee race?

Mr. Amar Nath Dutt: Yes, you might say so. Sir, I once more reiterate from my place in this House that racial discrimination is observed not only in the matter of employment of the children of the soil in the railways, but also in the matter of railway construction, and we condemn it in no uncertain voice. As I have already submitted, there is the Dacca-Aricha Railway, about which we had a long discussion yesterday, and as there was no chance of the cut about the Bankura-Damodar River Railway being reached, I have taken this opportunity to speak on this subject in connection with racial discrimination.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not grudge the privileges given to any particular class, nor do I propose today that they should be withdrawn, but I do advocate that those privileges should be extended to all. I would confine my observations to educational matters to which reference has been made by my Honourable friend, the Revd. Mr. Chatterjee, and also by the Honourable Member in charge of Railways. There is no doubt that the Railway Board will have to maintain a certain number of schools for reasons which I will give later on, but I do not like that these schools should be labelled as European schools and Indian schools. This racial discrimination ought to be removed. I can certainly understand that certain schools should be maintained for those boys who live in European style, but I also maintain that the Indians who desire to live in European style should also be admitted to these schools; but if you maintain an efficient school for those boys who live in European style, I would demand that equally efficient schools should also be maintained for those boys who desire to live in Indian style. I can also understand it if you have a school in which the medium of instruction is to be English, but that

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school ought to be open to everybody who desires that his sons or wards should be taught through the English medium. I can also understand, if you have a special school to prepare the boys not for the Indian University examinations but for the examinations conducted by the Oxford and Cambridge Universities, but such schools should be open to every boy whose parents desire that their sons should pass these English examinations. I can further understand a differentiation based on the cost of education, and it may perhaps be necessary to provide a school where fees may be comparatively high. But it does not follow from this that you should overlook the education of those children who cannot afford to pay the high fees. You have to care for those who can afford to pay the high fees as well as for those who cannot afford to pay those fees.

Now, Sir, it is not possible for the Railway Board to establish an Education Department of its own, and nobody on this side will advocate the establishment of such a department; but it is absolutely necessary for three main reasons to establish some schools for the benefit of the children of the employees of the Railway Department. Unfortunately the policy of education and the way in which it is carried out is very much to be blamed. Of course, I do not like to discuss the educational policy, because we will have ample opportunity for it when we take up the Education Budget.

I now give the reasons on account of which it is necessary for the Railway Board to establish some schools. One of these reasons is, that all these schools, on account of the special policy adopted by the Education Department for the promotion of secondary education, are overcrowded. If the present railway schools are closed today, then the children now attending those schools will find it exceedingly difficult to find admission either in the European schools or even in the High Schools maintained by the Education Department. My second reason is that the railway officials are transferred along the same line from one province to another, and the children who are being educated, say in the United Provinces, will find it exceedingly difficult to receive their education, say in Bengali, if their parents are transferred to that province. The medium of instruction is different, and the curriculum of studies is also different. The third reason is that the number of students in every school is very limited. There are certain facilities afforded to civil servants. In every province, if a civil officer is transferred to another district, he finds very often a school of the same type, and there is a provision that, whatever the number of the students in a particular class may be, the sons of the civil servants so transferred should be admitted. But I doubt whether such facilities will be extended to these railway servants. For these reasons I think it is desirable that the Railway Board should maintain a certain number of schools of their own.

Then the Honourable Member raised a question whether the schools maintained by the Board should be Middle Schools or High Schools. I very emphatically say they should be High Schools and not Middle Schools, and this for two reasons. In the first place, it is more difficult for these children to find admission in the High Schools than in the Middle Schools. The number of Middle Schools is comparatively larger. Middle Schools also exist in smaller towns. Besides the boys can also find their way to High Schools through what they call the special classes provided in vernacular and High Schools. Therefore, wherever a school is established, it ought to be a High School. My second reason is that, even for low paid

appointments, as my friend just stated, the Matriculation certificate is necessary, and therefore it is highly desirable that the Railway Board schools should see that the boys, after leaving those schools, are enabled to enter the Railway Department if the parents desire their boys to do so.

Now, the cost of a High School maintained on public school lines, that is the line which we have advocated for the English boys, is not very prohibitive. A school of this kind will cost about Rs. 50,000 per annum and this cost can be reduced by the amount of fee which we may charge. And the amount will be increased if the students are lodged and fed at the expense of the Railway Board. But if the students are required to pay the ordinary fees which they usually pay in other schools, then the cost of maintaining a High School will be reduced to Rs. thirty thousand a year. - If the Railway Board be not in a position to establish schools of their own, then they can arrange with some of the good existing schools to admit the sons of the railway employees, especially sons of those who are posted at stations where no schools exist, at a moderate cost. Now, this arrangement can conveniently be made with a number of selected schools in different localities, and by this arrangement the cost of education per head will substantially diminish. So much I have to say about education. There are two more things to which I should like to draw attention. Reference has been made to the Report of the Lee Commission and the percentages of 50 and 75. I maintain that this Lee Commission Report is out of date. It was written at a time when the country was not seriously considering Independence or Dominion Status. Now, with the new political outlook, this Report is out of date, and we want a much higher percentage, as high a percentage as the country can afford.

I would also draw your attention to item No. 53 standing in my name which is co-related to this motion. As I will not have the time to move that motion, I do request the Governor General in Council, through the Member for Railways, that, whenever a vacancy occurs in the Railway Board, it should be filled up by an Indian and not by an Englishman. If you take the total figures of the Indians and the Europeans, the figures of the Indians will always be high. I admit that all the coolies in the Railway Department are Indians, that all the clerks drawing salaries of Rs. 25 and below are Indians, but they are not now the subject under discussion. We want that the higher services, the Members of the Board, the Agents, the Staff officers and the posts carrying higher salaries should be Indianised.

*Mr. N. C. Kelkar: I just want to say one or two words very briefly. I support the cut motion for this reason, that in the latter part of the speech of Colonel Gidney we have received complete support for our contention that there is racial discrimination as between Europeans and others. I also welcome the cut motion because, in my opinion, it is going to give the Honourable Member for Railways a welcome opportunity for making a statement, which I suppose he has yet to make, by way of laying down the general policy of the Railway Board in the matter of racial discrimination. I may be wrong, but I may remind him that, on the 4th February last year, Mr. Parsons, in reply to Pandit Hirday Nath Kunzru, with reference to the removal of this discrimination, stated, that a full statement would be laid on the table as soon as all the replies had been received, and any action, which it was found necessary to take, on them had been determined. I plead guilty to the charge of ignorance if that statement has been already laid on the table, but if it has not, then here is an

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opportunity for the Honourable Member to make a full statement bringing the results and facts up to date.

Now, with regard to Colonel Gidney's remarks about the Anglo-Indian community, I think his defence is absolutely weak. He knows very well that his community does enjoy considerable patronage and preference, and yet he wants to pretend that there is no such favour shown to his community. He wants to run with the hare and hunt with the hounds. His community is a kind of Dr. Jekyll and Mr. Hyde, with two faces, one towards the Indian, the other towards the European. He has also got faces turned towards the Indian and also towards the European, and through both these mouths he is prepared to get for his community all possible advantages that could be secured under one pretext or another, whichever may be suitable to him for the moment. He is an Indian when there is a policy of Indianisation.

(At this stage Mr. President resumed the Chair.)

He is included among the Indians in filling the 75 per cent. of posts reserved for Indians. There is nothing wrong in that, because they come in as Indians. That would be his line of argument. But when it is a question of reaping the special educational facilities through schools reserved for Europeans, then he is an European and not an Indian. When it is a question of reaping the benefits of the Auxiliary Force, then he is an European, at least a non-Indian. So this Anglo-Indian community is very conveniently playing a double game of being Indian at one time and non-Indian at another. All that mischief comes out of the dubious definition of Anglo-Indian as a statutory Indian for practical purposes. The merits of this definition are on a par with the other definition of an Indian nation of which we have heard a good deal. We know what an Indian national is when it is convenient to the European, and we know what an Indian national is when it goes against the interests of the Indian. So under the darkness of this dubious definition, a number of sins of selfishness are being committed both by the Government and by the Anglo-Indian community.

Now, whereas, Colonel Gidney says that there is no distinction between Anglo-Indian and Indian, Government say that there is a distinction. He cannot get over that, and with regard to that distinction, however, there are two different reasons given by the Government and the Anglo-Indian community. Colonel Gidney puts it on the basis of loyalty. But Government are more shrewd. They do not want to put it on that ground. They say, "You have got aptitude; you are the bone of our bone, the flesh of our flesh; how can you avoid having special aptitude? Though in your innocence you do not know that you have got special aptitude, we know that you have special aptitude. It is not for your loyalty that we are showing this favour, but it is on account of the special aptitude that you have got." In this letter which the Railway Board wrote to the different Agents of all railways with a view to get information about Indianisation and racial discrimination, they say the same thing. I do not know whether Colonel Gidney is aware of the great compliment which Government are deliberately paying to the Anglo-Indian community for their special aptitude. Next time when he speaks about this, he should have regard to the reason of aptitude along with the reason of loyalty. This is what Government say: "Agents have already been informed that for the purpose of Indianisation, Anglo-Indians are statutory Indians, and the Government desire it

to be clearly understood that they do not suggest, and never have suggested, that Anglo-Indians should be discharged merely in order that they may be replaced by Indians. Also they recommend to the full the aptitude of the Anglo-Indians for certain branches of railway work, and they are not in favour to any policy which would oust the Anglo-Indians from those branches. *(They consider, however, they must be also good to the Indians for they are also under the same Government and the Government must appear to be impartial.)* They consider, however, that Indians should also be recruited for these branches, particularly the subordinate Traffic Service *(not the higher)* and should be given equal opportunities of showing their aptitude and capacity for the higher and better paid posts."

I want the House to mark the words: "They consider, however, that Indians should also be recruited for these branches." What does it mean? It means this, that primarily the Anglo-Indians should be recruited, and, of course, there should not be any room left for saying that Indians have not been admitted and therefore they must also be taken. That really gives the clue as to what percentage Government really intend to give to Anglo-Indians and Indians. Sir, the word "also" reminds me of the racecourse talk that I heard some time back. I have not seen a race myself, but of course I have talked about racecourse matters. "So-and-so won the race and so-and-so also ran." So, it is like that. The Anglo-Indians won the prize and so-and-so Indians also ran in that direction. Then, again, once they are admitted, Government do not say how many Indians will be given the same opportunities for promotion and training, etc., as the Anglo-Indians. And who has answered the question as to how many Indians will be admitted in the first instance? Even the railways have made that distinction, and in the letters received from the Agents, this appears to be the case. Of course, they are not so innocent as my friend Colonel Gidney is, because he wishes to ignore the distinction between Indians and Anglo-Indians. In all the details that the Agents have given, they have included Anglo-Indians along with Europeans as distinct from Indians. In this letter from the Assam Bengal Railway, dated the 22nd December, 1927, the figures are given for Agency, Audit, Medical, etc., for Europeans and Anglo-Indians and Indians. We find there that in the Traffic Department there are 21 posts given to Europeans and Anglo-Indians and only 10 are given to Indians and yet the Agents are prepared to say that there is no racial discrimination. I would repeat again what I said the other day: "God said, 'Let there be light, and there was light'." And the Railway Board said, "Let there be no racial discrimination", and there was no racial discrimination. But when you go through all the replies, you will see that the Railway Agents have taken shelter under the same pretext as the Railway Board, viz., particular people or groups of people have a special aptitude for a particular kind of work. Who is going to solve this riddle? Who knows what aptitude is required for a particular kind of work? After all, the Agent is in the highest position, and he is the sole judge of the quality of the work and the quality of the human being that does the work. There is an end to it. When he says that that is his final opinion, that is the end of the whole thing. Therefore, I entirely support the cut motion of Colonel Gidney because he has, in the latter part of his speech, very clearly brought out the distinction that is observed and the favouritism that is shown to Europeans as against Indians.

Mr. A. M. Hayman (Railway Board: Nominated Official): Sir, when I got up to speak last Saturday, I said that I felt myself under a great disadvantage. Today too, Sir, I feel under a disadvantage even

[Mr. A. M. Hayman.]
greater than I felt on Saturday. I feel it because one of my Honourable friends on the other side made an observation—I think it was Munshi Iswar Saran—that I tried to mislead the House in regard to certain figures I had quoted.

Munshi Iswar Saran: I did not say that.

Mr. A. M. Hayman: I am sorry, Sir. Then it was somebody else who said that I had tried to mislead the House by quoting certain figures, and that I ought to remember that I was a baby in this House and that he and several others had been here for many years. Well, Sir, actually in the matter of the study of the figures and drawing inferences from them, I claim to be very old at the game. I have spent 31 years in the Government service almost entirely in compiling and studying figures and drawing inferences from them. But from another point of view there was a lot of truth in his remark, and it is because of this that I feel myself under this great disadvantage. It is true that I am a baby in this House when it comes to a question of speaking, because I only come here for a few days now and then each year, and I do feel a certain amount of nervousness when I have got to deal with such a big subject, on which so many Honourable Members have spoken. Although I have all the facts and figures with me, I feel that on this subject I cannot readily marshal my case in such a way as fully to convince the other side of the House. Therefore, I will ask the Honourable Members on the other side to bear with me a little and have a little patience if I do not present my case as strongly as I ought to.

I think I should first begin by saying a few words on the question of the Indianisation of all our superior services of railways. Although the Railway Board have, for many years past, followed the policy of progressive Indianisation, it may be said that this policy was only pursued systematically from the year 1925. In that year, Government set before itself the goal to Indianise the superior services by filling 75 per cent. of the vacancies by officers of Indian domicile. It was just about that year that this House, when dealing with a proposal for the separation of the Railway finance from the General finance of the country, added a recommendation to the main Resolution which was not part of the Resolution, and urged upon the Government that the Railway services should be rapidly Indianised. It was shortly before this that the Lee Commission had reported and they made this definite recommendation in regard to State Railways superior services:

“That the extension of the existing facilities should be pressed forward as expeditiously as possible in order that recruitment in India may be advanced as soon as possible up to 75 per cent. of the total number of vacancies in the Railway Department as a whole.”

I have read these words over because I think in a way they are a direct answer to an observation made by my Honourable friend Pandit Hirday Nath Kunzru, that we ought to examine our position carefully in respect to each of the separate departments of our railway service, and proceed as rapidly as possible to get 75 per cent. in each of our different services. Lest I should overlook the point, I think I might tell the House, as a further answer to the observation of my friend Mr. Kunzru, that, while the goal which we have set before us is the attainment of 75 per cent. for all the services taken together, we ourselves for practical reasons have got to take some of the services apart, because of the different rules of recruitment for these services and the different way in which we have to obtain

the Indians for the vacancies in each of them. Sir, we have laid all the information that we have on the subject before the House, and if the House, or any Member of the House, will read page 64 of the Railway Board's Report for 1928-29 he will find that we have given figures there which show the rate of recruitment in the different sub-divisions in the year 1928-29. The figures given there are significant figures, and I will read them to the House; to the Engineering Branch, 80 per cent., to the Transportation, Traffic and Commercial Branch, 83 per cent., to the Mechanical Branch 18 per cent. and to other Branches 94 per cent.

I will now make one or two observations to meet the criticisms that were made in connection with recruitment to our superior services. The criticisms were mainly directed against our rules of recruitment. Our rules of recruitment were drawn up soon after we applied ourselves to the task of going in for rapid Indianisation, and those rules were all discussed with the Central Advisory Council before Government put them in their final shape and issued them.

The first applications for appointment, under the Regulations, to the Indian Service of Engineers, and Transportation and Commercial Departments, were called for only in July, 1926. In the case of Mechanical Engineering and Transportation (Power) Departments, we have explained here from time to time that our method of recruitment was to train apprentices partly in this country and partly in the United Kingdom, and we prescribed that the total training should be completed within a period of seven years. Later on, we found by re-examination of the position that we were able to reduce the term to six years. We have now got, Sir, 37 young men under training, all of Indian domicile, and we hope that we shall be able, both on our State railways and on our Company-managed railways to find employment for every one of them who eventually qualifies. I just mention the fact about these dates, because I think there is some credit due to Government for having done so much in these few years, that is from 1926 in some of the services, from 1925 in some other services, and from 1927 in yet other services, in these few years from then up to now. We have, in the last year for our State worked railways, recruited 71 per cent. of our vacancies for our superior services.

I should like to say a word about that figure, because two or three of the Honourable Members today, in their speeches, paid great attention to the figure of 49 per cent. which appears in our Report. Now, Sir, what happened was this, and it is explained in a note at the foot of the statement. We say here, of the total vacancies filled during the year, 49 per cent. were filled by Indians as against 54 per cent. in 1927-28 and 47.5 per cent. in 1926-27. Now comes the significant point. “The drop in the percentage of Indian recruitment is accounted for by the fact that 20 recruits of the permanent establishment for 1928-29—9 for the Engineering Department, 7 for the Transportation Traffic and Commercial Departments and 4 for the Medical Departments joined their duties after 31st March, 1929. They were actually recruited for 1929, but they joined rather late. That makes up our 71 per cent. That is a straightforward and honest claim. It is not 49 per cent. but it is 71 per cent.” Then, Sir, I have got to give a short explanation . . .

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Is it not a fact that in the recruitment of officers to gazetted rank in 1928-29, 51 per cent. of those who were newly recruited were Europeans? The Honourable Member would find it at page 64.

Mr. A. M. Hayman: If I am correct that for our State Railways 71 per cent. who were recruited were all of Indian domicile, then the percentage for Europeans could only be the difference between 100 per cent. and 71 per cent.

Mr. R. K. Shanmukham Chetty: I am asking about the recruitment of officers to gazetted rank. Is it not a fact that, out of those recruited to gazetted rank in 1928-29, 51 per cent. were Europeans? How does the Honourable Member reconcile that with his statement? These figures are to be found in page 64 of the Report.

Mr. A. M. Hayman: As we have in 1928-29 recruited persons of Indian domicile to the extent of 71 per cent., then the recruitment of Europeans could only be 29 per cent.

Pandit Hirday Nath Kunzru: Will the Honourable Member say what were the total number of vacancies that were recruited for, and how many Indians were appointed?

Mr. A. M. Hayman: I shall supply the Honourable Member with information about this later on. In the meanwhile I do want to get on to a few more important points in reply to the observations of other Honourable Members.

Mr. M. S. Aney: Will the Honourable Member explain what he means by saying that 51 per cent. of Europeans were recruited to the gazetted ranks in that year?

Mr. A. M. Hayman: I can only repeat what I said in reply to my Honourable friend Pandit Hirday Nath Kunzru. I must be fair to all Members, and so I must pass on to reply to some of the criticisms made by them.

Mr. M. S. Aney: That leads us nowhere.

Mr. K. C. Neogy: May I know if these 20 additional appointments will be taken into consideration also in the following year, that is, 1929-30, for the purpose of calculating the percentage for that year?

Mr. A. M. Hayman: The Honourable Member's observation is a very proper one, and I do not think that we would have the courage to attempt to do what perhaps he suggests that we would do.

Sir, I will repeat that the figures I have supplied relating to our State-managed railways are correct. The position of our Company-managed railways is not quite satisfactory and I am not going to disguise from the House that, personally, I am not altogether satisfied with the progress that has been made on our Company-managed railways in this matter of progressive Indianisation, namely, the wish to reach 75 per cent. at the earliest possible date.

Mr. B. Das: The Bengal Nagpur Railway is the worst in this respect.

Mr. A. M. Hayman: I am glad the Honourable Member raised that point and I can give a reply now. I faced this question with every desire to meet the obligations of Government by commencing an examination into the details for the past few years of each and every Company-worked line. It is my intention to speak to the Agents of each of the Company-worked railways when they come here next month. But very recently I had an opportunity, when I went to Calcutta, to cover the whole ground

with the Agent of the Bengal Nagpur Railway, which my Honourable friend, Mr. Das, says is the worst railway in this respect.

Lieut.-Colonel H. A. J. Gidney: The best railway in India—none better.

Mr. B. Das: For the Honourable Member's community.

Lieut.-Colonel H. A. J. Gidney: Perhaps it is the worst railway because the Honourable Member is not now a Member of the Advisory Committee?

Mr. B. Das: Don't care to be on it.

Lieut.-Colonel H. A. J. Gidney: Grapes are sour Mr. Das.

Mr. A. M. Hayman: Well, Sir, the time that I spent with the Agent was time well spent. It was not merely that we talked about Indianisation and used a number of words and then that I came away from him with a general promise that he would look into the matter and that he would do all he could. I am not satisfied with that sort of thing. I tackled the Department in which there was difficulty in getting Indians, that is the Transportation (Power) and Mechanical Engineering Departments. Mr. E. Jarrad, the Agent of the Railway, was, I must say to his credit, ready to move forward, and before I left Calcutta he had got hold of three young Indians in his shops who had gone through a certain amount of superior training and who had superior education, and he said to me, "I am quite prepared to make these three young men probationary officers in the Mechanical and Electrical Departments, if the Railway Board would help me by giving me three Probationers' posts for this purpose". I said the Railway Board would only be too glad to do so. Now, Sir, he has come up with a definite proposal officially to give effect to that discussion of ours, and it is only a matter of a little time when we shall place these proposals before the Standing Finance Committee to get sanction to the posts. Thus there will be a beginning on one of our Company-worked railways to take Indian officers into their Transportation (Power) and Mechanical Engineering Departments.

Munshi Iswar Saran: Are they Indians or statutory Indians?

Mr. A. M. Hayman: I do not really like to enter into that question, but I will answer the Honourable Member because he puts it very pointedly. They are all Hindus. (Laughter.) We went through the matter carefully to pick out the qualified people, and the three qualified people that we got hold of were Hindus.

There is one important thing which I should like to tell this House before I leave this subject, and it is this. I shall strive personally to get to this 75 per cent. on our State-managed railways and on the Company-worked lines. I do not see any difficulty, except in the Mechanical Engineering and Transportation (Power) Departments. Beginning with this year, we advertised for as many candidates as we could get for appointments in the Transportation (Power) and Mechanical Engineering Departments. My Honourable friend Sir George Rainy has explained fully to the House how far we went to lower our qualifications, to remove age restrictions and other restrictions, in order to get young Indians to come forward to fill these posts. We did not ask for a limited number of candidates to come forward, we asked for as many as we could get. We had on our State-managed railways eight vacancies. It was our intention, if

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we got more than eight, to endeavour to get Company-managed lines to take some, because they have themselves put but few Indians into those posts. Unfortunately we got only seven qualified candidates. We propose again this year, and in the next year, to continue to call for applicants for these posts. I have personally gone out of my way to see a few of the young men who applied this year and were not qualified. I have pointed out to them where their defects lay and I have asked them especially in the remaining time between now and the next call for vacancies to try and supplement their qualifications, so that next time they may be qualified. I will appeal to the Members on the other side of the House that, if they know of any young men who are almost qualified under the terms of that advertisement, to give them advice how to supplement their qualifications so that next year they may be qualified to come into these posts, because, if we do not get the full number that we require until our apprentice scheme brings fruit, we shall still not be able to get the full 75 per cent. Indian recruitment. But we will do something more. In order to make good this deficiency on the Mechanical Engineering and Transportation (Power) side, we have transferred, now and then, officers from our Civil Engineering side, to the Mechanical Engineering side. If we have found that an officer in the Civil Engineering side has an aptitude for Mechanical Engineering work, or can efficiently perform the duties of Transportation (Power) officer, we have transferred him to the other side, in order to increase the vacancies on the Civil Engineering side, simply because we know that we can get the full 75 per cent. proportion of Civil Engineering officers in this country. We shall continue that process to make up deficiencies. But, Sir, I do not want to mislead the House. I do not want the House to think that we have a large number of Civil Engineers who can take on the duties of Mechanical Engineers and the duties of officers for the Transportation (Power) Departments.

There is only one other observation, before I leave this subject of the recruitment to our superior services. I make it because I think there is a genuine misapprehension, on the part of some of the Members on the opposite Benches, about a statement I made that we had recruited 71 per cent. of our vacancies. I think some of the Members on the opposite Benches think that I said that we had not got 71 per cent. Indians in our services. That is not the case. We naturally could only recruit against vacancies.

I am not going to say a word about appointments which carry salaries of less than Rs. 250 per mensem. But I do think I ought, because of the remarks that have fallen from the other side of the House, to supplement the observations that I made the other day in regard to employees, who occupy posts which carry salaries above Rs. 250, in order that I may make the position which Government takes up in this matter quite clear. Government's position in this matter is that there shall be no racial discrimination and,—forgive me for going on to a subject which I know you do not like,—there shall be no communal discrimination,—absolutely none whatever. We will promote to these appointments, on consideration of their qualifications, with due regard to seniority and with no racial or commercial discriminations. A man must first be efficient to discharge the duties of the post which is vacant, and we will take into account his seniority. Purely to meet the point about racial discrimination in these posts I wish to read just a few figures to the House. I wish to compare

the total figures relating to the number of such posts held by Europeans in 1925, with those in 1929, and the corresponding figures of Indians.

		1925.	1929.
Number of posts		7,822	8,941 (an increase of 1,119).
Europeans		2,412	2,051 (a drop of 361).
Indians		5,410	6,890 (an increase of 1,480).

The House will see that the increase under "Indians" i.e., 1,480 was greater than the total increase in the number of posts which was 1,119.

I quite realise, Sir, that, in some matters, this House feels, or some Members of the House feel, that while Government and the Railways have from time to time claimed, particularly in this matter of our higher posts and posts like apprentices in our workshops, that there is, in theory, no racial discrimination, there has been racial discrimination in practice. Sir, I have, with a due sense of my responsibilities, paid every attention to the remarks that have been made in this House on that score. I take for instance, Sir, the case of the apprentices in our mechanical workshops, and say definitely that my preliminary examination of the question led me to believe that there was racial discrimination. There was communal discrimination in the way these apprentices were dealt with, both as regards their recruitment and as regards their appointment after they qualified themselves. I do not want to disguise it at all, and I wish to take this occasion to acknowledge the very helpful assistance that I obtain in my examination of this matter by the very searching questions put in this House by my Honourable friend Mr. S. C. Mitra. Now, Sir, we did not leave the question where it was. The matter has been very thoroughly examined. The whole of the facts have been sifted by the Railway Board and placed before my Honourable friend, Sir George Rainy. He has decided that new rules of recruitment shall be drawn up for all our State Railway Workshops in India. Details of the rules for recruitment and for appointment after recruitment are ready, and it is our intention to discuss them with the Central Advisory Council for Railways before we promulgate them. We want to discuss them with the Central Advisory Council because we want to get the benefit of their advice. There are some of the Members of the Council who are in close contact with these questions. We do not want to pretend that we know all about the subject and we want to get their advice and we will give very careful attention to the advice that we receive. I would like just to read one little portion of the notes that we had prepared in connection with the apprentices' scheme.

"In the rules relating to the recruitment and training of all classes of apprentices, care will be taken to ensure that there is no racial discrimination and the rules prescribed for State-managed railways will be circulated to Company-managed railways with a view that their method of recruitment and training of apprentices be investigated, with a view to placing matters on an entirely satisfactory footing and to removing any vestiges of racial discrimination that may exist either in the rules or in their practical application."

Mr. B. Das: I thank you for the change in the rules. It is the Kharagpur Workshop of the Bengal Nagpur Railway.

Mr. A. M. Hayman: If we fail, it is not that we do not want to do the right thing. That is not all. I have here a complete memorandum prepared for all our staff of the subordinate services. It is not yet ripe to put it in

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a final shape before Government and therefore it is not ripe to be discussed by the Central Advisory Council. I propose to discuss these rules in all their details, in all their bearings, with the Agents of the railways when they come here next month. The rules have been sent to the Agents of the railways and they will study them and bring their difficulties with them. In sending out these rules, I have searched all the records of the Assembly and put down the representations made against our existing procedure. I have also had the newspapers read for two or three years, and extracts made of articles regarding our methods of recruitment. We are going to make an honest attempt to face the complaints that have been made against us.

I will pass on to the notes that I have made while listening to some of the previous speakers, and, in the short time available to me, I shall attempt to answer some of them. I take, Sir, first the point which I considered to be really very relevant to the motion moved by my Honourable friend opposite, and that is with regard to the question of racial discrimination. The case that I want to say a few words on is the reference made by Colonel Gidney regarding the practice of railways of getting covenanted men to our workshops. I think, Sir, that Colonel Gidney did quite rightly by bringing up this question. But I do not think he was absolutely fair to us, because he omitted to refer to some portions of an important communication that we sent to him. It is an important one and I wish to read to the House the important parts:

"The Railway Board being anxious, in accordance with their policy, to confine the recruitment of subordinates from England to cases where the efficiency of work would suffer appreciably unless persons possessing the requisite qualifications were obtained for particular posts, decided that only 6 Chargemen, specialists, should be obtained from England on a five years' contract. The number has since been reduced from 6 to 4."

"This policy is followed in order to avoid recruitment from outside India, except occasionally, when specialists in highly technical grades and with experience of modern methods of properly equipped shops are required for the efficient conduct of workshop operations."

Now, Sir, Colonel Gidney while on this subject referred to the statement made to the Press by Mr. Wrynch. Is that correct?

Mr. President: Order, order.

Mr. A. M. Hayman: Let us give credit where credit is due, and if our railway workshops have lately attained that position that they are equal or second to none in the world, let us give the credit to these covenanted foremen, who come out to us with up-to-date methods and up-to-date knowledge of modern shops in other countries. However, to remove one misapprehension that Colonel Gidney has in this connection, I would explain that when we bring a person out from England to a particular post, we bring him in the pay of the post; it may be that because of the age or the qualifications of the person, we sometimes give him a higher minimum initial pay than the minimum pay of the post. But this is a practice we follow when we have to recruit an expert in India who might be of Indian domicile. But I challenge my Honourable and gallant friend Colonel Gidney, Sir, and I assert that the statement that he made that we bring out these covenanted chargemen on salaries twice the salaries that we pay to people doing corresponding work in India is without foundation.

Lieut.-Colonel H. A. J. Gidney: I accept the challenge and am prepared to now prove my statement. I

Mr. President: Order, order.

Mr. A. M. Hayman: Sir, I would give way to the Honourable friend, Colonel Gidney, but for the fact that time is very short, and I want to give some reply to the statements made by my Honourable friend, Mr. Kunzru. I only want to say one thing more about Colonel Gidney's remarks, and it is because I feel that I ought to say it in justice to our subordinate employees. Colonel Gidney said that we had removed an old back-door practice of ours by issuing instructions to our Agents that adverse remarks made about superior officers should be communicated to the officers at the time, and that we had not yet stopped our bad practice as we had not done anything of the kind for the subordinate service. Now, this question attracted the attention, some time ago, of this House. It was raised, very properly raised, by my Honourable friend, Maulvi Muhammad Yakub. Here is the reply that we gave to the Honourable the Deputy President:

"I am directed to state that the practice in force on all Railways, except the Burma and Assam Bengal Railways, is to obtain and consider the explanation of an employee before a decision is arrived at to record an adverse remark in his service record; and the employee concerned is advised of the entry recorded against him."

That, Sir, even goes beyond what we do for our officers. It says here, "We obtain and consider the explanation of an employee before we make an adverse remark against him". There are instances, in ordinary practice, where we make adverse remarks against our officers without first obtaining their explanation. We wrote to the Burma Railways and the Assam Bengal Railway, pointing out to them the practice in other railways and suggesting to them that they should follow suit.

Mr. M. S. Aney: Are you sure that it is the practice in other railways?

Mr. A. M. Hayman: If the Honourable Member will bring to our notice any instance where it is not the practice, we shall see that the orders of Government are carried out.

Sir, my Honourable friend Mr. Kunzru made several detailed remarks to prove that there was racial discrimination in practice in several matters. In a way, Sir, I have really pleaded guilty to some extent.

One of the cases Mr. Kunzru referred to was that of workshop apprentices. I know also that he feels keenly on the subject of the appointment of guards and drivers to the higher paid posts of these ranks. As time is short, I offer to show him personally at my office that I have been pursuing that question with vigour for the last ten months; I offer to show him what the several railways have done. I think the North Western Railway have during the last twelve months made a very decided move forward in this direction. The Eastern Bengal Railway, Sir, has done fairly well. (An Honourable Member: "What about the East Indian Railway?") So also the East Indian. The Great Indian Peninsula Railway, I admit, has practically done nothing at all, but I am in correspondence with the Agent on this matter, and I am going to find out what his difficulties are, and I am going to make a serious attempt to see why he cannot do what the others have done and are doing. My Honourable friend made a point—and a good point too, I think,—that Sunday allowances were allowed to one class and were not allowed to another class. I promise him that I shall get the

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papers and see that justice is done in this matter. I would like, Sir, to make a remark in connection with the complaint that there is racial discrimination in the matter of the allotment of residential houses to subordinate employees. I have a distinct recollection that orders have issued because, I moved a good deal to get those orders issued some time ago to our State-worked railways, that every quarter was to be allotted to a post and was not to be allotted to any individual or to any community. It was to be allotted to a post, and the holder of that post was entitled to live in that house no matter to what community he belonged. I will have the practical application of those orders looked into, and if they are not being followed, I will give my Honourable friend my assurance that it will not be long before they are given effect to on State-managed railways.

My Honourable friend also referred to the Staff Benefit Fund. Sir, my Honourable friend, Sir George Rainy, explained briefly the other day that we have come to the stage where complete rules for the Staff Benefit Fund have been drawn up; we are at the stage, Sir, where we have necessarily to consult other Departments of the Government of India who control labour forces, Department like the Industries and Labour Department, and we also have to consult other Departments who are concerned. For this reason we have decided that the Staff Benefit Fund shall come into force on the 1st April, 1931, and then, Sir, I would like to emphasize that the Fund is going to be run on lines whereby the men themselves will have a deciding voice, subject only to the veto of the Agents, 5 P.M. as to how the money in the Fund is to be spent.

(It being then Five of the Clock.)

Mr. President: Order, order. The question is:

"That the Demand under the head 'Railway Board' be reduced by Rs. 100."

An Honourable Member: No.

Another Honourable Member: It is too late.

Mr. President: Honourable Members must make up their minds whether they desire a division or not.

Several Honourable Members: No.

The motion was negatived.

Mr. President: The question is:

"That a sum not exceeding Rs. 12,90,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Railway Board'."

The motion was adopted.

DEMAND NO. 2—INSPECTION.

Mr. President: The question is:

"That a sum not exceeding Rs. 2,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Inspection'."

The motion was adopted.

DEMAND NO. 3—AUDIT.

Mr. President: The question is:

"That a sum not exceeding Rs. 17,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Audit'."

The motion was adopted.

DEMAND NO. 4—WORKING EXPENSES: ADMINISTRATION.

Mr. President: The question is:

"That a sum not exceeding Rs. 13,88,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Working Expenses: Administration'."

The motion was adopted.

DEMAND NO. 5—WORKING EXPENSES: REPAIRS AND MAINTENANCE AND OPERATION.

Mr. President: The question is:

"That a sum not exceeding Rs. 41,10,25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Working Expenses: Repairs and Maintenance and Operation'."

The motion was adopted.

DEMAND NO. 6—COMPANIES AND INDIAN STATES' SHARE OF SURPLUS PROFITS AND NET EARNINGS.

Mr. President: The question is:

"That a sum not exceeding Rs. 1,22,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Companies and Indian States' share of surplus profits and net earnings'."

The motion was adopted.

DEMAND NO. 9—APPROPRIATION TO DEPRECIATION FUND.

Mr. President: The question is:

"That a sum not exceeding Rs. 13,25,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Appropriation to Depreciation Fund'."

The motion was adopted.

DEMAND NO. 10.—APPROPRIATION FROM DEPRECIATION FUND.

Mr. President: The question is:

"That a sum not exceeding Rs. 8,50,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Appropriation from Depreciation Fund'."

The motion was adopted.

DEMAND No. 11—MISCELLANEOUS.

Mr. President: The question is:

"That a sum not exceeding Rs. 17,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Miscellaneous'."

The motion was adopted.

DEMAND No. 12—APPROPRIATION TO THE RESERVE FUND.

Mr. President: The question is:

"That a sum not exceeding Rs. 33,95,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Appropriation to the Reserve Fund'."

The motion was adopted.

DEMAND No. 14—WORKING EXPENSES AND MISCELLANEOUS (STRATEGIC LINES).

Mr. President: The question is:

"That a sum not exceeding Rs. 1,63,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Working Expenses and Miscellaneous (Strategic Lines)'."

The motion was adopted.

Expenditure charged to Capital.

DEMAND No. 7—NEW CONSTRUCTION.

Mr. President: The question is:

"That a sum not exceeding Rs. 4,98,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'New Construction'."

The motion was adopted.

DEMAND No. 8—OPEN LINE WORKS.

Mr. President: The question is:

"That a sum not exceeding Rs. 11,49,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Open Line Works'."

The motion was adopted.

DEMAND No. 15—NEW CONSTRUCTION AND OPEN LINE WORKS (STRATEGIC LINES).

Mr. President: The question is:

"That a sum not exceeding Rs. 25,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'New Construction and Open Line Works (Strategic Lines)'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 27th February, 1930.



LEGISLATIVE ASSEMBLY.

Thursday, 27th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN:

Sir Cowasji Jehangir (Junior), K.C.I.E., O.B.E., M.L.A. (Bombay City: Non-Muhammadan Urban);

Rao Bahadur B. L. Patil, M.L.A. (Bombay Southern Division: Non-Muhammadan Rural); and

Chaudhury Khaliquzzaman, M.L.A. (Lucknow and Fyzabad Divisions: Muhammadan Rural).

QUESTIONS AND ANSWERS.

THE SYSTEM OF BEGAR.

398. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that the system of begar (forced labour) obtains in parts of British India, and has the attention of the Government been drawn to the following extract from a speech delivered by the Agent to the Governor-General in reply to an address given him by the Kotah Durbar (Rajputana) in 1923:

"Even in British India begar is not evidence of the wickedness of the system of administration. In olden days, supplies and fodder and so forth were freely given to touring officers as a sign of affection and hospitality and gratitude for protection and help in times of trouble. Abuses have no doubt crept in, and the system of administration has become less dependent on the personal factor; and the institution has had to be curtailed. But I for one should be very sorry if it were completely abolished even in British India."

(b) In what parts of British India is the system of begar prevalent, and what steps have Government taken, or propose to take to put a stop to it?

(c) Has not the League of Nations declared forced labour to be illegal, and is not India a signatory to the Resolution?

Sir Frank Noyce: (a) Forced labour, in return almost invariably for cash remuneration, is permissible in British India in certain cases, principally of grave emergencies and danger to life and property from irrigation works and embankments. The speech to which the Honourable Member refers has come to the notice of Government as a result of this question.

(b) Full information has already been furnished either to this House or to the Council of State in respect of the system of *begar* or forced labour so far as it prevails in various provinces in India. I would invite the Honourable Member's attention to:

- (i) the reply given in the Legislative Assembly on the 11th February, 1924, to the Honourable Mr. V. J. Patel's question No. 276;
- (ii) the reply given in the Council of State on the 12th September, 1927, to the Honourable Sir Harcon Jaffer's question No. 116, and
- (iii) the reply given to Khan Bahadur Sarfaraz Hussain Khan's question No. 156 in the Legislative Assembly on the 1st March, 1928.

(c) I presume that the Honourable Member refers to the Slavery Convention adopted by the League of Nations in 1926. Under Article 5 of this Convention, the High Contracting Parties undertake, each in respect of its territories, to prevent compulsory or forced labour from developing into conditions analogous to slavery. The Convention does not prohibit compulsory or forced labour levied for public purposes. It was signed on behalf of India with certain reservations.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to say whether the *begar* system, in whatever form it prevails at present, exists on account of the hospitality, gratitude or affection of the people, or is it enforced by Government officials under compulsion?

Sir Frank Noyce: I should like to have notice of that question, Sir.

Mr. B. Das: Is it not a fact, Sir, that the representative of the Government of India on the Forced Labour Committee at Geneva stated that the Government of India do not support forced labour in any way?

Sir Frank Noyce: I have no information, but I am content to accept the Honourable Member's statement.

Mr. Lalchand Navalrai: Will the Honourable Member please state whether the Government of India are also of the same opinion as that of the Agent to the Governor General in Kotah that he would be sorry if the *begar* system were ever abolished completely?

Sir Frank Noyce: No, Sir.

Mr. Gaya Prasad Singh: What steps have Government taken with regard to the discontinuance of this system as indicated in the answer given to my starred question No. 393, dated the 11th September, 1929?

Sir Frank Noyce: I am sorry, Sir, I have not the Honourable Member's starred question in mind.

Mr. Gaya Prasad Singh: Then how can you expect me to bear in mind the answers to which you have referred in your reply?

Mr. M. S. Aney: Does the Honourable Member understand the difficulties of Honourable Members on this side when he merely makes reference to replies to starred questions of such and such a date in such and such a year?

Mr. B. Das: May I ask another supplementary question, Sir?

Mr. M. S. Aney: Is there no reply to my question, Sir?

Sir Frank Noyce: I beg your pardon?

Mr. M. S. Aney: Have the Government realised the difficulty of Members on this side understanding the replies given by Government to questions put from this side whenever Government Members make references to their replies to certain starred questions given on such and such a date and published in such and such a Volume?

Mr. B. Das: May I ask one other question, Sir?

Mr. M. S. Aney: Do they realise or do they not realise our difficulties, that is what I want to know?

Mr. President: Mr. B. Das. Next question.

REPORT OF THE TARIFF BOARD ON SALT MANUFACTURE.

399. ***Mr. B. Das:** Will Government be pleased to state if the Report of the Tariff Board on salt manufacture in India will be available to this House before it discusses the budget demand in respect of "salt" or before the House discusses the Finance Bill?

The Honourable Sir George Rainy: The Tariff Board have not yet submitted their Report.

PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

400. ***Mr. Muhammad Rafique:** (a) Is it a fact that Mr. Mitra has given, in his Report on the seniority of Railway Clearing Accounts Office staff, a list of seventeen men who have been given too rapid promotions?

(b) Is it also a fact that some other cases, in which the promotions were more rapid than those mentioned in the list, have been overlooked? If so, why?

Mr. A. A. L. Parsons: (a) Yes, but Mr. Mitra enumerated in the same Report the reasons which led to the too rapid promotions and accepted them as sufficient for not reversing the promotions.

(b) No.

SALARIES IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

401. ***Mr. Muhammad Rafique:** (a) With reference to the reply given to question No. 915 on the 25th September, 1928, will the Government be pleased to state on what date the competitive examination for recruitment of the clerical staff was held by the Controller of Railway Accounts before 1929?

(b) Under what rules were the men appointed from 1925 to 1928 given high salaries in the Railway Clearing Accounts Office?

Mr. A. A. L. Parsons: (a) No competitive examination for recruitment of the clerical staff was held before 1929.

(b) Prior to the introduction of competitive examination, the officer in charge of the Clearing House experiment and the Director, Railway Clearing Accounts Office, like other Heads of Offices, were empowered to recruit staff under powers delegated to them.

PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

402. ***Mr. Muhammad Rafique:** Will Government be pleased to state the reasons why one Mr. Mangal Das has been given an officiating chance of a senior Accountant, while a Muslim, B.A., LL.B., who has passed the Calcutta Training Accounts Class Examination, is still working as a clerk in the Railway Clearing Accounts Office? Is it a fact that the former is an unqualified man?

Mr. A. A. L. Parsons: It is not a fact that Mr. Mangal Das (who has also passed the Training Class examination) has been promoted as officiating Senior Accountant?

RECRUITMENT OF THE STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE:

403. ***Mr. Muhammad Rafique:** (a) Is it a fact that the recruitment and selection for the Railway Clearing House experiment was done by Mr. W. H. Scott and Rai Bahadur Faqir Chand, as stated by Mr. Mitra in his seniority Report, and the only qualification required for recruitment was the confidence of these officers?

(b) Is it not against the statement made by the Financial Commissioner, Railways, on the floor of this House that the recruitment is made by the Director and that the Rai Bahadur has no hand in it?

Mr. A. A. L. Parsons: (a) Prior to the introduction of the new rules of recruitment, the responsibility for the selection and recruitment of staff for the Railway Clearing Accounts Office rested entirely with the Director. It was open to him, as to other heads of offices, to avail himself of the help of his assistants, if he desired to do so.

(b) No.

APPOINTMENT OF ACCOUNTANTS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

404. ***Mr. Muhammad Rafique:** (a) Is it a fact that nine unqualified accountants were taken in the Railway Clearing Accounts Office?

(b) How many of them were Muslims?

Mr. A. A. L. Parsons: (a) Five of the nine accountants referred to by the Honourable Member came in as such with the staff transferred to the Clearing Accounts Office from other Railways, the other four were promoted from the office under the rules then in force, in the absence of passed men in the office.

(b) Two were Muslims and one was a Sikh.

STAFF EMPLOYED FOR THE RATES REGISTER EXPERIMENT.

405. ***Mr. Muhammad Rafique:** Will Government be pleased to state the present total strength of the staff employed in connection with the Rates Register Experiment in different grades and how many of them are Muslims?

Mr. A. A. L. Parsons: I lay on the table a statement giving the information required.

Statement showing the staff employed in the Rates Register Experiment.

Statement showing the staff employed in the *State Engineer's Department*.

Particulars of staff.	Source from which taken.				Total.	Communities to which belong.				Total.
	C. A. O.	Other Offices.				Hindus.	Moham- madans.	Sikhs.	Chris- tians.	
		Audit Office C. A. O.	N. W. Railway.	S. P. Railway.						
1. Accounts Officer, Gr. 1 (800—50—1,350 plus special pay of Rs. 250).	1	..	..	..	1	1	..	..	..	1
2. Assistant Accounts Officers (350—30—800).	2	..	..	..	2	2	..	..	..	2
3. Accountants, Grade I (290—20—450).	2	..	..	..	2	1	..	1	..	2
4. Accountants, Grade II (150—15—270).	2	..	..	..	2	2	..	..	..	2
5. Senior Sub-head (130—8—170—10—200).	1	..	..	..	1	1	..	..	..	1
6. Junior Sub-head (130—8—170).	14	1	..	..	15	13	2	..	..	15
7. Clerks, Class I (100—5—120).	20	..	1	2	23	20	1	2	..	23
8. Clerks, Class II (60—5—90).	9	..	..	..	9	7	2	..	..	9
9. Clerks, Class III (40—4—80).	12	..	..	7	19	17	2	..	..	19
10. Punchers (36—2—60).	4	..	1	39	44	28	12	2	2	44
11. Care-taker (Rs. 80 fixed).	..	..	..	1	1	..	..	..	1	1
Total	67	1	2	47*	119	92	19	5	3	119
						30	12	2	3	47

* Newly recruited staff

* Newly recruited staff

OFFICE HOURS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

406. ***Mr. Muhammad Rafique:** (a) With reference to the reply given to question No. 668, on the 19th February 1929, will Government be pleased to state the reasons for increasing the office hours by half an hour when in all audit offices before and after the introduction of the Clearing House Experiment, and even in the Railway Board and other Government offices the office hours are from 10 to 4 or 10-30 to 4-30 with an interval of half an hour?

(b) Do Government propose to reduce it by half an hour? If not, why not?

Mr. A. A. L. Parsons: (a) The working hours are only six as in other accounts offices in Delhi.

(b) No.

APPOINTMENT OF RAI BAHADUR FAQIR CHAND IN CONNECTION WITH THE RATES REGISTER EXPERIMENT.

407. ***Mr. Muhammad Rafique:** (a) Is it a fact that Rai Bahadur Faqir Chand has been appointed as an officer on special duty in connection with the Rates Register Experiment and that he has been empowered to recruit men for the same office?

(b) What special allowance has he been given?

Mr. A. A. L. Parsons: (a) The Honourable Member is referred to the reply given to his starred question No. 245 on the 5th February, 1930.

(b) A special pay of Rs. 250 per mensem.

APPOINTMENT OF MUSLIM CLERKS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

408. ***Mr. Muhammad Rafique:** Will Government be pleased to state:

(a) How many men appeared in the Railway Clearing Accounts Office Clerks Class 1 Examination recently?

(b) How many of them passed and what was the number of the Muslims?

(c) What is the number of vacancies in that grade?

(d) How many of them have been reserved for the members of the minority communities?

Mr. A. A. L. Parsons: (a) 165, of whom 14 were Muslims.

(b) 51 men passed, of whom four were Muslims.

(c) Nil at present.

(d) There is no reservation of posts in higher grades for promotion of members of minority communities.

APPOINTMENT OF MUSLIMS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

409. ***Mr. Muhammad Rafique:** Will Government be pleased to state:

(a) How many vacancies occurred from 1st September 1928 to 31st December 1929 in the Railway Clearing Accounts Office?

(b) How many of them were filled by Muslims?

Mr. A. A. L. Parsons: (a) The information is being collected and will be furnished to the Honourable Member in due course.

(b) The Honourable Member is referred to the reply given to a similar question No. 875 in the Simla Session of 1928, asked by the Honourable Member, Mr. Abdul Matin Chaudhry.

PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

410. ***Mr. Muhammad Rafique:** (a) Is it a fact that Mr. Mitra has given in his Report (on the seniority of Railway Clearing Accounts Office staff), a list of 17 men who have been given too rapid promotions?

(b) Is it a fact that out of that list only one is a member of minority communities?

(c) Will Government place a copy of that Report in the Library?

Mr. A. A. L. Parsons: (a) and (b). Yes.

(c) A copy of the Report is available in the Library of the House.

APPOINTMENT OF ACCOUNTANTS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

411. ***Mr. Muhammad Rafique:** (a) Is it a fact that nine unqualified men were appointed as accountants who had not passed any examination (as mentioned in para. 7 of Mr. Mitra's Report on the seniority of Railway Clearing Accounts Office staff)?

(b) Is it a fact that out of that number only one was a Muslim?

(c) If the answer to parts (a) and (b) be in affirmative, what action was taken by the Government to redress communal inequalities when, according to the Government of India circular, 33 per cent. of the posts ought to have been reserved for the minorities and the remaining distributed proportionately?

(d) What action do Government propose to take against those who do not follow the policy laid down by Government?

Mr. A. A. L. Parsons: (a) and (b). The Honourable Member is referred to the answer which I have just given to his question No. 404.

(c) The percentage prescribed for the minority communities is to be observed in initial recruitment and not in making promotions amongst the staff, although in this particular case, three out of the nine men referred to belonged to the minority communities.

(d) Does not arise.

RESERVATION OF POSTS FOR MINORITY COMMUNITIES IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

412. ***Mr. Muhammad Rafique:** Did Mr. Mitra in his Report on the seniority of Railway Clearing Accounts Office staff recommend that there should be a certain percentage in the higher grades reserved for minorities?

Mr. A. A. L. Parsons: No.

PASSENGER FARES IN THE INDIAN STATE AIR SERVICE.

413. *Mr. K. C. Neogy: (a) With reference to the passenger fares prescribed for the Indian State Air Service, and the prescribed free allowance of 221 lbs., including a passenger's own weight, have Government considered the possibility of cases in which the weight of individual passengers may exceed 221 lbs.?

(b) If so, will the excess weight of such a passenger be charged for at excess luggage rates or at freight rates?

(c) In the case of a couple, married or otherwise, booked together, will the average weight of each determine the fare?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) At excess luggage rates.

(c) Individual passages only can be booked.

Mr. Gaya Prasad Singh: Are Government aware that there are some Honourable Members in this House whose own weight exceeds that prescribed in the schedule of the State Air Service? (Laughter.)

The Honourable Sir Bhupendra Nath Mitra: I shall be disinclined to subscribe to that statement.

REPORT OF THE CONFERENCE ON DOMINION AND MERCHANT SHIPPING LEGISLATION.

414. *Mr. Sarabhai Nemchand Haji: (a) Will Government please state if they have received the Report of the Conference on Dominion Legislation and Merchant Shipping Legislation?

(b) What steps have Government taken to obtain non-official Indian opinion on the various sections of the Report?

(c) Regarding the part of the report dealing with Merchant Shipping Legislation, have Government invited the opinion of the Indian National Steamship Owners' Association?

The Honourable Sir George Rainy: (a) Yes.

(b) The Report has been published and copies have been supplied to Members of the Indian Legislature and commercial bodies.

(c) The Indian National Steamship Owners' Association has also been supplied with a copy of the Report.

Mr. Sarabhai Nemchand Haji: May I ask a supplementary question, Sir? Were the opinions of these bodies invited on this Report at the time when they were furnished with copies of the Report? Was it indicated to them that Government desired to have their opinions on the subject matter of that Report?

The Honourable Sir George Rainy: No, Sir; but I have not the least doubt that commercial bodies do hold opinions on this matter, and they will not hesitate to communicate their opinions to the Government of India.

LOADLINE OF MERCHANT SHIPS.

415. *Mr. Sarabhai Nemchand Haji: (a) Has the attention of Government been drawn to the Report of the Committee on Loadline of Merchant Ships recently issued in London?

(b) Will Government please state the steps they have taken to invite the opinion of Indian shipowning interests on the Report of the Loadline Committee?

(c) Is it a fact that the Board of Trade propose to summon an international conference to consider the above-mentioned Report to get international agreement on the subject of loadline of steamers?

(d) Will Government please state if India has been invited to participate in the deliberations of the proposed conference; if so, what arrangements do they propose to make to associate Indian shipping interests with the deliberations of the conference?

The Honourable Sir George Rainy: (a) Government have received a copy of the Report through the India Office.

(b) The opinion of shipping interests in India will be invited on the receipt of further copies of the Report.

(c) Yes.

(d) The answer to the first part is in the affirmative. As regards the latter part, the representation of India at the Conference is under consideration.

Mr. Sarabhai Nemchand Haji: When Government consider the representation of India at this Conference, will they consider the desirability of getting genuine Indian national representation at this Conference?

The Honourable Sir George Rainy: They will certainly consider the question of giving representation to Indian steamship companies.

Mr. Sarabhai Nemchand Haji: Will Government further see to it that under the term "Indian Nationals" they will not include European interests, as has been the practice of late?

The Honourable Sir George Rainy: The matters, Sir, which will be dealt with at this Conference, are very technical, and one of the points which the Government of India will have to take into consideration is that their delegation should be adequately organised in that respect.

TENDERS FOR THE SUPPLY OF STONE BALLAST FOR THE NORTH WESTERN RAILWAY.

416. *Lala Rang Behari Lal: (a) Will Government be pleased to state if it is a fact that, in September 1928, the Divisional Superintendent, North Western Railway, Delhi, had called for tenders for the supply of 22 lakhs of stone ballast from the Mochibagh and Delhi Kishanganj quarries, of which one was given to the lowest tenderer, whereas the other was not given to the lowest tenderer, although it was of the firm which had been supplying ballast to the North Western Railway for the last 15 years?

(b) If the reply to part (a) be in the affirmative, are Government aware that the tender of another firm was recommended and accepted by the Agent, although it was 0-12-0 per one hundred cubic feet higher and, if so, will Government state the reason?

(c) Will Government be pleased to state if it is a fact that the tender which was not accepted was of a firm who were the recipients of a bonus of 2½ per cent. for supplying in a remarkably short time?

Mr. A. A. L. Parsons: With your permission, Sir, I should like to answer this and questions Nos. 417 and 418, together.

I am calling for an urgent report from the North Western Railway Administration and will communicate with the Honourable Member as soon as it has been received.

CONDITIONS OF TENDER FOR STONE BALLAST FOR THE NORTH WESTERN RAILWAY.

†417. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if the two principal conditions of the tender and contract referred to in the preceding question were that:

- (1) Measurements of 13" in depth would be considered as 12", and
- (2) Time was of the essence of the contract?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state why it was subsequently altered to 12" in depth instead of 13" to a foot? Did this cause a loss of 8½ per cent. to the Railway?

(c) Will Government be pleased to state if the contractor completed the said contract within the specified time or the time was extended?

(d) If the time was extended, what was the period of extension, and did the contractor complete the work in the extended period?

(e) If the reply to part (d) be in the negative, will Government be pleased to state if the said contractor's security was forfeited under rule 13, Part II, of the North Western Railway Handbook for works?

ORDERS FOR THE SUPPLY OF STONE BALLAST FOR THE NORTH WESTERN RAILWAY.

†418. ***Lala Rang Behari Lal:** (a) Are Government further aware of the fact that a circular was issued by the Agent, North Western Railway to subordinates not to give any further ballast supply contracts without tenders?

(b) If the answer to (a) be in the affirmative, will Government be pleased to state if they are aware that a further order was also given to the previous contractor to supply about 5 lakhs ballast, which cost about Rs. 40,000, without any tenders, although rule 1, Part I of the North Western Railway Works Handbook distinctly states that all works amounting to Rs. 25,000 or above will be let out by tenders?

†For answer to this question, see answer to question No. 416.

(c) If the reply to part (b) be in the affirmative, will Government be pleased to inquire why the conditions as laid down in the Handbook and also the circular letter of the Agent, were ignored and what action do Government propose to take in the matter?

NAUTICAL TRAINING IN ENGLAND AND IN INDIA.

419. ***Dr. B. S. Moonje:** (a) Are Government aware that there are six schools of nautical training in England and that the number of pupils by ages are as follows?

(i) Under 13 years of age	..	..	..	22
(ii) 13 and under 14 years of age	..	..	..	255
(iii) 14 and under 15 years of age	..	..	..	777
(iv) 15 and under 16 years of age	..	..	..	421
(v) 16 years of age and over	..	..	..	109
Total				1,584

(b) If the answer to part (a) is in the affirmative, what arrangements are made in India, in view of the Government proposals for expansion of the Royal Indian Marine and for establishing a Royal Indian Navy, for similar training of Indian boys? How many Indian boys, if any, are under similar training at present in India?

(c) Besides the ordinary book education, what other technical subjects are taught which form the speciality of the nautical training schools in England?

(d) Besides the ordinary book education, what other technical subjects are taught to Indian boys under training on the "Dufferin" ship to give a speciality of its own to it?

Mr. G. M. Young: (a) There are considerably more than six training institutions in the United Kingdom, the primary object of which is to train boys for the Royal Navy and the Mercantile Marine. Government have no precise information of the number of boys at present under training in those institutions or their ages.

(b) The training of boys in the Royal Indian Marine is carried out in the depot ship "Dalhousie" which is stationed at Bombay. There are at present 103 boys under training.

(c) The boys are given instruction in practical seamanship—including boat work, knots and splices, lead and log line, flags and signals, steering, anchors, cables, rockets, boat hoisting and lowering, barometer, thermometer, and aneroid, etc.

(d) Meteorology, Navigation, Nautical Astronomy, Seamanship and Magnetism.

ARTILLERY CAMPS FOR INSTRUCTION OF TERRITORIAL UNITS AND UNIVERSITY TRAINING CORPS.

420. ***Dr. B. S. Moonje:** (a) Has the attention of Government been drawn to a report appearing in the *Pioneer* of Saturday, the 1st February, 1930, page 14, of the Auxiliary Force camp of exercise and of its interesting and varied programme?

(b) If so, will Government be pleased to state how far are the Bhaghara Chatham Lines, where the Allahabad Auxiliary Force held from the 18th January, to the 26th January, their annual camp of exercise, from Mat-deori, where the artillery annual practice camp was held on the 24th January, 1930, of the 19th Field Battery R. A., A. F. I., commanded by Captain W. S. R. Jervis?

(c) Was the Auxiliary Force camp associated, in any way with the artillery camp, so that the Allahabad Auxiliary Force might have an occasion to witness and learn artillery shooting?

(d) If so, do Government propose to arrange similar artillery camps for the benefit of the Territorial units and the University Training Corps?

Mr. G. M. Young: (a) Yes.

(b) About two miles.

(c) No, Sir. The force was camped together in the Chatham lines, but the other units did not witness the artillery practice, nor could they have learnt artillery shooting by doing so.

(d) Does not arise.

MUSKETRY SCHOOLS FOR THE UNIVERSITY TRAINING CORPS AND TERRITORIAL UNITS.

421. ***Dr. B. S. Moonje:** (a) Will Government please state if the small arms and musketry schools are open to men and officers of the University Training Corps and the several Territorial units?

(b) If so, will Government please state how many men and officers of these corps and units have so far received training in these schools?

Mr. G. M. Young: (a) and (b). Officers and men of the Indian Territorial Force are not debarred from training at the schools mentioned, but none have as yet undergone such training.

The courses last 11 weeks for non-commissioned officers and 6 weeks for officers. Applicants are required to pass a preliminary examination.

I am informed that there have been no applications during the last year from officers or non-commissioned officers of the Indian Territorial Force to attend these courses. Few officers, and still fewer non-commissioned officers, could afford the time, even if they have the inclination, to leave their ordinary avocations for these periods, in addition to their annual compulsory training. Those who can afford the time would increase their military efficiency very much more by attachment to a regular unit than by going in for specialist courses. Officers of the permanent staff of the University Training Corps and Indian Territorial Force Units are, however, trained at the schools with the object of passing, on the instruction that they receive to the personnel of their units.

Dr. B. S. Moonje: Supposing that officers of the University Training Corps apply for permission for training, will Government arrange for the training?

Mr. G. M. Young: That would depend upon whether there was a vacancy available at the school at the time.

Dr. B. S. Moonje: Supposing there is a vacancy available, will the Government make arrangements.

Mr. President: That is a hypothetical question.

TRAINING OF INDIANS IN AVIATION.

422. ***Dr. B. S. Moonje:** (a) Is it a fact that in England boys are recruited as officers in the Royal Air Force for what is called short service and are then trained at one of the Air Force flying schools?

(b) If so, is it a fact that most of these officers, after completing their short service, generally go in for civil aviation?

(c) If so, do Government propose to make similar arrangements for Indian boys?

Mr. G. M. Young: (a) Yes.

(b) No, Sir. Only a very minute proportion of short service Royal Air Force officers obtain employment in civil aviation after the termination of their active service. The large majority of them go into other professions.

(c) No, Sir. The object of the short service commission is to provide a reserve of pilots for war. All short service commissioned officers in the Royal Air Force serve for five years in the Royal Air Force Reserve after completing their active service. It is clearly necessary to establish a regular Indian unit before starting to create a reserve.

RECRUITMENT OF INDIANS TO THE ARMY EDUCATIONAL CORPS.

423. ***Dr. B. S. Moonje:** (a) Will Government be pleased to lay on the table a copy of the rules and regulations concerning recruitment to the Army Educational Corps?

(b) Do Government propose to institute recruitment to the corps preferably from Indian University men?

Mr. G. M. Young: (a) A copy of War Office Army Order No. 231, dated June 15th, 1920, containing the rules for appointment to the Army Educational Corps, has been placed in the Library.

(b) No, Sir. The Corps is part of the British Army, liable to serve in Great Britain and any other part of the world in which there are British troops, to whose educational needs it is intended to minister.

Dr. B. S. Moonje: Have Government got any scheme for starting an Educational Corps for the Indian Army?

Mr. G. M. Young: I should hardly like to answer that question without notice. There is no separate Indian Educational Corps: but the arrangements made for education in the Indian Army include the Army School of Education at Belgaum, where the teachers are trained.

ESTABLISHMENT OF AN INDIAN AIR SQUADRON.

424. ***Dr. B. S. Moonje:** (a) Do Government propose to establish an Indian air squadron in India at an early date?

(b) If so, when and how do Government propose to recruit officers and the rank and file for the squadron?

(c) How do Government propose to train the rank and file of the squadron?

Mr. G. M. Young: (a) Yes.

(b) The officers will be required to pass the qualifying examination for the Royal Air Force Cadet College at Cranwell and to go there for the normal course of training which takes two years. As the Honourable Member is aware, six Indian candidates have recently passed the examination. The rank and file will be recruited in India from suitable applicants of the artisan class as soon as the first batch of cadets go to Cranwell.

(c) The recruits for the rank and file will be sent to the Royal Air Force Aircraft Depot at Karachi, where they will receive specialist training in the maintenance of aircraft, engines, etc., under British instructors. Government hope, that after two years of such training, by which time the cadets will have completed their course at Cranwell, the rank and file will be sufficiently qualified to be posted to the first Flight of the Indian Squadron.

TRAINING OF INDIAN BOYS FOR THE AIR FORCE.

425. *Dr. B. S. Moonje: (a) Is it a fact:

- (i) That in England one thousand boy apprentices or even more are required every year by the Royal Air Force;
- (ii) That they are drawn mainly from secondary schools and other day and night schools;
- (iii) That they are then trained for three years or more in the training schools of the Air Force as mechanics, pilots, aircraftmen, etc.;
- (iv) That out of these trained boys, some are selected as non-commissioned officers, some are sent up to Cranwell for training as commissioned officers and the remainder are employed as rank and file in the Air Force; and
- (v) That these boy mechanics and apprentices receive training for three or more years, along with general education, as Carpenter (Regger), Fitter (Aero Engine), in Electrical trades (Electricians and wireless operators) and a number of other important trades such as pattern making, coppersmiths' work, instrument making, turning, etc., at practically no cost to them?

(b) How do Government propose to give such preliminary training as airmen to Indian boys for preparing India to undertake the full responsibility for further development of aviation in India?

(c) Do Government propose to send a number of well selected boy mechanics and apprentices for training in England as British boys are trained, or to provide facilities for such training in India?

Mr. G. M. Young: (a) (i). Government have no exact information of the number of boys required annually for training as Royal Air Force apprentices, but the Honourable Member's figures are probably approximately correct.

(ii) I am told that the boys are drawn from all classes of schools, including public schools, but that most of them come from grammar schools, secondary and board schools.

(iii) Boy apprentices are not trained as pilots. They are trained for three years, either for general trades at Halton or for electrical or wireless trades at Cranwell.

(iv) Yes, but the numbers selected for the grant of cadetships at Cranwell does not exceed 12 a year.

(v) The Honourable Member's statement is generally correct, but the boys so trained enter into contracts to serve in the Royal Air Force in any part of the world for 12 years unless they purchase their discharge from the service within three months from entering it. To do so costs £20.

(b) Assuming that this part of the question refers only to the training of Indians for the Indian Air Squadron, the answer is that the necessary preliminary training will be provided in the Royal Air Force Aircraft Depot at Karachi.

(c) Indian boys can be fully trained as mechanics and apprentices in India. There is no necessity therefore to send them to England.

RECRUITMENT TO THE ARMY EDUCATIONAL CORPS AND SIMILAR SERVICES.

426. *Dr. B. S. Moonje: (a) Will Government be pleased to lay on the table copies of rules and regulations concerning recruitment of officers for the Corps of Military Accountants, the Army Pay Corps, the Army Educational Corps, the Army Medical Corps and the Army Veterinary Corps?

(b) Is it a fact that in England recruitment is also partly made directly from members of civil professions of these categories?

(c) Are Government aware that in England men holding University degrees are much preferred for recruitment as officers in the Army Educational Corps?

(d) If so, do Government propose to institute a similar practice in India?

Mr. G. M. Young: (a) and (b). The Government of India have no information regarding the first two Corps, which are not employed in India. Copies of the rules for the Army Educational Corps and the Royal Army Medical Corps have been placed in the Library. No copy of the rules for admission to the Royal Army Veterinary Corps is available. Most of the officers of the Army Educational Corps are taken from the regular Army, but Government understand that a few have been recruited from civil sources in the United Kingdom.

The answer to part (b), in respect of both the Royal Army Medical Corps and the Royal Army Veterinary Corps is in the affirmative. All the candidates are civilians.

(c) Government understand that the possession of a University Honours degree is considered a desirable qualification.

(d) There is no separate Educational Corps in the Indian Army, but educational training in the Indian Army is carried out by Indian military officers and non-commissioned officers, who are seconded from their units and specially trained at the Army School of Education in Belgaum. Government consider that the present system provides the best method of meeting the educational needs of the Indian Army.

RECRUITMENT OF OFFICERS FOR THE ARMY BY NOMINATION FROM UNIVERSITIES.

427. *Dr. B. S. Moonje: (a) Is it a fact that in England recruitment of officers for the Army is also made, in addition to admissions through

Woolwich and Sandhurst, by nominations from Universities and by transfer on passing the required examination from the Reserve and the Territorial Forces?

(b) Are Government aware that in England recruitment by nominations from Universities is much preferred for the reasons:

- (i) That it avoids early specialisation through Woolwich and Sandhurst, thus ensuring a more liberal education;
- (ii) That in many ways it admirably equips a man for administrative positions later in his career; and
- (iii) That those who have exceeded the age limit for admission to Woolwich and Sandhurst and yet desire to seek a military career, can be given a chance?

(c) If so, do Government propose to establish a similar practice in India?

Mr. G. M. Young: (a) Yes, Sir.

(b) The Honourable Member has stated some of the advantages of the system of University Commissions, but its great value lies in the admixture of a comparatively small element of University men with the principal source of supply, which must continue to be found in the cadet colleges. It is not a fact that recruitment from the Universities is much preferred in the United Kingdom or that the bulk of Army officers could ever be obtained from that source.

(c) Not at present. I would draw the attention of the Honourable Member to the recommendations made in paragraphs 29 and 30 of the Indian Sandhurst Committee's Report.

CADET SCHOLARSHIPS.

428. ***Dr. B. S. Moonje:** (a) Are Government aware that in England cadet scholarships are awarded to successful cadets, after each competitive examination, in the order of merit?

(b) If so, are Government prepared to establish similar scholarships for those Indian cadets also who are not sons of soldiers in the Indian Army?

Mr. G. M. Young: (a) The answer is in the negative. Cadet scholarships are awarded after the first year of instruction, and not after the competitive examination. They are restricted to the sons of military officers or of those who served in the army during the war.

(b) Does not arise.

Dr. B. S. Moonje: Have the Government any scheme for the establishment of scholarships for the sons of those who are not military men?

Mr. G. M. Young: Here, again, I hardly like to give an answer without notice, but I think there are some scholarships already which are not restricted to boys who are the sons of soldiers.

Dr. B. S. Moonje: What is their number?

Mr. G. M. Young: That, Sir, I certainly cannot answer without notice.

GRANT TO INDIANS OF SHORT SERVICE COMMISSIONS IN THE ROYAL AIR FORCE.

429. ***Dr. B. S. Moonje:** (a) Is it a fact that in England suitably qualified civilian candidates, who do not wish to make the Air Force their permanent profession, are accepted without examination, other than a medical one, for short service commissions for a period of four or five years and are then trained in Royal Air Force Flying training schools, and receive instruction in aviation and aeronautical military and technical subjects, so that, after acquiring a knowledge of flying, aero engines, mechanical engineering and allied matter, they may, after completing their four or five years' service as commissioned officers in the Royal Air Force, be fit for employment in the commercial aviation industry?

(b) If so, do Government propose to take Indians similarly for short service commissions?

Mr. G. M. Young: (a) and (b). The Honourable Member is referred to the answer to question No. 422. Although there is no specific entrance examination for short service commissioned officers, the Examining Board in England require to be satisfied that the candidates have received either a public school education or an education of an equivalent standard.

FORMATION OF AN INDIAN AIR FORCE.

430. ***Dr. B. S. Moonje:** (a) Has the attention of Government been drawn to the reply given by the Right Honourable Mr. Wedgwood Benn, Secretary of State for India, regarding the formation of an Indian Air Force?

(b) If so, do Government propose to introduce in India the practice in vogue in England of enlisting boy mechanics between the ages of 15 and 16½ years as rank and file and also as non-commissioned officers in the proposed Indian Air Force? Do Government propose to establish an Indian Air Force Medical Service? If so, when and how do Government propose to recruit officers for such a service?

Mr. G. M. Young: (a) Yes.

(b) The Honourable Member appears to be under some misapprehension. The Indians required as mechanics for the Indian Air Force will be trained in India in the manner described in the answer to his question No. 424. In England no facilities are provided at the public expense for the training of pilots or mechanics for civil aviation and it is not for the Royal Air Force in this country to provide training for that purpose. Government do not propose at this stage to form a separate Indian Air Force Medical Service.

Mr. K. C. Roy: May I inquire whether it is the intention of the Government of India to form an Indian Air Force?

Mr. G. M. Young: Quite clearly so.

Mr. K. C. Roy: What will be the estimated cost?

Mr. G. M. Young: That will depend on the size to which the Force, ultimately expands.

CONTROL OF TRAVELLING TICKET INSPECTORS.

431. ***Mr. B. Das:** (a) Will Government be pleased to state the existing practice of control and direction of the Travelling Ticket Inspectors in the different State Railways?

(b) Is it a fact that the Travelling Ticket Inspectors, including the crew system, do usually work under the Accounts and Audit Department of most of the Railways?

(c) Will Government be pleased to state the reasons that led the North Western Railway to place in certain divisions its staff of Travelling Ticket Inspectors under the Traffic Department?

Mr. A. A. L. Parsons: (a) Travelling Ticket Inspectors on State-managed railways are under the control and direction of the Traffic Department except on the East Indian Railway where they are under the control of the Accounts Department of that Railway.

(b) No.

(c) Prior to September, 1927, the Travelling Ticket Inspectors on the North Western Railway were under the Audit Department. In September, 1927, it was decided to place these on four out of the seven Divisions of that Railway under the Traffic Department as an experimental measure. In January, 1928, it was decided to place all Travelling Ticket Inspectors on the North Western Railway under the Traffic Department.

IRREGULARITIES OF TRAVELLING TICKET INSPECTORS.

432. ***Mr. B. Das:** (a) Has the attention of Government been drawn to the articles in the *Hindu Herald* of Lahore of the 13th September, 1929, the 8th January, 1930 and the 20th January, 1930, regarding the irregularities of Travelling Ticket Inspectors and Head Travelling Ticket Inspectors of the North Western Railway, specially of the Delhi Division?

(b) Are Government aware that, while Head Travelling Ticket Inspectors in certain divisions travel in uniform while working, a few do not do so?

(c) Is it a fact that the Head Travelling Ticket Inspector of Delhi Division was drawing a daily allowance of Rs. 8 per diem or more while officers of superior services only draw Rs. 5 to Rs. 6 as daily allowances?

(d) Is it a fact that there were allegations against the Head Travelling Ticket Inspector of Delhi Division for charging false mileage and drawing travelling allowances against rules? Has any departmental inquiry been made? If so, with what result?

Mr. A. A. L. Parsons: (a) Yes

(b) Yes.

(c) I am informed that the Head Travelling Ticket Inspector of the Delhi Division has drawn travelling allowance averaging somewhere in the neighbourhood of Rs. 8 a day.

(d) I understand that the reply to the first portion of this question is in the affirmative, and that, as regards the second and third portions of this question, an inquiry has been instituted by the North Western Railway and is not yet completed.

ALLOWANCES OF TRAVELLING TICKET INSPECTORS.

433. ***Mr. B. Das:** (a) What is the usual rate of allowances that is allowed to Travelling Ticket Inspectors, including the crews, on (i) the East Indian Railway, (ii) the North Western Railway, and (iii) the Great Indian Peninsula Railway?

(b) Are Head Travelling Ticket Inspectors in other Divisions of the North Western Railway and in the East Indian Railway and the Great Indian Peninsula Railway allowed such heavy allowances?

(c) Is it a fact that at times the allowances drawn in a month exceed the salary of the month in many cases?

Mr. A. A. L. Parsons: I am obtaining information from the Railways concerned and will communicate with the Honourable Member when it has been received.

IRREGULARITIES OF THE POSTMASTER, AMRITSAR.

434. ***Mr. B. Das:** (a) Has the attention of Government been drawn to the judgment of the Additional District Magistrate of Amritsar, as published in the *Hindu Herald* of Lahore of Saturday, the 8th February, 1930, in which severe strictures have been passed against the Postmaster of Amritsar?

(b) Have Government made any inquiry into the following questions as referred to in that judgment? If so, what are the decisions taken on them?

"In the end I have to say two things. (i) The Investigating Officer of the Post Office, B. Vishwa Nath, who throughout attended the trial, tutored witnesses not only outside the court room, *vide* P. W. 9 Faqir Chand, but persisted in suggesting answers to witnesses in the witness box on crucial moments with the result that I had perforce to ask him to leave the court room, on one hearing.

(ii) The Postmaster tried to put obstacles in the way of an expeditious trial. He made arrangements for Post Office clerks to attend court on the 14th November, 1929, and cancelled them without cause to delay matters. Further he suspended a postman D. W. 31, when he learnt he was going to give evidence in defence."

* * * * *

"Lastly the Postal Inspector and the Postmaster between themselves have suppressed some telegrams and the further statement of a clerk made before the Town Inspectors. Finally, the seals bearing date 13th August, on the Protecting Cover Ex. P. D. which was protected on 12th, must have been with the connivance of the Postmaster and the Inspector. It is a very serious thing, almost a forgery."

(c) With reference to the following observations of the Court, will Government be pleased to state what steps have been taken to standardise the punishment for each of the parties referred to therein?

"Accused has led evidence in order to lay bare the irregularities committed by the Postmaster. I need not dilate upon them but it is true that the Postmaster has been lacking in fairness and justice. For example, on the one hand, Mohammed Latif, postman, is caught red-handed in attempting to misappropriate Rs. 200 and is fined Re. 1 only, on the other Gurdial, postman, is reduced in pay for delivering *Dak* at the door of the slaughter house without going inside. On the one hand he dismisses half a dozen candidates appointed by his predecessor; on the other hand he brings his own people from Lahore and appoints them straightaway without any period of probation, e.g., Nurdin, Nathu and Nasir Mohammed. Rather, he goes much further and allows Nasir Mohammed, a relation of his, to draw pay from the 1st October, 1929, to the 17th October, 1929, for a period for which he never worked. Again on the one hand, he took no action against D. W. 34 Mohammed Latif, postman, for misappropriating Rs. 3 from a money order; on the other he reduced Jai Kishen Das for not wearing a uniform which was dirty and too small for him. Similarly he takes no action against Khuda Bakhsh who paid annas seven less in a money order delivery.

* All these points have been proved by direct evidence of documents and files which are placed on the record."

(d) Will Government be pleased to state if any superior officer any time made any inquiry into the discriminating punishments awarded by the Postmaster, as mentioned in part (c), and how it is that such irregularities escaped the attention of the higher officers?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b), (c) and (d). The Postmaster General, Punjab and North-West Frontier Circle, is inquiring into the matter personally. Suitable action will be taken after the inquiry is completed.

INCOME AND EXPENDITURE OF MILITARY SCHOOLS AND COLLEGES.

435. ***Dr. B. S. Moonje:** Will Government be pleased to supply information in connection with the military schools at Jhelum and Jullundur and the Prince of Wales Royal Military College, Dehra Dun, on the following points:

- (a) The yearly budgets of income and expenditure;
- (b) The sources and amounts of yearly income;
- (c) The numbers on the staffs for education, training, supervision and medical relief;
- (d) The pay and allowances of each on the staffs;
- (e) The yearly expenditure on dairy and its staff, with amounts of milk and butter supply;

(f) The expenditure on the establishment of bakery, aerated water and cooking, and the amount of income, if any, derived from them; and

(g) The lengths of rifle ranges, if any, and yearly amounts of ammunition for miniature and other ranges for rifle practice?

Mr. G. M. Young: (a) The figures for 1929-30 are:

Budget.—Dehra Dun Rs. 2,47,490; Jhelum Rs. 80,000; Jullundur Rs. 83,320.

Receipts from fees.—Dehra Dun Rs. 1,41,750; Jhelum Rs. 11,830; Jullundur Rs. 13,350.

(b) The Army estimates bear the cost, and the receipts from fees are credited to them.

(c) and (d). A statement is laid on the table.

(e) Nil. The Dehra Dun College used to run a dairy, but no longer does so.

(f) There are no separate bakery or cooking establishments. The schools at Jhelum and Jullundur have no mineral water factories. The annual expenditure on the soda-water factory at the Dehra Dun College is Rs. 600, and the income is about Rs. 400.

(g) Miniature ranges only, 25 yards in length, 50 rounds a year for each of the senior boys. The juniors are not allowed to fire.

Statement laid on the table with reference to parts (c) and (d) of starred question No. 435.

1. Dehra Dun College :

(i) Staff for supervision and administration :

1 Commandant (Military). (Appointment abolished from the 2nd March, 1930)	Pay as for a General Staff Officer, 1st Grade.
1 Adjutant and Quartermaster	Pay Rs. 505 per mensem.
1 Ground Superintendent	Pay Rs. 50 per mensem and free quarters.
1 Indian Mess Caterer and Supervisor	Pay Rs. 150—10—200 per mensem and free quarters.
4 Indian clerks	Pay Rs. 50—4—90—3—120 per mensem (As for Indian Corps of Clerks).
1 Mistry in charge of gas engine	Pay Rs. 25 per mensem.
1 Carpenter	Pay Rs. 40 per mensem.
*55 Inferior servants (sweepers, chowkidars, bhistis, chaprassis, etc.)	Nerrick rates of pay.

*Excluding cooks, table servants, etc., whose pay is met out of a contract allowance. The numbers employed vary from time to time.

(ii) *Staff for education and training :*

1 Headmaster	Pay as for the Lower Selection grade of the Indian Educational Service. (Rs. 1,250—1,500 <i>plus</i> overseas pay).
8 Assistant Masters	Pay as for officers of the Indian Educational Service. (Rs. 400—1,500) <i>plus</i> overseas pay).
2 Physical Training Instructors (British warrant officers)	Regimental rates of pay and allowances, (14 sh. and 10 sh. per day, <i>plus</i> the usual allowances).
3 Vernacular teachers	Pay Rs. 180—10—300 per mensem and free quarters.
1 Drawing and Manual Training Master	Pay Rs. 75—5—150 per mensem and free quarters.
3 Religious teachers	Pay Rs. 60—5—100 per mensem and free quarters.
1 Laboratory Assistant	Pay Rs. 75—5—100 per mensem.

(iii) *Staff for medical relief :*

1 Assistant Surgeon	According to grade and service. Present incumbent draws about Rs. 500 per mensem.
1 Matron	Pay Rs. 250—20—350 per mensem and free quarters.
1 Nursing Sister (for 10 weeks in the year if found necessary)	Pay Rs. 330 per mensem.
2 Nursing Orderlies	Pay Rs. 30 and Rs. 25 per mensem.
1 Hospital Cook	Pay Rs. 30 per mensem.
1 Hospital Bhisti	Pay Rs. 15 per mensem.
1 Hospital Sweeper	Pay Rs. 12 per mensem.

Note.—Serious medical cases are treated by the Senior Medical Officer, Dehra Dun.

2. *Jhelum and Jullundur School :*(i) *Staff for supervision and administration :*

1 Commandant (Captain)	Pay Rs. 870 per mensem.
1 Quartermaster Havildar	Pay Rs. 40 per mensem and free quarters.
1 Sanitary Havildar	Pay Rs. 40 per mensem and free quarters.
2 Clerks	Pay Rs. 50—4—90—3—120 (Indian Corps of Clerks).
8 Orderlies for Indian officers	Pay Rs. 15 per mensem each.
Shoemakers, dhobis, barbers and tailors (10 at Jhelum and 6 at Jullundur)	Pay Rs. 25 per mensem average each.
20 Inferior servants (cooks, sweepers, etc.)	Nerrick rates of pay.

(ii) *Staff for education and training :*

1 Headmaster—Subadar-Major	Pay Rs. 300 per mensem (Rs. 525 if Honorary Lieutenant) and free quarters.
2 Masters—Subadars	Pay Rs. 180 per mensem and free quarters.
5 Masters—Jemadars	Pay Rs. 115 per mensem and free quarters.
2 Assistant Masters—Havildars	Pay Rs. 40 per mensem and free quarters.
1 Drill Havildar	Pay Rs. 40 per mensem and free quarters.
1 Vernacular teacher	Pay Rs. 45 per mensem and free quarters.
Religious Teachers. (1 for Jhelum and 2 for Jullundur)	Pay Rs. 75 per mensem and free quarters.
1 Drawing Master	Pay Rs. 70 per mensem.

(iii) *Staff for medical relief :*

1 Sub-Assistant Surgeon	Pay Rs. 160 per mensem and free quarters.
1 Nursing Orderly	Pay Rs. 25 per mensem and free quarters.

Note.—Serious medical cases are sent to the Indian Military Hospital for treatment.

SUPPLY OF HOT WATER AT THE WESTERN HOSTEL.

436. *Sir Darcy Lindsay: (a) Are Government aware that there is considerable inconvenience experienced by residents at the Western Hostel, New Delhi, by the defective and almost primitive arrangements in the supply of hot water for the daily bath?

(b) If the reply is in the affirmative, do Government propose to examine the position and carry out at an early date the original intention of installing a direct hot water service to the bath from a central boiler?

(c) Are Government also prepared to consider the urgency of supplying the bath-rooms with wash basins fitted with hot and cold water connections as is the practice appertaining to first class hotels?

(d) What is the daily charge made to residents for the supply of hot water and the amount of recovery for a full month with all quarters occupied?

The Honourable Sir Bhupendra Nath Mitra: (a) The reply is in the negative. I understand that no representation on this account has been received from any resident of the Western Hostel during the nine years during which it has been occupied.

(b) Does not arise. I understand, however, that there was no original intention of installing a direct hot water service to the bath from a central boiler.

(c) Government do not propose to take any action in the matter until they are satisfied that the inconvenience referred to is generally felt and that the residents are prepared to meet the additional charge which the provision of improved facilities must lead to. I understand that the cost of providing improved facilities will amount to about Rs. 50,000. I should like to add that I understand that the charges now recovered from residents at the Western Hostel are appreciably lower than those levied at first class local hotels from casual residents.

(d) The daily charge is 3 as., and the amount of recovery for a full month with all the quarters occupied would be about Rs. 400 for all the quarters.

Sir Darcy Lindsay: Can the Honourable Member refer me to any first class hotel where there is an extra charge for hot water service?

The Honourable Sir Bhupendra Nath Mitra: In my reply I have not referred to the question of the extra charge for the hot water service. I have referred to the aggregate charge.

Mr. M. A. Jinnah: What was the original intention of the Government to deal with this grave problem?

The Honourable Sir Bhupendra Nath Mitra: There is no question of original intention. All that the Government did intend already exists in the building as it now stands. That was the original intention.

Mr. A. H. Ghuznavi: But why were hot water taps put in those tubs?

The Honourable Sir Bhupendra Nath Mitra: So far as I know, hot water taps were not put in in those tubs. The arrangement is that the hot water has to be taken at certain points and then carried by the bearer into the baths. It may interest my Honourable friends to know that, in my bungalow the arrangement for hot water is probably more primitive than that at the Western Hostel.

Mr. M. A. Jinnah: Is the Honourable Member aware that, in the bath tubs, there is actually a hole for the hot water tap? Was that the original intention of the Government or not?

The Honourable Sir Bhupendra Nath Mitra: My information is that that was not the original intention of the Government.

Mr. M. A. Jinnah: Then why was the hole made? (Laughter.)

†437.*

CONTRACTION AND EXPANSION OF CURRENCY.

438. ***Mr. Mukhtar Singh:** (a) Will Government be pleased to state:

- (i) The normal amount of currency before the war;
- (ii) The normal amount of currency in 1930; and
- (iii) The amount of currency contracted and expanded during the period 1920 to 1930, giving the dates and the amounts when the contraction and expansion has taken place?

(b) Will Government be pleased to state if there are any rules or instructions to expand or contract the amount of currency during the different seasons of the year? If the answer be in the affirmative, will Government be pleased to place a copy of those rules or instructions in the Library of the House?

(c) Will Government be pleased to state if the contraction or expansion of currency has anything to do with seasonal changes in the country or to the export of different raw materials from the country?

The Honourable Sir George Schuster: (a) (i) and (ii). The balance of currency notes in circulation at the beginning of 1914 was 64,57 lakhs and at the beginning of 1920 1,82,91 lakhs. The amount of rupees in circulation is not known. Statement of the last Annual Report of the Controller of the Currency gives the total of rupees coined, but it is impossible to say how many of these are in actual circulation.

(iii) A statement is laid on the table showing the expansions and contractions of the note issue from the 1st January, 1920, to the 31st December, 1929, effected in other ways than the exchange of coin and notes. The net result of these operations was that the amount of notes in circulation on the 31st December, 1929, was 3½ crores less than on 1st January, 1920.

(b) There are no such rules or instructions.

(c) It will be seen from the statement mentioned in the answer to (a) (iii) that in most years there have been contractions during hot weather months and expansions during the cold weather to correspond with the seasonal variations in the demand for currency. The export of raw materials depends primarily on international demand. Obviously when large quantities of crops are being moved, and when prices of such crops are high, more currency will be required than in the slack seasons, or when prices are low. The currency policy of the Government must adapt itself to the needs of the situation, and the provisions for the issue of emergency currency are designed to give elasticity for this purpose.

†This question was withdrawn by the Questioner.

Statement showing expansions and contractions

Expansions +

	1925.					1926.				
	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.
January	+3,00	...	+2,00	...	+5,00	..	...	...	...	...
February	...	...	+4,00	...	+4,00	...	...	...	...	...
March	...	...	...	...	...	...	...	...	...	...
April	...	...	-2,00	...	-2,00	-8,00	...	...	...	-8,00
May	...	+3	-6,00	...	-5,97	...	+5	...	...	+5
June	...	+2	...	...	+2	...	+4	...	...	+4
July	...	...	...	...	...	...	+11	...	...	+11
August	...	-6	...	...	-6	...	+7	...	...	+7
September	...	-1	...	...	-1	-7,00	+2	...	...	-6,98
October	+2,00	...	...	...	+2,00	...	-4,80	...	...	-4,80
November	+1,00	...	...	...	+1,00	-4,00	-1,33	...	...	-5,33
December	+6,00	...	...	...	+6,00	-4,43	-1,50	...	...	-5,93
Total	+12,00	-2	-2,00	...	+9,98	-23,43	-7,34	...	...	-30,77

of Currency from 1925 to 1929.

Contractions —

Figures are in lakhs of rupees.

1927.					1928.					1929.				
Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Total.	Sterling securities.	Securities of the Government of India.	Emergency advances to the Imperial Bank.	Gold.	Silver. Total.
...	...	...	...	...	+1,00	+1,00	+4,00	...	+6,00	...	...	...	+1,11	+1,11
...	...	+2,00	...	+2,00	-67	...	...	...	-67	+2,50	...	-50	...	+2,00
...	...	...	...	...	...	...	-1,00	...	-1,00	...	...	-4,80	+1	-4,49
-5,33	-3,00	-2,00	...	-10,33	...	...	+50	...	+50	-2,00	...	-2,00	...	-69 -4,69
...	-2,00	...	...	-2,00	...	...	+1,50	...	+1,50	...	...	...	...	-31 -31
-2,10	...	...	...	-2,10	...	...	-9,00	...	-9,00	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	-8,00	...	...	...	-11 -8,11
...	...	...	...	...	...	...	...	...	...	...	-4,01	...	...	-54 -4,55
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	-2,55	...	...	-41 -3,26
...	...	...	...	...	...	...	...	+33	+33	-2,67	...	...	...	-88 -3,55
+2,00	...	+4,00	...	+6,00	+1,00	+95	+7,00	+1,01	+9,96	...	...	...	...	...
-5,43	-5,00	+4,00	...	-6,43	+1,33	+1,95	+3,00	+1,34	+7,62	-10,17	-6,86	-7,00	+1,12	-2,94 -25,65

DIVISIONAL SCHEME FOR RAILWAYS.

439. ***Mr. Mukhtar Singh:** (a) Will Government be pleased to state if any scheme known as the divisionalisation scheme was prepared in 1924? If so, will Government be pleased to lay a copy of that scheme on the table?

(b) Is it a fact that under the above-mentioned scheme the East Indian Railway section from Ghaziabad to Kalka was to be made over to the North Western Railway and the section from Ghaziabad to Ambala via Saharanpur was to be made over to the East Indian Railway?

(c) Is it a fact that under that scheme the East Indian Railway section from Ghaziabad to Kalka has been made over to the North Western Railway?

(d) Is it a fact that the Ghaziabad-Ambala section *via* Saharanpur could not be made over to the East Indian Railway on account of the construction of a yard by the North Western Railway?

(e) Is it a fact that the yard referred to in part (d) was completed in 1929, but that still the transfer of the Ambala-Ghaziabad section to the East Indian Railway has not been made?

(f) Will Government be pleased to state when is it likely that the transfer of the above section will be made?

(g) Is it a fact that on account of the above transfer being delayed the East Indian Railway clerks have to be transferred to distant places and have to suffer a great deal of inconvenience?

(h) Is it a fact that the principle underlying the above scheme was to provide Punjab employees with places in the Punjab, and similarly to provide United Provinces employees with places in the United Provinces?

Mr. A. A. L. Parsons: (a) The reply to the first part is in the affirmative. I am sending the Honourable Member a copy of the Report regarding the scheme in question.

(b) The reply to the first part is "yes" and to the latter part "no".

(c) Yes.

(d) to (g). Do not arise.

(h) No.

SHOOTING OF TWO VILLAGERS AT MOTHKI MASJID.

440. ***Munshi Iswar Saran:** (a) Will Government be pleased to state if it is a fact that two villagers were shot at village Mothki Masjid?

(b) Is there any truth in the allegation that they were shot by two soldiers of the Gordon Highlanders?

(c) Has a prosecution been started? If not, why not?

The Honourable Sir James Crerar: (a), (b) and (c). The incident referred to took place on the 30th January last. Three villagers are reported to have been injured with pellets from a shot gun. Their injuries, which were attended to in hospital, were slight. Two soldiers of the Gordon Highlanders are alleged to be implicated in the affair, which is at present under investigation by the police, with a view to the institution of criminal proceedings.

COAL TRAFFIC.

441. ***Mr. A. H. Ghuznavi:** Will Government be pleased to place on the table a statement showing the coal traffic for six months prior to the reduction of coal freight and for six months after the reduction in coal freight?

Mr. A. A. L. Parsons: The statement required is placed on the table.

Statement of coal traffic on Class I Railways.

(Note.—Freight rates for coal were reduced from 1st June, 1929.)

	Coal, coke and patent fuel.				Fuel on revenue account.		Total.	
	For the public.		For foreign railways and Home line construction.		Tons originating.	*Earnings.	Tons originating.	*Earnings.
	Tons originating.	*Earnings.	Tons originating.	*Earnings.				
		Rs.		Rs.		Rs.		Rs.
December 1928 to May 1929 .	7,991,274	3,71,16,865	2,295,721	1,57,69,849	2,213,889	1,19,82,125	12,500,884	6,48,08,839
June 1929 to November 1929	7,042,274	3,03,82,635	1,918,625	1,24,14,928	2,082,087	1,05,55,519	11,042,986	5,33,13,082

* Earnings are for total tons carried.

SPEECHES OF SECRETARIES TO GOVERNMENT MADE IN THE LEGISLATURE.

442. *Mr. E. F. Sykes: Are the speeches of Secretaries to Government delivered in either House of the Indian Legislature to be taken as conveying the views of Government?

The Honourable Sir James Crerar: Secretaries who are Members of the Legislature are certainly competent to state the position of Government, and it may therefore be presumed that their speeches convey the views of Government unless from the context it appears that they are expressing a personal opinion.

UNSTARRED QUESTIONS AND ANSWERS.

INSTITUTION OF AN IMMIGRATION SECRETARIAT.

182. Mr. Gaya Prasad Singh: Has the attention of Government been drawn to the leading article in the *Tanganyika Opinion*, dated the 20th September, 1929 (page 8), under the heading "Government of India, and the Colonies"; and have Government decided to institute a special immigration or colonial secretariat? If not, why not?

Sir Frank Noyce: The attention of Government has been drawn to the article referred to by the Honourable Member. A Joint Secretary was sanctioned for the Department of Education, Health and Lands, with effect from the 16th December, 1927, to pay special attention to overseas work, and recently the Government of India have decided to appoint, from 1st April, 1930, a Deputy Secretary to understudy and assist him. Government consider that these arrangements should be tried for some time. If they prove inadequate, the question of establishing a separate Secretariat for overseas work can be considered.

MEMORANDUM PRESENTED BY THE EAST AFRICAN DEPUTATION.

183. Mr. Gaya Prasad Singh: (a) Will Government be pleased to lay on the table a copy of the memorandum presented to them by the East African Deputation that visited India, under the leadership of Mr. Pandya?

(b) Will Government be pleased to make a statement on the efforts made by them to represent the case of the East African Indians before the Imperial Government, especially after the submission of the memorandum referred to in part (a)?

Sir Frank Noyce: (a) A copy of the memorandum referred to by the Honourable Member has been placed in the Library of the House.

(b) I would invite the Honourable Member's attention to the relevant passage in the address delivered by His Excellency the Viceroy in this House on the 25th January, 1930.

SYSTEM OF TAKING THUMB IMPRESSIONS OF INDIAN IMMIGRANTS TO THE BELGIAN CONGO.

184. Mr. Gaya Prasad Singh: (a) Has the attention of Government been drawn to the leading article in the *Tanganyika Opinion*, dated the 15th November, 1929 (page 10), under the heading "In Congo-Belge"?

(b) Are Government aware that the system of taking thumb impressions from the Indian immigrants to Congo-Belge still continues; and what is the result of the representation "at once" made to His Majesty's Government, as indicated in the reply given to my starred question No. 502 of the 16th September, 1929?

(c) Do Government propose to take any further steps in the matter?

Mr. E. B. Howell: I have not seen the article in question, but inquiries made through His Majesty's Government have elicited the fact that all immigrants to the Belgian Congo, irrespective of their nationality or race, may be required to have their finger prints taken. In the circumstances it is not proposed to make any further representations on the subject.

OVERCROWDING ON THE DECK OF THE "KARAGOLA".

185. Mr. Gaya Prasad Singh: (a) Has the attention of Government been drawn to a report published in the *Tanganyika Opinion*, dated the 29th November, 1929 (page 4), regarding overcrowding on the deck of the "Karagola"?

(b) Are Government aware that Pandit Bhawani Dayal brought the matter to the notice of the Captain of the boat, and the Assistant Port Officer, but without any result?

(c) Are Government aware that persistent complaints have been made from time to time regarding the grievances of deck passengers on board the steamers belonging to the British India Steam Navigation Company, and have Government seen such reports in the *Tanganyika Opinion*, dated the 6th December, 1929 (page 9), the 13th December, 1929 (pages 2 and 10), and the 3rd January, 1930 (page 5)?

(d) What steps have Government taken so far, or do they propose to take now, to ameliorate the condition of deck passengers and remove their legitimate grievances?

The Honourable Sir George Rainy: (a) Government have seen the report referred to.

(b) A few days prior to the arrival of the S.S. "Karagola" at Bombay, a telegram signed by the Social Service League was received by the Port Officer, Bombay, complaining of the conditions under which the deck passengers were travelling on board the said vessel. Immediately upon the arrival of the ship, an inquiry was made by the Assistant Port Officer, the Principal Engineer and the Ship Surveyor, and it was found that there had been no breach of the statutory requirements. It is also understood that a deputation of the deck passengers complained to the Master as soon as the vessel left Mombassa that she was overcrowded, that the Master explained that the space allotted was in excess of the requirements of the rules, and that he and the Chief Officer visited the passenger spaces and did what was possible to make the passengers comfortable by a re-arrangement of their baggage, which appeared to be the cause of the complaints.

(c) Government have seen the reports referred to.

(d) The rules governing native passenger ships were revised last year, after a careful examination of the problems affecting the deck passenger

trade. Under the revised rules, the space to be available for each deck passenger has been increased, and a higher standard of sanitary arrangements has been prescribed. Government do not propose to take any further action.

OPENING OF A TELEGRAPH OFFICE AT TALEGAON DASHASAR.

186. **Mr. M. S. Aney:** (a) Will Government be pleased to state whether the residents of Talegaon Dashasar in Taluk Chandur of Amraoti District, in East Berar had applied in the year 1920, to the Postmaster General, Nagpur, for opening a telegraph office there and the Postmaster General informed them by his letter No. E.-21/40, dated 31st July, 1920, that the said telegraph office would be opened on the execution of an indemnity bond by the residents of the town for an annual guarantee of Rs. 272 for a period of 10 years to cover the costs of construction of the telegraph line to, and maintenance of the telegraph office at, the town.

(b) Is it a fact that the residents of the aforesaid place duly informed on the 8th May, 1924, the Postmaster General, Nagpur, through the Superintendent of Post Offices, East Berar Division, Amraoti, of their willingness to execute the indemnity bond and submitted a bond duly executed by them to the Deputy Commissioner of Amraoti District, as required in the aforesaid letter of the Postmaster General, Nagpur?

(c) Will Government be pleased to state whether the Postmaster General, Central Circle, Nagpur, instead of taking steps to open the telegraph office on the receipt of the above correspondence, as per his orders, dated the 31st July, 1920, directed the Superintendent of Post Offices, East Berar Division, in his letter No. E.-21/40, dated the 19th May, 1924, to inform the residents of the town of Talegaon Dashasar that they would be required to guarantee an annual amount of Rs. 1,123-3-0 for a period of ten years instead of Rs. 272 mentioned in the previous orders?

(d) Will Government be pleased to state whether in reply to further representations on the subject by the residents of Talegaon Dashasar, the Inspector, Post Offices, Wardha Sub-Division, communicated to them in his letter No. 3570, dated Wardha, the 10th January, 1925, that he was directed to demand from them an annual guarantee of Rs. 1,410 for a period of ten years for opening a telegraph office at their place?

(e) Will Government be pleased to furnish the details of the total estimated annual costs of Rs. 1,123-3-0 and Rs. 1,410 mentioned in the two letters referred to above as against Rs. 272 required in the order of the Postmaster General, Nagpur, in the year 1920?

(f) Will Government be pleased to state whether before addressing the letters, dated 19th May, 1924, and 10th January, 1925, demanding guarantees any inquiry was instituted by the Government through their officers to make any estimate of the income likely to be had annually by the opening of a telegraph office at Talegaon Dashasar after carefully considering the volume of trade and commerce carried on at the place annually? If so, will Government be pleased to place the copies of the report on the table for information?

Mr. H. A. Sams: (a) Yes. According to the orders then in force, the Posts and Telegraphs Department demanded a guarantee equivalent to half the estimated annual cost of maintaining and working the office.

(b) It is reported by the Postmaster General that, in 1924, the residents expressed to the Deputy Commissioner their willingness to furnish the guarantee quoted in 1920, but no bond was actually executed by them.

(c) The Government of India decided in 1922 that, instead of demanding a guarantee equivalent to half the estimated cost of maintaining and working an office, the Posts and Telegraphs Department should be protected against loss to the full amount. Further, the system of calculating the amount of the guarantee was revised in 1923 and again in January, 1924, according to which the percentages to be charged on the capital cost were raised and put on a more equitable basis. It was, therefore, necessary to recalculate the amount of the guarantee. The revised amount of the guarantee was found to be Rs. 1,123-8-0, and this amount was duly communicated to the residents for their acceptance.

(d) On receipt of further representations for the opening of a combined office at Talegaon Dashasar, further investigations were made in 1924, and on account of the increased estimated cost of the line and revised apportionment of charges between the Postal and Telegraph Branches of the Office, the revised guarantee of the proposed office was found to be Rs. 1,410-0-0. This amount was accordingly demanded for a term of ten years.

(e) The required details are as follows:

Details of calculation of:

	Guarantee of Rs. 272.	Guarantee of Rs. 1,123-8-0.	Guarantee of Rs. 1,410.
Capital cost of line	4,984 0 0	4,984 0 0	5,950
Provision for Stocking and establishment.	872 1 7	872 1 7	1,035
Total	5,856 1 7	5,856 1 7	6,985
Estimated annual cost of line—			
Interest, Depreciation and Maintenance.	338 11 5	882 3 1	977-91
Estimated annual cost of working office—			
Interest, Depreciation and maintenance on Capital cost of Apparatus, Working expenses, cost of Stationery and Printing, control and audit and general charges.	205 7 2	241 4 0	431-60
Total	544 2 7	1,123 7 1	1409-51
Guarantee	272 0 0 (Half of above)	1,123 8 0	1,410

(f) No. The matter was not brought to the notice of Government and no inquiries were instituted under their orders. The Postmaster General

no doubt must have made investigations into the prospective revenue of the proposed office, but the result of his investigations is not available, as the old records have been destroyed.

OPENING OF A TELEGRAPH OFFICE AT TALEGAON DASHASAR.

187. **Mr. M. S. Aney:** (a) Will Government be pleased to say whether they are aware that the wire connection to the town of Talegaon Dashasar from the line running between Dhamangaon and Yeotmal will be only two to three miles?

(b) Do Government propose to disclose the grounds on which the Postmaster General, Central Circle, rejected the less costly proposal of placing the telegraph office at Talegaon Dashasar on the existing wires in the year 1924, and to urge him to reconsider the same?

(c) Will Government be pleased to state whether it is not a fact that the Posts and Telegraphs Department has been making a considerable profit from the combined post and telegraph offices situated in the four districts of Berar, and the total number of places served by the telegraphic service is comparatively less than that in any other province in British India yielding the same rate of annual profit to the Posts and Telegraphs Department?

(d) Will Government be pleased to say whether they propose to reconsider the subject of the opening of a telegraph office at Talegaon Dashasar and revise the amount of annual guarantee after a careful inquiry into the conditions of trade and commerce at that place?

Mr. H. A. Sams: (a) The distance of Talegaon Dashasar from the line running between Dhamangaon and Yeotmal has been reported to be four miles.

(b) The exact reasons are not known, but the matter is under the further consideration of the Postmaster General.

(c) The accounts are not kept in such detail as to enable the Honourable Member's statement to be checked.

(d) Yes.

STATEMENT OF BUSINESS.

The Honourable Sir James Crerar (Leader of the House): With your permission, Sir, I desire to make a statement as to the probable course of Government business in the week beginning March the 3rd. On that day, being a Gazetted holiday, there will be no sitting of the House. Tuesday the 4th and Wednesday the 5th have been appointed by His Excellency the Governor General for the general discussion of the Budget. On Thursday the 6th, the first business will be the holding of the election for the Central Advisory Council for Railways, and this will be followed by motions for the election of members for the Standing Finance Committee and for the Standing Committee on Roads. Thereafter the outstanding business, if any, of to-day's agenda will be taken up. The further legislative business to be undertaken will be as follows:

The Honourable Sir George Rainy will move to take into consideration and to pass the Bill further to amend the Indian Tariff Act, as reported by the Select Committee, and also the Bill to amend the law relating to the

fostering and development of the Steel Industry in British India, as reported by the Select Committee. The Honourable Sir Bhupendra Nath Mitra will move that the amendments made by the Council of State in the Bill further to amend the Indian Patents and Designs Act, 1911, be taken into consideration. Motions will be made by Mr. Gwynne to take into consideration and pass two Bills already passed this Session by the Council of State, namely, a Bill further to amend the Special Marriage Act, 1872, and a Bill further to amend the Prisons Act, 1894. Lastly, the Honourable the Law Member will move to take into consideration and pass the Repealing and Amending Bill as passed by the Council of State.

Friday the 7th and Saturday the 8th have been allotted by His Excellency the Governor General for the discussion of the Demands for Grants.

ELECTION OF THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

Mr. President: The House will now proceed to elect eleven Members to the Standing Finance Committee for Railways. Out of the 22 candidates, originally nominated, the following have since withdrawn their candidatures:

Mr. S. C. Mitra,

The Revd. J. C. Chatterjee,

Mr. D. K. Lahiri Chaudhury.

Dr. A. Suhrawardy,

Mr. Amar Nath Dutt.

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): I have also withdrawn my candidature. I have since written to the Secretary.

Mr. President: It is very inconvenient that Honourable Members should withdraw at the last moment. Mr. Anwar-ul-Azim also has withdrawn his candidature.

(The ballot was then taken.)

ELECTION OF MEMBERS TO THE GOVERNING BODY OF THE INDIAN RESEARCH FUND ASSOCIATION.

Mr. President: The House will now proceed to elect two Members to sit on the Governing Body of the Indian Research Fund Association. There are three candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

ELECTION OF MEMBERS TO THE COMMITTEE ON PUBLIC ACCOUNTS.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move that the non-official Members of the Assembly do proceed to elect, in the manner required by rule 51 of the Indian Legislative Rules, three Members to be Members of the Committee on Public Accounts in place of Mr. T. A. K. Shervani, Mr. S. C. Mitra and Kumar Ganganand Sinha.

The motion was adopted.

ELECTION OF A MEMBER TO THE STANDING COMMITTEE FOR ROADS.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I beg to move that this Assembly do proceed to elect a Member to the Standing Committee for Roads to fill the vacancy caused by the resignation of his seat in the Assembly by Kumar Ganganand Sinha.

The motion was adopted.

ELECTION OF MEMBERS TO THE COMMITTEE ON PUBLIC ACCOUNTS AND THE STANDING COMMITTEE FOR ROADS.

Mr. President: I may inform Members that for the purpose of election of Members to the Committee on Public Accounts and the Standing Committee for Roads, the Assembly Office will be open to receive nominations up to 12 Noon on Saturday, the 8th March, 1930. The election for the Committee on Public Accounts, if necessary, will be held in this Chamber on Monday, the 17th March, while the election for the Standing Committee for Roads will take place on Thursday, the 13th March, 1930. The elections will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

DEMAND FOR SUPPLEMENTARY GRANT IN RESPECT OF RAILWAYS.

Mr. A. A. L. Parsons (Financial Commissioner, Railways): Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 86,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st March, 1930, in respect of 'Appropriation from the Reserve Fund'."

This is merely a balancing figure, representing the sum which, on the basis of our revised estimate, is required to make up the contribution for the current year to General revenues.

The motion was adopted.

THE CANTONMENTS (HOUSE-ACCOMMODATION AMENDMENT) BILL.

Mr. G. M. Young (Army Secretary): Sir, I beg to move:

"That the Bill further to amend the Cantonments (House-Accommodation) Act, 1923, for certain purposes, as amended, be passed."

When I made this identical motion a week ago, you very kindly advised me to postpone it, in order to see whether any consequential amendments in the Bill were required. There is a consequential and purely formal amendment which is about to be moved by my Honourable friend, Mr. Gwynne. Clause 6 of the Bill has fallen out, and the subsequent clauses have now to be re-numbered. All the other clauses of the Bill have been agreed to by the House. Sir, I move.

Mr. C. W. Gwynne (Home Department: Nominated Official): Sir, I beg to move the formal amendment of which I have given notice, namely:

"That clause 7 be re-numbered as clause 6 and the subsequent clauses be re-numbered consecutively."

The motion was adopted.

Mr. President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the Bill further to amend the Indian Income-tax Act, 1922, for a certain purpose, be taken into consideration."

Sir, I took the occasion of my motion for the introduction of the Bill to explain very fully the objects and reasons of this simple measure. I do not think it will be necessary for me to take the time of the House any longer in giving further explanations. Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Mr. President: The question is:

"That clause 1 stand part of the Bill."

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move:

"That in clause 1, for the brackets and word '(Amendment)', the brackets and words '(Third Amendment)' be substituted."

The motion was adopted.

Mr. President: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Schuster: Sir, I move:

"That the Bill, as amended, be passed."

The motion was adopted.

THE INSOLVENCY LAW (AMENDMENT) BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move:

"That the Bill to amend the law relating to insolvency, for certain purposes, be taken into consideration."

Sir, when I introduced the Bill a few days ago, I indicated its purposes. They are designed to remove certain defects in our insolvency law which have recently been brought to notice. They are fully explained in the Notes on Clauses which are annexed to the Statement of Objects and Reasons. I wish merely to add that the time has come when the whole law of insolvency in India should be thoroughly revised. I am waiting for the monumental work of my Honourable friend, Sir Dinshah Mulla, on Insolvency, and as soon as that is published, I intend to take up the general revision of the law of insolvency. Meanwhile we must be content with the removal of the defects as they come to light. Now, this Bill is intended to remove three such defects, which are fully explained in the Statement of Objects and Reasons. Sir, I move.

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Brojendra Mitter: Sir, I beg to move that the Bill be passed.

The motion was adopted.

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that the Bill further to amend Indian Companies Act, 1913, for certain purposes, be referred to a Select Committee consisting of the Honourable the Law Member, Mr. N. C. Kelkar, Rai Sahib Harbilas Sarda, Mr. Fazal Ibrahim Rahimtulla, Mr. A. H. Ghuznavi, Sir Hugh Cocke, Mr. K. C. Neogy, Mr. R. K. Shanmukham Chetty, and the Mover,

with instructions to report on or before the 6th March, 1930, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

Sir, this Bill deals with an important matter which is of considerable interest to the commercial community, but I do not think that I need give any very lengthy explanation of the objects and genesis of the measure. It will be desirable, however, that I should explain, as briefly as I can, the circumstances which have led up to this piece of legislation.

One of the main objects in passing the Indian Companies' Act of 1913 was to ensure that the accounts of companies were properly audited, and it is obvious that, with the growth of Indian commercial and industrial enterprise and the consequent growth in the number of limited companies, it becomes increasingly important to ensure that the audit of these companies' accounts is effected in such manner as is likely to inspire public confidence. Under the law as it stands, there are at present three classes of auditors who are permitted to audit the accounts of public companies. In the first place, the Governor General in Council is empowered to declare by notification that the members of any institute or association specified in the notification shall be entitled to be appointed to act as auditors of companies. Six associations and institutions have been specified, all of them incorporated in the United Kingdom. Secondly, there are the holders of unrestricted certificates granted by a Local Government, who are entitled to act as auditors of companies throughout British India. The Act itself imposes no limit on the discretion of Local Governments in the matter of granting these unrestricted certificates, but by an arrangement made between the Government of India and the various Local Governments, the grant of these certificates is ordinarily confined to persons who have obtained the Government Diploma in Accountancy of the Accountancy Diploma Board, Bombay. Such persons are not, however, permitted to practise in any particular province without first obtaining a certificate from the Government of that province. Thirdly, come holders of restricted certificates, who are entitled to act as auditors only within the territories of the Local Government granting the certificates.

Now, I do not wish, in anything I say, to reflect in the slightest degree upon the present holders of certificates, but it is necessary to explain the reasons why, not only Government but a large number of non-officials, who are interested in this matter, thought that changes were required. As long ago as 1917, the Government of India, in a letter to the Government of Bombay dealing with the question of extending and improving the system under which auditors' certificates were granted, expressed the view that the ideal system was one by which control is exercised by an autonomous association of professional accountants over the professional discipline of its own members. That is what the Government of India and, I believe, commercial opinion generally look forward to as the ultimate ideal. In the second place, a system under which the grant of unrestricted certificates in India is limited to persons who have obtained their theoretical training at one centre is not likely to be acceptable indefinitely, and if there were no other reason, the ever increasing demand for properly qualified auditors would create the necessity for the establishment of other sources of supply. At the same time, the existence of several entirely independent authorities, widely separate geographically, each laying down its own system of training and imposing its own standards of qualifications, would inevitably result in a variety of standards, and would doubtless tend

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to the establishment of a practice of limiting admission to act as an auditor in any province to persons possessing the provincial qualification. Such a development seems to be clearly undesirable. Commercial and Industrial undertakings are no respectors of provincial boundaries; while comparisons between the standards required by different centres would be unavoidable and would be likely seriously to impede the growth of that confidence on the part of the investing public to which I have already referred. Lastly the perpetuation of such a system renders transition to the ultimate ideal of an autonomous institution, to say the least of it, considerably more difficult.

These are the main considerations by which Government have been guided in deciding to move the Legislature to amend the existing Act in such a way as to centralise the procedure for granting certificates to auditors. The Bill itself is a comparatively simple one. It substitutes the Governor General in Council for the Local Government as the authority empowered to grant certificates and to make rules to regulate the manner in which, and the conditions subject to which, certificates will be granted. At the same time it abolishes the power now vested in the Governor General in Council to allow a member of a specified society to act as auditor in India without the necessity of obtaining an Indian certificate. The new certificate will entitle its holder to act as an auditor of companies throughout British India. The Bill also contains provisions enabling the validity of existing certificates to be saved for a sufficiently long period after the proposed enactment comes into force—an obviously necessary precaution to prevent dislocation of business.

Finally, the Bill leaves certain extremely important matters to be dealt with by rules made under the Act; and of those the most important is the constitution of an Indian Accountancy Board consisting of members representing the interests principally affected or having special knowledge of accountancy to advise the Governor General in Council on all administrative matters and to assist him in maintaining the standards of qualification and conduct of persons enrolled on the Register of Accountants which is proposed to be maintained. The rules may also provide for the establishment of local accountancy boards at selected centres. Some special word of explanation is, I think, desirable in regard to this proposed institution of an Accountancy Board, for herein lies the germ of what Government sincerely hope may develop in course of time into the autonomous body which, we hope, will be eventually established. To the principle of an Accountancy Board and the best method of introducing it into our legislation, a very great deal of careful thought has been devoted. It is not in any way a scheme evolved from the inner consciousness of the Government of India, but one which has been examined, elaborated and approved as the result of conferences and discussions between the Government and leading representatives of non-official expert knowledge and experience. It has met with the general approval of the Local Governments and of commercial and professional opinion. As the scheme was originally drawn up in 1925, it was contemplated that the Accountancy Board itself would, subject to the approval of Government, grant diplomas, prescribe qualifications of auditors, arrange for the conduct of examinations, and be empowered generally to carry out the objects of the scheme. But when the scheme was re-examined a little later, in consultation with commercial and professional opinion to which I have referred, it was unanimously agreed that, at the outset, the Board should be constituted as an advisory

body, and this feature of the proposals has met with the approval of a large majority of those who have been consulted. The guiding idea has been that, at the inception of the scheme and for some little time afterwards, the ultimate responsibility should remain with Government, and that to proceed faster would be to imperil the whole fabric and incur the destruction of public confidence.

Now, Sir, I should like to explain the reason why we do not propose that the constitution of the Accountancy Board should be settled by the Act itself but should be left to rules. That was a decision which was arrived at only after very full and careful consideration. What we feel is that, if the constitution of the Board were finally settled by the Act, the scheme would become too rigid. At the outset, we shall only be feeling our way, and it might be necessary, or very desirable, to make alterations from time to time as experience indicates their desirability. If in order to effect a change, however small, in the composition or constitution of the Indian Accountancy Board, we were obliged to have recourse to fresh legislation, I feel that we should be encumbered by unnecessary difficulties.

Finally, Mr. President, I would like to say this, that from the start, our object has been to proceed in consultation with, and with the approval of, commercial and expert opinion. In framing the rules, we shall act in the same spirit, and before framing the rules I have no doubt that we shall call together those who are likely to be members of the Accountancy Board when it is eventually constituted, so that the rules may be drawn up with the full advantage of their advice and assistance.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, I beg to move that the name of Mr. S. C. Mitra be added to the Select Committee.

The Honourable Sir George Rainy: I have no objection, Sir.

Mr. President: The question is that the name of Mr. S. C. Mitra be added to the Select Committee.

The motion was adopted.

Mr. President: The question is:

"That the Bill further to amend the Indian Companies Act, 1913, for certain purposes, be referred to a Select Committee consisting of the Honourable the Law Member, Mr. N. C. Kelkar, Rai Sahib Harbilas Sarda, Mr. Fazal Ibrahim Rahimtulla, Mr. A. H. Ghaznavi, Sir Hugh Cocke, Mr. K. C. Neogy, Mr. R. K. Shanmukham Chetty, Mr. S. C. Mitra and the Mover with instructions to report on or before the 6th March, 1930, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be four."

The motion was adopted.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

The Honourable Sir George Rainy: (Member for Commerce and Railways): Sir, I move that the Bill further to amend the Indian Railways Act, 1890, for certain purposes, as reported by the Select Committee, be taken into consideration. When I moved that this Bill be referred to a Select Committee in the last Session of the Legislature the form of the

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Bill was very different from the form in which it has returned from the Select Committee. As it was originally introduced, the Bill was little more than an enabling Bill, empowering the Governor General in Council to make rules on the subject of the limitation of hours of work and the provision of periods of rest for Indian railway servants. As it has returned from the Select Committee, the Bill though unchanged in principle, has been to a large extent modified by the incorporation in the Bill of a number of provisions which it was originally intended should find a place in the Rules. I have not the least doubt that this is a great improvement and that the House will concur in that opinion. The most important of the provisions which are now incorporated in the Bill itself are the sixty-hours' week, the weekly rest, the appointment of supervisors of railway labour, a much more limited rule-making power, and provision for the compulsory payment of overtime in certain cases.

Now, to deal first with the question of the sixty-hours' week and the weekly rest. I know that some members of this House, for whose opinions I have great respect, would like to go further. It is not necessary that, at this stage, I should say much on this subject, because a more natural opportunity will occur when the amendments, of which notice has been given, are moved. But I should like to say a word or two to make clear the point of view from which Government have approached the question. Government do not regard this Bill as the final solution of the question of the hours of labour on the Indian Railways, but our first duty, whatever we may hope for in the future, is to implement the obligations we have already incurred and to make the sixty-hours' week and the weekly day of rest fully effective; but if we try to do too much at one time, instead of expediting matters, it may lead to almost indefinite delay.

Again, there is a distinction between what is to be made obligatory by law and what humanitarian considerations, in given circumstances, may make reasonable and proper. If, in a given case, Government say that they do not think that, in this Bill, provisions should be inserted to limit still further the hours of work, it does not mean that Government consider that, in all cases, the maximum hours of work would be reasonable hours of work,—in fact we gave in the Select Committee an undertaking that we would investigate the question with a view to fixing the hours of work at a lower figure than a sixty-hours week for those railway servants whose duties were specially arduous. I have thought it desirable to say so much at this stage, but I do not think it would be advisable that I should develop my ideas on this point still further in view of the amendments which are to be moved.

The only other matter to which I think I need specially allude is the clause in the Bill which provides for the appointment of Supervisors of railway labour. I regard that provision as a very important one, and if we are to make further progress in removing legitimate grievances as regards the hours of work of railway employees, the usefulness of these Supervisors can hardly be exaggerated. They will, in fact, be the eyes and ears of the Government of India to bring to their notice conditions which are unsatisfactory. Their primary duty will, of course, be to see that the law is enforced, but in addition to that, it is my desire and intention that these Supervisors should report to the Government of India cases which come to their notice where, although there is no breach of the law, there is a condition of things which requires improvement on

the ground that, having regard to all the circumstances and conditions, the hours of work of railway servants at a particular place are unreasonable. I think that is of very great importance, because if India is to move forward in this respect, it is not enough to rely solely upon rigid provisions of the law, and a great deal must depend upon the manner in which the law is administered. For instance, in order to do justice to the staff of large and busy stations, where the pressure of work is incessant throughout the day, it may be that a further limitation of the hours may be very desirable, but it does not in the least follow that at wayside stations where there are only three or four trains in a day, it is reasonable to impose precisely the same limitations as might be suitable at the busy stations. I shall hope to get from the Supervisors of railway labour reports dealing with conditions as they exist at particular centres, so that it may be possible for the Government of India to deal with those conditions, irrespective of any legislative compulsion upon them to do so. I do not think, Sir, I need lengthen my remarks at this stage, and I now move.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, I wish to offer a few brief observations on this Bill, and I think I must do so at this early stage, because I have not myself handed in any amendments, and with regard to the amendments that have been sent in, I am not inclined either to support them or to oppose them. I have made myself quite clear in the note which I have appended to the Select Committee's Report. That is a note not of dissent necessarily, nor is it one of entire agreement with the Select Committee's Report. I think I have fully stated my own reasons for taking that attitude in that note itself, and the reason which led me to take up that attitude is that, while on the one hand I do regard the demands of the workers for an eight hours' day as certainly reasonable, on the other hand I think, just as was explained by the Honourable Sir George Rainy himself, that may not apply to all localities and all kinds of work under the control of the Railway, and therefore making a 48 hours' day a statutory provision in the Bill would perhaps be too rigid a thing for practical purposes. So between these two limits, the question will have to be investigated whether, in fairness to the workers, a 48 hours' day also may have to be prescribed. For aught I know, in certain Departments or in certain kinds of work, I am told that 48 hours' work already obtains, and in some other cases it is 56 hours—this is what I am told. On behalf of the Railway Board we were told that an attempt was being made to bring the hours down from 60 to 56. Therefore, I found in the Select Committee that it would not be a very proper course to set the Government committed positively to an 8 hours' day by a rigid rule of law. I accepted the present arrangement now embodied in the Bill as only a first instalment,—I have exactly said so in my note,—and I do look forward to a time, in the not distant future, when even these hours will be still further reduced.

Sir, when I appended my note to the Select Committee's Report, in fact when I did my work in the Select Committee, I had not read the literature about this business, which I have subsequently read, and I may frankly tell this House what my impression has been after reading that literature. My impression has been that Government have been grossly negligent of their duties in respect of putting into legal shape their obligations with regard to the Geneva and Washington Conventions. The Conventions were embodied in certain Articles, I think, in 1919 or 1920. This Government expressed their ratification of the Conventions in 1921

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and 1923. The question, therefore, naturally arises as to what prevented Government, since 1921 or 1923, from giving that agreement a strictly legal form, which they themselves regarded as necessary, up to this time for several long years. What was it that kept them back from undertaking the necessary action in this matter?

In 1927, Government, in reply to a question on the subject, said that the limitation of 60 hours would be applied to certain specified branches of work by executive order, but the specification can only actually fulfil the terms of the Convention when made by a competent authority. The question naturally arises, what was there to prevent Government from selecting or fixing upon the competent authority and at once proceeding to legislation on the subject. Were they in need of legal assistance or advice in the matter? Supposing they wanted both, were they not available at an early stage? Why did they waste all these seven years in proceeding to fix the competent authority and embodying those two provisions in the law, as they now have done. If they had done so before, then one more thing would have happened, namely, the consultations between employers and the employed. That would have been possible. We are now told that consultations have not been held because no competent authority was fixed. No rules were made and no schemes were put into operation. Things have been happening in a haphazard way and not under any settled scheme of rules. Therefore my contention is that Government have been in this matter grossly negligent. In 1929, in the course of the debate on the demands for grants, the question was raised whether a new Member should be added to the Railway Board. In that connection I think it was Sir Purshotamdas Thakurdas who suggested that there was no necessity for the addition of an additional Member, because, if it was alleged that the appointment was made necessary by the work involved in giving effect to these Conventions and other things that work might well be postponed for a year or two. That is what he simply suggested, and Sir George Rainy said this to him in reply. He regretted the words in which Sir Purshotamdas Thakurdas referred to the Geneva Convention, mentioned that there were other countries which had failed to satisfy their obligations under that Convention, and said that, if we had to wait for another year or two before we carried out our obligation it did not matter very much. Then he said, "I think it would be very regrettable if that were to be taken to be the general feeling of the House". Of course that was not the feeling of the House. That is not the feeling of the House even now. Sir George Rainy further said:

"India has an excellent record as regards carrying out all international obligations. I feel almost a sense of shame" (*Shame came to him then when it was a matter of appointing a new Member of the Railway Board*) "and unless that particular matter in the Railway Department was carried out, I cannot claim that we have fully satisfied our obligations."

That was a legitimate argument for opposing the suggestion that a new Member should not be put on the Railway Board, but what answer has Sir George Rainy to give, I really wonder, for no action having been taken by Government all these long seven years. What was there to prevent Government from taking the necessary action? After all, it is Bill of two or three clauses. Nothing beyond that. The competent authority, it goes without saying, is the Governor General in Council. What legal advice or assistance did Government require to justify their

putting off action till this day? I get a clue to this dilatory action of the Government in the proceedings at the Convention. I am reading from a book by Hetherington on the subject of "International Labour Legislation". There he gives the history of what happened at the Convention itself. Countries were taken up for treatment, and only in the case of certain oriental countries exceptions and exemptions were allowed and special mention is made of India in this connection, and also of Japan. What is said about India is this:

"The representatives of the Government of India were somewhat unwilling that the Commission should make any substantial recommendations in the case of India." (*They wanted the entire matter to be left to the pleasure of the Government of India.*) "They indicated that the main difficulty in the way of an immediate enlargement of the Factory Acts . . . was the complete absence of information as to the smaller industries of India. The Government, therefore, was quite unable to measure the administrative responsibilities which an extension of the Acts would require it to undertake. It was at the moment engaged on an inquiry on this point; and it desired that the Conference should delay the consideration of the Indian position until the results were available, and the Government had had time to submit its proposals."

The Commission, however, was not unsympathetic to the plea of the Indian Labour delegate that the Government would be nothing the worse for a little stimulation; and, especially in view of the suggestions it was making to other oriental countries, it thought it well to take a large view of its duties than was contemplated by the Government spokesman. It therefore embodied in the Convention a definite prescription with regard to India." (*Then the prescriptions are given. Of course some latitude was given to the Government.*)

But there is an important clause here which reads:

"The researches at present in progress should be expedited, so that, at the earliest possible date, the Government of India might be able to lay before the Conference its proposals for a still further extension of labour protection."

Now, it appears that it was represented by the Government of India before the Convention that Government were already busy with their own schemes and adjustments, and so on, in order to come into direct line with the recommendations of the Convention, and apparently they have taken nine or ten long years in order to complete their researches, and they have not even now completed their researches. In the Select Committee it was put to us that it would require a great deal of time to go into the details about these things, namely, the hours of employment, the period of rest and so on. I innocently thought that it might be so, and I have said in my note that some adjustments would be necessary and details would have to be worked out. I quite admit that work of that kind is necessary, and therefore I was opposed at this stage to a rigid rule of law committing Government to a sixty-hours' week uniformly for all kinds of work and for all kinds of locality, but I took care at that time to get from the Railway Board an assurance that an investigation had been started by Government and will be continued with a view to fixing hours of work at a lower figure than 56 hours a week for those railway servants whose duties are specially arduous and involve continuous concentration. Now, coming back to the point I just now mentioned, in practice we are told that even 48 hours' work is the rule in certain matters. 56 hours applies to certain matters, and Government are making an attempt to come down to 56 hours in cases where they have not already done so. But the rule of law which is now laid before the House provides only for 60 hours. So I take it that, within the limit of 60 hours, they are going to have certain schemes ready in order that they may prescribe different scales of hours of work and rest, etc., for different kinds of work and different localities. But we are, up

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to this time, absolutely in the dark as to what has been done and what is being done. I may again today raise the same question about the lack of information made available to the Members of the Assembly when matters of this nature are brought before the House in a number of ways. I shall therefore like the Honourable Member for Railways to make a clear statement as to what is being done and what are their intentions with regard to the bringing down, of their own accord, the hours of work from 60, which is mentioned in the Bill before us. It is only when we feel satisfied that honest efforts are being made to come down from that margin of 60, that we can consider whether we should support a definite amendment for 48 hours or not. I do not wish to say anything further on this Bill. I have expressed my views in the note. I wanted however to take advantage of this opportunity to make a few observations and to tell the House exactly what I had in my mind when I signed the Report of the Select Committee, as I have myself not given notice of any amendments.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, as I listened to the speech that has just been delivered by my friend Mr. Kelkar, I felt that the time had arrived when not only should the Government of India appoint a Labour Member for the Railway Board, but that non-officials should equally appoint a Labour Member to assist them with the work of co-ordination in respect of labour legislation. I think my friend Mr. Kelkar will agree with me, because I say this in no disparagement of him, that he always takes a very kind interest in labour matters himself. But I was surprised when he made the following statement: "I want to know what is being done in order to reduce the hours from 60". Sir, I looked in despair towards him and the other Members of the Legislative Assembly who were members of the Select Committee. Surely, it was their duty as members of the Select Committee to find out what the Government has done so far in regard to the 60 hours, and what they have not done. Why did they not find this out in the Select Committee and why did they not ask the Railway Department to place their files before them for investigation? Why did they not get at the real position as to what the actual facts are in regard to the application of the 60 hours today on the railways in India? To come to this House and then demand from the Honourable the Railway Member as to what he has done, after having signed a minute of dissent on the Select Committee, seems to me to be a very surprising proposition. It seems to me to be putting the cart before the horse. Before signing the minute of dissent or before putting their signatures on the document which was presented by the Select Committee, it was the obvious duty of every Member to get all the facts relevant to this proposition. If they were not brought to the notice of any Honourable Member who put his signature to this document, then I say that he put his signature to this document blindly without having realised the implications which are inherent in the Report of the Select Committee.

Mr. N. C. Kelkar: We will not allow the Government to proceed with the Bill now.

Diwan Chaman Lall: I agree with my Honourable friend. Although the information may not have been elicited in the Select Committee,

yet the case cannot be allowed to go by default and we must get that information. May I, in reply, say that the information is really available. The information is not a secret document which the Honourable the Railway Member carries in his breast pocket nor is it only to be found in the archives of the Government of India. The information is available and can be obtained from every employee of the Railways. Any railway employee who suffers because of the present system of hours is in a position to inform the Honourable Members of this House as to what exactly is the situation.

Mr. N. C. Kelkar: We would like to know that from you.

Diwan Chaman Lall: My Honourable friend would like to know that from me. I have not as yet accepted the portfolio of the Honourable the Commerce Member, and therefore it is not my business to enlighten the Honourable Member, but I will certainly make an attempt if the Honourable Member would like me to do so. Now, what is the actual position? The position is that that in the year 1919 the Government of India obtained a special exemption as far as India was concerned in the application of the Washington Convention.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): It is not right.

Diwan Chaman Lall: I will read out the actual wording of the Report to my Honourable friend to prove that it is right. I would go so far as to say that not only did the Government of India obtain this exemption for reasons stated by Mr. Joshi who was representing the workers of India but that certain exemptions were obtained for Japan and for India. Mr. Joshi, in his speech, made this statement:

"At the outset it is my duty to explain that personally I do not approve of the idea of excluding India altogether from the main Convention on this question to be applied to Western countries."

He said he did not agree with it. I do not know what exactly my friend Mr. Shanmukham Chetty was referring to when he said that that is not correct. What is not correct? Was not an exemption obtained?

Mr. R. K. Shanmukham Chetty: No exemption was given to India under the Washington Convention at all.

Diwan Chaman Lall: In that case all that I can do is to read out the Washington Convention and convince my friend, Mr. Shanmukham Chetty, that there is a special provision in the Convention exempting India. If he will kindly turn to the Convention, he will find Article 10, to which I want him to pay special attention. It runs thus:

"In British India the principle of a 60-hour week shall be adopted for all workers in the industries at present covered by the Factory Acts administered by the Government of India and in such branches of railway work as shall be specified for this work by the competent authorities."

This is however not the case with other countries where they have a 48-hour week. I would like Mr. Chetty to explain how he says that that is not so. Is not the exemption there in Article 10? Has he got any other copy of the Washington Convention which does not contain Article 10? Article 10 does give special exemption to India.

Mr. Tin Tut (Department of Industries and Labour: Nominated Official): It is a special provision, not a special exemption.

Diwan Chaman Lall: This is only hair-splitting. My Honourable friend says it is a special provision and not an exemption. What does the special provision mean? Does it or does it not mean an exemption?

Mr. Tin Tut: It does not mean exemption from all provisions. It is a special provision made for India.

Diwan Chaman Lall: It means a special exemption in regard to 48 hours of work and that is all we are discussing. Does it or does it not mean that? Every other country has got a 48-hour week, but for this country there is a provision, which amounts to a special exemption for India, giving her a 60 hour a week. I do not know what my Honourable friend is worrying about. What is the actual effect of it? Is it not this, that India is put on a special basis, a distinguishing basis, a different basis, a differential basis, namely a basis of a 60-hour week?—Is that correct?

Mr. Tin Tut: It is correct.

Diwan Chaman Lall: I take it therefore that there is special treatment as far as India is concerned in regard to this matter. Now, the point is this. This happened in the year 1919, and since then ten years have elapsed. What has the Government of India been doing during that period of ten years? Why did they not undertake a revision before this period of ten years? In this connection, Sir, I wish to point out to the Honourable Member opposite that, not only was it incumbent upon the Government as a matter of general policy, or as a matter which was brought to their notice time and again by public opinion in this country as represented by the workers, but there was a provision laid down in Article 10 itself which anticipated a revision of this special provision at a meeting of the General Council. May I read out that particular provision? It reads:

“... but further provisions limiting the hours of work in India shall be considered at a further meeting of the General Council.”

Since this special exemption was obtained by the Government of India, I want to know whether this provision in Article 10, namely, an anticipation that this matter of reduction of hours from 60 will be considered again at a General Conference, whether this provision was taken notice of. I want to know whether action was taken by the Government of India to press its attention upon the Conference in order that the Conference should undertake a reduction of hours from 60.

Mr. B. Das (Orissa Division: Non-Muhammadan): Why did not the Honourable Member raise the question when he was at Geneva?

Diwan Chaman Lall: I cannot help my Honourable friend's ignorance. If my Honourable friend does not read the Reports of Conferences at Geneva and elsewhere to which he goes as an Adviser, it is not my fault. I am not here to enlighten my Honourable friend. If he had read the Reports, he would have found that time and again

those who have gone to Geneva have raised this matter of reduction of hours, and we have brought it prominently to the notice of the delegations assembled at Geneva. It is not my duty, I am not the Government of India that I should do so. It is their duty if they have due regard to these matters. It is their duty to take up this matter with the General Conference. It is their duty to take up the matter with the delegates assembled at Geneva in order to discuss whether the time has or has not arrived for a reduction of hours from 60. If, instead of doing so, the Honourable Member comes here ten years afterwards and says, “For ten years I have not honoured this obligation which rested upon me as a Member of the League of Nations”, although it is perfectly clear that it is not obligatory upon them to carry out any of the ratifications of the International Labour Conference, yet it is a moral obligation which rests upon their shoulders. They say, “For ten solid years we have kept quiet about this and now we come forward”. With what? With the very same provisions which obtained ten years ago and which I say cannot be held to be valid today. I want to know why the Honourable Member did not obtain the sanction of the Government of India in order to reduce the hours from 60 to 48, as he should have done in compliance with the general rule that applies to other countries. Even Great Britain, after a good deal of fight at the last Session, declared her policy and her intention to ratify this particular Convention. They had some internal trouble with regard to this matter, but that did not affect the position that, generally speaking, the eight hours' day prevails throughout Great Britain. My point is this, that now after ten years of experience of the working of this particular measure in other countries, after ten years of exemption that they obtained—being under that exemption—after ten years of trial and waiting, without having ratified this Convention, why at this particular stage does the Government of India come forward with a proposal of this nature?

Mr. N. C. Kelkar: Is there not a Conference next year?

Diwan Chaman Lall: My Honourable friend, Mr. Kelkar, has given the answer. The answer is that, after ten years, the matter has got to be revised and the matter will come up before the Conference again, and the Government of India want to go with a white sheet, looking like angels, to the League and say, “Look, we have ratified this Convention”. The Government of India know perfectly well that, within a short period, this matter will come up before the Conference for revision. I daresay, when the matter does come up for revision again, and if this House gives its consent to this provision of sixty hours a week, the result will be that the hands of the Government of India will be strengthened and they will go to the Conference and say, “We have in this the representatives of the people of India behind us; they accepted a 60-hour week and we do not wish to propose any amendment to this particular legislation.” Now, it is a dangerous thing, an exceedingly dangerous thing, from all points of view, for any Honourable Member who has the interest of his country at heart to give his consent to this provision of a 60-hour week, and I hope Honourable Members will realise the full import and full importance of this. I know that objection can be raised and it can be said that other industries in this country are not working on the basis of 48 hours a week, and therefore why should railways alone adopt this provision.

[Diwan Chaman Lall.]

My reply to them is twofold. My first reply is this, that, even on the railways today, *almost* a general rule prevails of an eight hours' day. I take it that, generally speaking, in the running staff it is an eight hours' day, I mean generally speaking. In the workshops it varies from 42½ hours to 48 hours a week, generally speaking. Of course, there are exceptions, as the Honourable Member knows perfectly well. If that is so, where in actual practice in many cases you have an eight-hour day or perhaps a nine-hour day in some other cases, why should we be tied down to a sixty-hour week, or ten hours a day? Why should this Assembly shut its eyes to the actualities of the situation in order merely to give the Government of India a tactical advantage over us with regard to a sixty-hour week. I want to know what is the justification for this?

Then, my second point, and a very important point, is this. The other day, I read in the newspapers that, when a similar matter came up before the Legislative Assembly, namely, the question of a minimum wage fixing machinery, what was the reply of the Government of India? The reply was this, "We do not intend to deal with this matter at this stage because we have appointed a Labour Commission and we shall await the Report of the Labour Commission". Now, if this was the idea in the mind of the Government of India, that is, they must await the expert Report of a particular body on a particular subject before they could take any action, which action they could have taken already, because they have had the expert Report before them, namely, the Resolutions, the Conventions and the draft recommendations passed at Geneva in 1928—they had the consensus of opinion of the entire world which sends its delegates to Geneva who, after a full and representative debate with all the experts that assemble there to thresh out the whole problem—if in spite of all that expert opinion available, the Government of India still say, "No, we must await the Report of the special inquiry that we are conducting through the Labour Commission", then what I say of their attitude in regard to this matter?

Mr. Tin Tut: Those experts had no knowledge of the special conditions that obtain in India.

Diwan Chaman Lall: Well, Sir, this bogey of special conditions is always trotted out for the purpose of differential treatment. They know perfectly well that there are no special conditions in India. I challenge my Honourable friend to tell me what special conditions there are in India, which prevent him from giving the railwaymen an eight-hour day. I challenge him to say, on the floor of this House, what special conditions there are which prevent him from giving the railway workers a 48-hour week. Will he accept my challenge and tell me? I pause for a reply.

Mr. Lalchand Navalrai: (Sind: Non-Muhammadan Rural): Perhaps he will tell you that we are more manly and able to work long hours.

Diwan Chaman Lall: I know there are no special conditions.

Mr. Tin Tut: I have no special knowledge of railway workers in India.

Diwan Chaman Lall: Quite so. Why did my Honourable friend so quickly jump to his feet and interrupt me?

Mr. Tin Tut: I did not refer to railway workers.

Diwan Chaman Lall: If my Honourable friend does not refer to railway workers, then what are the special conditions which my Honourable friend wants to know and of which he has no knowledge? Either he must be ignorant of this, or I must confess that he very ignorantly interrupted me in my speech. I take my stand upon this, and I challenge any man to contradict me on this point, that is, there are no special conditions in India which will prevent the Government of India from giving a 48-hour week. Well, they may turn round and say, "It is all a question of finance, it is all a question of detailed adjustment". If it is a question of detailed adjustment, it is up to them to limit themselves to a fixed period and say, "Until our inquiries are complete, which may take say, six months or eight months or one year or even two years, we shall have this provision". I say, give us a guarantee that, after a definite period, we shall revert to the 48-hour week. If it is a question of finance, my reply is this; in a matter of this kind you cannot bring in your plea of finance. It is an urgent matter which will brook no delay. It is very unjust for you to treat the railway workers in the way you want to; it is unfair that you should squeeze all the money that you can from the blood and sweat of the railway workers and say, you cannot give a 48-hour week merely because there are special conditions in India and special questions which differentiate India from the other countries of the world.

Now, Sir, I do appeal to Honourable Members to look at this problem carefully. There are other problems connected with this Bill I P. M. which I shall deal with as the amendments come up; but I rose merely to make my appeal to Honourable Members to regard this as a serious problem and to ask the Government of India, why they could not have also waited in regard to this provision until the Report of the Labour Commission was published? Here again, Sir, logic will drive the Government of India into a contradiction, and here again I will be told that this is a different case. Again the question of differential treatment,—minimum wages, one proposition, sixty-hour week, a different proposition. All these matters have been submitted to your own Committee which you have appointed; yet you will take time by the forelock, come before the Legislative Assembly and say that you want a sixty-hour week and not await the result of the Committee you have appointed. You cannot have your cake and eat it. Is the urgency of the problem such that you must go ahead with it? But if you plead urgency, then may I ask, who is urging you? Is it the worker? He will thereby be adversely affected both by the Geneva Convention of 1921, which you are implementing, and by the Washington Convention of 1919, which you are implementing. Is it the worker who is urging you? Is there any body of workers whose complaints you are giving effect to in regard to this matter? I ask, where is the urgency then? Wherein lies the urgency except to save your faces at the next Conference, when there is a revision of this matter to be undertaken at the Geneva Conference? Where is the urgency? I say, Sir, the time has come when Honourable Members on this side of the House ought to look upon these problems not from the narrow industrial point of view, but from the wider national point of view, namely, the interest of the working classes. You cannot have an A. 1 industry in this country with a C. 3 population; and if you are going to permit the Government of India, one of the biggest employers

[Diwan Chaman Lall.]

in this country, to bring in this kind of differential treatment, you may just as well say farewell to all sympathetic contact between the working classes on the one side and the rest of the people on the other. And I ask my Honourable friend, Sir Purshotamdas Thakurdas, who is a big industrialist, can he give me any justification why he should not be supporting this measure of a 48-hour week, except merely perhaps on account of its repercussion on other industries? Let us be honest and straightforward. Either a case has been made out for a 48-hour week on the railways or not, and if a case has been made out for a 48-hour week, it is no concern of ours to consider what its repercussion will be upon other industries. And if a case has been made out,—and I hope we shall be able to establish conclusively that a case has been made out,—I hope my Honourable friends will vote for the proposition of Mr. Abdul Matin Chaudhury.

Mr. R. K. Shanmukham Chetty: Sir, I am not in the least surprised at the enthusiastic plea of my Honourable friend, Diwan Chaman Lall, in favour of the adoption of an 8-hour day on the railways. As was pointed out in one of the reports of the Director of the International Labour's Office, "of all the subjects of social reform, an 8-hour day is nearest to the hearts of the workers"; and it is no surprise, therefore, that my Honourable friend, representing the workers of India, grew enthusiastic in advocating the adoption of an 8-hour day in India also. If it was the intention of my Honourable friend to take the Government of India to task for the inordinate delay of nearly ten years in applying the provisions of the Washington and Geneva Conventions to the workers on the railways, he has my entire sympathy. But if it is his intention to ask this House to adopt an 8-hour day for the railway workers, I am afraid I must oppose any such move, and I have no doubt that the House will turn down the proposal. My Honourable friend knows a good deal from first-hand information of the work that is being done in the International Labour Organisation at Geneva. Sir, I may claim also some first-hand information of the great work that is done by that International Organisation. My Honourable friend said that, in Washington, a special exemption was given to the Government of India from the provisions of the Washington Hours Convention. I must inform this House that it is not correct to say that the Government of India were given any exemption in this matter. The provision for 10 hours' work per day for the Indian labourer was a part of the Washington Hours Convention, and this provision was included in the Convention at Washington, not as a matter of favour to the Government of India or to the Indian employers, but as a matter of right granted to India in the Articles of the Treaty of Versailles. If Honourable Members will turn to Article 427 of the Peace Treaty, they will find this special provision:

"They recognised that differences of climate, habits and customs, of economic opportunity and industrial tradition make strict uniformity in the conditions of labour difficult of immediate attainment."

It was the object of those who were assembled at Washington to introduce a uniformity of legislation in matters of hours of work throughout the world, and it was recognised by the authors of the Washington Convention that, if any attempt at social legislation like this were to prove

successful, it was a condition precedent that no country should have any advantage over any other country. It was recognised that an 8-hour day, production in any particular country might not be the same as an 8-hour day production in another country. They recognised that, for the successful working of this Convention, it was necessary to take account of the fact that there were differences of climate, habits and customs, and of economic opportunity which make it necessary that differentiation, if necessary, must be made between one country and another. It was, I submit, under the provisions of this Article in the Treaty of Versailles that the clause relating to a 10 hours' working day was embodied in the Washington Convention; and in the face of this fact, it is not correct to represent that the Government of India were shown any special favour, or were granted an exemption from the operation of the Washington Convention. My Honourable friend asked, and challenged my Honourable friend on the opposite side to prove, if there were any conditions peculiar to India which warranted the adoption of a ten-hour day as against an 8-hour day in the European countries. My Honourable friend said that he did not know about the railways. Well, Sir, I will ask my Honourable friend, Diwan Chaman Lall, whether, taking into consideration the industrial efficiency of the Indian worker, he could say that, in a factory in India, the worker could turn out the same amount of work in eight hours as a worker in Western countries can do in the same time.

Diwan Chaman Lall: Does he get the same wages? He gets one-sixth of the wages.

Mr. R. K. Shanmukham Chetty: He will get the same wages when he does the same work.

Apart from inefficiency due to climatic conditions, I would draw the attention of my Honourable friend to a passage that occurs in a certain Report. The United Textile Factory Workers' Association of Great Britain published in 1927 a Report of an inquiry which was made in India during 1926. The Report states that:

"The hours of work in cotton spinning factories are in accordance with the provisions of the law. The machinery is kept in motion for ten hours per day but the individual worker does not work continuously for the whole day as he is allowed time for prayers, bathing, smoking, etc."

Diwan Chaman Lall: This is not a fact. The engineers are kept working for 11 hours and not 10 hours.

Mr. R. K. Shanmukham Chetty: The machinery is working only 10 hours per day. I would invite my Honourable friend to go into any cotton mill and verify it for himself. The Report adds that it is doubtful whether more than eight hours' productive labour is performed by individual workers.

Diwan Chaman Lall: Therefore bring it down to 48 hours.

Mr. R. K. Shanmukham Chetty: If you bring it down to 48 hours, the productive hours will be reduced to probably six hours per day. When it is already ten hours per day, we have got here an authoritative finding . . .

Diwan Chaman Lall: I question that authoritative finding. Whose finding is it?

Mr. R. K. Shanmukham Chetty: The finding of the United Textile Factory Workers' Association of Great Britain.

Diwan Chaman Lall: Authoritative!

Mr. R. K. Shanmukham Chetty: Which conducted an independent investigation of the conditions of work in textile factories in India.

Diwan Chaman Lall: Mr. Tom Shaw.

Mr. R. K. Shanmukham Chetty: In the face of these facts, it is idle to contend that we must adopt the eight hour day in India also. My Honourable friend drew the attention of this House to the fact that the Washington Convention will shortly come in for re-examination and revision if necessary. Last year, in the 12th International Conference, Mr. Joshi attempted to have a resolution passed requesting the governing body of the International Labour Office, in revising the Washington Convention, to reduce the hours of work in India from 10 to 8 hours per day, and as a result of a compromise arrived at between the Government delegates, the employers' delegate and the workers' delegate, the formula was changed. The governing body has now been instructed, in re-examining the Convention, to go into the question whether the economic conditions in India have so altered as to warrant the reduction of the working day from 10 to 8 hours. Before the result of that inquiry by the governing body is available, I would submit to my Honourable friend that it is premature to ask this House to adopt an eight hours' day. My Honourable friend is perfectly correct in saying that, though there may not be objections for adopting the eight hours' day on the railways, excepting the financial burden that it might impose, its repercussion on the general industrial position in India would be of a very serious nature, and as one interested in the industrial development of India—and I can assume that my Honourable friend, Mr. Chaman Lall, is one of those who would like to have a healthy growth or industrial development in India,—I would request this House not to make any departure from the provisions of the Washington Hours Convention as applicable to India, and not to adopt any motion which seeks to reduce the hours of work from 10 to 8 per day.

Mr. A. M. Hayman (Railway Board: Nominated Official): Sir, I intervene at this stage only to make a few brief remarks because I feel that the whole question as to whether we should adopt a 48 hours' week or a 60 hours' week will come up for fuller discussion when there is a motion for an amendment. I feel it necessary, in the first place, to draw attention to the fact that it was the original intention, if one judges from the history of the case, when article 10 of the Washington Convention was drawn up and which fixed the principle of a 60 hour week for India, that that principle should apply only to such branches of railway work as correspond to work done in workshops and in factories. There is abundant evidence, Sir, for the statement that I make. What did we on our railways do in actual practice? We at once, as quickly as we possibly could, took action to give effect to the principle so far as our workshops and our mines were concerned. We went a step further also in actual practice and we did begin to apply the principles embodied in the Convention

to other classes of our railway servants. I make bold to say that we did begin to apply this principle ten years or so ago to other classes of railway servants. If a charge is made against us that we have not moved as fast as we ought to have, I am not going to defend that charge. But we have, from humanitarian considerations, and because we did want to do the best that we could for our men, moved forward, and we have done a great deal in past years to reduce the hours of work of our railway servants of all classes. I can prove by details that we have reduced the hours of work of many classes. I want to say also that we have spent money, lakhs of rupees, during the last ten years in employing additional establishment necessary on account of our reducing the hours of work of certain classes and that we have invested large sums of money in providing additional quarters for our subordinate establishment. It is difficult for me, at this stage, to separate how much we spent on additional quarters on account of our reducing the hours of work and how much for other considerations. But I happen to remember the total amount that we spent in the last six or seven years in providing additional quarters for our subordinate establishment, and it is seven crores of rupees.

I pass on next to another point which my Honourable friend, Mr. Kelkar, made, and I think we, on this side of the House, are obliged to him for making it. It was the charge that we should have brought this Bill earlier. We, Sir, only some time last year realised that the proper thing that we ought to do in this matter of ratifying the Washington and Geneva Conventions was to bring a Bill before this House. Up to that time there were impressions in the Government of India that the whole matter could be dealt with by executive orders, and it was by executive orders on our State-managed Railways that so much has been done as I have already shown and it was because the Company-managed railways were ready to follow the lead given by the State-managed railways that they too reduced their hours of work, and they too had to spend a great deal of money on that account. But Government, some time last year, realised that the proper thing was to bring forward a Bill before this House, and they worked towards it as quickly as they possibly could, and they brought forward a Bill during the last Session. That Bill was not passed at the last Session, and nobody was more sorry than I myself for that, because I had my plans to give effect to it all worked out, and I would never have been charged, by my Honourable friend, Mr. Aney, that money provided for improving service conditions was not spent. I would have been only too glad to spend the money for the improvement of the service conditions of our employees.

Now, Sir, we are also charged with not trying to move fast enough, with not trying to do all that we could do. My long training, Sir, in finance has taught me, when anybody makes that charge, to look at the bill of cost. What is the bill of cost in this case? We are ready to spend within eighteen months or so from today, a recurring expenditure of Rs. 50 lakhs, in order to give better hours of work for our railway servants, and about Rs. 75 lakhs to provide them with more quarters. I say, Sir, that it is a telling reply to any charge against us, that we are not now moving as fast as we should. I do not wish, Sir, to follow too closely all the arguments made by my Honourable friend Diwan Chaman Lall, because my Honourable friend Mr. Chetty seems to me to have met most of them.

[Mr. A. M. Hayman.]

completely, but I do think I ought to say what was in our minds when we examined the question as to whether Government should not try to work to some lower figure than 60 hours a week. We decided to be guided first and foremost by humanitarian considerations. We do not expect any one of our workers to work for a number of hours that will undermine his health. But we did take into account one or two other considerations. We did take into account the fact that conditions in India are different from other countries; that the outturn of work by the labourer here is less than in other countries. We do, as we are responsible to the taxpayer, see that we get value for the money, and we also do take into consideration the possible effects of our action on other employers of labour. I would only add this, Sir, I do not want to make too much of the point because, for one reason I have not verified the information, but I heard it said the other day by a gentleman who is responsible for running a large railway in America, that a system of 17,000 miles was managed with a lower number of employees than the number we in India are employing on the Eastern Bengal Railway, which has a mileage of only 2,000. We have got to take such facts into consideration. No doubt, Sir, we as a Government Department, as a large employer of labour, ought to be guided by humanitarian considerations; we will do our best for our men; we will see that their health is not impaired; we will give them quarters near their work where necessary, and do all that we possibly can to make them live in healthy surroundings; but we have, when dealing with service conditions, to take into account what the possible effects upon other employers will be. I say again that we will do all that is possible in this matter to ameliorate the service conditions of our employees, but that we must pay attention to the interests of the taxpayer, i.e., we must see that we do get value for money.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Normally speaking, Sir, any attempt to tinker with the Indian Railways Act would have met with opposition from me, because I am one of those who believe in a thorough and exhaustive revision of the existing Railways Act. The Act is fifty years old, and only a small amendment was made some time ago to bring into being what is known as the Indian Railway Board. I may also mention to the House that the Honourable Mr. Jinnah moved a motion in the Imperial Legislative Council for the revision of the Indian Railways Act. This was opposed by Sir George Barnes on behalf of Government, and was lost on the floor of the House. Ever since, very little attempt has been made to improve the Indian Railways Act and to bring it into line with modern conditions elsewhere. When I got notice that there was to be a Bill to amend the Indian Railways Act, my first inclination was one of opposition, but when I read the Bill, I found that it was a very beneficent measure, calculated to improve the conditions of Indian labour. I at once agreed to support it. I owed my seat on the Select Committee to my Honourable friend, Mr. Chaman Lall. It was he who suggested that I should sit on the Select Committee, as it would give me an opportunity to look into labour conditions. When we were sitting on the Select Committee, I thought Sir George Rainy, a shrewd Scotchman, was going to be stiff and taciturn, but I found him very genial, always anxious to oblige, and in fact he was prepared to go far beyond what my Honourable friend Mr. Shanmukham Chetty and others of the same school could desire. Mr. Hayman

who, it is true was in that Committee, not as a member, but as adviser, was very anxious to go a long way to meet my friend Mr. Abdul Matin Chaudhury. Although he was not prepared to legislate for a 48-hour week, he was prepared to meet him as far as possible. Here I may mention, for the benefit of the House, the clause as it stands in the Bill:

"A railway servant, other than a railway servant whose employment is essentially intermittent, shall not be employed for more than sixty hours a week on the average in any month."

The House will note the expression "not more than sixty hours". And with the assurance which Mr. Hayman has just given, Mr. Abdul Matin Chaudhury can have no reasonable cause for apprehension.

Sir, I approach this Railway Bill from three standpoints. I approach it as a representative of the taxpayers' interests as one who is interested in employment of private labour, and as one who wants to see that the Indian railways flourish, on a sound financial footing. Only recently it was my privilege to speak in this House about the net surplus of Indian railways for the last five years. This surplus can only be regarded as unsatisfactory. I therefore asked Mr. Hayman, supposing we were to legislate for 48 hours a week, what would be the expenditure involved. He said that a good part of the net surplus would be swallowed up. That was a position to which I was not prepared to agree. From my own experience of the employees on railways I know that they are very well looked after. They are employed on the best industrial service in the whole of India. They are very carefully looked after not only by the Agents and by the other superior officers of the railway, but also by the railway medical men. They are provided with excellent houses and they live under conditions of abnormal life quite different from those working in factories or other industrial workers in cities like Bombay and Calcutta under abnormal conditions. This is also one of the grounds on which I am opposed to 48 hours a week.

My next reason was the effect of a 48-hour week on private employment. Already the growing charges of the civil administration of this country and also of the railways have materially affected the position of private employment. I think Government have been too considerate in fixing the salaries for their subordinates as well as for their officials; the result is that it is slowly becoming a difficult problem to get suitable candidates for private employment on economic rates. In the circumstances, I felt that it was my duty to oppose a 48-hour week. What I feel we want is a sound financial foundation for our railways. But if you bring into legislative enactment at once a 48-hour week, the net result would be that it would absorb a substantial portion of our net railway surplus every year.

Lastly, Sir, if I may say a word of warning to my friend, Mr. Chaman Lall. My recent experience about railways in India has taught me that discipline and attention to work, which used to be the feature of railway works in India, are slowly going down. The standard of efficiency has also suffered. To a certain extent we at this House must be prepared to bear the responsibility because too many questions about railwaymen's grievances are brought before this House. The time has come when we must consider seriously the advisability of starting a "Grievance Committee".

[Mr. K. C. Roy.]

Unless we have committees of this sort like the Whitley Committee, the discipline of the railway services will suffer by the present method of bringing these questions before the House. I support the Bill, Sir, and unlike Mr. Kelkar, I will vote for the consideration of the Select Committee's Report.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Mr. T. N. Ramakrishna Reddi, M.L.A. (Madras ceded Districts and Chittoor: Non-Muhammadan Rural).

THE INDIAN RAILWAYS (AMENDMENT) BILL.

Mr. President: I think I had better put the question; other speeches will follow on the amendment.

The question is:

"That the Bill further to amend the Indian Railways Act, 1890, for certain purposes, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President: The question is that clause 2 stand part of the Bill.

Maulvi Abdul Matin Chaudhury (Assam: Muhammadan): Sir, I move:

"That in clause 2, in sub-section (1) of the proposed section 71C for the word 'sixty' the word 'forty-eight' be substituted."

When this Bill was referred to the Select Committee, I pleaded for an eight-hour day for the railway workers, and I need hardly repeat that this demand for an 8-hour day is a demand for the barest act of social justice to the workers. It is universally conceded that the workers must have rest, that they must have recreation and that they must have time for the discharge of their social and family duties, just as my friend Mr. Chetty or my friend Mr. Hayman should have. This principle of an 8-hour day is generally accepted throughout the world as a principle for hours of work in all industrial and commercial undertakings. In England 92.6 per cent. of the workers work on an 8-hour day and less; under an agreement that has been entered into between the National Union of Railwaymen and the employers, the railwaymen in England work for 48 hours a week—six days of 8 hours, and Sunday is treated as overtime. In France there is an 8-hour day Act, which applies to all the industrial and commercial undertakings, not only in France but in Algeria and other colonial possessions; they have got an 8-hour day Act for the miners and for the

seamen, and according to the statistics collected in 1926, out of over six million workers in France employed in industrial and commercial undertakings, over five millions work for 48 hours and less.

In Germany, the average scheduled hours of work in the German Federal Railway, for the workers, are eight hours a day for continuous workers and in the case of intermittent workers it might be extended to ten hours.

In the Italian railways the average hours of actual work in the State Railways are fixed at about 48 hours—and the same is the case in industrial, commercial and agricultural undertakings where continuous attention is necessary. In Italy, Sir, 10 per cent. of the workers work for less than 48 hours a week; about 60 per cent. work for 48 hours, and 27 per cent. for more than 48 hours.

In the Austrian Railways the maximum is 48 hours a week. On railways in Poland the maximum weekly hours are 46. In Esthonia on railways the maximum is 47. In Spain, in the coal mines and industrial undertakings and in the railways, the maximum is 48 hours a week; and 92.5 per cent. of the workers in Spain work for 48 hours or less.

In Greece the 48-hour week is applied to tanneries, printing works, manufacture of confectionery and chocolates, of leather goods and trunks, of the paper-making industry, tobacco stores and factories, underground work in mines, manufacture of cement and to slaughter houses.

In Belgium, Denmark, Sweden, Szecho-Slovakia, and the Kingdom of Serbs, Croates and Slovanes, in all the industrial undertakings the maximum hours of work are 48 hours a week.

In Norway and the Netherlands the maximum is 8½ hours a day and 48 in the week. In Lithuania in workshops and factories the maximum hours do not exceed 48. In Latania manual workmen work for eight hours a day and non-manuals for six hours a day.

So much, Sir, about Europe. I shall next come to America. In America, out of twenty-seven principal industries, fifteen industries work for 48 hours a week or less. I could give you some examples. The average weekly hours in furniture manufacture is 48; in lumber manufacture and mill work, 47.5; in printing publishing, book and job, 47.3; in paper products, 47.3; in cotton manufacture, 47; in leather tanning and finishing, 46.9; in wool manufacture, 46.6; in hosiery and knitted goods manufacture, 46.1; in silk manufacture, 46; in printing and publishing newspaper periodicals, 45.8; in automobile manufacture, 45.2; in electrical and apparatus manufacture, 45; in boot and shoe manufacture, 44.8; in rubber manufacture, 44.7.

Then, Sir, in the railways in Argentina, in Peru, in Bolivia, in Uruguay the maximum is eight hours a day.

In Australia, in Victoria, Tasmania, Western Australia and Queensland the maximum hours of work are eight hours a day. In New South Wales it is 44 hours a week, in New Zealand the maximum is 8½ hours a day and 48 hours a week.

Coming next to the Union of South Africa, drivers and foremen in railways work for 96 hours a fortnight; guards and ticket-examiners work for 108 hours a fortnight; the permanent way staff work for 53½ hours to 51 hours in Summer and 49½ hours to 48 hours in the Winter.

[Maulvi Abdul Matin Chaudhury.]

Sir, this is the position all the world over; and here in India we are being asked to accept this atrocious principle of 60 hours and 84 hours a week.

Mr. R. K. Shanmukham Chetty: How much is it in Japan?

Maulvi Abdul Matin Chaudhury: I have no information available. Even in India, in the case of postal workers in the Railway Mail Service and those, who work in the day, work for 36 hours in the week; those who work day and night work for 33 hours in the week; and those who work only during the night, work for 30 hours only in the week. I do not understand why railway workers, who are working under identical conditions, should be condemned to longer hours, while those working in the Railway Mail Service under the Postal Department are working 30 hours a week.

I should now like to deal with some of the objections that have been raised by the previous speakers. My friend Mr. Shanmukham Chetty said that India should be treated differently from other countries because of climatic considerations. I entirely agree, Sir. If eight hours a day is justified in the West there is justification for still shorter hours in India, because, Sir, eight hour day in a tropical country is more fatiguing, more exhausting and more deleterious to the workers' health than eight hours a day in a temperate climate.

Then, Sir, Mr. Hayman and Mr. Chetty argued about the repercussion on other industries. I have never heard a more absurd argument than the argument about repercussion. If we carry it to its logical conclusion, it means this, that in the railways there should be the lowest wage and the longest hours because, unless you pay the lowest wage to the railway workmen, there will be repercussion on other industries; similarly, in the railways, according to this argument, you should have the longest hours, because if you reduce the hours of work there will be repercussion on other industries, and the workmen will demand shorter hours. This position, Sir, on the face of it, is quite untenable.

Then my friends Mr. K. C. Roy and Mr. Hayman referred to the cost. I would ask them one simple question. Do you intend to sweat your labour to provide a surplus revenue? Mr. Kelkar said that he would agree to this as a first instalment; I suppose he takes it as an advance. It has taken the Government about 11 years to make a move in this matter, and I do not consider this measure as an advance at all. I consider it as a backward step. I consider it as a most retrograde measure, I consider it as an anachronism at the present day, and I say to Honourable Members of this House that they will be condemning themselves and this House before the bar of world public opinion if they lend their support to the proposal of Government.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Sir, not being connected with business of any kind, either as a labourer or as an employer, I find myself in some difficulty. I thought that the Report of the Select Committee would provide some enlightenment on those points which were obscure before; but I have not been able to derive any information from the Select Committee's Report which would enable me to solve the doubts that existed in my mind.

Sir, before making up my mind with regard to the merits of the controversy between Government and some Members of this House on the one

side, and my friend Diwan Chaman Lall and Mr. Abdul Matin Chaudhury on the other, I should like to know what is the number of men who will benefit if the legislation before the House is accepted in its present form. You have about eight hundred thousand men on State-managed and Company-managed railways. You propose to make some exemptions. It is only certain classes to whom the new legislation will apply. I think it is a fair demand on our part to know what is the proportion of existing railway employees that will benefit by the fixing of a 60 hours' week. In the second place, Sir, I should like to know what are the present hours of work in the more important railway departments. It has been alleged by my friend Diwan Chaman Lall that in the railway workshops and in certain other activities railway employees already work only for eight hours a day, or even less. If that is so, it is quite clear that these men do not stand to gain anything from this new legislation. If in the more important departments of activity the principle of a shorter day has been accepted, I think it is for Government to justify why a longer day should be enforced in the case of other men.

The third point on which I want information is what would be the increase in expenditure if the Bill placed before us by Government is accepted. I should like them to bear in mind in this connection that there are certain forms of work in regard to which overtime allowances are paid. If the hours of work are shortened and an additional staff is employed, to what extent will the money saved on the payment of overtime allowances suffice for the engagement of the new staff?

Lastly, Sir, I should like to know what additional expenditure would be incurred in case an 8-hours' day is accepted. You are already prepared to face a certain increase in expenditure by the acceptance of the Washington and Geneva Conventions. I should like to know what the excess over this expenditure would be if the 8-hours' day is accepted.

These are the specific points, Sir, on which I desire some information. We cannot decide the issue before us even on purely material grounds unless this information is forthcoming. But I should just like to say a word or two with regard to the point of view that I adopt in considering a matter of this kind. My Honourable friend, Sir George Rainy, has on more than one occasion told us that it is impossible for Government to deal with labour questions without bearing in mind prominently financial considerations. It is obvious, Sir, that an industry of any kind cannot provide for labour more than its earning capacity renders possible. But on the other hand, I should not like these questions to be judged from a purely financial standpoint. The human factor has also to be considered. It is not merely that the trend of modern sentiment has changed, but practical conditions in India themselves require that the human factor should be borne prominently in mind in dealing with these questions. And here I cannot forget that Government have taken about ten years to give effect to the Washington Convention and about four years to the Geneva Conventions. Had their recommendations been accepted earlier, more experience might have been gained, and it might have been possible for us now to have material in connection with the inquiry that is to be undertaken by Geneva next year.

My friend, Mr. Shanmukham Chetty, drew our attention to a very important point when he asked us to remember that the delegates of the employers and the employed had both agreed last year to have the question of reducing the working hours considered next year. We have also to remember that the length of the working day is one of the matters which

[Pandit Hirday Nath Kunzru.]

will come under the consideration of the Labour Commission. I have no desire to prejudge the conclusions that might be arrived at, either by the Labour Commission or as a result of investigations at Geneva, but in view of the inquiry that is to be set on foot by Geneva next year, and the fact that the matter is to be considered by the Labour Commission, I think those of us who feel keenly on this subject ought to have no hesitation in making both Government and the other authorities that are concerned with this question feel that it is not only the labourers that are anxious for an amelioration of their position, but that those also who occupy a neutral position desire that they should be considered first and foremost as human beings. We should all bear in mind that the greatest capital at our disposal today is the efficiency and welfare of our human material.

Dr. L. K. Hyder: (Agra Division: Muhammadan Rural): I cannot claim that I am a labour agitator. I cannot claim that I administered the railways of the Government of India. I look at the matter from a detached point of view, and I have listened with the utmost attention to the case which has been made out for a 60 hours' week by the Members opposite. To my mind, Sir, there is in the case an unargued inference. That unargued inference is that, if you reduce the hours of work from 60 to 48, you will increase the cost. Now, Sir, this is the unargued inference to which I take objection. Is it at all likely, is it quite certain, that there will be an increase in cost? If you have shorter hours, the thing omitted from the calculation when the jump was made to this unargued inference is that there shall be, under no circumstances, an increase in the efficiency of the labourer. In other countries they have found out that there is an intimate relationship between the output and the hours of work.

Then, Sir, it is said that it may be all right elsewhere, we have no reason for believing that shortening the hours of work will make any increase in efficiency. I say, Sir, that the thing has to be proved before it has to be accepted on this side of the House.

Then, Sir, it has been said, leave the foreign countries alone; this is a special country with special circumstances. Unfortunately, Sir, I was not present in the House when the special circumstances were referred to, but I have revolved them in my mind, and I said to myself, "Can it be the climate?". Then of course it struck me at once that if the special circumstance referred to centre round the climate, then the argument is on this side and not on that side. If the special circumstances referred to the physique of the people, then again the argument is on this side and not on that side, on the side of shorter hours and not on the side of longer hours. If the special circumstances include a leisurely way of doing business, then I say the argument is on this side and not on that side, because we want you, Sir, to speed up and not to adopt the leisurely way of sending ten trains in 24 hours. It is no use asking the workers of the railway to adapt themselves to the leisurely way of running the trains. I have no doubt in my mind that the gentlemen who are responsible for administering the railway system in this country are aware that there is an economy of high wages. What my friend on my right was trying to do was to bring out the fact that there is also an economy of short hours. That is the whole meaning of the amendment which has been moved by him. There is another matter to which I shall refer. I would not base the case for shortening the

hours, as my friend on my right has done, and it struck me as peculiar also that while on the one hand it was said that the Railway Administration entertains a humanitarian outlook, on the other that it could not forget the interests of the taxpayers. I say, Sir, that I neither accept the one position nor the other. Let us look at the railway as a business concern, and that is the only aspect, and let us not then talk of social justice or social benevolence or humanitarian views. No, Sir, the railway worker is engaged in an industry, and the case for him rests, and can be made to rest, not on giving a dole or being charitable to him, but on his being intimately connected with the industry itself, and the whole question is whether the man whom you engage on one of these terms, the terms of 48 hours, is a man who gives the value for the money he receives. That is the case on which the railway worker should be judged, and there should be no talk either of benevolence or of a humanitarian attitude, because these things do not and should not come in the calculations of a capable railway administrator, and the worker himself stands on solid ground when he says, quite frankly and openly, "For 48 hours I shall give you an output in work which may be equal to the output which you might exact from me in 60 hours". That is the case. Well, Sir, it is on this ground that, after listening to the speeches delivered on that side of the House and also on this side, and after giving a proper amount of attention to this matter, I have come to the conclusion that the railway worker can stand on his own ground as an independent worker. Reference has been made to what is done in another country. Of course, the obvious retort is: what is done in the large majority of countries? There, there is the fear of the future which is perhaps deterring certain Members of the House from supporting my friend. The fear is that, if this legislation is introduced, there is no doubt that other industries will follow. I say, when then? Even in other organised industries the labourer shall be able to earn his wage by reason of the efficiency of his work, which should be limited to 48 and not 60 hours a week.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, I welcome this piece of legislation as a tardy recognition on the part of Government of the much-needed relief due to a deserving class of our public servants, I mean the railway employees. But, Sir, I should like to record my disapproval at this piecemeal interference with the Indian Railways Act. The Acworth Committee, if I remember aright, recommended that a wholesale revision of the Act should take place in the light of present day requirements. This was many years back. I also tried to bring this matter up before the House, but I was told that only last year the question of a somewhat comprehensive revision of the Indian Railways Act had been referred to the Rates Advisory Committee. So far as this legislation is concerned, there is no doubt that it is in some respects an advance upon the existing condition of things, but I should have wished it to go a little further. There are certain provisions of the Indian Factories Act which deal with the employment of labour, the hours of work, period of rest, and so on. I need not refer specifically to those provisions, but I would mention in passing sections 21, 22, 27, 28, etc., of the Indian Factories Act. I would only say this that overwork in factories is a matter which may be dangerous only to the workman himself, but overwork on the part of an employee on a railway is dangerous to a large number of the travelling public who have to travel on that railway. Let us take an instance. Suppose, a pointsman of a railway whose work is a risky one has been long on duty, and if an accident takes place on account of any inadvertent inattention or

[Mr. Gaya Prasad Singh.]

temporary absence on his part, he may not himself suffer, but it results in fatal consequences to the passengers. Therefore, Sir, I think that the amount of relief and respite given to workmen on the railways should be on a more generous scale than the amount of relief and respite given to workmen under the Indian Factories Act. I need not dwell on this fact that a workman who has been long on duty is physically and mentally unfit to discharge the responsibilities of his post requiring sustained exertion. It is therefore necessary that he should be given the much-needed relief to which he is entitled not only on humanitarian grounds, but also of public safety. If the causes of railway accidents are analysed, it will be found that many of the accidents owe their origin to inadvertent inattention or unconscious negligence on the part of some railway employees, who have been overworked and cannot bear the strain. The Bill, Sir, proposes to introduce 84 hours a week for those railway employees whose services are essentially intermittent.

The Honourable Sir George Rainy: On a point of order, Sir. Will not this question arise on the next amendment, which stands in the name of Maulvi Abdul Matin Chaudhury?

Mr. Gaya Prasad Singh: I need not dwell, Sir, on that point, because it has not yet been taken up. But I am glad to see that Government have undertaken an investigation into the whole question, and the result of it will be awaited with interest. Besides, we have got the Labour Commission which is now in labour, and by next year we may expect the recommendation of this Commission, which is likely to be on a more generous scale so far as the hours of work are concerned than the one which is proposed under this Bill. My information is that, in Japan, the hours of work are ten hours. I do not know if my information is correct, but I shall be glad if I am corrected. So, India is not the only country which has got a ten hours' working day, but we should try to bring it down to eight hours here.

In conclusion, I would like to say this. I find that a period of two years will be taken to give effect to the provisions of this Bill after it becomes law. This period, to my mind, is a rather long one, and I should have liked that the provisions of this law should come into force much earlier than that.

Rai Sahib Harbilas Sarda: (Ajmer-Merwara: General): Sir, I rise to support the amendment proposed by the Honourable Maulvi Abdul Matin Chaudhury. In the minute of dissent which I appended to the Select Committee's Report, I said that in two other Departments of Government, the hours of employment per week were not more than 48. In the Telegraph Department, for instance, the signallers do not work for more than 48 hours a week. In the Railway Mail Service, which is a branch of the Postal Department, sorters do not work for more than 36 hours a week. Mail guards, whose duties are less arduous, work at the utmost for 56 hours a week. In the Telegraph Department the day is one of eight hours, with relaxation on Sundays. If this is so in two Departments of Government, where work for eight hours a day is deemed sufficient, and if, as the Honourable Mr. Hayman has said, in the railway workshops the rule for years has been 42½ hours or 44 hours of work a week, then I see no reason why there should be a provision

in this Act to allow work up to 60 hours a week. I think, therefore, that, on the analogy of the Telegraph and Postal Departments, the week should be a week of 48 hours work only.

Diwan Chaman Lall: Sir, I rise to support the amendment of my Honourable friend Maulvi Abdul Matin Chaudhury. I want to be very brief in this matter because I have already said a good bit upon this subject. One reason why I rose to speak was because of the very able speech made by my Honourable friend Mr. Shanmukham Chetty. Mr. Chetty brandished the sword of his forensic ability in my face, and thereby gave a tremendous amount of assistance to Honourable Members sitting opposite, whose sword, it seems to me, happens to be a wooden one. What are the arguments advanced by my Honourable friend Mr. Chetty? I think he objected to what he understood me as saying that I implied this, that India had obtained an exemption from the Washington Convention. He would prefer me to say that India had obtained an exemption in the Washington Convention. It is all a difference of "from" and "in". I do not recollect that I myself was guilty of that blunder. I have had this matter thrashed out on another occasion in another country with the High Commissioner of India, and I was perfectly aware of what I was saying. What I was saying was this, that India had obtained an exemption in regard to the 48 hours a week in the Washington Convention, and I read out Article 10, which gives that special exemption. My Honourable friend over there said it was a provision. I say, call it what you like, provision or anything you like, the actual effect of that is that that exemption was obtained by India in the Washington Convention. Now, my Honourable friend Mr. Chetty referred to Article 427 and he said, "Well, in regard to Article 427, you are empowered, the authority is given to you by the Treaty of Versailles itself to make these exemptions". I do want to read to the House Article 427. I want to point out that there in Article 427 general principles were laid down and a high hope expressed by the high contracting parties that these general principles would be the guiding factors in labour legislation to be undertaken by those contracting parties, and it was said that the high contracting parties recognised that the well-being, physical, moral and intellectual of industrial wage earners was of supreme international importance. Well, the first test that I want my Honourable friend, Mr. Chetty, to apply is this, whether an eight hours' day would conduce more to the well-being, physical, moral and intellectual of the industrial classes of India or whether a ten hours' day would be more conducive to that end. I want him to answer that question. Would it not be better for the railway worker to work eight hours a day and have leisure and develop himself mentally, or would it be worse for him if he had the leisure that would be available to him by working ten hours a day?

The second point is they said, it is of supreme international importance. The high contracting parties have framed in order to further this great end a permanent machinery provided for in section 1. Then they go on to say that they recognise that differences in climate, habits and customs and of economic opportunity and industrial traditions make strict uniformity of the conditions of labour difficult of immediate attainment. Now, I want to ask my Honourable friend again, what particular exceptions laid down there militate against the grant of an eight hours' day to the workers on the railways in India. Let me take the first,

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that is climate. Climate is a factor which does not militate against the Honourable Member granting us an eight hours' day on the railways; on the contrary, it ought to help him to give us an eight hours' day. I hold in my hand a Report issued by a fairly well known authority, published by the International Labour Office, on the question of the relation of working hours to climate, and this is the conclusion that this author comes to in regard to the subject of working hours in relation to climate. The author insists, on scientific considerations, that for industrial countries which are situated south of Europe, the hours of work should be shorter than for other northern European countries, at any rate during the hot season. If climatic conditions in Europe lead this scientific investigator to state that, where there is a higher temperature in Southern Europe, you should have shorter hours, then why should not that principle be applicable here in India, and to the railway workers in particular? I ask, Sir, whether it is not a fact that the question of climate is an argument in our favour, not an argument in the Honourable Member's favour.

Then, take the next, customs and habits. I have yet to know of an individual in this country who possesses the courage to get up and say that the habits and customs of Indian workers are such that they prevent the Honourable Member from giving us an eight hours' day on the railways.

Take the next question of economic opportunity or industrial traditions. Is that the ground, I take it, which anybody would be foolhardy enough to advance? Is there anybody who would say that the economic opportunities and the industrial traditions of India are such that we should stick to sixty hours a week rather than to forty-eight hours a week? If these are the only exceptions laid down there of which advantage could be taken by national countries, then I ask where is the argument for stating that, because those exceptions are laid down in Article 427, therefore it is perfectly right that exceptions must be taken advantage of. And when we go on in Article 427 to the general principles laid down, what do we find? The fourth principle is the adoption of an eight-hour day or a 48-hour week as the standard to be aimed at where it is not already attained. This was in the year 1919. The standard to be aimed at is 48 hours a week. I want to ask my Honourable friend over there, what has he done during the last ten years to attain this particular standard which was brought to his notice as the standard to be aimed at for the benefit of the working classes in India? I want to ask this question: whether during that period anything has been done to approximate to this standard? If anything has been done to approximate to this standard, what is the experience gained? Does the Honourable Member's experience tell him, I want to ask him in all sincerity, does his experience tell him that a 60-hour week is desirable for the railway workers? Can he honestly get up in his seat and say that his experience is that a 60-hour week is better than a 48-hour week? I take it that my Honourable friend would not make that statement. If it is not correct that a 60-hour week is better than a 48-hour week, then what are the conditions? Why is it that a provision of a 60-hour week has been embodied in this Bill and why is it being passed into a statute as far as the railway workers are concerned? I want to ask my Honourable friend, Mr. Shanmukham Chetty, to give me the reasons why he wants it. If my Honourable friend is

so fond of Geneva and of the statutes laid down, in the Peace Treaty, why does he want the 60-hour week? He remembers the Preamble, in which it has been said that the existing conditions of labour involve such injustices and hardships and privations to large numbers of people as to produce unrest so great that the peace and harmony of the world is in danger. There is a statement made in the Preamble to the Peace Treaty, in reference to the organisation of labour and they recognise that those conditions of hardship which create this unrest have got to be done away with and a better system adopted. Now, my Honourable friend has had ten years in which to work that better system. Why has he not adopted it? The argument that I would place before him is this. Let him take for instance the workshop employees. Is it admitted that workshop employees work 48 hours a week or less than 48 hours? Is it true or is it not true? Let me take the engineering department, labour employed on the maintenance of permanent way that is gangmen and keymen. Is it not a fact that they are not working more than eight hours a day? Again, take the case of gate keepers. Do they or do they not work in three shifts of eight hours a day? Take your station staff. On all important stations, are they not working eight hours a day? Take your large sheds. Are they also not working on eight-hour shifts? So is the case with your running staff. If it is a fact that all these people are working on an eight-hour shift today, then I ask what is all this camouflage for? You come to us on the floor of this House and, in spite of the fact that in actual practice many thousands of your workmen are working on an eight-hour day basis, you want to pass—after this exemption has existed for the past ten years—a law that the railway workers should be ruled by the 60-hour week and not the 48-hour week. I would have understood my Honourable friend if he had turned round and said, "In regard to this particular class of workers, who no longer are working more than eight hours, I will make an exception. In regard to the running staff, I may have a little difficulty, and therefore I will so circumscribe the sphere of this Act or so limit its operation or so limit its duration that, after I have investigated, I will go back to 48 hours". I could have understood this if he had said so. What is it that induced my Honourable friend to publish this scheme at the present moment in regard to the 48 hours and the 60 hours? This problem has been raised by me, and why? I want to know if it is fact that, in actual practice, he has got a 48-hour week which applies to many thousands of his workers. My Honourable friend, Mr. Hayman, would say, prohibitive cost. I challenge that statement and I challenge him to produce figures about this cost. Take your running staff. Your running staff, the guards and drivers, are paid on the basis of certain miles, or certain hours of work done over and above their duty. Now whatever extra is earned by them in the overtime that they put in, suppose you were to limit their hours of work to eight, you could then increase your staff; or whatever increase you give in the shape of overtime, you could distribute the money to your extra staff. Even if you have to spend more money, is it not right that you should spend that money? My Honourable friend there puts up his hands and he says, no money. But you have plenty of money. What has happened to your reserves? Where are they? A mere book entry? Are they mere book entries? I believe you have got 15 crores as your Depreciation Fund and 20 crores as your Reserve, making 35 crores. Could you not take a little flea-bite,

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a few crores out of that and deal with this problem? I do not believe for a moment that it is a question of crores. It is a simple question, and if you only had the will, you could deal with it promptly and efficiently. But the Government of India move very slowly; they think they move very surely, but I am not quite certain. I think the attitude they have adopted in regard to this matter demands a straightforward reply. Will you tell us exactly why you are now at the present moment coming forward with this demand, and tell us why it is not 48 hours? What is the objection to 48 hours? If you say it is finance, have you worked out the figures of finance? Have you worked out the figure of cost? How much extra cost would it involve? Give us the figure; it is no use taking the vote of this House on an issue in regard to which facts have been withheld from us. Let us have all the facts and figures here. Have you got any facts or figures to substantiate the statement you have made? If it is either cost, or if it is climate, if it is expediency, if it is the demand of the workers, if it is compliance with Geneva, let us have all these arguments; because, as far as compliance with Geneva is concerned, you have not got a leg to stand on. You have not got a leg to stand on so far as the question of climate is concerned. I do not know, nor I think does any other Member of the House know, what the extra cost would be, because I believe you have not worked out the figures of that extra cost. Under these circumstances I submit that it would be wrong on the part of any Honourable Member to suggest either to Government or to any industrialist on the floor of this House that they must not adopt 48 hours a week merely because of its repercussion upon other industries in India. This is an honest, just, straightforward and reasonable demand, namely, a demand for 48 hours. What business has any Honourable Member on the floor of this House to turn round and say that he will not give it merely because it might have some repercussion on other industries? Are the Government of India, I want to ask, in the pay of the Indian capitalist or the British capitalist in India, that they have this tender regard for the needs of the Indian and British capitalists when they have no regard for the Indian worker on the railways? Which would they prefer, the dividends of the industrialists, or the happiness,—intellectual, moral and physical happiness,—and well-being of the industrial worker on the railways? They have their choice and I hope they will be wise and make their choice in the right direction.

The Honourable Sir George Rainy: Sir, this question, which has been under discussion since the House resumed after lunch, is of course the crux of the whole Bill. The most important question that can be raised on this Bill is whether the limit for the hours of work should remain at 60 a week, as fixed in the Bill, or whether it should be reduced to 48, as proposed by my Honourable friend Mr. Abdul Matin Chaudhury. Now, although the amendment stands in the name of my Honourable friend, perhaps I am entitled to say that the protagonist of 48 hours is my other Honourable friend Diwan Chaman Lall, since he has made two speeches on the subject and Mr. Abdul Matin Chaudhury has made only one.

Now, one of the reasons which he adduced as reason, why the House should make the limit 48 hours and not 60, was the delay of the Government of India in dealing with this question. It does not seem to me to

be a very relevant reason, but since something was said about it by more than one speaker, I think it is reasonable that I should reply in regard to it. It is obvious from what I said in a speech during the Budget discussions last year, that I feel myself that the question has been delayed much too long. I frankly admit it. But if anyone asks the reason why the question was not taken up effectively sooner, I can give an answer in two words. We should never have been able to take it up effectively until we had the Labour Member on the Railway Board. It is a simple point that you must have people whose definite business it is to work out the complicated details of a question like this, and until we had the necessary machinery, we could not deal with the difficulties. It took me two years, after I became a Member of Council, to make up my mind that we must correct the defect in our organisation, and it was not until that defect had been corrected, that it was possible for me to make any substantial progress with this question of compliance with the Washington and Geneva Conventions.

I should like to refer to the questions put by my Honourable friend, Pandit Hirday Nath Kunzru. What are the existing hours of work in the workshops, he asked, and if, as has been stated, you can work 48 hours or even 42 hours a week in the workshops, does not that admit the principle of 48 hours a week, and ought you not to apply that limit generally? Now, the reason why we could, without a great deal of difficulty, keep within a 48 hours' week or even a lower limit in the workshops is that we could shut down the workshops for one day in the week altogether and work eight hour shifts on the remaining six days. If it were possible to shut down to a very large extent, as is customary in European countries, the work of the railways generally to (say) 50 per cent. on one day in the week, the whole question would become a great deal easier. In Europe a large part of the work is closed down on the weekly rest day, and for a very large portion of the staff no substitutes are required on that day; whereas in India we cannot close down or reduce the work, because the trains run as they do on other days, and the result is that, with a 48 hour week, we should require substitutes for the whole of the staff on the weekly rest day. That brings me to what my Honourable friend Dr. Hyder said. He said, are you sure that there will be an increase of cost? Is it not true that, in many branches of industry, the economy of short hours and the economy of high wages has been demonstrated, and would it not be the same on the railways? So far as the workshops are concerned, it is a perfectly good argument. In theory it can only be tested by experience, but I should not be the least surprised to find that, given efficient control and management, you might pay higher wages and work shorter hours, and still get a larger output. But my difficulty about the great bulk of the labour, who will benefit from this Bill, is precisely this, that I do not see how the output can increase. What is the output of a railway as a traffic carrying concern, except the number of passengers it carries, the volume of goods it carries, and the number of trains that pass over the lines in a given period? If, in order to work to a 48-hour week, the railways have to incur increased expenditure in order that the staff at each station may work shorter hours, there will be no increase in the number of trains, no increase in the number of passengers, no increase in the volume of goods carried, and therefore there must be an increase of expenditure which you cannot recoup directly by any increase in earnings. The only compensating advantage, from the commercial point of view that you can expect, is greater

[Sir George Rainy.]

safety from accidents perhaps, or other indirect advantages of that sort. I do not think that Dr. Hyder's argument is fairly applicable to the circumstances of the railways.

Now to revert once more to certain other questions put by Pandit Hirday Nath Kunzru. He wanted to know how many men would profit by the provisions of the Bill, he wanted to know what the increase in expenditure was likely to be as a result of the operation of this Bill, if it passed into law, and wanted to know what the further increase in expenditure would be from the introduction of a 48-hours' week. The second question, I can answer. The first and the third, for reasons which I will explain, I am not in a position to answer. With regard to the second, the recurring expenditure, as a result of the present Bill, will be about 50 lakhs a year or possibly it may be slightly higher. I understand that the non-recurring expenditure on the construction of quarters, etc., may amount to as much as 75 lakhs. But as regards the further increase in expenditure which would result from a 48-hours' week, if I had an estimate in my possession which I could regard as giving a reasonably accurate idea of what it was likely to cost, I should be most happy to lay it before the House. I have not got such an estimate nor can I give the figures of the number of men likely to be advantaged by the passing of this Bill into law. The reason is this. In order to get really accurate figures, we should have got to examine the conditions in every railway station in India and see exactly what the conditions are at each station and what additional staff is required in order to give effect to the change in the law. Still more would that be necessary to get an accurate estimate of the cost of a 48-hour week. But I am quite confident of this, that it would cost considerably more to go on to the 48-hours week than it costs to give effect to the provisions of the present Bill. Until that matter has been fully explored, apart from any other argument, I could not ask this House to agree to the adoption of the 48-hour week. My Honourable friend, Diwan Chaman Lall, seemed to me to argue that, because Government could not show that the cost was prohibitive, therefore the House ought to tell the Government to go ahead. Now, I would ask this, supposing we are going to construct a new Railway line or a new project, or to make a large improvement and if we come to the Standing Committee and say we have no evidence that the cost will be prohibitive, would the Standing Finance Committee tell us to go ahead?

Diwan Chaman Lall: May I interrupt my Honourable friend? My point is not that. My point is merely this. You had ten years in which to investigate the possibilities of a 48-hours' week. Why have you not investigated that possibility?

The Honourable Sir George Rainy: I have given my answer to my Honourable friend already. Until we had our labour organisation at the Headquarters of the Railway Board, there was not the least chance of this question being adequately examined. I made it quite plain that this very question, the adequate examination of this very question, was one of the main reasons why I considered it necessary that the organisation of the Railway Board should be changed.

Again my Honourable friend asked, had we not the reserve available? I have always been taught, ever since I came to this country, that it was

not right to use non-recurring income to meet recurring expenditure, and I am afraid I am too old to unlearn that lesson.

I have now run over the main points why the Government of India are unable at present to accept the reduction of the figure in the Bill from 60 hours to 48 hours. It would mean a serious addition to the expenditure of the railways, and it is an addition which, if introduced suddenly, might mean a definite increase in rates and fares. The whole question will have to be examined in connection with the revision of the Washington Convention, as far as India is concerned. There is no question about that. But at present I would press upon the House that, what we have got to do is to carry out the obligations we have already incurred and not to commit ourselves to other obligations which involve heavy expenditure and which we could not give full effect to for several years to come, because the whole of the preliminary work has still to be done. But my Honourable friend, Diwan Chaman Lall, says, why have the Government brought the question forward at this stage as a matter of urgency? Having waited for ten years, why could they not wait a little longer? In particular, he said, if the House should decide in favour of the Bill as presented by Government, then it would in effect be providing an argument why, when the Convention comes under revision, we should not move forward to a 48-hour week. Now, if I thought that this Bill would prejudice the freest and fullest examination of the question whether or not a 48-hour week should be adopted in India, I should be very sorry to bring it forward. But I cannot believe that it will have that prejudicial effect, and I am quite sure that that idea was not present to the mind of any Member of Government. For one reason alone it seems to me that the apprehension expressed by my Honourable friend is quite groundless. After all is not this a matter very much within the sphere of the Royal Commission on Labour, and is it likely that my Honourable friend or his colleagues will be deterred from making any recommendation they think right in the interests of India because the Legislature of India passes a Bill to give effect to obligations incurred by the Government of India several years ago? Is it likely? and if not, what reason has my Honourable friend for feeling any apprehension on the point? For the reasons I have given, Mr.

President, Government are unable to accept the amendment
4 P.M. moved by my Honourable friend, and I hope that the House will not accept it either.

Mr. President: The question is:

"That in clause 2, in sub-section (1) of the proposed section 71C for the word 'sixty' the word 'forty-eight' be substituted."

The Assembly divided.

AYES—15.

Abdul Matin Chaudhury, Maulvi.
Ayyangar, Mr. K. V. Rangaswami.
Chaman Lall, Diwan.
Farookhi, Mr. Abdul Latif Saheb.
Ghazanfar Ali Khan, Raja.
Hyder, Dr. L. K.
Kidwai, Sheikh Mushir Husain.
Lalchand Navalrai, Mr.

Mohammad Ismail Khan, Haji
Chaudhury.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Rang Behari Lal, Lala.
Sarda, Rai Sahib Harbilas.
Siddiqi, Mr. Abdul Qadir.
Sitaramaraju, Mr. B.
Talataley, Mr. S. D.

NOES—42

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Alexander, Mr. W.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Chambers, Mr. G. W.
 Chetty, Mr. R. K. Shanmukham.
 Coatman, Mr. J.
 Cocke, Sir Hugh.
 Cosgrave, Mr. W. A.
 Crawford, Colonel J. D.
 Crerar, The Honourable Sir James.
 Crosthwaite, Mr. H. S.
 Ferrers, Mr. V. M.
 French, Mr. J. C.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. L. B.
 Hayman, Mr. A. M.
 Hira Singh Brar, Sardar Bahadur,
 Honorary Captain.
 Howell, Mr. E. B.
 Jawahar Singh, Sardar Bahadur
 Sardar.
 Jehangir, Sir Cowasji
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.

Mitra, The Honourable Sir Bhupendra
 Nath.
 Mitter, The Honourable Sir Brojendra.
 Monteath, Mr. J.
 Mukherjee, Rai Bahadur S. C.
 Mulla, Sir Dinshaw.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Parsons, Mr. A. A. L.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Roy, Mr. K. C.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Schuster, The Honourable Sir George.
 Scott, Mr. J. R.
 Singh, Mr. Adit Prasad.
 Singh, Raja Raghunandan Prasad.
 Slater, Mr. S. H.
 Sykes, Mr. E. F.
 Tin Tut, Mr.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was negatived.

Mr. President: I think this is a convenient stage to adjourn unless the Honourable Member in charge of the Bill desires that we should continue.

The Honourable Sir George Rainy: I think it is desirable, Sir, that this Bill should be proceeded with. I am very anxious that there should be no possibility of this Bill not getting through this Session.

Mr. President: Maulvi Abdul Matin Chaudhury.

Maulvi Abdul Matin Chaudhury: Sir, I move:

"That in clause 2, in sub-section (2) of the proposed section 71C, for the word 'eighty-four' the word 'sixty' be substituted."

This clause provides for an 84-hour week for the essentially intermittent worker. It makes no provision for hours of rest or for a holiday. If, Sir, the hardship involved in this case is not apparent to Honourable Members from the clause itself, nothing that I can say will have any possible effect on them; and I do not want to take the time of the House by expounding the obvious. I move.

Mr. A. M. Hayman: Sir, my Honourable friend has spoken just a few words on his motion, and I propose also to be very brief. I wish to say that there are many safeguards that we are going to take in order to prevent our essentially intermittent workers from being called upon to work for more than a reasonable number of hours. It is true that we have provided for a maximum of 84 hours' duty for them; but we will, by executive instructions, see that, if required to be on duty for about 12 hours a day, they definitely enjoy long periods of inaction at least during such

duty. Our rules will provide two periods of inaction which exceed half an hour each and we shall see that there are other periods of inaction too. I would like to say that it is our intention to examine the work of every one of our employees from the point of view of finding out how much actual work they do, in order to classify them as essentially intermittent or as continuous workers. I would like to make just one brief reference to what the practice is in other countries in dealing with this question. In most of the Western countries the practice is to value the number of hours work which are essentially intermittent work on the principle of adding to the number of actual hours work a certain fraction of the hours during which an employee is on duty, but no work is actually performed. That is the principle adopted by almost all the Western countries, but they differ very largely in the basis on which the conversion is made. Some take the period of duty at only one-fifth, some at half and others at two-thirds of the working hours. We had at one time seriously considered whether we should not go in for this principle of measuring the hours of duty when work was not performed at a fraction of the hours of work thus doing away with the classification between continuous workers and essentially intermittent workers for the purpose of prescribing the maximum number of hours of duty for all. But we gave up that idea simply because we thought that it was better, in the interests of the men, to do so. These, Sir, are the brief explanations that I would give to satisfy the House that we are justified in adopting this higher number of maximum hours of duty for our essentially intermittent workers.

Diwan Chaman Lall: Sir, I am greatly at a loss to understand what justification there is for 84 hours, and why the Honourable Member over there is not prepared to accept the sixty-hour limit for these intermittent workers. What is the difficulty? I would like to know what difficulty there is. I would like to know, and I am sure Honourable Members on this side also would like to know, exactly why it is that 84 hours is a favourite figure and not 60 hours with the Government. Now, it so happens that it is our misfortune that Honourable Members opposite bring up these important suggestions affecting the lives of thousands of people, and on this side, with a House constituted as it is, they can turn round and treat these Benches with utter contempt. As one who would like at least to be treated to an intellectual treat, I am missing even that from the Government Benches. I would like some sort of statement of their reasons, valid or otherwise—that is for the House to judge—but let us have the reasons at least. We have got a bare statement already in the Bill that you have presented before us. Firstly, Sir, let us know why it is that you want 84 and not 60. If Mr. Hayman—I am not usurping his functions, Sir,—had turned round and said, "Here are my facts and figures of different classes of workers and continuous workers and intermittent workers, whose work is such that we are unable to put down a limit of less than 84 hours a week", I would have said "I will give my thought to it, I will give my best consideration to it." But I am not presented with these facts and figures; the Select Committee, as far as I can make out, have not been presented with these facts and figures; and I take it that this figure of 84 hours is put down because it has been the general rule so far that there are certain classes of workers who are working 84 hours a week, and therefore we are bound to that position. When a friend of mine over here turned round a little while ago and said that this

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was a step forward, I interrupted him and I questioned in what way this was a step forward? You prepare your rosters, and I can prove to the complete satisfaction of the Honourable Member over there, that in the preparation of your rosters now such difficulties arise as are not beneficial to certain classes of workers; and if that is the position, I ask, how is this a step forward? Now, I want to ask the Honourable Member—I am very glad and I congratulate the Honourable Member over the appointment he holds and I entirely agree with Sir George Rainy in what he has said, that it is since the appointment of this Member of the Railway Board that these matters have been looked into and I wish him all the luck in the world—I want to ask the Honourable Member not merely to look at these figures—I want him to look at them with a sympathetic eye. For instance, let us take the case of the intermittent workers. I want to know what the policy of the Government of India and of the Railway Board are in regard to the question of equated hours. Have you got a policy? Have you come to any conclusions? Let me give an example. Here is a worker who, if his total duty is totalled up, puts in, let us say, six hours of work in the course of a day, but he is put off for another spell, which totals ten hours a day. Knowing that, in all civilised countries, as far as I am aware, there is some sort of system whereby he is compensated to some extent, I want to know is he compensated here to any extent? . . .

Mr. B. Das: Now you are coming to the point.

Diwan Chaman Lall: I am glad, Sir, my friend, Mr. Das, is awakening to the realities of the situation. (Laughter.) He says that now I am coming to the point; he means by that, I suppose, that he sees the point. (Laughter.) I want to know whether it is or it is not a fact that there is no such system here. If there is, I would like to know what it is. Whether that is going to be worked by the Government of India, by the Railway Board or by the Honourable Member or not, I want to know, and until I do know that I shall oppose this proposition tooth and nail.

I come now to the difficulties that arise in regard to intermittent work, difficulties which can only be adjusted by a most careful consideration of the demands of the workers themselves. Here is a question which my friend will have to look into. When I am presented with a statement of this kind, that is to say, the old hours work were eight hours a day; and, in order to give rest for 24 hours, the rosters have been changed, and in one case the change has been such that it would seem there is now a system of employing a man for 12 hours a day for two days. I ask, is that in the interest of the workers? These matters cannot be adjusted unless there is the closest contact between the worker on the one side and the employer on the other. It is all very well for the Agent to put a man on special duty and tell his clerk to work out a roster on that basis. But when the roster is actually worked out, the worker finds that it is not to his advantage, that the roster has been broken in, and that he is made to work for longer hours on one or two particular days in the week, and in this way difficulties arise. How does my friend intend to adjust those difficulties? Does he intend to adjust them by calling a conference of the workers' representatives sitting in conclave with them and then decide the matter or by the mere *ipse dixit* of the Department over which he presides?

Now, Sir, I do want to know, as I started by saying, the justification for the 84-hour limit; why will not my friends over there accept the 60-hour limit? Secondly, I want to know, what method does the Honourable Member propose to adopt in order to give some compensation to those people who are engaged in intermittent work? There may be several classes of workers in regard to whom it may be said that their work is intermittent. I want to know what particular compensation, on the basis as it is prevailing today in other countries, he proposes to give them. Thirdly, I want to know whether he is prepared to accept the proposition that this matter must be settled in consultation with the representatives of the Union. May I ask lastly this, whether the Honourable Member is prepared, even though this measure may become the law, and may gain the sanction of a statute, the House being constituted as it is, to consult the representatives of the workers and fix a lower limit if it is found that the lower limit is a reasonable one?

The Honourable Sir George Rainy: Sir, I shall deal very briefly with the arguments that have been put forward. I should like, in the first place, to draw the attention of the House to the definition of "essentially intermittent" in clause 2 of the Bill. New section 71A reads thus:

"The employment of a railway servant is said to be 'essentially intermittent' when it has been declared to be so by the authority empowered in this behalf, on the ground that it involves long periods of inaction; during which the railway servant is on duty but is not called upon to display either physical activity or sustained attention."

This definition has been borrowed, I understand, from the definitions in force in various European countries.

Now, my friend, Diwan Chaman Lall, asked what steps were going to be taken to make sure that the interpretation placed upon the term "essentially intermittent" was reasonable and proper. The proposal in the rules is that power should be delegated to the head of each railway, and that he should have power of sub-delegation, but the control that will be exercised will be very largely exercised through the reports of the supervisors of railway labour. I quite realise that there is a danger of want of uniformity in this matter and of some railways classifying too freely as essentially intermittent work which ought not to be so classified. In addition to any control that we may be able to exercise direct from the Railway Board, we shall rely very largely on the reports of the Supervisors of railway labour, who will be specially asked to give their attention to this question.

Now, as regards the limit of 84 hours a week which is proposed to be fixed, I would like to make it plain that we are not pledged under the Washington Convention to fix any limit at all. It would have been possible simply to say that workers, once they were classed as "essentially intermittent" should be left out. We have inserted this limit because we think it reasonable that, even when a man's work is very light, and the actual work in proportion to the hours of duty is very small, there should be some maximum limit.

Finally, my friend asked whether the question of essentially intermittent work would be discussed with the Railway Unions. It seems to me that, if the men on a given railway are not satisfied with the manner in which work has been classed as "essentially intermittent", it would be entirely proper that the matter should be discussed between the

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Unions and the Railway Administration. But if my Honourable friend means that we should discuss the question of the limit proposed to be set down in this Act either with a Union or with the Railwaymen's Federation, that is rather a different matter. Clearly, we cannot take the decisions of the Legislature elsewhere, as to a Court of revision. At the same time, it is only a maximum that is fixed by law, and it is perfectly open to the Railwaymen's Federation to represent to the Railway Board or the Government that a lower maximum should be fixed, and there would be nothing illegal in fixing a lower maximum on the State-managed railways. But I think it would be a great mistake if the Federation were to raise that question as an abstract question, and if the question is to be raised at all, it would be fit to take it up as regards particular classes of labour, so that we could get down to the facts and come to a conclusion as to what is a reasonable limit to the hours of work. That completes, I think, what I have to say, Sir.

Mr. President: The question is:

"That in clause 2, in sub-section (2) of the proposed section 71C, for the word 'eighty-four' the word 'sixty' be substituted."

The motion was negatived.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Rainy: Sir, I move that the Bill, as reported by the Select Committee, be passed.

The motion was adopted.

The Assembly then adjourned till Half Past Four of the Clock on Friday, the 28th February, 1930.



LEGISLATIVE ASSEMBLY.

Friday, 28th February, 1930.

The Assembly met in the Assembly Chamber of the Council House at Half Past Four of the Clock, Mr. President in the Chair.

ELECTION OF THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

Mr. President: I have to inform the Assembly that the following Members have been elected to serve on the Standing Finance Committee for Railways:

1. Mr. R. S. Sarma,
2. Mr. E. F. Sykes,
3. Sardar Gulab Singh,
4. Mr. M. S. Aney,
5. Mr. Muhammad Yamin Khan,
6. Mr. Abdul Qadir Siddiqi,
7. Khan Bahadur W. M. P. Ghulam Kadir Khan Dakhan,
8. Mr. A. H. Ghuznavi.
9. Mr. Fazal Ibrahim Rahimtulla,
10. Mr. K. C. Neogy, and
11. Haji Chaudhury Mohammad Ismail Khan.

ELECTION OF MEMBERS TO THE GOVERNING BODY OF THE INDIAN RESEARCH FUND ASSOCIATION.

Mr. President: I have also to inform the Assembly that Sir Purshotamdas Thakurdas and Dr. B. S. Moonje have been elected to sit on the Governing Body of the Indian Research Fund Association.

THE BUDGET FOR 1930-31.

INTRODUCTORY.

The Honourable Sir George Schuster (Finance Member): In presenting my budget proposals this year, I intend to depart to some extent from the procedure which has been followed hitherto and to confine my explanations of the past, current and prospective conditions, as far as possible, to a broad descriptive statement, leaving the great mass of detail

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of figures to be supplied in the Explanatory Memorandum which will be circulated to Honourable Members together with a copy of my speech. Nevertheless, it is necessary to give a good many figures in order to explain the situation and I am afraid that I have so many important matters to propound that it will not be possible for me to be very brief.

2. Honourable Members will recollect that, in reviewing the position Actual out-turn of 1928- last year, I said that the main question for consideration, in deciding our policy was whether the gap caused by the final remission of the provincial contributions in 1927 had been filled, or whether the time had come to recognise that it had not been filled and that it would be necessary to find some new source of revenue. In dealing with the revised estimates for 1928-29, I pointed out that the results for the year had been, or were likely to be, improved by a number of fortuitous circumstances, that is to say, a throwforward of land customs revenue from the preceding year and an abnormal anticipation of salt revenue owing to speculation. I indicated that, had it not been for these fortuitous circumstances, we should have had to anticipate a deficit in 1928-29; and I therefore thought that it was clear that the gap, to which I have referred, had not been filled in that year. Subsequent events have reinforced that conclusion. There was, in fact, a serious deterioration under several headings in the last two months of 1928-29, on top of which came an exceptional item, namely, a heavy drop in the amount which could be credited to revenue from the Gold Standard Reserve, due to the necessity for writing down the securities as a result of the raising of the Bank of England rate to 5½ per cent. in the middle of February last. This last item did not, of course, represent a realised loss and will, in fact, be more than made good by extra receipts in the current year. As a result of these factors, the year 1928-29 actually closed with a deficit of 1.06 lakhs instead of with the surplus of 30 lakhs anticipated in my revised estimates last year. The exceptional items of deterioration to which I have referred, may be regarded as counterbalancing, to some extent, the special favourable items which I mentioned last year, so that, on the whole the results of 1928-29 now appear more nearly in their true colours.

3. What this result has meant to us is that, instead of being able to make an addition of 30 lakhs to the balance of 74 lakhs standing to the credit of the Revenue Reserve Fund, the whole of that balance had to be drawn upon and we were left with an uncovered deficit of 32 lakhs.

REVIEW OF THE YEAR 1929-30.

4. Turning now to the results for the current year 1929-30, though I can see no cause for anything like permanent pessimism for the future, there are many things which have increased the difficulties of the present. Failure of rains in some places, excessive rains with serious flood damage in others, combined with political uncertainties which have had an unsettling effect on commerce and industry, have been factors special to India, while, at the same time, India has suffered from the general disturbance to world conditions caused mainly by the unprecedented Stock Exchange speculations in the United States followed by the sudden and sensational

collapse in October. The speculation was accompanied by a huge demand for money to finance Stock Exchange transactions at high rates of interest which attracted a flow of capital from all countries on a scale which has hitherto been unknown. The collapse seems likely to result in a period of business stagnation in America, which has already produced a serious fall in the prices of all commodities. While the effect of these events on monetary conditions in India has been apparent throughout the year under review, the effect of the fall in prices on trade and production is only now beginning to be felt. I propose to revert later to general economic conditions in India. At the present stage, it is only necessary to give a brief review of the actual trade conditions in the first nine months of this year.

5. The visible balance of India's trade, including private imports of treasure, for the nine months ended the 31st December 1929 was 41.62 crores against 39.76 crores in 1928 and 33.07 crores in 1927. Exports of Indian merchandise, however, show a deterioration of about 8½ crores as compared with last year which is accounted for by a large drop under jute yarns and manufactures (3.38 crores), jute raw and waste (2.71 crores), wheat (1.46 crores), barley (1.58 crores) and hides and skins (1.39 crores). Rice exports, on the other hand, have been considerably more encouraging and show an improvement of 2.51 crores, while exports of cotton are also slightly better than last year (.22 crores).

6. Imports of foreign merchandise also show a considerable drop as compared with last year (4.54 crores) which is shared by cotton yarns and manufactures (2.11 crores), other yarns, manufactures and textile fabrics (2 crores), iron and steel and manufactures thereof (1.39 crores). It is satisfactory to note that imports of rice which amounted to 1.49 crores in the first nine months of last year fell to 7 lakhs during the same months of the current year, although imports of wheat increased from 1.75 crores to 3.64 crores.

7. Despite the fact that the fall in the exports is about twice that in imports, the visible balance of trade has actually risen, as net private imports of treasure also fell by 6.38 crores to 18.12 crores which is the lowest figure touched since 1922-23.

8. The unfavourable factors to which I have referred, have, of course, been reflected in our budgetary results, but, on the whole, we have been fortunate in the sense that we have had certain special wind-falls, as a result of which I can anticipate that the accounts for 1929-30 will close without showing a deficit. In the first place, we have found ourselves, as a result of the facts which I have already explained, without any balance to the credit of the Revenue Reserve Fund and, therefore, unable from this source to make good the deficit of 90 lakhs which, as Honourable Members will recollect, I had anticipated for the current year. Apart from this, the results to date indicate, on balance, a deterioration as compared with the budget estimate. While Taxes on Income, Salt and net Opium receipts indicate a probable improvement of 1.12 lakhs, there are deteriorations under Customs (55 lakhs), Miscellaneous payments (52 lakhs), Railways (13 lakhs), Posts and Telegraphs (50 lakhs) and other heads (8 lakhs). I must here mention that the items affecting Interest—that is to say, taking into account outgoings and receipts together—only show a net deterioration of 3 lakhs; but the deterioration would have been considerably

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larger if we had not had exceptionally large receipts from interest on the Gold Standard Reserve. The high rates of interest prevailing for money during the first nine months of the year, combined with an appreciation in the value of our investments from the low point to which they had, as I have already explained, been written down on the 31st March 1929, have combined to give us an altogether exceptional figure under this heading. Our receipts, in fact, exceeded the budget estimate by 74 lakhs. I shall refer to this matter again.

9. The result from all the figures which I have given, is a net deterioration of 66 lakhs as compared with the budget estimate, and this, combined with the original deficit of 90 lakhs, which, as explained, cannot be covered, as expected, by a transfer from the Revenue Reserve Fund, brings us to a total deficit of 1,56 lakhs. As against this, however, we can balance a special wind-fall, because we are able to bring into account a large sum held by us at credit of the German Liquidation Account under the Treaty of Versailles, which, as a result of decisions arrived at at the Hague Conference, will now accrue to the Government of India. By a curious coincidence, this amount is 1,56 lakhs and exactly balances the deficit previously disclosed. On this basis, therefore, the year 1929-30 will close with an even balance.

10. I do not, however, wish to give a misleading picture and we must fully realise that several exceptional receipts—apart from this special wind-fall—have contributed to the result. I have already alluded to the exceptionally high item for receipts under the heading of interest on the Gold Standard Reserve, and, in addition to this, there are several items which can hardly be regarded as normal. I would refer specially to the sugar import duty on which we anticipate a receipt of 8.35 crores as against the budget estimate of 7 crores, and jute export duty, which at 4.71 crores, is 50 lakhs above what I consider to be a safe and normal figure. Further, the revised estimate for Taxes on Income includes a special wind-fall of 30 lakhs as the net result of certain judgments in the Privy Council. I refer to these matters, because, in any review of the position undertaken for the purpose of considering future policy, it is necessary to eliminate exceptional items of this kind. If, on this basis, we examine the position since the final remission of the provincial contributions, we find that in 1927-28 there was an actual deficit of 2.21 lakhs; in 1928-29 a deficit of 1.06 lakhs; while, for 1929-30, the figures which I have given sufficiently clearly explain the position. These results indicate that, taking into account the unavoidable increase in expenditure, and even making allowances for the present depressed trade conditions, the gap caused by the remission of the provincial contributions has not, on a normal estimate of revenue and expenditure, been fully filled.

PROSPECTS FOR THE YEAR 1930-31.

11. I must now turn to the prospects for the next year—1930-31, so arranging my statement as to indicate, as clearly as I can, the main framework of the problem with which we have to deal. I will start with certain preliminary explanations. First, on a matter of detail, in the figures which I am now going to give to the House, I shall eliminate receipts on

account of the two-anna petrol tax which are off-set by the block grant on the other side to the Road Development Fund. Secondly, in my forecast for next year, I am not taking into account the possible effects on revenue of serious disturbance or the practice of civil disobedience. Even if we could consent to the assumption that the threats of such action will be realised (which, of course, we cannot do), it would be impossible to estimate its effects. Nevertheless, I cannot avoid taking some account of the reaction of the attitude of certain political leaders and parties on business conditions in the country, for, to some extent, that reaction is already an established reality. A serious blow has been given to confidence, both within India and outside it, by the doctrines preached in December last at Lahore and since then throughout the country. In saying this, I refer not only to the threat of repudiation of debts—which I am convinced that no responsible Indians take seriously—but also to the general programme of civil disobedience and the attitude of hostility to the British connection and British interests. It is not for me, in a financial speech, to express views as regards this policy or the ideals which underlie it. I only wish to refer to the inevitable economic results.

12. Translating this view into a practical appreciation of the budgetary prospects for next year, I am forced to the conclusion that, even allowing for a reasonable good monsoon, the prospects of trade cannot be regarded as very bright. World conditions are against us and the chances that business in India can develop favourably in spite of these adverse factors, are very seriously reduced by the blow to confidence in new enterprise which has been given by the conduct to which I have referred.

13. Adopting this appreciation of the position, my forecast as regards the main headings of revenue would be as follows:

Revenue.

Customs.—I am allowing for a net deterioration, exclusive of the Road Fund receipts, of 1.09 lakhs as compared with the budget estimate of the current year, and of 42 lakhs as compared with the revised estimate. The total estimate for Customs, exclusive of the Road Fund receipts, is thus put at 49.30 crores.

Taxes on Income.—I expect we shall collect 17.30 crores, which is 70 lakhs more than the current year's budget figure, though only 20 lakhs more than the revised estimate.

Salt.—I have assumed a receipt of 7.05 crores which again is 70 lakhs more than the original estimate of the current year. This latter, as explained in my last budget speech, was abnormally low as a result of speculation.

Opium.—Compared with the budget for 1929-30, next year is expected to show a drop of 33 lakhs in receipts as a result of the ten-year programme, and of 7 lakhs in payments—a net diminution of 26 lakhs.

14. The net result is that, so far as the main heads of general revenue are concerned, there will, on the basis of existing taxes, be a net growth of no more than 5 lakhs as compared with the budget estimate of the current year.

15. Turning to departmental transactions, this House is already aware that the contribution from the Railways to general revenues is likely to be less satisfactory than in recent years. The total is estimated at 5.74 crores, as compared

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with the budget figure last year of 6.25 crores, showing a net deterioration of 51 lakhs. In *Posts and Telegraphs*, prospects for next year are likewise unsatisfactory. It is necessary to anticipate a deficit of 48 lakhs on the Indian Posts and Telegraphs Department and of 8 lakhs on the Indo-European Telegraph Department. Taking into account the capital expenditure charged to revenue, the net deterioration as compared with the budget estimate of the current year is 48 lakhs.

16. It will be seen, therefore, that, on the results of the two large Commercial Departments of the Government, the Railways and the Posts and Telegraphs Department, we have to anticipate a total deterioration of 99 lakhs as compared with the budget estimate for 1929-30.

17. I will now turn to the main heads of expenditure. In dealing with this, I intend, throughout my remarks, to draw a distinction between normal administrative outgoings and those other heads such as Debt Services, where we have to meet either charges for the service of our loans or make provision for redemption or security. Expenditure of this sort falls in a different category, for the charge for service of the loans is unavoidable, while to provide money for security provisions cannot be criticised as extravagance but is, on the contrary, a thing to be commended as sound and prudent finance.

18. Having drawn the distinction between these two kinds of expenditure, I will turn to examine the former, namely, the whole field of normal administrative expenditure. It is on our action in this field that I expect and, indeed, desire Honourable Members to turn their most critical scrutiny. There is a general demand for retrenchment and economy on the one side, and, on the other there is the persistent and insistent pressure for increased expenditure on particular projects, such as improvement of conditions of service, education, hospitals, and sanitary arrangements, agricultural endowment, police measures, roads, etc., and very often those who press most vehemently for retrenchment in general, are among the strongest supporters of particular proposals for new expenditure. I shall deal later with the general position as regards an economy survey and the possibilities of retrenchment. For my present purpose, I merely wish to give some indication of the total amount of new demands for which, after most careful scrutiny and rigid exclusion of everything that is not necessary, we have thought it essential to provide. In what I have now to say, I shall be comparing the budget estimates for next year with the budget estimates for 1929-30, because it is in this way that I can most clearly present the problem.

19. In the first place, there are the normal increments in rates of pay for the existing staff of Government officials. Now that a time-scale basis has been adopted in practically all Departments, this is an inevitable commitment, and, unfortunately, we have not yet approached anything like the peak figure. It is very difficult to frame an exact statement of the yearly increase due to this cause; but I am satisfied, after careful investigation, that a fairly reasonable estimate of the total increase under this heading, as compared with the budget estimates in the current year, is 25 lakhs.

20. Apart from this, there are a number of new demands of a special nature which are of sufficient interest for me to call the attention of the House to them:

	Lakhs.
<i>Census Operations</i>	11

This requires no special explanation. It is expenditure which has regularly to be undertaken every ten years and is not a normal annual charge.

<i>Grant to Aligarh University</i>	5
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This grant is made in accordance with the undertaking which has already been given by Government in this Assembly.

<i>Recurrent Grant for Agricultural Research</i>	5
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This is the first year in which this grant figures in the budget estimates. This money is to be devoted to special schemes for agricultural research and is additional to the annual expenditure of about 2½ lakhs which is also included, to its full extent, in the budget this year to meet the charges of administrative staff.

<i>Special Fund for financing measures for the encouragement of Sugar Cultivation</i>	10
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This is an item to which I have special pleasure in making reference, as it represents a first step in a definite constructive policy by the Central Government, taken up as a sequel to the recommendations of the Agricultural Commission. It is to be hoped that this, combined with other measures included in my budget proposals, will have a definite and far-reaching effect on the agricultural production of India and the material prosperity of cultivators in the sugar-growing districts.

<i>Banking Enquiry</i>	7
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This requires no special explanation as the circumstances are familiar to Honourable Members. There was no corresponding provision in the Budget for 1929-30, although I had to ask for a supplementary grant for the current year. I will only take this occasion for saying that I have great hopes that the Banking Enquiry may represent the first chapter in a long story of development of India's resources under the leadership of Indians. Much valuable work has already been achieved and, in time, the country will come to appreciate the work of, and express gratitude to, those on the Provincial and Central Committees who have taken the lead in this work. I do not wish myself now to select any particular names for mention; but I should like to express general satisfaction and gratitude for the whole-hearted co-operation which I have received. My Honourable friend Mr. Kelkar, in the course of his speech in the budget debate last year, told me that the spirit of co-operation was dead. I ventured, on that occasion, to express my disbelief in this dictum, and I am glad to be able to say that my experience during the last twelve months has supported my view. As I have said on many occasions, I do not expect that any striking and spectacular measures can be produced immediately as a result of this Enquiry. But I do hope and I most sincerely believe

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Lakhs.

that a strong and steady movement will be started as a result of the interest evoked by the Enquiry and the education of public opinion which the reports will produce. As a result of this Enquiry, we shall have a simultaneous survey of conditions throughout India of a kind which has never before been achieved, and I am certain that this survey will throw into high light the field for work to improve conditions, while, from the recommendations which will be made, we shall get valuable help as to the nature of the work to be undertaken. I have great hopes also that, from the Provincial Committees and from the Central Committee, there may spring up some form of permanent organisation for keeping watch on the field for action, learning lessons from the development which takes place and proposing new measures from time to time as the need for these becomes apparent.

I have been told sometimes that the procedure adopted has been cumbersome and unbusinesslike; but I have been very gratified to find that, as the result of the Enquiry and the interest taken in it have become clear, those who criticised at the beginning have tended to change their view. Possibly, viewed as an act in one of the late chapters in the history of an old and experienced bureaucracy, there may be something of an amateur and unbusinesslike nature in the procedure which we have chosen. But I prefer to regard it not in this light but as an act in the first chapter of a new volume in the history of India's constitutional and social evolution. Doubtless, mistakes have been made and doubtless, much of the work may prove to be of an amateur and inexperienced nature; but, if mistakes have been made, they will be mistakes from which further experience will be gained, and nearly all of those who gain experience on the various committees in this Enquiry will remain in the country and be capable, in their further public service, of giving to the country the value of that experience.

The next special item to which I come is the *Royal Commission on Labour* for which the increase over the budget provision in the current year is

This again is a subject well-known to the Assembly, and again it is an enquiry which, one may hope, will produce results of lasting value to the country and of great benefit to the wage-earning classes.

A further item of special interest is a provision for the next instalment in the programme for developing the *Territorial Force* in India of.

This grant will provide for a further instalment in the current programme, and will mean, principally, the improvement of training facilities for existing units and the raising of two new urban Companies.

The largest item of special new expenditure to which I now come is that on measures to be taken for the development of *Civil Aviation*, the total of which, including many non-recurring items, amounts to ... 24.5

The policy which has been adopted in this matter is now well-known and the Government's plans have been fully discussed and considered in the Standing Finance Committee. In framing their policy, the Government have endeavoured to meet the wishes of the non-official representatives in this House, and I would only take this occasion to remark that the greater

part of the expenditure which we are now undertaking, particularly that for the provision of ground organisation and meteorological facilities, is really forced on us by our international obligations.

Apart from the above items, I will select for special mention the following:

	Lakhs.
Further instalment of the programme of medical and public health improvements in centrally administered areas	3.5
Broadcasting	2.7
Special repairs to flood damages in the North-West Frontier Province	5
Andamans reclamation (increase in grant made in 1929-30)	5
Mechanical extraction of timber in the Andamans	2
Forest conservancy in the North-West Frontier Province	1.5
New staff and equipment for the Imperial Department of Agriculture	1.5
Agricultural development in Baluchistan	.5
Appointment of Indian Trade Commissioners overseas and strengthening of the superior staff of the High Commissioner for India, London	.5
The total of the above items is roundly	95
To this must be added a sum for miscellaneous new items of	26

These, together with the sum of 25 lakhs to which I referred at the beginning as representing the increase on account of increments of pay, bring the total of the new expenditure, for which we have to make provision in the budget, to 1,46

21. I have risked wearying the House in giving these details, because I have been anxious this year to place before Honourable Members a full picture of the problem which we really have to meet, and I have thought that, by analysing and selecting the new items of expenditure, I should enable them to understand the case more clearly than can easily be done by a scrutiny of the very complicated volume in which the Demands for Grants are set out. The items to which I have referred are those in regard to which, as I have said already, the Government's policy as regards economy is chiefly to be tested.

22. I must turn now to those headings of expenditure which fall into the other class, and I would refer chiefly to the Government's debt obligations. I shall first deal with ordinary interest payments.

Interest on Ordinary Debt shows an increase of 46
partly as a result of larger treasury bill transactions, and partly because larger provision has been made for the cost of conversion operations.

Interest on Other Obligations, including provision for cash certificates on the basis which has hitherto been adopted, shows an increase of ... 61
of which 15 represents higher rates of interest to be allowed on Provident Fund balances and 21 is accounted for by higher borrowing rates.

[Sir George Schuster.]

23. Interest receipts are put at the same figure as in the budget estimate for the current year, 3.45 crores, and here I would explain that we propose, in future, to adopt a more conservative system as regards the Gold Standard Reserve interest. We propose, in fact, to treat £1,600,000 as the standard figure of revenue. If, in any year, the actual receipts exceed this sum, one-half of the surplus will be added to revenue and one-half will be transferred to an Equalisation Fund, which Fund will be available to be drawn upon to make the receipts up to the standard figure of £1,600,000 in any subsequent year in which they fall below that level. It is, I am glad to say, possible to make a start by putting a balance in this Fund immediately. The actual receipts for 1929-30 are estimated at £2,400,000, and out of this sum it is proposed to make a start by placing £100,000 to the credit of the Equalisation Fund. For the coming year, we estimate the receipts at £1,700,000, so that, acting on the rule which I have stated, we propose to include £1,650,000 in the budget estimates of revenue and to transfer the balance of £50,000 to the Equalisation Fund. I am convinced that this proposal represents a great improvement in our system and is in accord with principles of sound finance. The fluctuations which have occurred in the past have been of so wide a nature as to be embarrassing to the budgetary position and to create a misleading impression as to our general revenues. I need only quote the example of the last two years. For 1928-29 the ultimate figure was £1,243,000, while for 1929-30, as I have already stated, the revised estimates put the receipts at no less than £2,400,000. As I have already explained, the figure which we are now taking gives us the same total of interest receipts as in the Budget for the current year, and, therefore, allowing for the increases in interest payments, the net deterioration under the general head of Interest is 1.07 lakhs.

24. I now come to the subject of the special provision to meet our liability in regard to Post Office Cash Certificates. Honorable Members are so familiar with this subject that I need not go into great detail. The amount which we calculate as likely to be payable next year in respect of bonuses is 1 crore. But this, Honorable Members are well aware, is something much less than the liability which will actually accrue during the year. The total balance remaining in the hands of the Government from receipts from Cash Certificates will amount, at the close of the current year, to 35½ crores, so that the provision of 1 crore represents less than 3 per cent. on this. I have carefully calculated what the full amount of the liability, which will accrue during the next year, will be, and it comes to a figure of 1.88 lakhs. If, therefore, we are to make full provision for this accruing liability, we ought to find another 88 lakhs for the purpose, and it must be remembered that this will only cover the liability accruing during the year and will include no provision for meeting the liability which has already accrued. I have come to the conclusion that this accrued liability must be regarded now as part of the Government's debt and that, having regard to the provision which we make annually for reduction or avoidance of debt, the situation in regard to this is not unsound. But I feel no hesitation in saying that the time has come when

we ought to make full provision for the liability which, in future, will annually accrue. Therefore, I have to provide for this new charge of 88 lakhs.

25. I next come to the provision for reduction or avoidance of debt. As Honorable Members will recollect, I stated in my budget speech last year, that I proposed to bring this under review in accordance with the arrangements originally fixed and I promised to take representatives of this House into my confidence before making any change. In accordance with this undertaking, I have communicated on two occasions with the leaders of the non-official parties in the House. On the first occasion, I asked whether they had any suggestions to make, and to this request I received no response. On the second occasion, I informed them that, after my own consideration of the matter, I had come to the conclusion that our arrangements in this respect were so closely connected with the arrangements for the Railway Convention that I thought that the two reviews ought to be undertaken concurrently with one another. My reason for this view is shortly as follows.

26. According to the present Convention, the Government receive, in addition to the refund of the actual interest which the Government have themselves to pay on loans raised for Railway purposes, a contribution, which, although it is made up of various elements, may be regarded as a percentage on the capital advanced to the Railways. Looked at in this way, it represents the distribution of even less than 1½ per cent. on the Government debt, which forms the basis of the present provision for reduction or avoidance of debt. In fact, I think it is, on broad lines, correct to regard the one as balancing the other, and we shall arrive at a truer picture of what the Government draw from the Railways if we realise that, in fact, the Government get no profit but apply practically all that they receive, apart from a refund of their own interest payments, for the amortisation of their capital. When, therefore, the contribution falls below a certain figure, the Government, if they made up their accounts on a profit and loss basis, would actually show a net loss on the year. This is not the occasion for me to examine the justice or otherwise of this arrangement, but I think that what I have said is enough to show that the two arrangements are closely inter-connected. I may say that, when I represented this close inter-connection to the leaders of the various parties, the response, so far as I received any, appeared to me to indicate a general agreement with my view that the two Conventions must be considered together. I feel, moreover, most strongly, on general grounds, that this is not the time when, keeping in view our credit in the world, we ought to attempt any substantial diminution in our provision for reduction or avoidance of debt. Anything that savours of a "raid" on a public Sinking Fund is normally,—and, I think, quite rightly,—viewed with disfavour. I hope, therefore, that I shall have general agreement from Honorable Members that it is better to leave this provision substantially untouched and to bring it under review at the time of the general revision of finances including a re-distribution of the sources of revenue as between the Central Government and the Provinces, which must be a sequel to the proposals of the Constitutional revision which will shortly be before us.

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[Sir George Schuster.]

27. I have, however, thought it justifiable to introduce two small changes in our present system. In the first place, we are now regularly in receipt of certain annual payments on account of Reparations. These have hitherto been added to the provision for reduction or avoidance of debt. But, on the view which I have taken above, this provision is at present adequate by itself, and I do not think that there is any justification for increasing it by the adventitious addition of Reparation receipts. I feel the more justified in adopting this view for the next year, because I propose next year, for the first time, to make adequate provision for our accruing liability in respect of cash certificates. This means that a receipt of 32 lakhs which would otherwise have been added to the provision for reduction or avoidance of debt will be available for other purposes and I think we may regard it as earmarked against the provision which I am making for the Post Office cash certificates.

28. The second change which I am proposing is of a minor nature. I have found that, in regard to the sterling debt incurred since the 31st March 1923, the rupee equivalent on which the percentage for reduction or avoidance of debt is based, is still reckoned on an exchange rate of 1s. 4d. I am proposing that the conversion should be made at the present statutory rate which is obviously the correct basis. This makes a difference of 12 lakhs. Even allowing for these two changes, the increase in the provision for reduction or avoidance of debt is 27 lakhs, the total amount standing at 6 crores as compared with 5.73 crores included in the budget estimates for 1929-30.

29. I can now recapitulate the position in order to show the problem with which I have to deal in balancing the Budget next year. Comparing our position with that provided for in the budget estimates of 1929-30, I have to provide for the following items of deterioration:

	Lakhs.
Deterioration in the main Commercial Departments, Railways and Posts and Telegraphs	99
Essential new services and demands	1,46
Net addition to interest on dead-weight debt	1,07
Special provision for bonus on Post Office cash certificates	88
Increase in provision for reduction or avoidance of debt	27
To these items must be added the budget deficit of 1929-30	90
This gives us a total of	5,57
Against which the net improvement on the main revenue heads is only	5
There is thus a total gap to be filled of	5,52

The problem before us is how to fill this gap.

30. In the first place, I must make clear the principles on which I have endeavoured to act this year in dealing with expenditure demands. I have set before myself two guiding rules. The first is that no new administrative expenditure shall be admitted which is not either essential or productive; the second, that whatever new

expenditure is admitted on these grounds must be balanced by corresponding economies. There must, in fact, be no *net* increase in the normal outgoings of the Government. These rules have been followed in my proposals.

Lakhs

31. In stating my problems, I have shown that the essential additions for new services and demands amount to 1,46

and, according to my rule just stated, this must be balanced by corresponding economies. Actually, as a result of the elimination of certain previous non-recurring items and of other variations, there is an economy in the civil estimates, of 62

and, on top of this, I am providing for a reduction of military expenditure of 80

that is to say, the net military grant, apart from expenditure on the Territorial Force, will be reduced from 55 crores to 54.20.

These two reductions together account for 1.42 lakhs against the new expenditure of 1.46 and I have thus been able to comply, within a very narrow margin, with the rule which I had set myself.

32. This is, in broad outline, a true presentation of the picture, though I have, for the sake of brevity, omitted a mass of minor confusing details. I might present the same picture in another way so as to provide Honourable Members with a cross check on my statement. They will find, from an examination of the budget estimates, the following net changes in the main heads of normal outgoings:

Civil Administration	+60
Other Direct Demands on the Revenue	+3
Miscellaneous	+10
Civil Works (other than Road Fund)	-3
Or a total increase of	70
Against which may be put the reduction in Military expenditure of	80

33. I must, at this stage, say a few words on this last item which, I am sure, Honourable Members will view with considerable satisfaction. The actual arrangement which I have been able to make with the Army authorities on this subject requires special explanation. This House will recollect that, in the course of my budget speech last year, I explained that, in order to enable the Army to carry through their plan of re-equipment, a programme had been arranged, providing for a stabilised military budget (exclusive of the expenditure on the Territorial Force) at a net figure of 55 crores for the four years beginning 1928-29 and ending 1931-32. According to this programme, we should have before us two more years at 55 crores, with the prospect of a reduction at the end of that period when the programme of re-equipment is completed. In the budgetary proposals which I am now presenting, we are taking advantage immediately of part of the ultimate reduction. This is made possible because the Army authorities have been able to agree to spread the programme of re-equipment, which remains to be carried out, over a period of three years instead of two. This means that instead of getting 55 crores in each of the next two years, to be followed by a drop in the third year, they are to work on a basis of getting 54.20 crores for each of the next three years, after which a further substantial drop is anticipated.

[Sir George Schuster.]

34. The net result is that, although we are not departing from the original programme of re-equipment, we are distributing the burden in a way which is fairer to the tax-payer of today and we are actually realising now a substantial part of the economy which was ultimately hoped for. I trust that Honourable Members will be gratified by this definite sign that Army expenditure is really to be reduced.

35. I may now turn back to my main problem. The two items of savings to which I have referred amounted to 1,42 lakhs. This reduces the gap of 5,52 lakhs, which I have to find funds to fill, to 4,10 lakhs. This can only be done by finding new sources of revenue and it is to my plan for achieving this purpose that I must now turn.

Budget Proposals.

36. The sum required is substantial and the provision of funds to meet it has been, as Honourable Members will readily recognise, a matter for prolonged and anxious thought. I believe, however, that it can be found by measures which not only will not impose an oppressive burden on any class, but will, in their indirect results, actually stimulate the country's economic development. The measures which I shall propose include changes—reductions as well as increases—in the customs duties affecting rice, cotton piece-goods, kerosene, sugar and silver, supplemented by a small change in the income-tax.

37. I will start with a proposal for reduction of duty. I am proposing—and I feel sure that the House will welcome this proposal—a reduction in the export duty on rice by one-quarter, that is to say, from three annas a maund to two annas three pies a maund. There has been, as the House knows, a world-wide fall in the price of rice and the present time is therefore opportune for giving some help to the cultivator in Burma who has been a sufferer from this fall in prices. My proposal will remove the disparity, which at present exists, between our export duty on rice and that imposed by Siam, one of Burma's principal competitors in the trade. This proposal will cost us 30 lakhs; a larger sacrifice of revenue from this source could not, in present circumstances, be justified. Although Burma which is mainly interested, is far from us, I hope that this plan will commend itself to the House and be regarded both as an act of justice and a step in the right direction. It means, however, that the gap which I have to fill is increased to 4,40 lakhs.

38. I must now explain my proposals for raising the necessary new revenue, and I will make a start with the most difficult question which we have had to consider—the cotton duties. Here two motives come into play—first, the provision of revenue; second, assistance to the Indian cotton mill industry. Our line of action must take into account both these motives, and though I, as Finance Member, am not directly concerned with the second, which properly falls within the province of my Honourable Colleague, the Commerce Member, it has been decided by the Government of India that I should take this opportunity to announce the whole of the Government's proposals.

39. Action taken for the provision of revenue is a straight-forward matter, but the consideration of protective measures raises much more serious difficulties. Let me state, as briefly as I can, how these difficulties have appeared to us.

40. There is, of course, at the outset, the obvious problem of reconciling the interests of producer and consumer. Measures of protection must be so designed as to be effective for their purpose with the minimum interference as regards prices to the consumer.

41. But, apart from this, there are certain special difficulties in the present case. In the first place, the whole question of protection of the cotton industry was investigated by the Tariff Board a comparatively short time ago, but the case which has now been presented on behalf of the mill-owners claims a measure of protection greatly in excess of anything recommended by the Tariff Board. In these circumstances, a further enquiry might reasonably be considered desirable. But, as against this, we are told (and it is a fact which we cannot dispute) that the case is urgent, and that, if action is to be effective, it ought not to be delayed.

42. In the second place, the conditions affecting the industry are not identical throughout India. Bombay is at once the most important centre of the cotton mill industry, and the centre more seriously menaced by foreign competition. At other centres, the average profits of the mills are nowhere high in relation to the capital invested in them, but throughout the world the industry is passing through a period of depression, and low profits are not a valid ground for special assistance.

43. In the third place, as was pointed out by the Tariff Board, the increasing competition from the up-country mills is one of the most important factors contributing to the depression in Bombay. Therefore, whatever measure of assistance is accorded to the industry as a whole, it is likely to be ineffective in ensuring permanent recovery to Bombay, unless the industry there seizes the opportunity afforded by that assistance to reorganise itself and increase its efficiency.

44. Moreover, there is another aspect of this question in which the public and the Government are greatly interested. Bombay has been the scene, during the last two years, of a prolonged and exhausting struggle between capital and labour. Without pronouncing judgment on either side or anticipating the views which may be expressed by the Royal Commission on Labour which is now sitting, it is fair to say that there can be no permanent restoration of prosperity to the Bombay industry unless the relations between labour and capital can be improved and all the conditions affecting labour brought up to a higher standard. These two considerations have, in the present case, a special significance, for, Government are being asked to take emergency measures, not to protect an industry in the early stages of its development until it can find its feet, but rather to save an industry (or, more accurately, one important section of it) which is suffering from a special deterioration or atrophy.

45. Although the report of the Fiscal Commission admits that protective measures are justifiable in such circumstances, the Government feel that emergency action, not immediately preceded by a Tariff Board enquiry, ought to be taken only if it can be shown that inaction might inflict grave injury on the national welfare. They feel also that, if such emergency action is taken, a special responsibility far more serious than any that exists when the protection of an infant industry is in question,

[Sir George Schuster.]

rests upon them, as trustees for the public, to take all possible steps to ensure that the assistance given will be utilised to the full. In such cases, it might sometimes be possible to make the adoption of protective measures conditional on effective reorganisation by the industry itself. But here the urgency of the situation creates a special difficulty. If action is to be effective, it must be immediate, and if the Government were to insist on certain steps being taken as a condition precedent to any measures of assistance to the industry, these measures might come too late. Nevertheless, this aspect of the matter cannot be ignored and I shall refer to it again.

46. I think that, in these remarks, I have sketched, in broad outline, the main framework of the problem which concerns us.

47. The conclusions which we reached fall under two heads; first, that, in view of the revenue position, a general increase in the revenue duty from 11 per cent. to 15 per cent. was justified, secondly, that while this increase in revenue duty must have an important protective effect, it might be justifiable to supplement it by some special protective measures, provided that, having regard to the special circumstances to which I have called attention, such measures were limited in duration, and also limited to purposes necessary to meet the immediate needs of Bombay. In fact, it would not be justifiable at this juncture, as regards protective measures, to attempt more than to erect a temporary shelter under which the Bombay industry can reorganise itself, and after a reasonable period, for this purpose, it will be necessary to have a Tariff Board enquiry to consider future policy, and, in particular, how the Bombay industry has reacted to the assistance given.

48. I refer again later to the precise significance of this purpose, but, at this stage in my account, I must turn to one aspect of the matter on which I have not yet touched. It is, of course, too well known to need remark that, in all public comments on policy as regards cotton duties, the possible reactions on British interests are always prominently mentioned, and that we as a Government are often suspected of undue solicitude on this account. Having regard to the long and troubled history of the cotton duties in India, and to the public interest in the matter, it has been our desire to put before this House as full and frank a statement as possible. Let me make it clear at the outset that the fiscal autonomy convention is a reality, and that decisions on matters of this kind are left to the Government of India, and it is on this basis that our deliberations have proceeded throughout. But, in the final stages, there has been addressed to us a communication, not by the Secretary of State, but by His Majesty's Government, to reconsider the position.

49. In this message, His Majesty's Government asked us to take into account both the reactions of our proposals in India and their serious effects in England, effects which they felt sure that neither we nor the Legislature would desire to create. To this we replied that, though we were deeply impressed by a message of this nature, we nevertheless felt bound to adhere to our main proposals. We pointed out the following considerations: first, that we needed revenue; secondly, that customs is our chief source of revenue; thirdly, the duty on cotton piece-goods now stood below the level of the general revenue tariff; fourthly, Indian

industry was suffering from a deep depression and the Bombay mills were approaching a desperate position which might affect the whole future of this important centre of Indian commerce and finance. We recognised and deplored the possibility of serious effects in England, but we stated we felt clearly bound to put Indian's interests first. At the same time, we realised how important it was to India, from the political point of view, to take account of British opinion, and that, quite apart from this, we were of course concerned at this time to avoid unnecessary injury to British interests. We stated that, after careful consideration, we had decided that we could not modify the general application of the 15 per cent. revenue duty, but that we should be prepared to propose to the Assembly that, as regards any additional and temporary protective measures, their application might be limited to non-British goods, and that, in these circumstances, there should be imposed, in addition to the 15 per cent.

Temporary protective revenue duty, a 5 per cent. protective duty measures. with a minimum of 3½ annas per lb. on plain grey goods, against all cotton piece-goods from outside the United Kingdom, this protective duty to be in force for three years only, and an undertaking to be given that we should have its effects examined by the Tariff Board before the end of this period.

50. We explained that, in placing this proposal before the Assembly we should point out that, so far as we are aware, this is the first occasion on which the considered opinion of the Cabinet has been conveyed in this form to the Government of India and that we were impressed by the significance of the precedents so established.

51. We informed His Majesty's Government that it would not be right for us to ask the Assembly to commit themselves to Imperial Preference as a principle, but merely to adopt a particular course which, in our judgment, was consistent with India's interests at a critical juncture when much might depend on India's response to the British Government's appeal. We also stated that we should have to make it plain to the Assembly that, while there were grounds for treating plain grey goods specially, we could not, in any circumstances, agree, for the emergency purpose which we had in view, to an additional protective duty of 5 per cent. on all classes of piece-goods irrespective of country of origin, since the immediate benefit to the Indian producer would be wholly incommensurate with the burden imposed on the Indian consumer. Finally, we made it clear that, in a matter of this kind, after frankly stating our conclusions, we should desire to put our carefully considered views before the Legislative Assembly with whom the final decision must rest.

52. That is how the matter stands, and it is on this basis that our proposals are now put forward. I have thought it right, frankly to put the position before Honourable Members in this way. Indeed, whatever our proposals had been, we could have consented to no other course, for we feel that it is essential, at this transitional stage of the constitution, that there should be full confidence, wherever possible, between the Government and the Legislature. There are certain points with reference to what has passed between ourselves and the British Government, and to the attitude which we adopted, on which I desire to give a further explanation.

[Sir George Schuster.]

action, a further investigation by the Tariff Board at the present juncture was not advisable. It is the special duty of the Board to investigate facts and arrive at findings thereon. But owing to the labour disputes of 1928 and 1929, it is more than doubtful whether any material for investigation, beyond that available to the Tariff Board of 1926, exists. Again, conditions in the Bombay mill industry have, since 1926, been examined by the Tariff Board, the Fawcett Committee, and the Pearson Court of Enquiry, while trade conditions have recently been investigated by Mr. Hardy. In these circumstances, we felt that the proper time for a further enquiry by the Tariff Board will come when some progress in reorganisation and rationalisation has been made by the industry in Bombay, and the prospects of ultimate success or failure of the industry can be assessed.

61. There is one more point left for me to deal with in conclusion. I have already referred to the special duty which the Government feel to be imposed upon them in this case to satisfy themselves that effective use will be made of the assistance given, and that attention should be directed particularly to the improvement of labour conditions. We recognise that the ultimate failure or success of the mill industry in Bombay must depend entirely upon the extent to which the millowners utilise the present opportunity in order to improve their efficiency and labour conditions, and that, if full use is not made of this opportunity, the position of the industry may be no better at the expiry of the period of three years than it is to-day. We have already addressed the Bombay Millowners' Association on this subject and have impressed upon them the urgent necessity of working out schemes which may re-establish the industry on a firm basis. Although it has not been possible for us to lay down the lines on which the reorganisation should proceed, or to prescribe the particular measures which should be taken, we propose, now that our policy has been declared, to enter immediately into consultation with the Government of Bombay on this subject, which is their primary concern. It appears to us right that some method should be devised whereby the force of public opinion may be brought to bear effectively upon the situation. At the same time, it is our desire to give the Association all the assistance in our power in order to ensure that the examination of the various problems may be thorough and adequate, and that it may be carried out with the aid of the best expert advice available whether in India or in other countries. Apart from technical assistance, it seems clear that some drastic financial reorganisation and some rationalisation of the methods of manufacture is necessary if the Bombay industry is to be put on a permanent foundation of prosperity. On this subject I cannot at present say more than this—that we are prepared to examine what is required in this direction and to consider whether any form of Government intervention is possible or appropriate. This aspect of the problem is one of great difficulty and I do not propose to lengthen my speech by enlarging further upon it at this stage.

62. I would add, in conclusion, that, although I have spoken chiefly of Bombay, we have also the other industry of India in view and we particularly hope that the measures which we propose will be of real benefit to the hand-loom industry throughout the country-side.

63. We estimate that the net increase in revenue from our proposals, allowing in full for the protective effect, will be 1,25 lakhs. The proposal to increase the revenue duty will be included in the Finance Bill, while a special Bill will be introduced by my Honourable Colleague, the Commerce Member, containing the protective proposals.

64. My next proposal is to increase the excise duty on kerosene from 1 anna to 1 anna 6 pies per gallon, coupled with a reduction in the import duty from $2\frac{1}{2}$ annas to 2 annas 3 pies. This combined proposal is expected to give us an extra 35 lakhs. At present, there is a difference of $1\frac{1}{2}$ annas per gallon between the excise duty and the import duty on kerosene and the effect of the proposal now made will be to reduce that difference by one-half. In framing our proposals regarding kerosene in this form, we have kept two objects in mind: first and principally, we have desired, simultaneously with getting more revenue, to make a change which should, at the least, ensure that the price of ordinary kerosene to the consumer is not increased, while secondly, we have felt that prudence and justice demanded that we should not make too sudden and drastic a change in the conditions of the indigenous industry, having regard particularly to the position of the smaller companies. Moreover, too drastic a change might hamper further development. In reducing the margin by one-half we have thought that we have gone as far as it would be wise to go, at least as a first step. It means that the marginal duty in favour of the indigenous industry will be reduced from about $18\frac{3}{4}$ per cent. to $9\frac{3}{4}$ per cent.

65. The next proposal which I have to mention is an all-round increase, in the import duty on sugar, of Rs. $1\frac{1}{2}$ per cwt. I am not proposing any change in the existing classification, so that the effect of the proposal will be that sugar of 23 Dutch Standard and above, which at present pays duty at the rate of Rs. $4\frac{1}{2}$ per cwt., will pay duty at Rs. 6 per cwt.; sugar below 23 Dutch Standard but not inferior to 8 Dutch Standard will pay at Rs. $5\frac{1}{2}$ per cwt., instead of at Rs. 4, and sugar below 8 Dutch Standard and sugar candy, which at present pay at 25 per cent. *ad valorem*, will be subject to a composite duty of 25 per cent. *ad valorem plus* Rs. $1\frac{1}{2}$ per cent. The duty on these lower grade sugars has, it is true, little significance for the revenue, since imports are at present very small, but it is desirable to keep a due correspondence between the different grades in order to prevent the substitution of lower for higher grade sugars. Molasses, which is dutiable at 25 per cent. *ad valorem*, will remain subject to duty at that rate and will be treated separately from sugar, since its use is mainly as a raw material for industries and, in fact, a Tariff Board enquiry as regards its treatment as a raw material used in the manufacture of denatured spirit, is already in progress.

66. The increased duty on sugar should yield 1,80 lakhs; but, in estimating its effect upon the consumer it is necessary to bear in mind that the world price of sugar is exceptionally low. The average landed cost of sugar in India from April to December last was no more than Rs. 8-6 per cwt., whereas the average for the previous six years has been Rs. 12-25 per cwt., a difference of about Rs. $3\frac{1}{2}$ as compared with the proposed increase of Rs. $1\frac{1}{2}$. Thus, even the comparatively large increase now proposed should not at present be seriously felt by the consumer.

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Ultimately it may,—and probably must,—have some protective significance; but, for the present, it must be regarded primarily as a revenue-producing measure. I would, however, remind Honourable Members that an increase in the production of sugar is one of the most valuable opportunities available for improving India's agricultural production, and that, with this possibility in view, we are proposing a special grant this year of 10 lakhs (to be continued, if necessary, in subsequent years) for the encouragement of sugar research and sugar production. These two proposals must be considered together, and their possible reactions fully appreciated. It may interest the House to know that duties on sugar, at about the level which we now propose, are in force in most European countries. What we are now proposing amounts to a duty of 9s. per cwt. The present import duty on sugar elsewhere is as follows:

			s.	d.
England	..	..	11	8
U. S. A.	..	..	10	3
Germany	..	..	12	7
France	..	..	8	6
Austria	..	..	12	0
Australia	..	..	9	4

67. I next propose to obtain an additional 70 lakhs by a small change in the rates of income-tax and super-tax. I hope that the House will agree that, when we are seeking new sources of revenue, it should not all be raised by indirect taxation, but that some direct taxation is justified so that the burden may be equitably spread. At the same time, I recognise that this is not a suitable period for imposing any heavy additional burdens which would be felt in industry or commercial enterprise. Our proposal, therefore, is that, on personal incomes of Rs. 15,000 and upward, the income-tax rates shall be raised by 1 pie in the rupee, and a corresponding increase shall be made in the super-tax in all grades, other than the flat rate of super-tax on companies. The additional yield from income-tax is estimated at 56 lakhs and that from super-tax at 14 lakhs. It has been brought to my notice that, owing to certain features of our income-tax system—particularly the deduction of tax at source, an alteration in the rates might, in certain cases, be taken into account twice in the first year when a change in rates is made. I shall see that the necessary steps are taken to avoid this result.

68. In referring to income-tax, I wish to mention some other changes which I hope shortly to bring under consideration. If the normal economic progress of India is maintained during the next twelve months, it ought to be possible for us to enter on next year in a stronger financial position. I hope then to be able to make a start in introducing the principle of allowing business losses incurred in any one year to be carried forward to the next year. I also hope to be able to remove the present double super-tax on companies, so far as that affects genuine trust and finance companies. Both these changes ought to be beneficial to the progress of business enterprise, and it will be my settled purpose so to regulate taxation as to remove, when opportunity offers, any imposts which may be said to have a hampering effect on such enterprise.

69. The total yield of the taxes which I have now mentioned amounts to 4,10 lakhs, so that I am still left with 30 lakhs to find. I consider, however, in the special circumstances now prevailing, that it is on every ground desirable to have some margin of safety, taking into account the uncertain prospects which we have before us, and taking into account also the paramount importance, to which I have already referred, of improving our credit by displaying a strong financial position to the world.

70. It is with this and other objects in mind that I propose to re-introduce the import duty of 4 annas per ounce on silver. I have, however, purposely kept this proposal till the end, for, in putting it before the House, I want to make quite clear certain conditions which will, I think, generally commend themselves to the public.

71. An import duty on silver is a familiar feature in the history of Indian fiscal policy. Prior to 1910, silver bullion and coin other than coin of the Government of India, were included in the general tariff schedule of articles liable to an import duty of 5 per cent. *ad valorem*, and in that year, the rate was raised to 4 annas per ounce. During the war, the import of silver was prohibited, and after the war, in pursuance of the recommendation of the Babington-Smith Committee, the duty was removed at the same time as the prohibition of import. The Committee advocated the removal of duty mainly on account of the strong feeling in India that it was an obstacle to the establishment of a world market for silver in Bombay and placed the Indian consumer of silver at a disadvantage in comparison with the consumer in other countries. I have given full weight to these objections, but circumstances are different today. It is proposed to meet the former objection by allowing a full rebate of the duty on re-export of any silver which has been imported and has paid duty. As to the latter objection, we feel now that there is a strong counterbalancing advantage in taking a step which will have the immediate effect of improving the internal price of a commodity in which the savings of the masses are to a considerable extent invested. The recent fall in the price of silver has, in fact, put an entirely new aspect on the matter.

72. Apart from this, there is another important new factor in the situation, in that the Government, owing to their possession of surplus stocks of silver and the erection of the new refinery at Bombay, have got into the position of being themselves important "producers" of silver. Our proposal, therefore, has the new incidental advantage of providing Government with a protected market for their own produce. Having said as much as this, however, I must say more in order to avoid the creation of any misunderstanding. I feel that it is important that the masses of India, who invest so large an amount of money in silver should realise that silver is only an ordinary commodity, liable to fluctuations in price, just as other commodities are. It has no sacred properties which make it immune from these vicissitudes, and although the Government, in taking these measures, have in mind, as one of the main advantages, an improvement in the internal value of silver, we should, in the long run, be doing a very poor service to the population of India if we allowed it to be supposed that the Government have the power definitely to maintain prices at a particular level. It is far better that the people should generally appreciate the realities of the situation in this respect. At the same time, the Government do recognise the importance of the interests involved owing to the position of silver in India, as, in some

[Sir George Schuster.]

respects, a store of value and while they must, as holders of a surplus commodity which they desire to sell, reserve freedom of action, I am prepared to assure this Assembly that, in exercising that discretion, the Government will not go to the market unless they are advised that as in the past, the market will not be appreciably affected by their operations.

73. If there is any danger of the world's production of silver exceeding the consuming capacity of all markets, then, of course, there must be a tendency to falling prices. Only the combined action of producers and holders can prevent this. The Government of India, holding as they do surplus stocks, which, in the public interest they consider that they ought to realise, cannot fairly be asked to do more than other producers; but I am prepared, on behalf of the Government of India as important holders or producers, to say that, if the other interests concerned show any desire to consider the possibility of joint action for the regulating of sales in order to meet the world's demand, the Government of India would willingly co-operate. Further than this we cannot in the public interest go, but what I have said amounts to a carefully considered and important proposal, and it is for the other producing interests to consider if they will make any response. In the meanwhile, I think I may say with confidence that, at the present level of prices, the imposition of the duty which we propose is not likely to have any serious effect on the consumption of silver in India.

74. While our reasons for imposing the duty are, as I have explained, of a special nature, I am also prepared to say that special circumstances will govern our intentions as to the disposal of the revenue produced. We must, as I made clear, regard the proceeds primarily, at the present stage, as a reinforcement of the general financial position of the Government; but, if our estimates as regards the other heads of revenue are realised, and there is a surplus resulting from the imposition of the silver duty,

then I am prepared to say that we have a very special purpose in mind for the application of that surplus. We regard this duty, principally in fact, as a measure which will give us a margin of revenue from which we shall be able to make a distribution to provinces after the forth-coming statutory revision to give them the funds which they require for nation-building services. Though it will not be for the Central Government to dictate to the provinces how such contributions should be applied, there will be an opportunity for discussing this matter when the whole distribution of the sources of revenue is considered, and I think I can say with confidence that additional funds are chiefly required by the provinces for such purposes as economic and agricultural development and primary education. If, pending the further allocation of revenue to the provinces which I have in view, any surplus is actually realised, then, of course, any proposal for its expenditure will be submitted to this Assembly.

75. It is on these grounds that I have stated that our proposals in regard to the silver duty must be regarded in a very special light. We propose to include, in our budget figures, a revenue of 1 crore, as a conservative estimate.

76. On this assumption, our budget estimates provide for a surplus of 70 lakhs of revenue over expenditure. As the budget proposals other than those relating to

Final result.

income-tax and super-tax will have effect forthwith, the current year's revenues will also benefit to the extent of 35 lakhs, which amount accordingly appears as a revenue surplus in the revised estimates.

REVIEW OF BUDGET PROPOSALS.

77. It is of course obvious to me that these proposals will be subjected to the most searching scrutiny, and the question which will be asked on all sides is whether there is any justification for imposing so heavy an additional burden of taxation.

Justification for new tax-
ation.

78. Before this question is put, I would ask Honourable Members to pause and consider carefully what item of taxation in my proposals does not offer at least some indirect advantages. I venture to say that, with perhaps the sole exception of the income-tax proposals, such advantages will be found. But that is not by itself a sufficient answer, and it is necessary to examine the position further, and attempt to frame some

interpretation of the symptoms of the present financial conditions. For, if the short-fall of revenue is merely the result of temporary combination of abnormal circumstances, then one must hesitate to impose the full corresponding burden of permanent taxation, and it might be justifiable to adopt temporary expedients. If, on the other hand, there is a permanent and unavoidable shortage of revenue, then the position must be tackled boldly in order to establish, before it is too late, a sound foundation.

79. In order to judge whether the present condition is permanent or not, there are two main aspects to be examined, that is to say, one must ask, on the one hand, whether the expenditure required this year is abnormally high and capable, either now or in future years, of reduction, and, on the other hand, whether the revenue anticipated is below the normal expectation owing to special circumstances which are unlikely to be repeated.

80. As to expenditure, I have already drawn the distinction between actual administrative outgoings on the one hand, and, on the other, such items as interest on debt and those provisions which do not represent actual outgoings in cash, but which are required, on principles of sound finance, as reserves against established or accruing liabilities. I will deal first with administrative expenditure. In regard to this I have, during the past year, in accordance with an undertaking which I gave to the Assembly in my last budget speech, conducted in the Finance Department a close scrutiny and survey of the growth of expenditure during the past five years. Reports have been prepared for each Department and these have been circulated to members of the Standing Finance Committee. A good deal remains to be done in the way of completing the details of this Enquiry, but I have gone far enough to come to the conclusion that, for various reasons,

we cannot count on being able to find any substantial margin for reduction in the cost of the civil administration of the Central Government. In fact, with all the new services and heads which are being pressed for consideration, it is only by the exercise of the most rigid control that we shall be able to keep the growth of expenditure within bounds. The possibility, therefore, of cutting down administrative expenditure, does not, in my opinion, afford any substantial ground for postponing the imposition of taxation to meet

Provisional conclusion.

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the present deficit. But by accepting this conclusion, I do not imply that the search for possibilities of reducing our present scale of expenditure must be abandoned. It has, in fact, been decided by Government—and the proposal has recently been reported by me to the Standing Finance Committee—to appoint an officer on special duty to continue the examination in further detail. It is, in my opinion,

Further investigation. necessary to carry out a very close detailed investigation of the causes which have led in the past, and are still leading, to a steady increase in expenditure. Those Members of this Assembly who have sat with me on the Standing Finance Committee are fully aware of the difficulties in this matter. Applications are made in a particular case for improvement of conditions of pay in particular offices. A good case is made out and the improvement, involving perhaps by itself only a moderate increase in expenditure, is approved. But one move leads to another and it is inevitably found that other sections of Government staff, claiming to be working in similar conditions, again press that a similar improvement shall be accorded to them. These claims are difficult to resist, and, moreover, it must be remembered that the control does not lie entirely in the hands of the Central Government. It often happens that a particular claim is pressed in order to afford to members of some branch of a Central Government Department, conditions equally favourable with those prevailing for men in the service of the Provincial Governments working under similar conditions and in the same place. But the time has come for a comprehensive review of the whole situation, so that we may ascertain what claims on these grounds are likely to be pressed in future and that we may, if possible, fix, in consultation with the Local Governments, certain uniform principles from which there can be no departure. Apart from such special cases, the Government have become committed in the past years, to time-scale systems of pay, the full effects of which were not perhaps appreciated at the time when they were granted. These put upon us definite and unavoidable commitments, and I have already indicated that the normal rate of increase under this heading amounts to something like 25 lakhs per annum.

81. It is important that we should know where we stand in this matter and also when it is likely that the peak of this increase will be reached and what the figure of Government expenditure at that point will be. It is this kind of question which justifies the special appointment to which I have referred, for, the time is coming when, as part of the constitutional reforms which we shall have to consider, it will be necessary to re-arrange the distribution of heads of revenue between the Central Government and the Provincial Governments. When that time comes, it is essential that we should be able to assess, with some accuracy, what our own future commitments are likely to be.

82. These remarks cover one kind of growth in expenditure. But I Possibilities of retrench- shall be asked whether, even admitting that ment. this kind of growth is inevitable, it is not possible to make large cuts in the number of appointments and in the amount of the personnel employed. This, indeed, is a subject which will come within the purview of the special examination which we propose. But I should be deceiving this Assembly if I were to hold out any expectation of large economies in this direction. I doubt whether it is adequately realised to what an extent the gradual development of the present form of constitution is placing increased work on the shoulders of the officials

of the Central Government, and I do not think it is an exaggeration to say that there is not a single Department of the Government of India in which those occupying the higher appointments are not at present overworked. Indeed, I think it far more likely that, as representative institutions grow and sessions of the Legislative Assembly become longer, it will be necessary to divide up some of the existing Departments and create new appointments for their representation in this Assembly.

83. I may, however, again be asked whether there is not a possibility of a different form of economy in the shape of elimination of certain services. At the time of the last big retrenchment movement, certain accessory services were largely cut down, particularly Scientific Departments and such minor departments as the Statistical Branch. My reply to such a question would again be that, unfortunately, it is only too likely that the move will be in the other direction. We are, in fact, at present faced with the need for meeting the demands of a large number of new services. Honourable Members are only too familiar with some of these. The development of agricultural research, for example, is an entirely new demand, as also is that of civil aviation. The former is one which may be fruitful of great benefit to the country; the latter is necessary unless India is to lose her place among the civilised nations of the world. Moreover, it brings in its train other needs such as the development of meteorology and wireless organisation. Again, if we look back on the cuts that were made during the last retrenchment campaign, I think it will be generally admitted, as proved by experience, that, in some respects at least, the economy has not been worth the sacrifice. In advancing this opinion, I have particularly in mind the Statistical Branch; and there, as some Honourable Members know, we have, in response to a far-seeing demand which has been pressed by various influential Members of this House, started on a course which will, I hope, provide those statistics for the gauging of the country's economic conditions which it so badly needs. Public opinion generally seems to be awakening to the desire that the Government of India should adopt a far more active and constructive economic policy than it has followed in the past, and that, in many matters, the Central Government should take upon themselves the responsibility of giving a lead and assistance to the Provincial Governments. This is a desire with which I most heartily sympathise, and it would, in my opinion, be false economy to resist it.

84. Lastly, I would impress on Honourable Members one consideration which has been brought before me very vividly in the course of my work in the Finance Department. The Central Government are directly responsible for the administration of certain areas, and I am afraid that one cannot resist the conclusion that the standard of services provided for in those areas, has, in many respects, been allowed to fall behind that prevailing in the neighbouring areas under Provincial Administrations. This is not a state of affairs which the Central Government can view with equanimity, and I feel convinced that there are considerable arrears to be made up in this direction.

85. For all these reasons, I have myself regretfully come to the conclusion, which I have already stated, namely, that, however energetically and ruthlessly the search for economies is carried out,—and I shall myself welcome any measures for the conduct of such a search,—there is not room for any substantial reduction in the civil expenditure of the Central Government.

[Sir George Schuster.]

86. If I turn now to those other kinds of expenditure to which I have referred, namely, those measures for the support of sound financial principles and the provision of adequate reserves against our obligations, I could not honestly put before this Assembly proposals less adequate than those which I have framed. It is, in my view, of vital importance that, at this stage in India's constitutional development, when we stand at the threshold of a now constitutional advance, nothing should be done which would suggest to the outside world that India's credit will be less carefully preserved in the future than in the past. India must be above suspicion in this respect, and in the end, I am convinced that this will prove sound economy and, by improving the country's credit, help materially to reduce the burden of interest which it will have to pay.

87. If I turn now to the revenue side of the picture,—the second of the two aspects which need examination,—it may be said that the estimates which I have presented, do imply, first, the expectation of a set-back in the tax revenue, or, rather a halt in the normal rate of its growth as evidenced in the results of the last seven years, and, secondly, a very decided worsening in the position of the Commercial Departments of the Railways and Posts and Telegraphs. I am prepared to admit that it is quite arguable that, on the revenue side, the picture which I am presenting, is abnormal and likely to be improved in future years. But, for many reasons, I feel sure that it will be unwise to allow such an argument to prevent the introduction of new taxes sufficient to meet the situation as I have to present it today.

88. I have many reasons for this conclusion, some of which I may state shortly as follows. In the first place, some of our present sources of revenue are likely to disappear, and, in the case of others, reductions may become desirable. The following special cases may be quoted: As regards opium, we are already committed to the disappearance of this revenue after 1935, and it is essential to find new sources of revenue to replace it. As regards the export duty on rice, I have already indicated in my proposals for this year that this, at its present level, may be a burden on the proper economic life of the country and further reductions may become desirable. It is possible that economic conditions may alter the justification for other forms of export duties as, for example, on jute; while, as regards income-tax, if again we put first the need for removing burdens which hamper the economic development of the country, I should myself welcome the opportunity of being able to introduce certain changes, as, for example, the introduction of provisions for allowing trading losses to be carried forward beyond the year in which they have occurred and the abolition of double super-tax on holding companies. Again, new needs for expenditure are constantly likely to press upon us and I have already referred to some of the new services which are now being developed.

89. Yet another consideration is this. We have, in my opinion, been working, in the past three years, with a dangerously low margin. In a country like India, subject to great risks of loss of revenue from failure of rains or from floods, it is desirable to have some margin of revenue over expenditure from which a reserve can be built up in reasonably good years. Memories are short,

and although the last two monsoons have, in places, been unfavourable, it is many years since India has suffered from a real failure of the monsoon.

90. The last consideration to which I have to call attention, is one which bears most weight in my own mind. We have got to prepare for the probability—indeed, I think I may say, the certainty—that the next stage in constitutional development will need provision of more money

for the provinces and that, in some form or other, the Central Government must be prepared to relinquish part of its own sources of revenue. After all, it is in the hands of the Provincial Governments that the real nation-building services lie, and the two great needs for India are agricultural development and, as a necessary condition of its success, the increase of a really effective form of primary education. Of all the tasks, the responsibility for which my present office lays upon me, that which I take most seriously is the duty of finding revenue in order that those provinces, which are at present handicapped by financial difficulties, may make a great start forward in developing the services which the country really needs. I believe that, in the new taxes which I have proposed, I have opened the way, if things go well, without putting any burden on the economic life of the country or subjecting to hardship any particular class, to create a margin which will enable us, as soon as the constitutional reforms are settled, to give a fair measure of assistance to the Provincial Governments in the next chapter of their history.

WAYS AND MEANS.

91. I will now turn to a review of the ways and means position for the current year and the next, a summary of which is given below in the usual form:—

		(In crores of rupees.)	
		Revised, 1929-30.	Budget, 1930-31.
<i>Liabilities.</i>			
Railway capital outlay (construction)	24.15	16.75	
Purchase of Railways	7.06		
Other capital outlay	1.93	3.97	
Provincial transactions	9.47	7.93	
Discharge of permanent debt (net)	25.36	18.84	
Contraction against treasury bills	6.86		
Contraction against silver	2.94		
Other transactions	3.06	1.86	
Total	81.73	49.35	
<i>Resources.</i>			
Revenue surplus	35	70	
Rupce loan (net)	35.47	23.50	
Sterling loan (net)	7.92		
Treasury bills with public	20.00	4.00	
India Bills	8.00		
Post Office cash certificates and savings bank	5.94	6.20	
Other unfunded debt	8.10	3.16	
Appropriation for reduction, etc., of debt	5.85	5.90	
Depreciation and Reserve Funds	.99	5.27	
Reduction of cash balances	10.89	8.62	
Total	81.73	49.35	

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92. The gross proceeds of the rupee loan in the current year amounted to about 35½ crores of which 22½ crores represented conversion of bonds maturing from 1930

Current year. to 1932. This substantial reduction in the amount of the loans maturing in the near future has considerably improved the position for next three years, but the actual cash received in subscription to the loan was 13½ crores only, i.e., 4½ crores less than the total new loan provided for in the budget. As I anticipated at this time last year, it was necessary to resort to external borrowing on a

Sterling borrowings. considerable scale. Sterling bills for £6 millions in each case were issued in London in May and December. The former issue matured in February and in order to place ourselves in funds to meet them, short-term bonds for £6 millions were issued early in February. The total net amount of funds raised during the year in England has thus amounted to about £12 millions. I must deal briefly with the conditions in which the issue of the short-term bonds was undertaken and the reasons underlying Government's action. Honourable Members will have been fully aware from the general review of the Government's policy as regards capital expenditure and borrowing which I gave in my budget speech last year, that I had arrived at the conclusion that external borrowing would be necessary. I then explained how and why, in future, it would be necessary that the rate of capital expenditure should be more nearly balanced than had been the case in the past five years by the increase of our capital resources in the form of fixed loans. It was therefore desirable, in any case, to raise a sterling loan as early as possible after the summer. Conditions, however, were then very unfavourable owing to the position in New York and the existence of a bank rate of 6½ per cent. in London and we thought that we should gain by waiting for cheaper money rates. When the New York boom collapsed, the anticipated easing of money commenced, but, by that time, political anxieties had begun to dominate the position in the London market for Indian securities. I need not give a long account of these events which must be still fresh in the minds of all Honourable Members. I need only say that the nervousness of London investors was intensified by the attitude adopted at the Congress meeting at Lahore in December. Therefore, while our anticipations that money conditions would become more favourable were realised the adverse effects of political reactions counterbalanced the advantage obtained. The facts, however, had to be faced, and as during the year Government had to meet the greater portion of the £5½ millions for the purchase of the Southern Punjab Railway and about £7½ millions for other railway capital expenditure, we felt that, in spite of the unfavourable conditions, we should not be justified in financing this capital expenditure entirely by temporary borrowing in the form of India bills. We considered, indeed, that some more permanent borrowing was, according to sound financial principles, essential.

93. In saying this, I wish to emphasise that our power to issue bills in the London market is in the nature of a reserve which ought to be kept available to meet temporary shortages of sterling resources. Prudent finance demands that this reserve power should be utilised as little as possible for financing permanent capital expenditure. By the issue of two-year bonds with the option of extension for a third year, we have obtained accommodation for a period sufficient to allow for the passing

of the present political uncertainty and have, at the same time, avoided the burden to the Indian taxpayer, of floating a long-term loan in particularly unfavourable conditions; conditions which, I hope, will prove to be of a temporary nature. In the meanwhile, I am glad to say that the success of this operation, even though the terms were onerous, had a very good effect on our credit in London.

94. The combined amount of the above borrowings corresponds roughly with the budget forecast, but owing to events which it was impossible to foresee, it was necessary to supplement our resources by large issues of treasury bills in India. In the first place, contraction of the currency to the extent of 6.86 crores against cancellation of rupee treasury bills and 2.94 crores against silver withdrawn for sale depleted our resources by nearly 10 crores.

95. Without entering into a long exposition, I wish to explain briefly, and in very elementary terms, the real significance of these currency operations. There is much misunderstanding on these subjects, which is fostered by the peculiar position of the Government of India and the combination of roles which they have to play. In the first place, it is Government themselves who have to do the work and, therefore, as happens in all countries, they are blamed for every untoward occurrence—as some of the Honourable Members opposite would soon find out if—as they hope, and as I often wish they could,—they were to change places with us. But apart from this common experience, the Government are not only the currency authority but are themselves the chief operators in the remittance market. When there are difficulties as regards exchange, which would be expressed in other countries by a tendency to export gold, that is expressed in India by difficulties for the Government to effect remittance, and when we take action to protect the currency position, which in other countries would be regarded as quite normal, it is represented here as artificial manipulation of exchange by Government in order to meet their own remittance needs. That appearance induces an unduly hostile type of criticism.

96. Then again, let us consider the internal currency position. If, as has happened in the current year, prices fall and the country requires less currency, and if, on top of that, large quantities of redundant silver currency are returned from hoards, the currency authority must meet the situation by cancelling currency. Otherwise, an inflated condition exists, internal prices would keep unduly high in relation to external prices, and internal rates for money unduly low. The result would be that the natural flow of exports, which is necessary to maintain the country's balance of trade, would be restricted and a very unhealthy situation dangerous to stability of currency would be set up. When currency becomes redundant and has to be cancelled, the profits of the currency authority diminish, for, all issues of currency, whether it be silver currency the bullion value of which is less than its face value, or notes for which the authority merely has to bear the cost of printing, bring profits; and the less the amount of currency outstanding, the less the profit. But when we as a Government, in our functions as currency authority, have to cancel currency and thus submit to a corresponding loss of profit, we are accused of pursuing a policy ruinous to the country's interests because we appear as borrowing money at interest in the form of treasury bills and then destroying it by contraction. In actual fact, however, the loss thus incurred only represents a loss

[Sir George Schuster.]

of the profit which we would have made if the country had needed the extra supplies of currency.

97. Some of our critics, however, will say that we have carried this process unnecessarily far and that, in contracting currency, we have not only incurred this loss ourselves but have starved the commercial world in its needs for currency. Of this, as I have, on recent occasions, frequently explained, there is no evidence. Actually, since the beginning of the last busy season, say, from the 1st December, 1928, to the 30th November, 1929, the net contraction was 15·89 crores and the net reduction of notes in circulation was only 2·48 crores. The reason for this small effect of our operation on the note issue is that very large quantities of rupees have been returned. When rupees are returned, notes are automatically issued against them, and if these rupees have come not from active circulation but from hoards, a corresponding inflation would, in fact, have taken place. These have been the actual facts this year, and the proof of the pudding lies in the eating. In spite of the contraction of currency, all the evidence shows that the currency needs of the country have been fully met so far as it was healthy to do so. In support of this contention, I need merely point to the fact that the Imperial Bank's cash, which is the real index of the adequacy of the currency, is considerably higher than it was at this time last year, although no expansion of the currency has been effected this busy season. This shows clearly that the contraction of the currency has not been excessive.

98. While this necessary contraction of 10 crores to which I have referred, counterbalanced part of our borrowings, other factors have contributed further to worsen our ways and means position. The chief cause has come from the Railways. As a result of the falling off in railway receipts and the increase of working expenses, the Railway Reserve Fund will have to be drawn upon to the extent of 86 lakhs to meet the contribution to general revenues, whereas an addition of 3·26 lakhs to the Reserve Fund was provided for in the Budget, while the addition to the Depreciation Fund is now expected to be one crore less than was anticipated. As against this, it was possible to effect a saving of 2·32 lakhs in railway capital expenditure, but, even allowing for this, there is a deterioration of nearly 3 crores under Railways. Borrowings by the Provinces are now expected to exceed the Budget by about 2½ crores, and, in view of the heavy disbursements in April in London and in India the closing balance will stand at a figure 9 crores higher than provided for in the budget estimate. For these reasons, the revised estimate provides for an increase from 4 crores to 24 crores in the amount of treasury bills outstanding with the public, of which I would remark again that 9 crores is represented by increased treasury balances.

99. In my last budget speech, I dealt at length with the railway capital expenditure and envisaged the possibility of a drastic reduction in 1930-31 in order that the credit of the Government might not be over-strained. The purpose thus indicated has been fulfilled, and as the House knows, we are allowing 16½ crores only for railway capital expenditure, i.e., 7·4 crores less than the revised estimate for the current year. It must be noted that the real reduction in new railway capital expenditure sanctioned is actually larger

Next year.

than these figures indicate, as 2·35 crores of the programme for 1930-31 really form part of the sanctioned programme for 1929-30. Allowing for this, the programmes for the two years compare as follows:

	Crores.
1929-30	26·50
1930-31	14·40
Reduction	12·10

This comparison brings out more clearly the drastic nature of the curtailment effected.

100. With this provision for railway capital expenditure, our borrowing programme for 1930-31 is, so far as new money is concerned, a very modest one. So far as sterling operations are concerned, I assume that the £6 million India Bills falling due in December will be renewed; but, if conditions are favourable, this floating debt will be funded. As regards India, I estimate that a loan of 23½ crores will be required, of which 7·4 crores only will be new money and the remainder, namely, 16·1 crores will be utilised for redeeming outstanding loans, principally 1930 Bonds. This provides for reducing the amount of outstanding treasury bills from 24 crores at the close of the current year to 20 crores at the close of the next. I anticipate no difficulty in carrying out this programme without disturbing the market for Government securities, and, if conditions improve, it may be possible, to fund a larger amount of the floating debt than I have assumed in my present calculations. On looking back on these proposals, I feel justified in saying that provided only that political disturbances do not upset either conditions in India or confidence in England, our borrowing programme is of such a nature that we could confidently look forward to a general appreciation in Government securities.

101. A year ago, it was estimated that we should require to remit £35½ millions to London in 1929-30. Throughout the year the exchange position has been difficult. India, like most other countries in the world, was affected adversely by the high money rates consequent upon the attraction of funds to New York to finance the speculative boom on the Stock Exchange and by the fall in prices and general trade depression which followed the collapse of this boom. In addition, the uncertain political outlook has led to the export of capital on a considerable scale. As a result, our power to effect remittances to London has been temporarily curtailed and we now estimate that the total remittance through the market in the current year will amount to £19 millions only. This will suffice, with the help of the sterling borrowings referred to above and the transfer of £9½ millions already effected through the Paper Currency Reserve, to enable the Secretary of State to close the year with a balance of £6·8 millions. Assuming that the £6 million India bills falling due in December 1930 will be removed, the amount required to be remitted to London next year is estimated to be about £31·8 millions. This figure includes £3·3 millions for capital expenditure on railways as compared with £7·5 millions in the current year and £2·4 millions for repayment of debt (capital portion of railway annuities, etc.)

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102. I should, of course, make it clear that the entire ways and means programme outlined above can only be considered as tentative and subject to modification in the light of the actual circumstances of the time.

103. Following the practice of previous years, I quote the market prices of certain typical rupee securities of the Government of India:

Market price on the 20th February.									
	1923.	1924.	1925.	1926.	1927.	1928.	1929.	1930.	
	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	
5 per cent. tax-free loan, 1915-55 ..	89	8	97	12	97	15	101	4	107
									2
									106
									11
									103
									15
									100
									0
3½ per cent. loan ..	58	0	65	14	66	9	71	6	77
									7
									76
									1
									72
									6
									64
									1

104. The fall in prices since last year may be ascribed to a number of causes. Some would no doubt attribute chief importance to the magnitude of the Government's own needs. I explained this aspect of the situation very fully in my speech last year. It is clear now, in retrospect, that from 1925 to the beginning of 1928, the full effects of the capital expenditure programme launched by the Government were not felt. Such expenditure as was incurred was met very largely from reserves, while the expenditure itself had not got fully under weigh. When once expenditure got going at the full rate, and had to be met not from reserves but by fresh borrowing, it was obvious that the price of Government securities must come down from the high peak to which they had climbed. I gave a clear indication of this in my speech last year and also explained that, while I felt it necessary to curtail capital expenditure, it would not be possible to give effect to this at once without great economic loss, because so much work was already in progress and commitments such as the purchase of the Southern Punjab Railway had already been undertaken. I made it quite clear, however, that it was my intention to put on the brake as soon as possible, and, in the meanwhile, I endeavoured to settle the terms of our rupee loan last year on such a basis that it would represent a rock-bottom price from which a steady appreciation might be expected as a result of the curtailment of future borrowings. I think we may at least congratulate ourselves on the fact that, in spite of all the unfavourable developments which have since occurred, last year's rupee loan only stands about one point below the issue price. If it had not been for two unfavourable factors over which we had no control, I am certain that last year's loan would now be standing at a handsome premium.

105. What, then, are these factors? There has been, first, the wave of dear money which swept over the world culminating in a 6½ per cent. bank rate in England, which made it necessary to tighten money rates in India in order to protect our currency position. And, secondly, there has come upon us a new difficulty in the fall of our sterling securities due to the fears felt in London as to the future

political stability of India. I have already said that I believe these fears to be entirely unjustified, but their results are unfortunately realities which we have to face. Any fall in our sterling securities creates serious difficulties which must re-act on the local situation. Either of these two last factors would have upset the rupee security market quite apart from our own borrowing operations.

106. Honourable Members will ask: "What of the future?" And I must answer this question in relation to each of the three factors which I have mentioned. As to the first, our own demands on the market, I have already given a clear answer. We only expect to ask the public to give us about 7·4 crores of new money next year. If we had only to consider our domestic monetary conditions, I would say with confidence that our troubles were over and that we could anticipate a steadily rising market in our Government securities.

107. As to the second factor, the rates for money prevailing in the world, we can again look with confidence to the future. I need only say that, in my view, everything points to a period of cheaper money for some time to come.

108. As to the third factor, I am afraid I can speak with much less certainty. What we have to expect from the operation of this factor depends mainly upon the action of the leaders of public opinion in this country, as represented by Honourable Members of this Assembly and those outside. If there is clear evidence that such leaders are facing their responsibilities and are determined to oppose all revolutionary movements and to co-operate in a course of peaceful and orderly evolution, disclaiming those threats of unconstitutional action and repudiation of debt which we have so recently heard, then I am quite certain that the outside world will regain confidence in India and that we shall advance once more to our former high level of credit. But, if a contrary course is taken, then, it will be impossible to avoid unfavourable reactions on India's economic development. There must be a lack of that confidence which is so necessary to the initiation of new enterprises, and it is almost certain that a flow of capital from India will continue. Speaking on behalf of the Government, we have done all in our power to create a strong and healthy financial position, and I think what I have already said has demonstrated the effectiveness of our action in this direction. If the insidious lack of confidence continues to sap our foundations, we shall, as a Government, do our best to protect them and shall not hesitate to take strong financial measures for that purpose. But this will mean that our energies and resources will have to be devoted to defence rather than to constructive new enterprise and that the hopeful prospect of an all-round recovery, which would bring prosperity in so many directions and for which, so far as lies in our power, we have created all the necessary conditions, will be unattainable. The future in this respect lies in the hands of leaders of non-official opinion in India. The responsibility rests with them and not with the Government.

109. I do not propose to lengthen my present remarks by going into further detail now regarding figures of India's debt. Among the papers which will be circulated will be found a statement prepared in the same form as was introduced last year, with explanatory notes.

[Sir George Schuster.]

GENERAL REVIEW OF THE ECONOMIC SITUATION.

110. Before I conclude, I must make a few short observations on the general economic situation. I was taken to task, in the course of the budget debates last year, for devoting insufficient attention to the general position of the masses of the country; but I must point out that my main task in a budget speech is to explain particular financial proposals and it is impossible for me to cover the whole work of Government. Moreover, it must be remembered that the main field for work in nation-building services comes within the sphere of the Provincial Governments and I cannot roam at large over this field without exceeding my own functions. Nevertheless, the effect on the general well-being of the country must be at the root of all our financial policy and I think that, if my proposals this year are carefully and impartially studied, it will be found that this has been throughout their main purpose and intention. I am afraid the time is now short and my remarks on this part of the subject must be very brief. I have dealt recently with various aspects of the situation in a speech to the Federation of Indian Chambers and I trust that Honourable Members will do me the honour of reading this speech. It is very obvious at present that India is

suffering from a general wave of depression. It is also obvious that, apart from this special depression, there is great room for improvement in the standard of living of the masses of the country and of general economic production. It is necessary to make a clear distinction between these two conditions. The first is temporary and not special to India. It is mainly produced by causes over which the Government have no control. The second is one which demands the constant and urgent attention of all the forces of society, public and private alike. As to the first, I hope, in the course of the debate, to have an opportunity more fully to express my views. I only wish to emphasise at present that I think that the depth of the depression is exaggerated in comparison with the very special period through which the country passed in the years 1924-25 and 1925-26. If we examine the trend of economic events in India since the end of the War, we find that the volume of imports and exports has, on the whole, shown a steady progression with two exceptional periods, first, as regards imports in 1920-21 and, secondly, as regards exports in 1924-25 and 1925-26. As regards prices, while the prices of imports have tended steadily to decline, those of exports, for various world causes, tended

to rise during the period from 1921 to 1924. Since then, world prices for Indian imports and exports have steadily declined. The point of time at which the general rise in the prices of India's exports culminated coincided with an exceptional period for the volume of agricultural production, and this produced, in the two special years 1924-25 and 1925-26, to which I have referred, an exceptional peak of prosperity. Public opinion as to the course of Indian trade and general conditions, tends, I think, at present, to be framed too much with reference to this special period, and though I do not wish to minimise the effects of the present depression. I think that, if our view is cast back along a longer period of India's history, we shall find that the present conditions are not, in comparison, so black as they are sometimes painted and that the general economic course of the country has been one of steady advance. The cause of the continued fall in world prices for India's chief imports and

exports since 1925-26 is somewhat obscure. It would appear to be world-wide, as, on the basis of 100 for 1926, the Index numbers of general prices in the United Kingdom, the United States and India are 92.2, 96.8 and 95.3 respectively for 1929. While a fall has thus taken place in all the three areas that for India lies between those for the United Kingdom and the United States. This world-wide fall in prices has been put down by some to general over-production, both of raw materials and industrial products, throughout the world. It is known that large scale mass production has been developing throughout the world during the last few years and that tropical and sub-tropical areas have extended their output of raw materials. There are others who would give, as a further reason for the general world-wide fall in prices, the insufficient production of gold for the general requirements of the world as a whole.

111. Unfortunately, the fall did not end with 1929. Conditions in America, to which I have already referred above, have led to a large

recession in business activity all over the world. The immediate out-look is uncertain.

The out-look. Manufacturers and dealers are using up their stock of raw materials and refusing to enter into fresh commitments until they see how far this recession is likely to go. The result is that the fall in the prices of primary products, which was a feature of the year 1929, has been accelerated. India has been particularly hard hit by this world development. Since the 1st January the price of cotton has fallen by about 15 per cent. and the price of wheat by about 12 per cent. while the prices of other staple products such as jute and rice show no signs of recovery from the low level which they reached during the year 1929. It would be rash to attempt to say when the tide will turn, but there are signs in America that the trade recession will not be so severe as was anticipated, and it looks as if prices are now so low that the world will soon begin to take more interest in the products of India and be prepared to enter into commitments for the future. There is reason to hope, therefore, that a recovery from the present economic depression will not be long delayed.

112. Whatever the reasons for the fall and whatever the future prospects, it is clear that the condition of the agricultural classes of India must be seriously affected, and it may be that, in order to maintain their position,

they have to part with an undue proportion of their own production. Measures of immediate

Lines of policy. relief are difficult, but the main lines of the policy which should be pursued seem clear. In the first place, and above everything, it is necessary to stimulate and improve the agricultural production of the country and, as a supplement to this, to put the poorer agricultural classes into a position in which they can retain a greater proportion of their own produce for their own subsistence. In the second place, it is desirable to encourage industrial development provided that this can be done in conjunction with, and as a supplement to, the agricultural life of the country. In the third place—and this is a minor matter but still one of very great importance—the whole country urgently needs the provision of better methods for the study of its own economic conditions than are at present available.

113. I venture to say that, if the significance of all the proposals to which I have referred in this speech, is examined, it will be found that steps are being taken in all these directions. I shall hope to enlarge

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further on this subject in the later stages of the debate, and not encroach further upon the time available this evening.

Conclusion.

114. Before concluding, I should like to emphasise again what I regard as the main features of the budget proposals.

First, all additional expenditure on normal increments and new services, including the large agricultural grants and such important new services as civil aviation, is being balanced by economies,—mainly on military expenditure.

Secondly, principles of financial soundness are being doubly reinforced. No financial weak spots are being left as regards debt redemption and the Cash Certificate liability, while I have provided for a margin of safety in case events next year prove unfavourable. We can thus face the most stringent scrutiny of financial critics with confidence.

Thirdly, we are making a substantial start towards a constructive economic policy and opening the way for beneficial expenditure. If the year proceeds without abnormal disturbances to trade or civil security, we shall have money at our disposal to increase our resources for these purposes, and having prepared these foundations, the Central Government next year ought to be in a position either to initiate important schemes themselves or to provide additional revenue for the Provincial Governments to give them the power for a more generous effort to this end.

Fourthly, although substantial new revenue is to be raised, the measures which I have proposed are so designed as to reduce restrictions on economic action and to lighten, rather than increase, the burden on the poorest classes. This is directly the case as regards the reduction of the rice export duty and of the import duty on kerosene, while all except one of the other measures ought to have indirect beneficial effects. I have, moreover, indicated various directions in which, with the normal proceeds of our new resources, I hope to remove certain hampering impediments to the business activities of the country.

Fifthly, we have, in our proposals affecting cotton, made a determined effort to remedy a special malady from which the industrial life of the country is suffering, and by restoring health to one important centre, to improve the general condition of the country.

Sixthly, we have made a determined effort, by a proper control of capital expenditure, to give a chance for recuperation of the country's credit, so that, with strength restored, a healthy growth, proportioned to our resources, may be once more resumed.

115. I would ask Honourable Members to give all these points impartial consideration and to read into my proposals their future promise no less than their present performance.

116. I may possibly be criticised for seeking to raise more revenue than appears to be immediately needed for actual outgoings, but I hope that what I have said will have convinced at least a majority of this Assembly, first, of the paramount importance of creating reserves to strengthen our resources and credit at this present critical juncture in India's history, and, secondly, for preparing the way for a more generous allocation, to the Provinces, of sources of revenue for nation-building services. It has often been said that the Reforms introduced after 1919 have failed to achieve their full effect owing to lack of adequate funds in the hands of the Provincial Governments. I am desirous of doing all in my power to prepare for better success in the next step.

117. Of one thing I feel certain—that, whether my particular proposals are popular or not, and whether or not they are open to criticism in detail, the main purpose which I have in mind is the right purpose, and that the future will prove the truth of this contention. A Finance Member has to suffer the slings and arrows of criticism for his immediate actions, and, perhaps in very rare cases, to receive some meed of praise if Providence brings good times in his tenure of office. But his own efforts should really be judged by their more lasting results, and I can hope with confidence that, if my present proposals are accepted, my successor, from whatever quarter he may come, will, in the future, look back to me with gratitude for having proposed these drastic measures at this stage. For the present, it is my purpose, as, I hope, it will also be that of this Assembly, to make clear to all concerned that, whatever political clouds may be hanging over us, or whatever political changes may be in store, it will ever be the determination of the Government of India to keep Indian finance firmly secured on an unshakeable foundation. (Applause.)

THE INDIAN FINANCE BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I move for leave to introduce the Indian Finance Bill, 1930.

The motion was adopted.

The Honourable Sir George Schuster: Sir, I introduce the Bill.

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move for leave to introduce a Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927.

Mr. K. V. Rangaswami Ayyangar (Madras: Landholders): Sir, we have not got the Bill before us.

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Mr. President: It is not necessary. The question is:

"That leave be given to introduce a Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927."

The motion was adopted.

The Honourable Sir George Rainy: Sir, I introduce the Bill.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 4th March, 1930.

LEGISLATIVE ASSEMBLY.

Tuesday, 4th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN:

Mr. Hattiangadi Shankar Rau, M.L.A. (Finance Department: Nominated Official); Rai Bahadur Satis Chandra Dutta, M.L.A. (Surma Valley *cum* Shillong: Non-Muhammadan); and Dr. R. D. Dalal, M.L.A. (Bombay: Nominated Non-Official).

THE GENERAL BUDGET—GENERAL DISCUSSION.

Mr. President: The House will now proceed with the General Discussion of the Budget.

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): Sir, the Budget of the ensuing year, which was presented by the Honourable Sir George Schuster on Friday last, in a very clear and frank manner, exhibits some very disappointing features. The net position is that the Government are faced with a deficit of 5 crores and 52 lakhs, which is sought to be wiped out by retrenchment in civil and military expenditure to the extent of one crore and 42 lakhs and by the imposition of fresh taxation to the extent of 4 crores and 10 lakhs. We are told by the Honourable the Finance Member that the present year has been a bad one, and the accounts of 1929-1930 would have shown a deficit of one crore and 56 lakhs, but for a special windfall which will bring to the Government of India exactly the same amount under the Treaty of Versailles. The ensuing year is certainly most discouraging, and the imposition of fresh taxation has caused considerable anxiety. At a time, Sir, when there is general trade depression throughout the world, when the purchasing capacity of the Indian people has seriously diminished, when the monsoons have failed in certain parts of the country, and at a time when floods and locusts have done great damage to the crops, economy and not additional taxation should have been the watch-word of the Honourable the Finance Member. Well, Sir, the outstanding feature of the Budget of 1930-31 is the imposition of fresh taxation on the poverty stricken people of India. The general increase in the cotton duties from 11 per cent. to 15 per cent. would certainly be welcomed, though not for any other reason, at least in the interest of the Bombay industries and possibly in the interest of the hand loom industry. But I venture to submit that a further 5 per cent. protective duty on non-British goods should



[Mian Mohammad Shah Nawaz.]

be opposed on the principle that it endorses Imperial Preference as a principle. The Honourable the Finance Member has been careful to inform us that neither the Government of India, nor the Assembly is committed to Imperial Preference as a principle, but the fact remains that liberty has been taken to introduce Imperial Preference as a principle, and on this account, the Indians have no other alternative but to oppose this item unless and until India can get all the reciprocal advantages and facilities from England and other Dominions to what it gives them, she can not willingly agree to any scheme of Imperial Preference.

The increased excise duty on kerosene oil, which it is hoped will bring 35 lakhs, and the import duty on sugar, which it is hoped will yield one crore and 80 lakhs, would certainly hit the poor and the middle classes. This item is also very regrettable and probably the non-official Members will vote against it. The rate in the increase of income-tax and the super-tax should be opposed by everybody, and it should be scrapped from the Finance Bill. Lastly, Sir, there is the re-introduction of the import duty of four annas per ounce, on silver, which in my humble opinion will hit the poor very much. The device adopted by the Honourable the Finance Member is very unfair to the poor of this country. The peasants of this country, and particularly the poor classes, purchase silver and they will have to pay, not the world market prices, but a considerably higher price, artificially created by the duty on silver.

Well, Sir, we are told that the present deficit is due to the general trade depression, is due to the unrest in this country and elsewhere, and that the Honourable the Finance Member is compelled to resort to additional taxation. But the question remains whether India or the Indian people are capable of paying the fresh revenues; whether they have the capacity to pay. In my humble judgment, the Indians have no such capacity to pay, and the additional taxation, except probably one tax, the increased duty on cotton, is uncalled for.

Now, Sir, the hard facts of the situation are these. A great section of the people utterly dislikes the present system of Government. They think that the present system is an evil, and they threaten to launch a campaign of civil disobedience, a campaign of non-payment of taxes. On the other hand the Honourable the Finance Member says that the Government mean to impose additional taxation. Hence there are two fires,—the fire of non-payment of taxes and the fire of imposition of fresh taxation. Between these two fires, the position of those who occupy a central position has become very difficult indeed. Between these two fires, I venture to submit, the best interests of India will suffer. I agree, Sir, with the Honourable the Finance Member when he says that the Indian leaders must oppose all threats of constitutional action and disclaim the repudiation of debts, and they should help Government in the maintenance of law and order. So far as the Moderates are concerned, they will help the Government. But, Sir, I do not agree with him at all when he says that the future lies in the hands of the leaders of non-official opinion, and they alone are responsible and not the Government. I say emphatically that Government are also responsible for the present unhappy state of things in this country. The clear duty of the Government is to see that the Indian people are happy, contented and prosperous. Is it not a fact that, despite the fact that the British people

have brought peace to this country, the present system of Government is defective? Is it not a fact that the Indian people have to pay a crushing figure of 55 crores,—now reduced to 54 crores and 20 lakhs,—for the maintenance of the Army? And it is a great shame, and as great a disgrace as can befall a nation that the Indians are not trained to lead their own regiments. Indians still believe that the military expenditure can be reduced, at least by one or two crores. But we are told by the Honourable the Finance Member that no substantial reduction can be made. That is very regrettable. In my humble judgment, the Honourable the Finance Member should have told the heads of the Department to adopt a system of rationing the Department, that is to say, he should have told them that their expenditure should be reduced by a certain percentage, and it would then be seen that a lot of retrenchment can be made in the military expenditure and in other services. Sir, I submit that Government either do not understand the Indian distemper or have not got the courage to administer healing remedies to the disease of unrest. That remedy lies with Government. I say this, and I say it plainly, that if the British nation, through her Parliament, is not prepared to grant immediate provincial autonomy and at least fix a minimum time limit, for the attainment of complete Dominion Status, there can be no peace in this country. My own conviction is that the Honourable the Finance Member should have waited for the result of the Simon Report and the result of the Round Table Conference; and if the result had been favourable, he could have come to this House and said, "Now the responsibility is very much yours and you had better place your financial position on an unshakable foundation". I venture to submit that at the present juncture, our esteemed and able friend was not well advised to bring forward a scheme of additional taxation.

The worst part of the Budget is that the Honourable the Finance Member makes no promise—none whatever. He does not say that the present imposition of taxation is a temporary one or is on a permanent basis. Probably he means that this should be a permanent taxation. If he had come forward with a proposal that the additional taxation to the extent of 4 crores and 10 lakhs was simply meant for such purposes as agricultural development or the introduction of primary compulsory education in the provinces, it might have been possible for some of us to vote with him; but he does not say anything of the kind. He simply says that, as Finance Member, he is bound to balance the Budget, and that is all. I submit that, whatever the difficulties of the Finance Member may be, he has to face the difficulties created in this country. The Finance Member really should have made a supreme effort to retrench expenditure which in my humble judgment he has not done. I say, Sir, that although the Budget has been presented in a very frank manner, it is certainly very disappointing in many respects, and the Finance Member will have a very hard task to see that the major portion of additional taxation is voted by the Assembly. He should expect the House to vote for all fresh revenues.

Sir, I have to say something about the military policy and the military expenditure. I have already said that it is a great shame that Indians, except an inadequate and limited number, are not permitted to get admission into the King's Commission. I really do not know why Government are not accelerating the pace of Indianisation of the Army. There

[Mian Mohammad Shah Nawaz.]

may be a risk from the British point of view, but the risk must be taken in the interest of this country. Do they mean to say that they do not trust the Indians? So far as I am concerned, and I am perfectly certain that many Indians are of this opinion, if there is any upheaval in Afghanistan or Turkestan or Russia, with a view to attack India, my country, all Indians will be united in defending their own country and the Empire. I am perfectly certain that, although I am now 50 years of age, a soldier's death would be the best thing for me. I do not know why the Britishers are distrusting the Indians,—I cannot understand that. Are they distrusting the Indians because they think that there is going to be an upheaval in this country? I think not, I think that India's heart is quite sound and that of Great Britain may be sound. We are only adopting our own ways of meeting the situation. We school our manners, act our parts, but we know that our dispositions are quite gentle, tranquil and true. The British Government must know that, after all, if the Indians are trained to command their own regiments, and if the Indian Army is Indianised, it will be immensely better in the interests of Great Britain and of India. I have, Sir, a great complaint to make about this question of the Indianisation of the Army. In my humble opinion the recommendations of the Sandhurst Committee should have been accepted by the Government without any reservation whatever. (Hear, hear.) If those recommendations are not accepted, the talk about the grant of Dominion Status is all humbug. (Hear, hear.) I cannot understand at all that Dominion Status can be granted, or even promised, if the British Government are not prepared to Indianise the Army. I cannot understand why the people of this country are not allowed into the superior ranks in the Army. Without the Indianisation of the Army, the talk of Dominion Status would be absurd, and this is the first step which the British Government should take to show their good faith and that they are prepared to grant Dominion Status to the people of this country as quickly as possible and at any rate within a short time-limit. The Indian opinion is unanimous on the point that the attainment of Dominion Status cannot be deferred for long. I say these are the healing remedies to the disease of unrest. Indians are quite prepared to place the Indian finance on an unshakable foundation. But it is the clear duty of the Government to see that the legitimate desires and aspirations of the Indian people are fulfilled without further delay. The real root cause of present unrest is that the Indians are dissatisfied with the present system of Government and they want that it should be changed, and changed root and branch. If the Government are prepared to do that, the Indian people are prepared to help the Government to their utmost capacity, and I am perfectly certain that the Moderates and all right-minded Indians are prepared to nip in the bud the Independence movement and the movement of civil disobedience provided also that the Government play their own part well and give helpful promises to the Indian people. Without those the financial position will remain more or less unstable. If the British people fulfil their own part of the obligation, everything will be all right. I concede that the Britishers have brought peace to this country. I concede that the Civil Service is a very efficient service. I grant that you have brought prosperity, by Posts, Telegraphs, Railways, and large irrigation schemes. But at the same time, it cannot be denied that it is not a

Government of the people. It has many defects, which I have already pointed out, and those defects must be remedied and the remedy lies in the hands of the Britishers. In the matter of the Indianization of the Army, delay has given rise to bitter unbelief. I have, Sir, expressed these thoughts as they have come; I have expressed these thoughts with perfect frankness. They may not be liked by some people, but I have done my duty. I request the Government to consider them seriously. (Applause from Non-official Benches.)

Sir Hugh Cocke (Bombay: European): Sir, I was very interested in the remarks of the Honourable Member who has just sat down, but I thought the tributes he paid at the close of his speech were a little difficult to reconcile with some of his earlier remarks. But at any rate, he referred to his belief that leaders would, under certain circumstances, be only too anxious to nip in the bud any attempt at civil disobedience in this country, and I am quite sure that everybody in this House realises that if that is nipped in the bud, and if we have a peaceful year, it will be reflected very much in the figures with which we shall be presented a year hence. Sir, when we have got to consider large additional taxation, I think it is perhaps desirable that one should look some years back in order to ascertain some of the reasons for that additional taxation, and I have been studying Appendix I of the Financial Secretary's Memorandum to look into the figures not merely of this year and the Budget for next year and those of the previous completed year, but to make a comparison between the first of the years given in Appendix I, namely 1923-24, and the budget estimate for 1930-31. A study of those figures, I think, gives very substantial reasons why today we are faced with a deficit of four crores or so, requiring additional taxation.

Turning to the main items, it will be noticed under Customs, our revenue—it is our biggest head of revenue—has increased roughly from 39 crores to 52½ crores in that period of seven years, that is by 13½ crores, a very substantial increase. But taking the next item, Taxes on Income, our figures have remained stationary. As a matter of fact, the figure for the first year and the budget estimate of next year both show over 17 crores, but in none of the other years is the figure over 17 crores. Actually our figure for 1930-31 is 39 lakhs less than the income revenue for 1923-24, so that under that head there has been no progress at all. Under Salt, we are 3 crores down for that period. Our revenue in 1923-24 was roughly 8½ crores and it is now 5 crores and 71 lakhs, a drop of approximately 3 crores. In Opium, we are slightly up by 40 lakhs, which is rather extraordinary of course in view of the fact that we are reducing our revenue from Opium. But it just happens that the 1923-24 figure is particularly low. In the matter of "Other principal heads", our revenue is down by 50 lakhs, and then we come to the chief item of all in connection with the decrease of revenue, of the Central Government, and that is the Provincial contributions. In 1923-24, our revenue was nearly 9 crores, and today it is nothing at all. In Railways we are 70 lakhs down compared with 1923-24. In total revenue we merely show an increase of 1½ crores in those seven years.

Turning to the expenditure side, we find it mainly increased. Irrigation has gone up by 5 lakhs; Debt Services, 19 lakhs; Civil Administration, 3½ crores; Civil Works, 14 lakhs; Miscellaneous Expenditure on the other hand is a little down. In Posts and Telegraphs, we have increased our net expenditure by practically 1½ crores, because in 1923-24 we had a surplus of 71 lakhs and today we have a deficit of 71 lakhs. Military expenditure

[Sir Hugh Cocke.]

shows a reduction of nearly 2 crores, and the total expenditure shows an increased expenditure of $3\frac{1}{4}$ crores. In other words, our revenue in the past seven years has been going up at the rate of 20 lakhs a year approximately, and our expenditure has been going up at the rate of about 50 lakhs a year, but if provincial contributions are excluded, our revenue has increased from 76 crores 80 lakhs to 87 crores 21 lakhs, an increase of 10 crores 41 lakhs. That revenue increase was necessary to balance the provincial contributions which were cancelled, so that I think having regard to one increased expenditure, we have got to face the fact, as the Honourable the Finance Member said in his speech, that we have *not* made up the gap that occurred as the result of the elimination of the provincial contributions, and really we are imposing fresh taxes in the Central Government today to make up for those provincial contributions, or in other words, to provide for expenditure which the provinces have at last been able to meet but which they could not meet as long as they had to contribute to the Central Government—expenditure which we hope is in the nature of nation-building expenditure such as education, sanitation, etc. Therefore, if we take a broad view with reference to the new taxation, we have to realise that, in the main, it is being put on to benefit the provinces in contrast to the position when the Central Government received a substantial revenue from the provinces.

It is distinctly disappointing of course that the Post Office, as a commercial department, shows no progress, but very much the reverse, the main reason being, I think, the increase of pay of the postal servants, which I think no one regrets. But I noticed the other day that the Post Office in the United Kingdom shows very remarkable figures. The commercial profit there is £9 million. This figure is arrived at after charging interest on capital and meeting a deficit on the Telegraph service of three quarters of a million sterling. It is pointed out that, if the postal rates were reduced from $1\frac{1}{2}d.$ to one penny, it would cost the Post Office a revenue of anything between £5 and £7½ millions sterling, but even if that change took place, there would still be a profit of about £2 millions for the State. Well, in India, we have to carry our letters further and we do not carry so many of them, and we are faced with the fact today that the Central revenues are actually contributing to the Post Office about Rs. 70 lakhs in the current year, namely, in 1929-30 Rs. 73 lakhs; in the coming year's estimates nearly Rs. 72 lakhs.

Another important factor, of course, which the Honourable the Finance Member has had to face, and which is an additional reason for the increase in taxation which is proposed, is the fact that he has to face facts in connection with the accumulated interest on Postal Cash Certificates. That obligation has been increasing year after year. Sir Basil Blackett was attacked, I think, because he made no proper provision for that. His reply was that he was merely following the course followed in the United Kingdom. Whether that course is still followed in the United Kingdom I do not know, but certainly up to that time he was merely following the same course that was followed in the United Kingdom in connection with the National Savings Certificates. Since then, the interest obligation has been mounting up year after year. I think nearly ten years have nearly elapsed since Postal Certificates were first on sale, and therefore we have got an accumulated interest obligation of 10 years on many of these Postal Cash Certificates, which were sold at Rs. $7\frac{1}{4}$ or thereabouts and are to be redeemed at about Rs. 13 after 10 years.

It is interesting to note, I think, as pointed out in the Honourable Member's speech, that the sum required for the reduction and avoidance of debt has risen materially since 1923-24. The amount has risen from Rs. 3 crores and 62 lakhs to Rs. 6 crores. The convention which was established six years ago now has run its time, and is to be reconsidered, as pointed out in the Honourable Member's speech. I hope that, in the reconsideration of that problem, no material reduction will be made in the amount which is provided annually, because I believe sound principles in connection with a country's sinking fund are very essential, and they react on the rate of interest at which one can borrow. Sound finance obviously means a cheaper rate of interest on the money that one borrows.

Coming to the question of income-tax, I am not prepared to oppose the increases which have been made. One regrets perhaps that it has been necessary to depart from the round figure of one and a half annas and propose one anna and seven pies. That perhaps is more or less a sentimental objection. I find that for a man with an income of a lakh of rupees, if my calculations are correct, the additional taxation he has got to pay is Rs. 781, *i.e.*, he now pays in income-tax and super-tax, Rs. 14,062 and he will be called on to pay Rs. 14,843 so that the increase is very small and is not one which I think should be attacked. As regards the other increases of taxation, I for one see no material objection to any one of them, because it seems to me they do not impose a very serious burden on any consumer. If any Honourable Member could show me that the contrary is the case, I should be prepared to reconsider my view, but the taxes on kerosene and sugar and the cotton import duty appear only to impose a very moderate burden on the consumer. I think we have got to pay the bill because it is very essential that the deficit should be met. I regret that there was no promise in the Honourable Member's speech about any reconsideration of the companies' super-tax, because such a tax in the name of a corporation profits tax was removed in England many years ago now, as it was only imposed as a war measure, but here we have still got the companies' super-tax, which is strongly objected to in business circles on the ground that it amounts to double taxation. It is, however, satisfactory to note that business losses will be brought into account in future, and the Finance Member has also promised to reconsider the question of double super-tax on companies, particularly in connection with holding companies.

Sir, reviewing the whole Budget, it seems to me that, although it must excite considerable criticism when a large additional amount is required from the country in taxation, one has got to consider the matter as a whole. One thing we have to remember in particular is that, to some extent, this new taxation is required to meet the increased pay and contentment of the working classes. Whether it is in the Postal Budget, or in the Railway Budget, or in the Central Budget, I think if the calculation were made, it would be found that the additional amount paid to labour in the last few years amounts to a very heavy sum indeed, and therefore in essence we are taxing the country today additionally for kerosene, sugar and so on to meet the increases which have been given to labour in this country in the last few years. No one regrets those increases, because most of us believe they were necessary, and probably still further increases may be necessary to adjust matters between different sections of labour. But, in order to meet that bill, we have got to broaden the basis of our taxation, and it seems to me that none of the proposed taxes really hit any one branch of the community severely or harshly, and if I am right in that conclusion, I think the House might well accept this Budget.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, while thankful to the Honourable the Finance Member for his very careful exposition of the financial position of the Government, we can hardly congratulate him for the very distressing statement he has presented before us. The frank confession of a deficit budget, with a careful review of the causes in detail, and a genuine and sincere desire to meet the deficit with as little hardship upon the taxpayer as possible, discloses the utter helplessness of a great financier under the present system of Government. While appreciating the limitation of the Honourable the Finance Member, to give any relief to the Indian taxpayer, I shall be failing in my duty if I merely criticise the figures from the standpoint of an economist, overlooking the larger problem from the standpoint of a statesman. I wish the Honourable the Finance Member had been bold enough to take his stand upon a higher pedestal than that of a mere financier registering the decrees of an irresponsible bureaucracy. He has taken the demand of the Executive Government as a matter of course and has prepared the Budget on the basis of that demand. Sir, the budget of a government is not merely an official statement of the revenue and expenditure, but also a measure of the devotion of the rulers to the interests of the ruled; and in the few observations that I am going to make, I shall keep that point in view, leaving canons of finance to be discussed by those who are more competent to deal with the same.

Sir, I am painfully aware of our helplessness in the matter, but we have to declare from our place in this Assembly, as representatives of the people, that we neither approve of the imposition of new taxes, nor do we acquiesce in the increase of expenditure, more than half of which is non-votable. To have to discuss a Budget without being allowed to exercise our vote, is depriving us of an effective weapon of control, which no responsible government can dream of. Yet that is our lot in respect of the military expenditure and other demands which are non-votable. Ordinarily, one is expected to incur expenditure according to his income, instead of spending with a view to supplement the deficit by loan or robbery. Yet the latter is the course that is being adopted in the case of the Indian Budget, as a result of which, not only our debts have increased by leaps and bounds, but it has imposed heavy burdens upon the poor peasants by robbing them of the barest necessities of life. If the Finance Member had tried to cut his coat according to his cloth, India's budget, far from showing a deficit, would have shown a clear surplus. Instead of asking for further taxation, he would have been in the enviable position of relieving the poor Indian taxpayer of some of the crushing burdens of taxation. Sir, India is mainly an agricultural country and no Finance Member who cares for the well being of the teeming millions working in the fields would place any unjustifiable burdens upon them. The Finance Member himself admits that the export duty on rice, at its present level, is a burden on the economic life of the country, and further reductions may become desirable, yet he has dismissed a question of such vital importance by saying that rice exports have been considerably more encouraging. I am very much surprised that the Honourable the Finance Member should make such an irresponsible statement from his position in this House. I would like to invite him to witness the miserable condition of the ill-fed and half-clad tillers of the soil in the villages, who have been reduced to the verge of starvation, not only because of bad monsoons, but also because of the financial policy of the Government. The abnormally low price of paddy in Bengal has been

such this year that the peasants have been obliged to part with almost the whole of the produce of the year to pay rent and taxes, leaving very little to feed themselves for the next eight months, before they can grow another crop. This is a serious state of affairs, which no Government having the least concern for the welfare of the agricultural population can ignore. Your Agricultural Commissions and policy of development of agricultural research will not avail them, unless you see your way to devise means of leaving sufficient grain for the consumption of those who produce it, and I ask the Government, with all the emphasis that I can command, to take up the question for solution, without delay, if they are really sincere in their professions of sympathy for the masses.

The Honourable the Finance Member has said that it is essential that, at this transitional stage of the constitution, there should be full confidence, wherever possible, between the Government and the Legislature, and I therefore invite the serious attention of the Government to this dark spot of their financial policy. The inevitable struggle between capital and labour is the outcome of industrialisation, which has not brought peace anywhere in the world; and he must be a very bold man, who can state that the problem will be solved by the Royal Commission on Labour. The real solution lies in de-urbanisation and allowing the villages to flourish amidst the peaceful and happy surroundings of agricultural pursuits, and not in the slumlife of towns.

As regards the appeal of the British Government for Imperial Preference, although the Finance Member does not ask us to commit ourselves to its principle, he has curiously enough asked us to adopt it in India's interests at a critical juncture. In spite of his assurance, we must inform him that Indian opinion will refuse to accept Imperial Preference in any shape or form.

I began by saying that the Government ought to keep in view its income while framing the programme of expenditure, and should never allow itself to frame a budget in the hope of raising a loan or imposing taxes. But unfortunately this canon of sound finance does not appeal to the Government of India, who may ask how they are to carry on the administration of this vast country with the amount that is available, without incurring loans and imposing new taxes. My reply is in two words—reduce expenditure. If you yet ask what expenditure can be reduced, I shall point to the military expenditure and high salaries of civil officers. If you had brought down your military expenditure to at least fifty crores, as prescribed by the Retrenchment Committee, you could have avoided the deficit budget, but you do not reduce the military expenditure on the plea of enabling the Army to carry on their plan of re-equipment, and only show a little decrease by spreading the programme of re-equipment over three years instead of two years, which is thus no real reduction.

The Brussels Conference has laid it down, with the full concurrence of the Government of India and the representatives of the India Office, that the military expenditure of a country should in no case exceed one-fifth of the revenues. I ask you to accept this standard and reduce your military expenditure. This can be easily done by Indianising the Army at once, which will serve the purpose for which the Army is maintained, according to the Report of the Army Commission of 1879, viz., (1) preventing and repelling attacks or threatened aggressions from foreign enemies beyond our border, (2) making successful armed disturbance or rebellion, whether in British India or feudatory states, impossible, and (3)

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watching and overawing the armies of feudatory native states. But overlooking those weighty observations of the Army Commission, the Indian Army is retained for the maintenance of balance of power, not only in Asia, but in the whole world. The present Premier of England, Mr. Ramsay MacDonald in his book "The Government of India" has said:

"A large part of the army in India, certainly one-half, is an Imperial Army, which England requires for other than purely Indian purposes, and its cost therefore should be met from Imperial and not Indian funds."

The North West Frontier from the Pamirs to the sea is the most important land frontier of the British Empire, and its defence and maintenance should not be saddled upon the Indian taxpayer alone; we can justly claim to be freed from at least a major portion of this burden, and I commend this to the very serious consideration of the Government of India and the Home Government. The Esher Committee has laid down that, so far as the question of Imperial defence is concerned, the military policy of the Government of India must be in consonance with the military policy of Imperial defence, and in this view, are we not entitled to demand that the Imperial Government should also share the burden with us?

Besides, Sir, if you eliminate the British element to the extent of at least half of its present strength, and replace them by Indians, you can reduce the expenditure by more than five crores, for it has been pointed out by the Inchcape Committee that the cost of an Indian soldier is Rs. 631 per annum, while that of the British soldier is Rs. 2,503 per annum. But then it will be argued that the British soldier has got greater military qualities than the Indian soldier. (*An Honourable Member:* "Question.") That argument is belied by history. The Rajputs, Sikhs and the Mahrattas, as also the Gurkhas and Pathans, make as good soldiers, if not better, if they are given the necessary training.

It is said that the ideal which is kept in view about military expenditure is an Army in India, not larger than is essential in India's interests, adequately equipped and fully trained, so that India might obtain the maximum service from a fully efficient force at the minimum cost. If I ask His Excellency the Commander-in-Chief, whom I do not see here, whether the above ideal has any place in the military policy of the Government of India, His Excellency's answer is bound to be in the negative in view of the facts stated above.

As for the expenditure on civil administration, I am not aware of any other country in the world where its officers are so highly paid compared with the average income of the masses of the people. In a poor country like India, Rs. 1,000 per month should be the maximum salary, and the best intellects will always be available, when we find the flowers of Indian Universities serving at even a less salary than that. The gentlemen on the Treasury Benches, who would not like to be there on this salary, may make room for patriotic Indians, to whom salary will be of no consideration. (*Laughter.*) At the present moment you have at least one such patriotic Indian in the person of the Honourable the Law Member, whom I do not see here, who has sacrificed a princely income at the Bar in the prime of life to serve his country according to his lights, and I can assure you that there are many who will be willing to accept much less for the sake of service to their motherland. In this way, if you reduce

the high salaries all round, you will be able, not only to avoid a deficit, but will be able also to reduce greatly the burdens of taxation. Sir, year in and year out, we have been pressing for a reduction of high salaries, but the Government have not thought fit even to consider this aspect of the question

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): How can you compensate for the five crores?

Mr. Amar Nath Dutt: They can compensate for it by replacing half of the British element in the Army by Indians. And the reason for not considering the question of reduction of expenditure is obvious for you want employment for men for whom England cannot provide, and through them you want to carry on the exploitation of this country by having a market for your goods, which you cannot sell elsewhere, and by getting cheap raw material for your factories. So long as India can be treated as the milch-cow of the Empire, there is hardly any hope of reduction of expenditure or taxes.

The Honourable the Finance Member has a fling at us for what he considers to be an insistent pressure for increased expenditure on particular projects, such as improvement of conditions of service, education, hospitals and sanitary arrangements, agricultural endowment, police, roads, etc., while admitting a general demand for retrenchment and economy. He forgets that, while we ask for improvement of conditions of service, we do not ask for luxurious saloons for their travelling or overseas allowances in addition to high salaries. What we ask for is that the ill-paid Indians should get such remuneration as will enable them to feed the mouths and clothe the bodies of those that are dependent upon them, and a fulfilment of this demand would bear but a very insignificant proportion to what is spent for the advancement of the members of the superior services. I regret, Sir, that this should be made an excuse for increased expenditure without really doing anything substantial for the mitigation of the sufferings of the ill-paid members of the subordinate services.

As for demands for expenditure on education, hospitals, sanitary arrangements, agricultural endowments, etc., you have done nothing save and except the creation of some high posts which benefit none except the fortunate recipients of these posts. The only solution for the reduction of expenditure lies in bringing down high salaries of civil and military officers and formulating a scale of salary on the basis of the average standard of living of the Indians, and if the foreigners wish to serve in India, they should be asked to accept that standard.

But, Sir, I forget that the central fact round the Budget is the powerlessness of this House to assert itself, for we are painfully aware of the exercise of autocratic powers for the restoration of the budget cuts and certification of taxation Bills. We have been asked to exercise a calm and judicial spirit in pronouncing our judgment, for the times are not ordinary, as within a few months the representatives of India will meet the representatives of Great Britain to discuss, in the fullest and frankest way, the future of this great country, and much will depend on the spirit in which they meet. Sir, we are prepared to meet, in all humility, the representatives of Great Britain if they are prepared to listen to the doleful tale of foreign exploitation of this ancient country under their rule and would agree to a constitution for the future Government of India which will make the Indians the arbiters of their own destiny to enable them to march forward towards peace and prosperity, as she did, in days

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of yore. Sir, while on this subject I may be permitted to point out that delay in this matter has been the cause of the attitude of some political leaders to which the Honourable the Finance Member has referred in his speech, and further delay in announcing the personnel and time of the Conference may stand in the way of peaceful and orderly evolution, responsibility for which, according to the Finance Member, rests with the leaders of public opinion as represented in the Assembly and outside. I do not agree with the view that the responsibility rests solely on our shoulders. The responsibility lies equally with the Government, and in order to create an atmosphere of perfect peace and goodwill, there should be a general amnesty to all political prisoners and withdrawal of all pending political cases. However much you may disapprove of the methods of those that have been convicted, you cannot deny that they were actuated by the highest motive for the amelioration of the condition of their countrymen by the establishment of Swaraj, to which you are pledged by the solemn declaration of your Sovereign and the British Parliament. I ask not for a temporary suspension of differences, but for a complete eradication of the seeds of mutual distrust and the establishment of goodwill between England and India, whose course of historical evolution and destiny has been mixed up by an all-wise Providence.

The goal lies through rocks precipitous but not insurmountable, leading to the summit of Sumeru, where rests the golden star of Swaraj, and if you help us in attaining it, it will be one of the proudest days in the annals of England, as was prophesied by a great Englishman nearly a century ago.

I can do no better than conclude with the hope contained in the lines of a great Bengali poet, Nobin Chandra Sen:

Sanmukhey Ajnata Sindhu,

Vasey Krishnapadatarī

Ei tiray Sandhya

Usha Anyatirey mugdhakari

"Though before us, the unknown ocean lieth,

We shall steer with divine faith

Through the darkness of night

To a glorious morning light."

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Mr. President, though there was a tone of subdued optimism in the speech of the Honourable the Finance Member last year, he was not unconscious of the anxious times that were ahead of him; but the feeling of optimism prevailed in the whole of his speech, because summing up our general financial position he then said, "I think one is justified in feeling confident as to the future". While that was the feeling of the Honourable the Finance Member, the general financial situation of the country was viewed with mixed feelings on this side of the House. While some felt cause for disappointment, others were very anxious about our financial future, and in my speech last year I ventured to state this:

"I do not want to concentrate upon the bad patches in the financial situation of the country. Even without concentrating one's attention on the bad patches alone, I must be excused if I venture to remark that, if there is no cause for alarm, there is cause for anxiety, and certainly no cause for jubilation."

Sir, subsequent events have proved that we had sufficient cause to feel anxious. But it must, in fairness, be said to the Finance Member that, in spite of his feeling of optimism, even in his last Financial Statement he disguised none of the difficulties, and exaggerated none of the favourable features. But, Sir, after the lapse of one year, we see that the difficulties that he anticipated have proved to be of a more permanent character and that the favourable features of the Budget have proved to be temporary.

In considering the Financial Statement for the coming year, I must congratulate the Honourable Member for the very vivid picture that he has given of the financial situation. He has attempted to give us a very

12 NOON. full picture in which he has presented, in very clear and unambiguous terms, the difficulties that lie ahead of us. Looking back on the last two or three years, we find that the gap between revenue and expenditure, which many of us thought was probably temporary and might be bridged over, has proved permanent and is growing wider. Sir, what has been the revenue and expenditure position for the last three years? In 1927-28, the anticipated deficit of 168 lakhs has proved to be an actual deficit of 221 lakhs. In 1928-29 an anticipated surplus of 29 lakhs has turned out to be a deficit of 105 lakhs. In 1929-30, the budget deficit of 90 lakhs has turned out to be a revised expectation of a deficit of 410 lakhs. The gap during the last three years has therefore been about 736 lakhs; and this gap has been made good from three sources. 295 lakhs of the Revenue Reserve Fund has been utilised. 289 lakhs, representing abnormal revenue receipts in the current year, have come to the help of the Finance Member, and 156 lakhs of the German liquidation fund have been taken to balance the Budget. But to appreciate the true position for the last three years, you must not forget the fact that, in addition to these three sources, we have utilised 7½ crores of the uncovered liability in the Post Office Cash Certificates. Assuming that the abnormal revenue receipts are legitimate revenue receipts, and that the entire Revenue Reserve Fund was the result of revenue surplus, the fact still remains that 156 lakhs of the German liquidation fund and the 7½ crores of accrued liability in the Cash Certificates have been utilised to balance the Budget. The real deficit therefore has been over 881 lakhs, leaving aside the revenue surpluses. The Revenue Reserve Fund, which the Honourable Member's predecessor set apart for an entirely different purpose, has been utilised to balance the Budget. The receipts from the German liquidation fund, which, according to sound canons of finance, about which we are reminded often by the Treasury Benches, should have gone to the Sinking Fund, have been utilised to balance the Budget, and the accrued liability of the Post Office Cash Certificates has now been added to our permanent debt. The whole situation then comes to this, that we have lived on borrowed capital and extraneous windfalls during the last three years. When the financial position of the last three years is reviewed from this point of view, Honourable Members will realise that the gratification that we all felt over the extinction of the provincial contributions must be tempered by the true state of affairs which has been disclosed since then. The Financial Relations Committee, which fixed the measure of provincial contributions, expected that the help from the provinces was meant to tide over the temporary difficulties of the Central Government, but, Sir, subsequent events have proved that those expectations have failed, and the temporary difficulties of the Government of India have proved to be more of a permanent character.

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Even in his last year's Financial Statement, the Honourable Member had warned us to be prepared for fresh taxation, if necessary. He said:

"But I wish to leave Honourable Members in no misapprehension on this matter. If additional taxation proves to be necessary in the following year, the need will have to be boldly faced."

He has now told us that the need has arisen, and he has attempted to face the need boldly from his point of view. In asking us to be prepared for fresh taxation in the coming year, the Honourable Member gave us what he considered to be proper rules of conduct for his guidance in this matter. He said that, before resorting to fresh taxation, he must be convinced that revenue will not expand any further, that he must be convinced again that expenditure is now at a level beyond which it cannot be curtailed, and thirdly he wanted time to study what will be the avenues of useful and the least harmful taxation. So far as the expenditure side is concerned, I am afraid I cannot agree with the Honourable Member's conclusion in this matter. His position comes to this, that the Government of India have now reached a stage when it is not possible to curtail expenditure any further. The utmost that they can do is to see that if there is any increase in expenditure, it will be counterbalanced by a corresponding retrenchment in the various departments. It will serve no useful purpose for me to say in what respects expenditure may still be curtailed. I will be driven to the inevitable Military Budget and various items of expenditure in the Civil Budget. But our experience has shown that it is absolutely of no avail to give any suggestions in these matters. So far as his estimate of the revenue side is concerned, I entirely agree with him. We have now reached a stage when the normal expansion in the growth of our revenue has come to a standstill. That is the estimate that the Honourable Member himself makes of our financial position, and I entirely agree with him. This only shows that the fears that we on this side entertained for the last four or five years have been justified. We have very often said that the industries of this country have been crippled, and that the purchasing power of the masses has been reduced; but we have been told that we are weeping like Jeremiahs when there is no cause for it. Sir Basil Blackett was of opinion that we were taking an unduly pessimistic view of the whole situation. But if the Honourable Member himself has been forced to the conclusion, that the normal growth of the revenue has come to a standstill, it only proves that the fears that we entertained have been justified by subsequent events. My Honourable friend has attributed this state of affairs to world causes. Certainly world causes have operated in bringing about a depression in which we also have to take our share. Added to these world causes, the artificial appreciation of currency which was brought about in the teeth of non-official opposition has accentuated the whole situation. The appreciation of the currency and its effect has been further accentuated by a steady fall in world prices. When the Currency Bill was discussed, I pointed out from the index figures of the United States that there was a gradual fall in the gold prices of the world, and that an appreciation of our currency at such a period will accentuate our difficulties. Sir Basil Blackett challenged my statement at that time. He relied upon the policy of the Federal Reserve Bank to keep the prices of the world at a certain level, and he was of opinion that there was no cause to apprehend a further fall. But the index figures that my Honourable friend has given in his financial statement have now proved that our contention was

correct. As a result of all these various factors, some of which are unavoidable and some of which, in our opinion, could have been avoided, we are now faced with a deficit budget, a deficit which, according to the calculation of the Honourable the Finance Member, is a permanent deficit and must be provided for.

Sir, at this stage of the discussion, I do not propose to examine in detail the merits of the various proposals that the Honourable Member has made for fresh taxation. These I propose to reserve for the time when the Finance and the Tariff (Amendment) Bills are taken up for consideration. But on this occasion I would like to make only one or two general observations.

My attention is naturally drawn to the duty on cotton piece-goods in the first instance. In so far as the Government of India have responded to the repeated call of the cotton textile industry for a measure of protection, the proposals are certainly welcome. But unfortunately the situation has been complicated by the introduction of Imperial Preference. While talking of Imperial Preference, it is difficult to avoid a certain amount of prejudice and to escape from pre-conceived notions. Sir, I might state my view of the situation at the outset and it is simply this. I do not object to Imperial Preference simply because it is Imperial Preference.

Mr. B. Das (Orissa Division: Non-Muhammadian): Since when have you changed your mind?

Mr. R. K. Shanmukham Chetty: Nor am I prepared to say that I will accept Imperial Preference as a policy.

Mr. B. Das: Hear, hear.

Mr. R. K. Shanmukham Chetty: So far as I know, except the voluntary preference that the United Kingdom has given to certain Empire products, no country in the British Commonwealth has yet declared in favour of Imperial Preference as a policy. Some years back, while I was in Australia on the Empire Parliamentary Delegation, I attended a Conference of Empire Statesmen where the subject of Imperial Preference was discussed. Speaker after speaker from the Australian Parliaments said that, in their Tariff policy, they would be guided solely by the consideration of the interests of Australia first and foremost. And may we not be permitted to say that, in the framing of our tariff proposals, we shall be solely guided by the fiscal and economic interests of India and India alone? If it is possible to devise a scheme of tariff by which Indian industries will be able to get all the protection they want, by which the Indian consumer will not be affected, and by which you will give some sort of preference to Empire products, then certainly I, for one, will not object to it. (Hear, hear.) But, Sir, so far as I have studied this aspect of the problem, I think it is very difficult to devise a scheme of tariff which will satisfy these three conditions that I have mentioned. It must give all the protection that the Indian industries want, it must not prejudicially affect the interests of the consumers in India. When the time comes to examine these proposals in detail, I shall develop this argument and I shall then try to show whether the scheme of tariff that has now been proposed will conform to these three principles which I consider ought to weigh with us. I would leave the matter at that.

I would now like to say a word on the silver duty. The proposal for the levy of duty on silver is mixed up with the situation caused by the

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Government of India in the sale of silver. My Honourable friend, I know, would not agree that the fall in the price of silver has been brought about by the action of the Government of India but he cannot deny that the situation has been accentuated by the sales of silver by the Government of India. I am not one of those who would ask the Government not to sell silver under any circumstances. On the other hand, looking forward, as I do, to the establishment of a gold standard currency in our country, I want that the silver in our currency reserve must be replaced by gold, because the longer you postpone this operation, the longer you will postpone the realisation of a gold standard currency. But what does the Honourable Member do with the proceeds that he realizes from the sales of silver? If he had replaced it by gold, then I would certainly have had no objection. But if he proposes, as he has done in the past, to utilise the proceeds simply to meet the expenses of the Secretary of State, then I strongly object to such a policy. The proposal to levy the duty on silver, as I said, is connected with the action of the Government of India in disposing of their surplus silver. No doubt the duty that he now seeks to impose will to some extent increase the value of the silver hoardings in which the poorer people have invested their money. This aspect of the question also will again be examined in greater detail when the Finance Bill is taken into consideration. But there is one aspect of the question to which I would draw the attention of the House at this stage.

Mr. President: The Honourable Member is now exceeding his time-limit.

Mr. R. K. Shanmukham Chetty: I am sorry, Sir. May I know what is the time-limit?

Mr. President: The limit is 20 minutes.

Mr. R. K. Shanmukham Chetty: The Honourable Member proposes to levy a duty of 4 annas per ounce, which comes to very nearly 20 per cent. But he does not propose to increase the duty on silver ware and silver thread, which now pay a duty of 30 per cent. If the silver duty is necessary, then I would submit that, as a corollary to that, there should be a corresponding increase in the import duty on silver ware and silver thread.

Sir, as you have already reminded me that the time at my disposal is coming to an end, it is not possible for me to go into any other points. I would only conclude by saying this, that the Honourable the Finance Member, by his proposals for new taxation has certainly balanced the Budget, but as a representative of the Central Government, he has got a greater duty than merely to balance the Budget. The Central Government and the Central Legislature, as the custodians of national finance, have to devise ways and means for increasing the national wealth of the country, and thereby to increase the resources at the disposal of the Provincial Governments, so that the Provincial Governments may in time take on hand great schemes of social and other beneficial legislation. With this object in view, it is high time that the Honourable the Finance Member should concern himself, not merely with the task of balancing the Budget, but of improving the general economic situation of the country, improving the agricultural and industrial situation in the country and in that task, may

I give him a suggestion? He must appoint an Economic Advisory Council, on the lines of the Council recently announced by the Labour Government, so that such a Council might, from time to time, advise the Central Government as to the measures that are to be taken for developing the vast natural resources of the country, and thereby increase the national wealth of the country and place at the disposal of Provincial Governments funds for nation-building services. (Hear, hear and applause.)

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I think it is a tragedy of fate that the year for which promises were held out to us by the previous Finance Member that this House would be able to gloat over surplus balances and dole out all sorts of contributions to nation-building departments and make remissions of taxation should be the year when the Honourable the Finance Member is forced to put before us a Budget proposing additional taxation going up to not Rs. 5 crores as the Honourable the Finance Member estimates, but nearer to Rs. 7 crores. The past three years, whatever may have been the estimates at each budget time of surpluses, have in actual fact resulted in deficits. In 1927-28, the deficit was Rs. 2.21 crores, in 1928-29 Rs. 1.06 crores, and for 1929-30, it is estimated at Rs. 1.56 crores. Add to this the loss which the Honourable the Finance Member estimates for the next year, that is Rs. 4.10 crores, making a total deficit of Rs. 8.93 crores for four years. But this does not enable the Finance Member to wipe off the liabilities which were left uncovered, and he proposes to regard as permanent debt the accrued liability on Postal Cash Certificates, which amounts to another Rs. 7½ crores, and the total thus amounts to Rs. 16½ crores, including the next year. This has been met, or, is proposed to be met, by adding Rs. 7½ crores to the permanent debt and by utilising what are called windfalls of the German liquidation account of Rs. 1½ crores and by utilising fully the revenue reserve of Rs. 2.95 crores. The total by this means amounts to Rs. 12 crores, leaving an amount of Rs. 4.42 crores to be recouped from taxation. I will quote, Sir, the exact words in which the "undertaking", according to one Honourable Member who spoke last year on the Budget, was given by the previous Finance Member, Sir Basil Blackett, regarding what his successor would be able to do:

"From 1929-30 onwards it will be the privilege of this House and of my friend and successor, Sir George Schuster, whose acceptance of the post is a matter of great personal satisfaction to me, to find no outside claimant to the recurring surpluses which I hope it will be their good fortune to enjoy in the coming years and they will be free to turn their minds on the one hand to new directions in which money can be usefully laid out for India's advancement and on the other hand to the readjustment of the burden of taxation and to those reductions of taxation, so welcome to tax-gatherer and taxpayer alike."

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

These, Sir, were the hopes held out to this House when a certain currency policy had to be forced in the teeth of our opposition in 1927, and it is a tragedy of fate that we should today be faced with a situation where the Honourable the Finance Member has to urge this House to agree to fresh taxation, taxation not for the purpose of spending more money on nation-building activities, but for the purpose of putting the finances of the Government of India in, what I may call, a solvent condition. It is a tragedy

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of fate for us, but as far as the Government which during the regime of the previous Finance Member pressed upon the country this policy in the teeth of our opposition is concerned, one can hardly sympathise with them. All that one can say is that while the suffering is the country's, as far as the Government are concerned, they well deserve the anxiety which must be theirs too.

The Honourable the Finance Member now says that he is left with no option but to ask the Assembly to consider fresh taxation, and before I proceed to examine, in broad details, some of the heads of new taxation, may I touch upon one subject in connection with which I find it somewhat difficult to understand the intention of the Honourable the Finance Member. I refer to paragraph 23 of his speech. Whilst there is a deficit which he wants to be made up by fresh taxation, the Honourable the Finance Member asks us to agree to an equalisation fund, a reserve fund as far as the interest on the Gold Standard Reserve is concerned. In fact he has already made up his mind to start that fund with £100,000 and he proposes to put another £50,000 this year to it. A sum of £150,000, in these days, when fresh taxation is said to be inevitable cannot be overlooked. It is something like 20 lakhs of rupees. I wish to ask the Honourable the Finance Member what justification he has, even on the most conservative lines of finance, for asking us to approve the creating of this fund. If he can do away with it, his demand for fresh taxation would be smaller to that extent. He explains by saying that the securities held in the Gold Standard Reserve have to be revalued at certain intervals, and I understand that this revaluation is to be almost monthly. I do not object, Sir, to the securities in the Gold Standard Reserve being kept at the correct market rate from month to month or even, week by week. That is our security against paper currency, and I am anxious that the paper currency, which we all want to be increasingly popular in India, should have as true and substantial a backing as possible. But is it necessary, Sir, where the securities in the Gold Standard Reserve are short term, to debit the revenues of the country with the temporary discount which may prevail in the market rate? I have in my hand, Sir, the latest report of the Controller of the Currency for the year 1928-29, and I see that the securities amounting to £88,139,000 consisted of British Treasury Bills and Treasury Bonds maturing in April 1929, February 1930, May 1930, in 1930-32, in 1931-33, 1932-34 and 1933-35. These short term maturities, in case of set backs in market valuations, hardly require to be provided for by taking away lump sums from the revenue for the simple reason that in one, or two or at the most five years, as the case may be, these securities are repayable at par. I suggest to the Honourable the Finance Member that, unless he wishes or expects to have to sell these securities in the Gold Standard Reserve in the near future, it is not necessary for him at all to provide for the depreciation—temporary depreciation—in the market value of these securities out of our revenues. I do not know whether it can be the intention of the Finance Member to touch the securities of the Gold Standard Reserve for supporting the Government's pet ratio of 1s. 6d. But I should be extremely sorry for the people of India and for the Government of India if Government's thoughts were running in that direction. I wish very strongly to protest against anything being debited to the revenues of this country for these temporary

depreciations in these short-term securities of the Gold Standard Reserve. I do not wish to pursue this any further. I hope the Finance Member will see the point of what I am urging. Either he wishes to sell the securities in the near future and wishes to provide for depreciation on it in anticipation, or if that is not his intention, I suggest that it is unnecessary and this provision of £150,000 should not be approved of by this House.

Now, Sir, to return to the question whether taxation is justified in these circumstances or not. The Honourable the Finance Member says, in paragraph 87 as follows:

"It will be unwise to allow such an argument to prevent the introduction of new taxes sufficient to meet the situation as I have to present it today;"

This makes me feel that my Honourable friend is not prepared to base his Budget on the prospects of revenue going up. In fact, if I may put it more clearly, he apprehends that, as far as India is concerned, we may not be out of the wood yet, and the unprecedented depression which is at present overshadowing the commercial, industrial and agricultural operations may not be the worst that is in store for the country. A very cautious stand, I concede; but at the same time it is one which does not give a good omen for the year 1931-32. His main reasons are contained in paragraphs 88 and 89. He pleads that:

"Some of our present sources of revenue are likely to disappear, and, in the case of others, reductions may become desirable."

He particularly refers there to opium. The reduction therein is Rs. 30 lakhs a year, if I remember aright, and by 1935 the whole of the opium revenue, which amounts to about a crore and 40 lakhs of rupees net, is likely to disappear. I fully realise that this will have to be provided for, but there is no reason why we should provide for all that this year when trade, industry, and the general conditions of the masses are at their very worst.

His next reason is:

"New needs for expenditure are constantly likely to press upon us and I have already referred to some of the new services which are now being developed."

If he has faith in the conditions not growing any worse, may I not ask him to pin his faith on the normal development of revenue as happens in the ordinary course? Anything over and above that need not be undertaken, and I do not think fresh taxation can be said to be justified on this ground of his.

His third reason is in paragraph 89:

"Yet another consideration is this. We have, in my opinion, been working in the past three years with a dangerously low margin. In a country like India, subject to great risks of loss of revenue from failure of rains or from floods it is desirable to have some margin of revenue," etc.

I agree that every person who has got to manage the finances, be it of a corporation or a country, always likes to have something in hand on which to fall back. If it was a question of his sitting on what he had in hand as against his having to distribute it in remission of taxation, I might sympathise with this reason of his. But where it is a question of drawing more out of the people by way of taxation in order that he may have a comparatively comfortable berth in which to travel next year, I am

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afraid we must protest and ask him to carry on as Government did in the past, when we were told that the margin the Government of India had in hand was ample. It is the same Government of India that asks us today to approve of new taxation and we must remind them of what they carried on with in past years, when they misled the country into the vicious circle the country is in.

Sir, as far as retrenchment in civil administration is concerned, the Finance Member has come to the conclusion that there is not much room for that. He however has frankly told us in paragraph 19 that :

"A time-scale basis has been adopted in practically all departments, and this is an inevitable commitment, and, unfortunately, we have not yet approached anything like the peak figure."

The increase under this for the year 1930-31 is Rs. 25 lakhs. Obviously, once such liberal increases are made on a time-scale basis, Government must find it difficult to go back upon same. Naturally they cannot now expect any sympathy from this side of the House. When these increases, the details of which I need not go into now, were made, they were made on an extravagant scale, without considering the capacity of the country to stand fresh taxation, and one can only insist that Government must reverse their extravagant policy even now.

The main point, however, is regarding military expenditure, and I cannot help wondering how the Finance Member reconciled himself to the trifling reduction of Rs. 80 lakhs for the next three years in the Military Budget. I wish to remind him of what the Inchcape Committee said in their general conclusions on the Military Report. They said, and I am now reading from the general conclusions in Part I, paragraph 3 :

"We, therefore, believe that the adoption of our recommendations will enable the estimates in subsequent years to be reduced to about Rs. 57 crores irrespective of any savings due to further economies or falling prices."

The fall in prices of articles required by the Military Department has been in two directions. There has been a substantial fall in prices of those articles which the Military Department use,—food grains, fodder, piece-goods, both cotton and woollen, iron and steel, motor cars and other articles of transport—these have all substantially gone down since the Inchcape Committee submitted their Report in 1923. But above all, the very substantial expenditure in sterling which the Military Department incur in London has had a great windfall in the appreciation of the rupee. In no Department of the Government of India can there have been an automatic reduction in two directions, and a reduction not from 1s. 4d. to 1s. 6d. only, but from something under 1s. 4d. gold, as the exchange prevailed in 1923, to the 1s. 6d. which Government are struggling to stabilise today. I would very much like the Finance Member to have a statement prepared showing the drop in prices of the various articles which the Military Department require for their use from day to day in a year, and also what has been the saving in rupees in the sterling expenditure of the Military Department in London. I cannot help coming to the conclusion that this aspect was not examined by the Finance Department of the Government of India when they concluded their arrangement for a reduction of Rs. 80 lakhs for the next three years. On a very rough and casual calculation—and I do not claim that it is accurate—I have come

to the conclusion that the saving in the military expenditure for the above reasons alone should be somewhere in the neighbourhood of Rs. 4 crores. There is a further saving. I see from the Explanatory Memorandum of the Financial Secretary that there has been a reduction in the pay of British troops, owing to new recruits being taken on on reduced rates of pay, amounting to Rs. 25 lakhs. With all this, to tell us that the reduction for the next three years agreed to has been on the basis of Rs. 80 lakhs on the whole is, to my mind, to rely a bit too much on our credulity. If this House had a free vote on military expenditure, I mean if the whole of this expenditure was votable, one would say to Government, "You have got to make the reduction from the Military Budget because it is not only fully justified but it is over due." (Hear, hear.)

I would further like, Sir, to draw the attention of the Honourable the Finance Member to what the Inchcape Committee said under the head, "Royal Air Force". The budget estimate for the year 1922-23 on this was a crore and 41 lakhs of rupees. The Inchcape Committee have only ten lines in their Report under the Royal Air Force. But they conclude with this very significant sentence which, I am afraid, the Government of India in the Finance Department may have forgotten now. They say :

"And (since) there is a possibility that the extended use of the Air Force might result in economies in expenditure on ground troops" (Hear, hear.) "we make no recommendations."

Has anything been done in this direction or have Government been agreeing to the Military Department spending more on the Royal Air Force without making any reduction either in our ground troops or in our cavalry or in any other paraphernalia of war? If so, all that I can say is that, whilst the British Cabinet has been working for disarmament in the whole of the civilised world, here in India our Government have been steadily increasing their resources in that direction. (Hear, hear.) Do Government expect us to be a party to fresh taxation when they continue to do something quite different from what the British Government have been pressing on the whole civilised world with what looks to me like so much justification and—if I may say so—with so much credit to the Premier, Mr. Ramsay MacDonald? Sir, the conclusion that I, therefore, draw is that this deficit of about Rs. 4½ crores ought to be met by a reduction in the Military Budget, and no further taxation is wanted. But knowing as we do the handicaps of this House in voting on the Military Budget, I have no option but to notice the taxation proposals of the Honourable the Finance Member, with a view to point out where he is really recommending to us taxation which is unjustified.

What is, Sir, the worst feature of the Budget as far as taxation is concerned? The proposed taxation holds out no promise to us of the money being spent in any direction which can be said to be of a nation-building utility. In fact, it is to provide Government with the money with which to put their House in order after the mess made in 1927. In fact, in the words of the Honourable the Finance Member himself—he says this in his concluding paragraphs :

"Secondly, principles of financial soundness are being doubly reinforced. No financial weak spots are being left as regards debt redemption and the cash certificate liability, while I have provided for a margin of safety in case events next year prove unfavourable."

[Sir Purshotamdas Thakurdas.]

A very negative advantage, Sir. My reply is—there should have been no weak spots left at any time, in the finances of the country. Is this a confession and a condemnation of the policy of the Government since 1926-27?

(At this stage Mr. President resumed the Chair.)

I feel, Sir, that the other prospects held out to us by the Honourable Member also require a little further examination. He says:

"Thirdly, we are making a substantial start towards a constructive economic policy and opening the way for beneficial expenditure."

One must always sympathise with the Government in that direction; but in view of the past history of the Government till now, one cannot help asking the question, have the Government of India ever had any consistent economic policy to follow which would build up the masses and the people of this country? This is, I dare say, a blunt question to ask. The question by itself carries its own condemnation; but one cannot help asking that question in all frankness when the Honourable Member asks us to console ourselves at the time of voting new taxation, that we should look forward to help a constructive economic policy. But if the Honourable Member knew all the various promises made by the Government in the past whenever fresh taxation was asked for, and how great hopes given and expectations raised were set at naught as soon as there was any deficit to fill up in the Government reserve owing to something else happening, he perhaps would not have asked us to rely upon this so much. I wish to ask him, if the Government of India, less than six years back, appointed an Economic Enquiry Committee presided over by Sir Visweswarayya, and has anything been done with that Report at all, or is that Report simply put on the book-shelves of the Government of India to be looked at and referred to when somebody on the floor of this House refers to it? I want to repeat, have the Government till now had any economic policy which they have laid down and consistently followed? I do not wish to call this a good bait for us. I believe my Honourable friend is too straightforward and honest to put before us any bait as such; but I cannot help reminding him that this will not catch as far as we are concerned. Is he prepared definitely to earmark any surplus that may be had out of this new taxation, after meeting a deficit of Rs. 4 crores and odd, for this constructive economic policy? I know he would say there is no precedent for it and no Government can do it. If that be so, I am afraid I cannot help having to heavily discount this particular attraction which he holds out.

Mr. President: The Honourable Member will have other opportunities.

Sir Purshotamdas Thakurdas: I propose to utilise every opportunity in that direction.

Mr. President: The Honourable Member's time is up.

Sir Purshotamdas Thakurdas: Is it so? Just one word more and I will conclude. I notice that all through the Budget the Honourable Member does not refer at any length to the masses of the country or to their condition. There is only one reference to them and that is in paragraph 112 where he says:

"It is clear that the condition of the agricultural classes of India must be seriously affected, and it may be that, in order to maintain their position, they have to part with an undue proportion of their own production."

I feel that, in presenting a Budget of the Central Government, it is necessary for the Honourable the Finance Member to take a review of what has happened during the current year regarding the condition of the masses of India. The short statement I have just referred to is significant but requires elucidation.

But the most serious and thought-provoking part of the lines of policy referred to in the same paragraph runs as follows:

"In the second place, it is desirable to encourage industrial development"

and these are the words which I would like Honourable Members to mark—

"provided that this can be done in conjunction with, and as a supplement to, the agricultural life of the country."

Is this, I ask, the policy of the Government of India? Is it the ideal of the Government of India to encourage industrial development, provided that it can be done "in conjunction with, and as a supplement to, the agricultural life of the country"? Does that mean that they do not think that the cotton textile industry of India requires their most earnest solicitude, that the iron and steel industry requires their attention? Is it only when an industry directly benefits the agriculturist that the Government of India will pay attention to it? I see that an import duty of almost 100 per cent. on sugar is acceptable to Government, but an import duty of 15 per cent. is to be the maximum for piece-goods from the United Kingdom. If what I have just quoted—and especially the way in which I read it—be correct, it explains to us the step-motherly attitude that the Government of India have adopted in this Budget regarding the cotton textile industry. I propose, Sir, to follow your suggestion and to deal with the details of this and other items of taxation on the relative Bills as they come up.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadian Rural): I am quite content to exercise the privilege of a back Bencher and to have my say on the Budget at an early stage of its discussion. But I confess I never felt the time limit for speeches so galling as I feel it today, being face to face with such a budget. I will, however, try to be as brief and as terse as I can.

Last year, when I heard the budget speech of the Finance Member, it sounded to my ears like the cautious treading of the soft padded footfall of the tiger. But this year, the tiger has drawn out his sharp claws, and we have before us an unrelenting budget with its pointed fingers digging into the vitals of the Indian people.

After I carefully read the budget statement at home, I was just scratching my head and wondering what good word one could possibly say for it. One such word I ultimately found, and that was that it was a lucid budget, not in the sense, however, of sanity, but in the sense of clarity. A friend was sitting by me and he wondered at my charitable frame of mind. He was simply excited over the Budget and he tried to correct me by saying, "Oh, the Budget is not lucid, but it is lurid". I at once willingly accepted the correction, and only added that the very lucidity of the Budget made its luridness more obvious. For the Budget is lurid in this sense, that in its darkness are to be seen red and blue flames, which make the spectator uncomfortable.

[Mr. N. C. Kelkar.]

Coming to close quarters with the Budget, I find that the Budget is really better in form than its average predecessor.

It is obvious that the Finance Member wanted this time to concentrate on only a few points in his budget statement. We, therefore, find no reference at all in his speech to the policy, for the year, underlying some of the departmental administrations; e.g., he has not said one word about the working of the Postal and Telegraph Department, and owing to an unfortunate convention, other departmental heads make no speeches. Perhaps there was not much to be said by way of disclosing anything like a new policy for the Postal Department. But I take this opportunity to express my sense of the general approval with which the policy of the head of this Department for the last five years has met at the hands of the critics and general public. I think, it is only fair to say that the Honourable Sir Bhupendra Nath Mitra was always anxious to better the condition of the subordinate staff. During his tenure of office, he redressed many grievances of his Department, which was the most useful, but also the most neglected at one time. The Finance Member has said very little about the Military Department. The only remark I wish to make in that connection is that there is still greater need of economy in that Department than he seems inclined to admit.

The Budget, I have said, is clearer than usual. But even then, one feels that more information should have been given to the public on certain points. Personally I would like to learn more about the reparation amount which comes first on the field, and in this connection, one would like to get more information as to the share of India's total cost, in relation to the War, and the share of the reparations she is getting.

The second thing one would like to have is a full statement about the gold resources of India. An enormous amount of the gold resources has been dissipated in the Currency Department since the new ratio was enacted. Also a full statement as to how the gold reserves were being established, as was recommended by the Currency Commission, with a view to enable India to come on to a full, real gold standard. But even greater was the expectation of a full statement about the sales of silver operations. Admittedly, an enormous amount of Government's silver has been sold, and one would like to know, what was the net loss in these operations. We laymen have no idea of these things, and some of those who know better tell me that the loss has gone up to very many crores. The question, therefore, is how has this loss been made good? Is it made by mere contraction of currency and *ad-hoc* securities? Also was this purchase money of silver used for buying gold or gold securities? I do not here go into the vexed question of the wisdom or unwisdom of silver sales at a time when silver prices have fallen considerably. But one feels curious to know whether the total loss involved in the sales of silver was greater or less than the amount to be eventually made up by the interest on the gold securities substituted if any. One would similarly like to know whether the sterling loan of 12 million raised this year in England was indispensable, and whether the needed amount could not have been raised in India itself or in any other country at a cheaper rate. My impression is that it would not have been difficult for the Finance Member to raise a rupee loan for the required amount in India itself. I mention these few points as instances of points about which we

should have liked the Finance Member to give us more details in his budget statement itself. For he knows that, on all these points, the Indian public take a very keen interest, and if I may say also, feel very suspicious about the underlying policy of Government.

Turning to the Budget itself, as disclosed in the Finance Member's statement, no doubt he has set out some six points as being the main features of his Budget. But we on this side also have our own view of its features, and I would summarise them as follows:

- (1) It is a sadly deficit budget.
- (2) It is marked by extravagance and almost hopeless inability of the Finance Member to control the growing expenditure.
- (3) It imposes new taxation when the country is not obviously able to bear it.
- (4) It is niggardly in its provision for essential beneficial services.
- (5) It is marked by a revived tendency to go in for foreign loans.
- (6) It shows an obstinate tendency to accept the new ratio as a settled fact.
- (7) It shows general callousness towards the depressed condition of the country.

Let us take these points briefly in order. In his valedictory budget statement, Sir Basil Blackett prophesied that "the era of deficits had come to an end". But what we now see is just the opposite of it. The deficit may partly be due to the failure of the natural development of the revenue resources, but it is even more due to the extravagance of the Government. If one analyses the expenditure side of the Budget, it will be seen that enormous amounts are being spent on protection. Some functional development must of course take place in the Government, but the expenditure on it seems to be out of proportion to the benefit realised by that development. There is as yet no inrush of democratic programmes in this country. And yet a large amount seems to be spent on gratifying the instinct merely for imitation; and the least share of expenditure has fallen to essential beneficial services. A shrewd observer has remarked that "increases in Government expenditure have become so common, that economists can now deduce general laws governing that phenomenon. Some of the causes of increased expenditure are industrial revolution and transformation of the economic and the social life of nations. Technical efficiency is another of these reasons. Many nations have used their technical knowledge and equipment for war purposes, and forced themselves to engage in a rivalry and supremacy in military and naval display of preparation that leads them to bankruptcy." And yet there is another reason for the increase of expenditure, *viz.*, mere imitation. This critic says:

"Public expenditure have increased, even in some countries in which the progress both of industrial technique and of democratic principles has been slow. These countries, backwardly political and undeveloped industrially, have imitated more progressive people at least in so far as it concerns implements and paraphernalia of warfare. Cannon and gun boats they must have though even schools and sanitation be lacking. In some cases the rulers learnt the trick of public credit, and while this resource lasted, they were able to indulge in wild orgies of extravagance."

[Mr. N. C. Kelkar.]

I think India can fairly be said to fall under this description, when we compare the expenditure of Government on the Army, aviation, broadcasting, foundation of Capitals, and the erection of palatial Government houses, and the building of garden cities as in New Delhi, and appointment of committees and commissions, unnecessary and useless.

Retrenchment Committees made well considered recommendations, but extravagance seems to laugh at the wisdom of those who made those recommendations. The Finance Member has promised to appoint a new Retrenchment Officer. But that is, I think, mere eye-wash, for he has in more places than one taken up in the Budget itself a definite position that the new demands for expenditure are irresistible, and I wonder, if his Retrenchment Officer will be able to suggest or the Government will carry out economies which come up to the money to be spent on the Retrenchment Officer himself and his Staff! (Laughter.)

As regards the new taxation, I will not say much on that head in my present speech, because that subject by itself is likely to come up for discussion later on. But I cannot allow this opportunity to pass without briefly touching the proposed cotton duties, for they are introducing for the first time in this country the principle of Imperial Preference. The proposals for taxation in this respect are interlocked. We can make no changes by way of increasing the duties. All that we can do is, either to take the proposal as a whole or to reject it. The Finance Member has put the country in what I call a cruel dilemma. If we reject the proposals, we have to refuse the protection to the Indian mill industry, to which it is entitled in its present misery. On the other hand, if we accept the proposals, we have to recognise and accept the vicious principle of Imperial Preference. I wonder, if the present duties are an advance guard of the Empire Crusaders, who are out for protecting the Empire by internal free trade and external tariff walls. As the *Manchester Guardian* has said, "Empire Free Trade means only an empire surrounded by imperial tariff walls for the protection of Great Britain". No doubt, in recommending his proposals, the Finance Member has tried to carry us into an elevated region of dignity. He has disclosed to us the correspondence between this Government and the Home Government, and has tried to persuade us that the convention about fiscal autonomy is a rock-reality, and that in this case, we have to hold our hand against Lancashire, because His Majesty's Government have not commanded us to do the needful, but come to us with representations and appeals. "Was greater proof needed," says the Finance Member, that "India was a really self-governing country? Is there not here one more piece of evidence, one more external sign of India enjoying Dominion Status? What more should India want to gratify her pride and honour?" But India, I assure the Finance Member, is not so gullible. She knows that the Fiscal Autonomy is not a rock reality, but a mock reality And India is not so dense-headed as not to perceive the "Imperial Preference" which my friend Mr. Birla has said "is now coming by the front door". The Dominion Status that is indicated by the so-called humble supplication of the Cabinet to India is obviously as artificially appreciated as the present Indian rupee. Nor do I believe that our acceptance of this preference is going to give us anything more in return than vacant possession of Dominion Status, if I may use a somewhat legal phrase in a literal

sense. I am convinced, therefore, that the elected Members of the Assembly would be utterly unfaithful to their constituencies and to the country, if they accepted the Imperial Preference proposals in the foolish hope, that they would bring Dominion Status any nearer to them.

I am nearing my time, and would like to conclude with only one point, and that is, that the present taxation proposals betray what I may call a spirit of callousness in the Budget. One wonders how the Finance Member could make himself bold enough to advance such proposals, when he knows and even admits that "the country is in the depth of depression". We are still in the throes of a painful process of adjustment of price-levels owing to the new ratio. Stocks of manufactured goods are lying idle and are not moving. Agricultural produce is of course being exported, but is being sold at very low prices. Even supposing there is a visible increase in the exports, it does not necessarily mean that a proportionate increase in its money returns is being realised. Internal prices are admittedly low, and yet the markets are dull. This can be accounted for only by the fact that the people have lost their purchasing power. India's credit has admittedly suffered a set back, as is evidenced by the terms of the sterling loan abroad and the rates of interest for even short term Treasury Bills in India. There has been a serious contraction of currency. The value of silver holdings has decreased enormously. What remains perhaps to convince the Finance Member of the insolvency, or the approaching insolvency of the country and the Government, is that currency notes have not yet depreciated. But if the present ruinous course is persisted in by Government, who knows that even that may not happen, as it has actually happened sometimes before. And in the face of all these facts, if business people and Indian economists lament the present situation, they are simply told that they are mischievous malcontents, who preach messages of despair without justification. The theory of the Finance Member is said to be that, in the whirligig of universal post war depression, India was bound to have its turn sooner or later, and it is only a coincidence that this deferred depression comes to India at a time when there were causes for a special depression of its own. In fact he takes Indian business men to task, as if they were mere croakers and selfish augurs of evil. He has been preaching to them a homily on the uses of adversity and the virtues of hope. But I would reply to him only in the words of the poet:

"All all forsook the friendless guilty mind,
But hope, the charmer, lingered still behind
Thou, undismayed, shalt over the ruins smile
And light thy torch at Nature's funeral pile."

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muham-
madan): Sir, we are now at the tenth Budget of the Legislative Assembly, and I think Honourable Members would like to know what we have been doing during all these ten years, what we have been impressing upon the Government, and what the Government have been doing all these years. In the very first year, Sir, of the first Assembly, we drew the attention of the Government to the excessive military burdens which the people of this country were called upon to bear, but the Government said that the military expenditure was intended to protect the people of this country and that it could not be reduced. We took a different view, and we cut down the general expenditure by a percentage and forced the hands of the Government to retrench by passing a Resolution, in spite of the

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strenuous opposition of the Government, a Resolution which culminated in the appointment of the Inchcape Committee. Sir, I was not satisfied with the terms of reference to the Inchcape Committee. The terms of reference were limited, but in spite of the limitations addressed to the Inchcape Committee, that Committee recommended a drastic reduction in the military expenditure. *Pari passu* with the sitting of the Inchcape Committee, or a few months before the Resolution which led to the formation of that Committee, there was a memorable Conference of the world financiers in Brussels in which, Sir, India was represented. And what was the unanimous verdict of that Conference of financiers? I shall read to you a few sentences from the conclusions of the Brussels Conference. They said:

"The statements presented to the Conference show that on an average some 20 per cent. of the national expenditure is still being devoted to the maintenance of armaments and to preparations for war. The Conference desires to affirm with the utmost emphasis that the world cannot afford this expenditure. Only by a prime policy of mutual co-operation can the nation hope to regain their old prosperity and secure... the resources must be devoted to strictly productive purposes."

These are the memorable words addressed to the world at large, and to India in particular, by the expert financiers at Brussels. What was the response? So far as India is concerned, the response is contained in this table which I shall briefly read to the House. In 1910-11 the net expenditure on the Army was,— I am giving it in round figures,—19 million pounds; in 1920-21, in ten years' time, it was 81 million pounds. In 1928-29 it came to 55 million pounds. Honourable Members will thus see that, during the last twenty years, the military expenditure has gone up from 19 million pounds to 55 million pounds. And what is the reason of it all? In a very frank statement made by a leading newspaper in England on the question of military expenditure in India, the *Manchester Guardian*, I find, Sir, the following statement. This is what the *Manchester Guardian*, in its leading article, says about the military expenditure in India. Dealing with the Viceregal pronouncement on the question of Dominion Status, this is what the *Manchester Guardian*, says:

"There are two chief reasons why a self-regarding England may hesitate to relax her control over India. The first is that her influence in the East depends partly upon her power to summon troops and to draw resources from India in time of need. This power will vanish when India has Dominion Status. The second is that Great Britain finds in India her best market and that she has a thousand million pounds invested there."

This, Sir, in a nutshell is a statement of England's case against India. The Budget is the result of the interplay of these two forces: the one produces the deficits, the other the Imperial Preference. England cannot afford to relax her control over India or reduce the military expenditure, because the military expenditure in this country is intended for the protection of England's Eastern possessions, and she cannot possibly allow any economic development of the country because, by doing so, England will lose her best market in the East. (*An Honourable Member from the European Group*: "Quite so"). This is, as I have pointed out, the main reason why the military expenditure in India has continued to be what it is. We are not here concerned with the plain arithmetical figures which my friend Sir Hugh Cocke gave to this House, that you want so much money, you have got so much money, you have got therefore to receive so

much more money, and therefore you should get it by additional taxation. What the elected representatives of this House demand is a clear statement from the Government as to what action they have taken since 1921 to change their policy regarding the military expenditure in this country. We have been complaining, and complaining times without number, that the military strength in this country bears no relation whatever to the military requirements of this country. We have been told, and we were told, that one third of the Army in India was kept for the defence of the frontier, one third for peace and security of the country, and one third for what is known as covering troops. Sir, we know as a matter of fact, and as is pointed out in the Inchcape Committee's Report, that since then there has been a great development in the Air Force, and a military officer of great repute contributed an article in one of the journals of this country in which he pointed out that, with the development of the Air Force, the reduction of ground forces has become necessary. Now, what has been done? The Government of India, far from reducing the white troops, far from reducing the burden are treating the civil and military expenditure of this country as if it has been standardised, and it is against this standardisation of the expenditure by the Government of India that this House has annually protested ever since the advent of the reforms. What we therefore want is a change of policy. What we want is that the entire resources of the Government of India should be submitted to the annual vote of this House and we shall then be in a position to advise the Government of India as to how far they should be able to incur fresh taxation if and when necessary. So long as this House is only a partner in the raising of taxes, but has no voice in determining as to how that money is to be spent, this House must be extremely careful not to vote one single rupee to the irresponsible Government unless it is absolutely satisfied that that amount is necessary. But is it necessary in the present case? For the last three years we have been living from hand to mouth, and the secret has now come out that, during the last three years, we have been passing three annual budgets with recurring deficits, and we have been able to tide over the difficulty by merely relying upon adventitious windfalls. We have also got this year a windfall in the German reparation payments of a crore and a half. In spite of these windfalls, we still find ourselves in a region of deficit budgets, and the reason for it is this that the expenditure of the Government of India remains what it is and is going on increasing from year to year.

Now, Sir, I do not care as to how you raise the money, but what I do care is to see how you spend it, and so long as Members of this House are not in a position to scrutinise every item of the Budget, I think they would be perfectly within their rights to refuse to grant additional supplies. We feel morally justified in saying that, if the Members of this House were taken into confidence by the Government of India and if the Government placed all their cards upon the table, they would get the support which they badly need from the elected representatives of this popular Chamber, to press the authorities at home for the reduction of military expenditure. It is an open secret that the provinces, including Burma, are crying out for separation, because they say that the Central Government expenditure is too high. In Burma the cry is raised that Burma must be separated from India because the defence problems of India are not the defence problems of Burma, and the Government of India have made Burma the milch cow, and other provinces equally so. All the nation-building departments in the provinces are suffering on

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account of the elastic sources of revenue being appropriated by the Government of India and the inelastic sources of revenue being left to the provinces. The remission of the provincial contributions was only a temporary relief, but it is nothing compared to what the provinces would be able to do if the expenditure of the Government of India were brought down to a reasonable figure and the surplus made over to the provinces.

We have been offered a bait. The Honourable the Finance Member says, "If you allow my proposals to go through, I shall provide a small tiny nest egg for the future government that might come into existence". Well, Sir, if Members are here three years' hence, they will probably hear that all this money kept for the development of the nation-building departments has had to be spent because of some expedition here or because of some economic distress elsewhere. I would ask the Honourable Members of this House to make no provision for the future. The future will take care of itself. When the future Government comes into existence, that Government will know how to deal with the Central Government, and the future Governments, Central and Provincial, will decide the inter-dependent financial questions. I do not think that we should permit the Finance Member to over-budget against this future contingency, and I submit, that is my justification for refusing additional taxation. I think the Honourable the Finance Member expects to get, if I mistake not, about 1½ crore of rupees from the import duty on silver and from which he wishes to lay aside about a crore of rupees for the future nation-building departments in the provinces.

Sir Purshotamdas Thakurdas: Where do you get your figures from? He did not say that? Your figures are not accurate.

Sir Hari Singh Gour: I do not stand by my figures. I stand by my statement. I repeat, whatever may be the figures, two crores as the Honourable Member opposite estimates, or only a crore on a conservative estimate, as the Finance Member has estimated, the fact remains that the Honourable the Finance Member has said that he is going to lay aside a certain sum of money to be made over to the provinces. . . .

Sir Purshotamdas Thakurdas: In certain contingencies.

Sir Hari Singh Gour: Yes, and those contingencies, as the Honourable Sir Purshotamdas implies, may or may not arise. But that question apart, we are here first of all to ask the Government of India as to what retrenchments they have made in their civil and military expenditure. I have dealt with the question of military expenditure. I shall say one word about civil expenditure. As regards that, Honourable Members are aware that we have protested emphatically against the increase in the Civil Budget. The Lee Commission was appointed, and large increases were made in the pay of the all-India Services. This House protested, and in spite of them, the increases were sanctioned by the Secretary of State. The result is that we are faced with an expenditure of 25 lakhs of rupees on account of the time-scale of pay being fixed in the case of certain civil administration officers. I submit that we are not in sympathy with either the growth of civil or military expenditure, and this House would be well justified in resisting to the utmost every proposal for the increase of taxation.

One word more about the cotton duties. I am one of those who feel strongly for the protection of the industries of this country, but if, with the proposal for the protection of the industries of this country, there is coupled a noxious proposal which differentiates between duties leviable against one country and another, I ask, is this justifiable? As one of the speakers said, we are not entirely opposed to Imperial Preference. We are all anxious that the Round Table Conference should be successful and that British opinion should not be exacerbated unnecessarily, but at the same time our primary duty is to our country, and unless we are satisfied that the duties that have been proposed for the protection of the cotton industry in Bombay and elsewhere are in the best interests of the country, we should be entitled to oppose that proposal. On these grounds, I would advise the House to resist not only the proposal for additional taxation, but also the proposal for the levy of cotton duties, unless the Finance Member satisfies this House on what grounds the differentiating rates which he suggests are justifiable. It is quite clear that, in his speech, he has not made it very clear perhaps because he intended to elaborate it later on. I do not know what the facts are. Elected Members of this House are of the opinion that *prima facie* no case whatever has been made out for Imperial Preference upon its own merits. Unless the case of Bombay is exceptional, the elected Members of this House would, at any rate, vote against what is a subtle form of Imperial Preference.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

Mr. President: The House will now resume further discussion of the Budget.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Sir, in presenting his first Budget last year, the Honourable the Finance Member told us in effect that he had a difficult legacy to administer. His review of our financial position, though not alarming, filled us with anxiety. He refrained, however, from imposing new taxation, and gave three reasons for the course that he adopted, one of them being that, before imposing new taxation, he wanted to have fuller opportunity of reviewing the expenditure side of the Budget than had been possible in the limited time since he took over office. The Budget which he has now placed before us shows how considerably our position has deteriorated during the last twelve months. He has pointed out to us all the factors that have led to this deterioration. We have to find not merely a sum of about four crores in order to balance expenditure, but have also to bear in mind that certain sources of revenue will soon be extinguished. On the other hand, however, I think we may legitimately hope that certain causes, which have brought about a fall in our revenue, will disappear before long. The deterioration in the Railways and the Posts and Telegraphs account, in the coming year, for a deficit of about 99 lakhs. I hope

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that the Railway Department will soon be able to show better results, and that we have not reached the limit of expansion so far as our railways are concerned. As regards Posts and Telegraphs too, I entertain a similar hope. I see from the figures that it is not so much that the Post Office expenditure has increased, as that the Post Office revenue has not risen to the extent that was hoped. To an appreciable extent, the recovery in our Postal revenue is dependent on the removal of the present trade depression. When that will take place exactly, nobody knows, but we may legitimately hope that, with the return of a more prosperous year, even the Post Office revenue will show better results than the Honourable the Finance Member expects it to do during the coming year.

These are, Sir, the factors that we might well bear in mind in order to relieve the gloom of the picture presented to us by the Honourable the Finance Member. In the main, however, we must depend for an improvement in our financial position on the economies that we are able to make. Now, the Honourable the Finance Member tells us that he has already made economies to the extent of 62 lakhs in civil estimates and 80 lakhs in military expenditure. But the item of 62 lakhs relating to the reduction in civil estimates is really made up, as he himself says, of certain previous non-recurring items and of other variations. To the extent, then, that economy has been enforced, or that, more accurately speaking, expenditure has been prevented from rising by finding money for new items by eliminating old items, we are really making no permanent economy. Apart from that, Sir, we know that the sale of silver has resulted in a book loss of 6.38 crores in the Paper Currency Reserve, and the interest on this would amount to about 35 lakhs. This is shown on the expenditure side, and is also credited to revenue. I have been given to understand that this sum is included in the figure of 62 lakhs, mentioned by the Honourable the Finance Member. If it is so, then the reduction in our civil estimates is purely nominal. On the other hand, it is fair to point out that the deficit also will be less than the Honourable Member has shown it to be by about 35 lakhs. I do not know, Sir, what the limits of retrenchment on the civil side are, but I will take the word of the Honourable the Finance Member for it, and accept his statement that no considerable economies are possible in that direction. We have, therefore, to turn to the military estimates to see whether any large and permanent reduction in expenditure can be made.

I will place before the House three or four concrete instances to show to what extent economies are still possible in the Military Budget. I am not now dealing with the general question of military expenditure, which is much too high in proportion to our resources. Whether you accept the Brussels Conference percentage of 20, or you take any reasonably higher figure, 30, 35 or 40, our expenditure will appear to bear too high a proportion to our revenue, and to be far beyond our capacity to pay. I wish, however, to deal with specific instances of the manner in which the expenditure on the Army can be reduced. My first instance relates to a subject with which my Honourable friend the Army Secretary is familiar, as I have referred to it more than once in this House previously. The Retrenchment Committee, after recommending reductions in the British and Indian forces, suggested a reorganisation of the infantry reserve, and

pointed out that very considerable advantage would result if its recommendations were accepted.

"The proposal to increase the period of enlistment with the colours," it said "would also ultimately reduce the number of recruits required annually. This in turn would reduce the establishment of the training battalions and the strength of the recruiting staff and result in considerable further economy."

Now, the recommendation of the Inchcape Committee was that the peace strength of the infantry battalions should be 20 per cent. below their war strength. The war strength of an infantry battalion, they suggested, was to be 766, 5 per cent. reduction of which would mean a reduction of about 153 or 154 men per battalion. My Honourable friend Mr. Young told me in 1928 that at the time Government announced their acceptance of the recommendation of the Retrenchment Committee to reorganise the infantry reserve, they reduced the strength of the infantry battalions by 64 men per battalion. I do not know whether anything has been done during the last two years to decrease the strength of the battalions further. If such a thing had been done, the fact would certainly have been made known to us. In any case, the Military Budget would not have been silent on that point. I take it therefore that we are still where we were in 1928. This means that, according to the recommendations of the Retrenchment Committee, a reduction of 90 men per infantry battalion has yet to be effected. Now, as we have 80 active battalions, the acceptance or rather the carrying out of the Inchcape Committee's recommendation would mean a decrease of about 7,200 men. There would, as the Inchcape Committee pointed out, be in consequence also a reduction in the establishment of the training battalions, the purpose of which is to train new recruits for the active battalions, and also to provide for wastage during a war in its initial stages.

But this is not all the economy that in my opinion ought to result from the recommendation of the Inchcape Committee to reorganise the infantry reserve. We have frequently complained that the proportion of one British to 2.5 Indian soldiers is unnecessarily high, and that it betrays a distrust of Indians on the part of His Majesty's Government. But even so long as the present ratio is maintained, if the strength of the Indian battalions is reduced in accordance with the recommendation of the Inchcape Committee, it ought also to result in a corresponding reduction of about 2,800 men in the British forces, and as a British soldier costs about four or five times as much as an Indian soldier, this source of economy cannot by any means be neglected. In fact it ought to yield a large sum. Now, when my Honourable friend the Army Secretary spoke last on this subject in 1928, he told us that the reason why Government could not proceed to the extent recommended by the Inchcape Committee was that the reserve was not full. There were still deficiencies in the authorised strength. I understand, however, now that the reserve is completely full. That is the information I have received from the Military Financial Adviser. If that is so, we should like to know what steps Government propose to take in order to carry out the recommendation of the Inchcape Committee which they accepted in principle in 1923 or 1924.

The other point which I should like to draw the attention of the House to is the capitulation rate, which involves us in a charge of about two crores annually. Honourable Members are aware that this subject has been discussed more than once. The Government of India have, at least for half

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a century, been protesting against the heavy charges debited to India in connection with the training of British officers and soldiers in England. The matter has been repeatedly considered during the last 60 years. In 1923 it formed the subject of consideration by the Inchcape Committee which recommended that, "a fresh regular settlement should be expedited", and suggested that:

"The most equitable arrangement will be to base the payment on the number of troops sent out and the cost of training them, to fix a separate rate for the technical services, and to allocate the cost to the War Office of training recruits between the India Office and the War Office *pro rata* to the normal colour service in each country, subject to a due allowance for the potential value to the British Government of returned men available for the reserve."

Whenever this question is raised in this House, we are told that the matter is still under discussion. How long is it going to be under discussion? I can understand my Honourable friend the Finance Member saying that these are all questions of policy which cannot be decided at once, and that we must await the decision of His Majesty's Government. But surely if these questions of policy involve heavy charges to India, if because of our financial position heavy taxation has become necessary, it is up to the Government of India to take advantage of our present position and to press on His Majesty's Government the absolute necessity of coming to a speedy decision on these points. This is the time when they can use our needs as a lever to bring pressure on His Majesty's Government to do tardy justice to us in these important matters.

Just one more concrete instance of the feasibility of reducing military expenditure and I will pass on from this subject. It was pointed out to the Welby Commission that the British Government ought to make some subvention to the Indian revenues in aid of military expenditure, and that Commission amongst other things recommended that:

"As a measure justifiable in the circumstances half the cost of transport of troops to and from India should be defrayed by the Imperial Government."

At that time I understand the cost of transport was about £260,000 and His Majesty's Government therefore agreed to pay annually £130,000 to the Indian revenues. This expenditure has however risen considerably since

3 P.M. then, but the Imperial Government still gives us only about £130,000, which translated into Indian money comes to about 18 lakhs of rupees. The cost of transport of troops is now about 76 lakhs. The share of His Majesty's Government, on the basis recommended by the Welby Commission, ought to be about 38 lakhs. I want to know whether His Majesty's Government have been asked to increase their contribution by 20 lakhs. It is a small sum. It will not of course enable us to dispense with the need for fresh taxation; but there is no reason why His Majesty's Government should not fulfil their obligation in this matter.

There are other instances I could give of reduction in military expenditure, but we shall have an occasion of thrashing the matter out when the Military Budget is under consideration. I wish, therefore to pass on to another subject which was dealt with by my Honourable friend, the Finance Member, in his budget speech. I refer to the provision made for the reduction or avoidance of debt. My Honourable friend's announcement

came to me, frankly, as a disappointment. He told us that this subject had better await the examination of the convention relating to the separation of Railway finance. I am in sympathy with a large part of what fell from him in connection with the contribution made by the Railways to the general revenues. It may be that at the next revision, the Railways will be called upon to make a large contribution; but the principle which I have referred to can be discussed independently, I believe, of the examination of the convention. The question that we have to decide is whether a productive debt should be amortised. If that principle is accepted, then no matter how the Railway convention is revised, the grievance of the House in this matter will remain. It is true that the general revenues may benefit if the Railways are called upon to make a larger contribution; but so far as the Government of India as a whole are concerned, so long as the present policy of amortising the productive debt is maintained, they will not benefit by a mere re-arrangement of this kind. The importance of this matter may be realised from the fact that the increased charge on account of the reduction or avoidance of debt will be about 60 lakhs in the coming year.

Mr. President: The Honourable Member must now conclude.

Pandit Hirday Nath Kunzru: Yes, Sir. I will, before sitting down, just refer to one other important point in the Budget, that is, the levy of an import duty on cotton goods. As my time is up, Sir, I cannot discuss the question at great length. But I should like briefly to point out that, while we are not insensible to the appeal made to us by His Majesty's Government, and do not desire to take any course that would unnecessarily hurt English interests, what we are asked today practically is to tax foreign imports for the benefit of Lancashire. All the imports that we receive from foreign countries do not compete with us. To the extent that this is true, the levying of a duty on them means an advantage to Lancashire goods in competition with other goods. This, Sir, is a very large principle. This goes far beyond any question of hurting British interests. A similar question came before the House in connection with the Steel Protection Bill. The Tariff Board considered this matter in 1924. But after discussing the various means of having recourse to protection which would affect only the cheaper kinds of continental steel and not the dearer kinds of English steel, it saw that the only way of differentiating between the two kinds of steel would be to have recourse to Imperial Preference. It was not prepared to recommend such a step as the policy underlying it had not been accepted by the Government of India. The position, Sir, seems to me to be the same as it was then, and I do not think that the House can be called upon at this stage to accept the principle which was not recommended by the Tariff Board in 1924. I know that the Honourable the Finance Member has assured us that the present arrangements will remain in force only for three years, and that, even in the meanwhile, the acceptance of the Government's proposals would not be regarded as an acceptance of Imperial Preference. But, Sir, it is an assurance given practically only on behalf of the present Government in England. We know that when Lord Birkenhead was in office, it was believed that, notwithstanding the recommendation made by the Joint Parliamentary Committee it was for His Majesty's Government to decide what protective tariffs should be imposed in this country. The position of the Labour Government is none too secure. They have won on critical occasions only by a few votes, and

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if a new Government comes into power before these three years are over, we do not know what advantage might be taken of the acceptance of the proposal that has been placed before us by the Honourable the Finance Member. Sir, I do not wish to take up the time of the House any further; but it seems to me that the proposal which the Honourable the Finance Member asks us to accept does involve the principle of Imperial Preference, and that as such, it requires much more serious consideration than has yet been given to it. We have to remember that, in the past, the Government of India themselves have been against a policy of Imperial Preference. The repercussions of that policy must be examined. It must be remembered that the Dominions themselves have not accepted it, and that the return of General Hertzog to power in South Africa definitely means that there will be no discrimination in that country against foreign goods as against goods coming from England. In these circumstances, Sir, we may be pardoned if we are not prepared to adopt a different policy, and we trust that our view point will not be misunderstood, and that we shall not be unjustly accused of deliberately trying to hurt British interests without gaining any corresponding advantage for ourselves thereby.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I propose to make just a very few remarks on behalf of the rural population whom I have the honour to represent in this House. We have heard the proposals of the Finance Member. He has come and told us that a deficit Budget is inevitable, that fresh taxation has to be imposed; and nobody will deny, Sir, not even the Honourable the Finance Member, that after all, directly or indirectly, all this fresh taxation will fall upon the shoulders of the bulk of the people the poor toiling masses. (*An Honourable Member*: "Question".) Sir, when the question is more seriously raised, the answer will be more seriously given. Sir, it may further be not out of place to raise the question here as to what has happened during the past twelve months, since the last Budget was presented which will justify us to accept the proposed additional taxation. What has happened in the political sphere? What in the economic and what in the agricultural and industrial spheres of the country? How far have the interests of India been safeguarded, promoted, by the Government in order that they may come to the representatives of the people and say, for this and this and these other benefits that we have conferred upon you in this and this and these other spheres, we now want more money from the taxpayer, and we propose that you should grant us additional taxation?

What has happened, Sir, in the political sphere? During the last year a bomb was thrown in this House. A number of young men were arrested; some have been punished, others are under trial, and although I do not want to use that much objected expression "repression"—you can call it what you like—crime has been on the increase, certainly not on the decrease; followed by repression as the order of the day. In fact, crime and repression are, as it were, always correlated; though in no country, in no period in the history of any country in the world, has repression succeeded in eliminating political crime. Therefore, the question arises, so far as the bulk of the people are concerned, who is responsible for it all? Not surely the young men whose blood is boiling with the not ignoble desire to see their country freed; certainly not those who are ready to lay down their lives in order to win by any methods, which they consider

suitable, however, violent to us they may appear, the liberty and freedom of their country. Who is responsible? Who has made these young men take to these violent methods? Certainly not those whom I represent. We have never called upon any of these young men to wrench, by violence, Swaraj from the British rulers. But it is not at all an irrelevant question whether the policy of the Government during the past ten years, whether the policy of sitting on the fence during the past ten years particularly, is not responsible for inciting these young men to active violence. It may be, Sir, that we may brand them as traitors, we may brand them as criminals. After all, it may be said of these with but one word altered in the poet's lines:

"For Freedom's battle once begun,
Bequeathed by branded sire to son,
Though baffled oft is ever won."

And, Sir, in this connection I cannot help referring to the demand made in this very city by authoritative leaders of the people before the representatives of the Government, before His Excellency the Viceroy, as the head of the Government, that political prisoners ought to be set free, and that a new era of peace and reconciliation regarding the political problem should be inaugurated and announced immediately. If that demand had been treated with the consideration that was expected or that was required, it might very likely be that we would have in this House today those who were leaders of the Opposition till last year. And therefore, I, Sir, who once belonged to that party, cannot but deplore that the policy of the Government—deliberate, it might have been inevitable, it might have been impossible for them to change it,—without going into these details I cannot but deplore that the policy of the Government has resulted in driving out of the House those whom it might have been possible to have kept in the House for the better administration of the country, both from the standpoint of Government and from the standpoint of the people at large. What next, Sir, has been the progress made during the past year in the sphere of economic development? Well, I do not profess to be a great economist; I am not a capitalist; I am not a millowner, but those who are qualified to speak, the finance and commerce Members of the Opposition here, my friend, Sir Purshotamdas Thakurdas, and my friend, Mr. Birla, these have not the slightest hesitation in saying that the effect of the wrong currency policy of the Government has been to make India poorer and poorer every day. Has there been a denial of that statement? Yes; many denials and counter-denials. Even today specific charges have been made that the currency policy of Government is responsible for the great havoc that has been played upon Government's own financial position. I daresay that there will be some kind of justification; there never has been a time when there was not justification for any argument that might be put forward or for any action that might be taken rightly or wrongly in any sphere. Therefore, whatever Government may say, the trusted leaders of the people, who have studied the economic figures carefully, swear that the currency and financial policy of Government has been responsible for a great deal of economic depression, trade depression, and agricultural depression; and all these facts, whatever the causes, have been admitted by the Honourable the Finance Member himself. When he comes here, therefore, it is up to him to come forward and say what the specific reasons are for all these kinds of depression;

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whether it is all due to the financial policy of the Government, or to their artificial currency policy; or to what other specific causes the depression in trade, the depression in commerce, and the depression in production are due.

Lastly, Sir, what shall we go and say to our electors? Shall we go and say that the additional taxation should be cheerfully borne because, during the past year, during the last Session, the Government chose to come down and interfere not only with our economic and political rights and liberties, but even with our religious institutions? Should we give you more money because you imposed on an unwilling people, imposed upon us all, a law which was not of our asking? It was sinful, immoral, absolutely diabolical. Is it for that that you want more taxation from the people? How are Mr. Sarda and his reforming friends going to answer their electors if they are asked why they did support this absolutely uncalled for interference in the religious institutions of the people? Government may not care, but our elected friends will have to give an answer. However worthy your motives I am not concerned with that; that is not what I am asking today. The best of intentions you may have; yet on that ground your reforms cannot be thrust down the throats of an unwilling people. Having done that, you want to impose additional taxation on necessities. You might impose perhaps additional taxation on luxuries. Excepting the proposed increase in the income-tax rates, all the rest of the new taxes fall directly upon the poor people, upon the masses. Cloth is going to be taxed from 15 to 20 per cent.; sugar, an article of necessity, is to be taxed more. It is annoying even to tax silver more, which, though a minor commodity and not so much a necessity or an article of food, will become dearer to the common people. I repeat why do you tax things which the ordinary people want badly? Why don't you tax articles of luxury? Why do not the heroes and heroines of the Sarda Act pay for their sins, for their silks and soaps and for all their dainties, for their motor cars and cigarettes and things of that sort? Why do you ask the common labourer, the man who has to earn his living by hard work—why do you ask him to pay more for the cloth he wants to cover his nudity with, for the sugar he wants to cheer his crying children with, and for the kerosene with which he wants to light the darkness of his cottage? Is this, according to any moral standard, a reasonable demand to make upon the poor people of any country? I am sorry to read in the Honourable the Finance Member's speech a comparison made of the duties on sugar imposed in other countries. He says it is 11s. 8d. in England, 10s. 3d. in America and so on. What is the average income per head in the countries which the Honourable the Finance Member has mentioned, and what is the average income per head of the toiling men and women of the United Provinces and Madras? The Honourable the Finance Member might as well have given the average income per head in England and the average income per head in India. It is easy to show that in other countries (*An Honourable Member*: "Who grows sugarcane in India?") conditions are different. My Honourable friend over there says that India grows sugarcane. Yes; India does grow sugarcane, but even then we want more sugar, we have to import additional sugar.

Therefore, Sir, it seems to me to be adding insult to injury to say that other countries like Great Britain and France levy heavier duties:

they are forced to buy the article; England can afford to pay twice as much as she pays now and France could afford to levy thrice as much duty as she now levies. But India is an agricultural country and can grow her own sugar. With better facilities and with a better industrial policy adopted by the Government, India need import no sugar at all and need not pay any sugar duty at all. It may be all right for rich people to say that this will not affect the poor people to any great extent. I claim to know the facts better. I, Sir, as representing the poor people, am not against any help being given to Bombay if she is in need of it: but in good truth it is not that her present condition touches my heart to any great extent. Let the Bombay millowners suffer a little now; they made a lot of money in the old days and they can afford to put their hands into their pockets a little now when the times are bad; it does not matter to me one bit. After all, everywhere in this world there must be ups and downs; it is inevitable; it is not possible in this world of ours always to be absolutely successful in business; and so, however much we may sympathise with the millowners in their present plight, I do not see why the poor man, who wants to purchase eight yards of cloth or a pair of *dhoties*, should be made to pay more by means of this 15 or 20 per cent. duty, or anything else more than what he pays now, in order that the millowners of Bombay or elsewhere in India should be able to run their mills profitably. I do not see where the logic of it comes in, or the ethics.

It is then said that the hand-loom industry will be benefited by the imposition of this additional duty. What a great concession? What great benefits is the hand-loom industry going to get? Let us consider for a moment what is the production from the hand-loom industry and to what extent this additional duty is going to help it. I really do not know how far this is going to benefit the hand-loom weavers. It is all something like the lamp of Aladdin in the old Arabian Nights.

Therefore, Sir, these baits do not attract me; and I feel it is my duty to enter my very humble protest against what I consider to be the imposition of additional taxation upon the bulk of the people of this country who have not been benefited during the past twelve months by any of the measures that have been adopted by the Government. It has been said "The real remedy is to grant provincial autonomy and then most of these complaints will disappear". But, Sir, I do not believe in this talisman; for what do we find? Have the present reforms put more power into the hands of the people directly? Can the people manage even their own village forests, or village irrigation, or village trades? Have they the power to manage even their own village schools? How has provincial autonomy given any real power to the poor man in the cottage and to the people in the villages to manage their every day affairs? If full Dominion Status is granted tomorrow, and if you give say, to my constituency of 20,000 odd voters, more power, you will perhaps allow them to send one more representative to this Legislature through whose election they will have to pay only more taxes! How is this going to help them? You will tax them still further; the then Finance Member will have to impose more fresh taxation; and the poor man will feel that he has got his reforms at a fairly high cost indeed!

For these reasons, Sir, I consider it my duty to enter my strong protest against the proposals contained in this Budget, and I hope that the very many suggestions that have been placed before the Finance Member will

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be carefully considered—it is not for me to suggest any more—especially in regard to the Military Budget. I hope the Military Budget will be very carefully revised; it has been already pointed out that, in the normal course, there should have been a saving of between 4 and 5 crores in the military expenditure alone. If that had been effected, justice would have been done; equity would have been done, and the need for fresh taxation would have been avoided. In regard to other items of expenditure also there have been many items which have been pointed out to the Finance Member where he could bring his shears into operation against the enormous expenditure in various departments. I say, Sir, it is high time that some such thing was done. If the Finance Member had done that, and then said to us, "I have done my best and cut down expenditure as much as I could possibly do; give me a little more money to carry on", then perhaps we could consider the matter more sympathetically. If he does this next year—I do not know which of us will be here then and which not—then perhaps the matter will be considered more favourably.

For all these reasons, Sir, I feel that the average man whom I represent cannot at all feel thankful to the Finance Member. Every department has got to be carefully scrutinised before any additional taxation is imposed. It is our plain duty to oppose all proposals for fresh taxation, even though we may sympathise with Bombay and with other centres where mills are operating, and although Bombay may have good reason to support those proposals. Somebody pointed out, that if you impose additional duty against Japan, Japan may be forced to exclude your rice; and then what will you do? I have been told that already there is some such proposals for retaliation against India, and I would not like to invite retaliation at the hands of Japan in order to please Lancashire.

I hope these and other objections will receive full consideration at the hands of the Finance Member, and that he will answer them in a perfectly candid manner before he expects any vote from those who, like me, represent, not the millowners, not the capitalists, but the average man in the street.

Mr. Kikabhai Premchand (Bombay: Nominated Non-Official): Sir, as a member of the business community, which is so vitally interested in the administration of the finances of this country, and in the fiscal policy pursued, I rise to give my support to the Budget under consideration. The first point which emerges from a careful study of the Budget is that the financial position of the Government of India—I will not say the financial embarrassment, for that is too strong a word—arises from causes not directly of its own making. If the Government had not been so anxious to relieve the provinces of the burden of their contributions under the scheme of 1919, they would have been in a position of substantial financial ease.

Mr. B. Das: On a point of order, Sir. Can a nominated Member speak on behalf of the provinces?

Mr. Kikabhai Premchand: World forces have worked against realising the anticipation of a normal growth of revenue to fill the gap caused by these remissions. But we have this consolation; the funds transferred from the Central revenues to those of the provinces have brought relief to administrations faced by the great growing heads of expenditure, and

if they have not in all cases brought ease, they have strengthened the position in the provinces, and made it possible to deal more effectively with the great nation-building agencies which are their principal responsibility. We have to face the consequences of this courageous policy, and the direct result is that the Government of India undoubtedly need additional sources of revenue.

With one qualification, I am in agreement with the proposals to raise this additional revenue. The increase in the revenue duty from 11 to 15 per cent. on imported cotton piece-goods is a wise and equitable measure. It is only right that this great head of imports should bear a fair proportion of the general tariff, which furnishes the principal source of revenue. The addition of a special protective tariff of 5 per cent. for three years on all plain grey goods from outside the British Empire, has also my support. The claim of the textile industry, and particularly of the Bombay mills, to a stronger measure of protection has been amply substantiated, and a sigh of relief went up when it was decided to impose it without further inquiry. The textile industry is weary of inquiries, and the depression which is so pronounced a feature of our industrial position would have grown disastrously deep, if, instead of help, Government had offered it another committee. The special difficulties of the Bombay industry spring not only from foreign competition—severe as that is—but from a long series of labour disputes in which the operative class has stubbornly resisted every attempt to reorganise labour conditions in the mills, or to secure a better return for the wages paid. The industry stands in clamant need of breathing time. The proposals of Government offer it, and in conditions which impose on the industry the imperative duty of proceeding rapidly with those measures to cut out the dead wood, to rationalise production, and to establish co-operative buying and selling, which are by common consent necessary to secure permanent health. I only wish, Sir, to endorse the principle underlying the duty—that it is a barrier behind which the industry must effectively reorganise itself, or the justification for the shelter will cease to exist.

There are certain features of a protective duty of which this House, as the guardian of the interests of the whole community, must take account. The first essential is that it shall be effective—that it must so stimulate internal competition that the burden thrown on the consumer is only temporary.

That need is fully met in the proposals before us; the new duties will fully safeguard the industry against the foreign competition which threatens to crush it. The second essential is that the protective duty shall not press unnecessarily on the consumer. The imports which most directly compete with the Indian mills are plain grey goods from outside the British Empire; the direct competition from Empire goods, textiles, is small, and is amply met by the increase in the general tariff. No good case has been made out for this protective duty on Empire textiles, and therefore there would be no justification for taxing the community in respect of them. I am quite aware that this differentiation is a form of Imperial Preference. I am not afraid of the term; on the contrary, I am strongly in favour of the principle when it can be applied without detriment to the interests of India.

I would invite the careful attention of this House to policies which are gathering strength in the great industrial countries. Not only is rational-

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to exercise rigid control over new works; the money will come in time and probably in the long run be spent to better advantage.

Surveying the financial scene in India today, I think we may say that it is brighter already for the Budget before us. There is a greater feeling of confidence abroad and confidence is the life blood of commerce and industry. Our great national manufacturing industry, the spinning and weaving of cotton, breathes more freely and faces the future with a more assured confidence. Whilst therefore there is need for caution and prudence, on the whole, we face the future in far better heart than seemed possible a month or six weeks ago. There is only one cloud on the horizon, and that is bigger than a man's hand. It is the threat of repudiation of the national obligations that is in the air, combined with the revival of that form of lawlessness which is called non-violent disobedience. I do not now want to introduce politics into this discussion; my interest is in the business side of the Budget. The foundations of business, and of the industrial and commercial structure, which is of such vital importance to all sections of the community, is confidence, confidence in the sanctity of contractual obligations, whether national or private, confidence in the rule of law. Neither can be sapped without disastrous consequences to the welfare of the whole community. In this matter I look far beyond the immediate present. I try to visualise the India which has won responsible government and Dominion Status in the Empire. What will be the position of those charged with the immense responsibilities for the governance of this land if they have to build on a foundation of lawlessness? None can say what the year before us will bring. We do feel that the outlook is brighter than we dared hope and that the Budget before us has contributed to that end. But we feel equally that these hopes can be realised only in an atmosphere of confidence and respect for law, and I express the strong hope that the Government will see that the law is respected, by whomsoever it may be challenged, and that in this duty, they will have the support of all responsible elements in the country. Only along this path can we win the goal we have set before us.

Mr. W. Alexander (Madras: European): I wish to congratulate the Honourable the Finance Member on the Budget presented, and particularly on the way in which he has tackled a situation full of great difficulty. No one likes fresh taxation or any kind of taxation, but there are, as stated, indirect advantages in each new item of increase in this Budget. Now, as regards income-tax, with an increase of one pie in the rupee, well, there are cases worse than ours. We are now hearing of a Budget shortly to be introduced in another country in which it is said that income-tax is likely to be increased to the extent of about the equivalent of 5 pies per rupee. However, my Honourable friend, Sir Hugh Cocks, has dealt with the various items of the Budget. I only propose to speak with regard to the cotton duties, and I would like specially to refer to the changes which it is proposed to make in those duties. In the call for additional revenue, and also owing to the parlous state into which the mill industry in Bombay has fallen, the necessity for some increase is quite clearly seen. It would not be of any assistance at present to go into all the causes which have brought about this mill trouble. In the Simla Session of 1927, we had long debates on this question, and turning them over today, one wonders if there was a word left unsaid as to all the unfortunate circumstances

surrounding the industry in Bombay. Today the urgency of the case is so very great that I feel called upon to press a point or two in respect to the means which are now being adopted, or which it is proposed to adopt, in the effort to bring this Bombay industry back to the state of prosperity it used to enjoy.

First, there is the question of finance. No doubt, in certain quarters in Bombay, reserves have run down or become depleted, but it is also a fact that there are large resources left, and that with those resources pooled, and the necessary assistance from outside, there should be enough finance available to carry the whole thing through. It has been done and is now being done elsewhere and can surely be done in Bombay.

What I am more concerned about, is the prospect with regard to re-organisation, the rationalisation of this industry, which means as described by a well-known authority:

"The attempt to adjust the means of production to the probable means of consumption and so to regulate prices that, instead of curves rising and falling like the contour of the Alps, there should be a fairly level roadway of prices along which trade and commerce may move. In this way the consumer of any material may base his own estimates for future years and the standard of living of peoples may be established with some degree of certainty."

Here is an outstanding instance in actual working. Over 75 per cent. of the entire wheat production of Canada is now sold through one co-operative pool, linked in turn with a similar organisation in Australia, and with combinations of farmers in America and Argentine. But there is no need to go so far afield. So long ago as before the War, in Britain, there were a number of industrial groups, some of them with as many as 70 and 80 different concerns linked up in the arrangement and covering a greater capacity than all the mills in Bombay put together. I have no wish at this time to criticise Bombay, but I must say that I cannot understand why they were not working out their salvation at that time. I am talking now of the years when some of those Home groups were constructed, the years of 1908 up to the time of the War. And this more particularly as Bombay was then, and is now, placed in a more favourable position to carry out such schemes, through contiguity. Some of the groups of which I have been speaking have concerns in them working at a great distance apart, say, 200 or 300 miles, whereas in Bombay one could cover all the mills with a pocket-handkerchief, so to speak. So, in that way Bombay is very favourably placed, but unfortunately she has never taken advantage of it.

Sir, what I fear is this. I fear that the changes necessary to bring about the reduction of the cost of production will not be properly faced, and that there will be fear and shrinking in the same way as a patient shrinks from an operation, which may mean life or death. It is not an easy matter. In the comparatively short history of some of those British industrial groups, works have been rebuilt three or four times, always with a view to reducing the cost of production and the results of those changes have been successful.

Now, Sir, the days of secret systems and processes in regard to industrial organisation and manufacture generally are over, and it should be quite possible for the Bombay mill interests, in this great question of the rationalisation of the industry, to get on the absolutely right course to pursue. The only question is, will they take it? Will they do it? There is a tremendous amount depending on that. I do not like to contemplate the

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other side of the picture, but if they pursue the right course, as I sincerely hope they will, then there is very little doubt that they will win through.

There is another matter to which I would like to refer. For some time past there has been considerable anxiety in certain districts among the hand-loom weavers, through doubt as to the possibility of an increase in the yarn duties. That doubt and anxiety have now been removed, and whatever may be said regarding other controversial points in this Budget, Government have the satisfaction of knowing that they have earned the thanks and deep gratitude of the hand-loom weaving community. They number about six to seven million people throughout the country and have been described as "the most inarticulate, the poorest paid, and withal the most industrious people in the country". I only hope that it will be possible, before long, to entirely abolish those cotton yarn duties which have been condemned by the Fiscal Commission, the Tariff Board, and by every reputable authority who has gone into the matter and fully understands the implications attached and the evil of taxing a half-manufactured article. Now that Government are proposing to adopt a more constructive economic policy than in the past, I trust this may be one of the first questions to receive consideration.

I have said nothing with regard to the differential 5 per cent. duty, but I would like to point out to my Honourable friends that this duty is primarily aimed "to help a lame dog over a stile". I have no intention of preventing that lame dog from getting over the stile if it is possible to assist him. All I would say is that, having regard to this question of Imperial Preference, I hope the lame dog who happens to be 15/16ths Indian will also be considered.

Mr. B. Das: Sir, when I heard my Honourable friend from Bombay, while he was reading out his speech, I thought it was as though I was listening to the columns of the *Times of India*.

Sir Hugh Cocke: Is the Honourable Member referring to Sir Purshotamdas Thakurdas?

Mr. B. Das: I am referring to his friend Mr. Kikabhai Premchand. When I read the minute of dissent by Mr. Kikabhai Premchand on the Central Committee's Report, I also thought it was as though I was reading from the columns of the *Times of India*. However, he has tried to represent the provinces. I do not know if the other Back Benchers on the Government Benches, who are the representatives of the provinces, agree with the remark that the Government did not act rightly in abolishing provincial contributions. If the Back Benchers on the Treasury Benches, who come from different provinces, will support the dictum of Mr. Kikabhai Premchand, I am very much afraid that they will not have to go back to the provinces, but will have to remain with the Central Government.

Sir, the most outstanding issue of the Budget speech of this year is the message which the Honourable the Finance Member has transmitted from the British Cabinet. He wanted us to treat it as an important factor. Sir, I would like to treat it as an important subject, but I would ask him to transmit a message to the British Government that, when India becomes an equal partner in the British Empire, by this time next year, I would like to discuss this very subject on its own merits. I will then be in a

position to discuss whether preference can be given to the United Kingdom—it is not the British Empire, but the United Kingdom. The Honourable the Finance Member, during his short stay in India, may know and must know, that we Indians are very gentlemanly and very hospitable, and when we call somebody our friend, we like to extend our friendship to him. It is in this light that I would like him to transmit a message to the British Government.

• Sir, my Honourable friend, Mr. Birla, gave an interview to the Press and said that Imperial Preference has come in by the front door. That is also the view on this side of the House. None of us on this side will tolerate Imperial Preference in any shape or form. Sir, four years ago when the Steel Protection Bill was being considered, I was the first man on this side of the House who damned Imperial Preference. (Hear, hear.) Thereafter, whenever Imperial Preference has been introduced through the backdoor, we on this side have condemned it to our heart's content, in spite of Government carrying it through the support of my friend, Mr. Kikabhai Premchand, and others who are sitting on the Treasury Benches. Sir, my friend, Mr. Kikabhai Premchand, waxed eloquent and said that the trouble of the Bombay mills has come through the labour trouble. I wish he had attended the annual meeting of the Federation of Indian Chambers and heard the President of that Federation, Mr. Birla, when he spoke about labour and its contentment. Why did not my Honourable friend, Mr. Kikabhai Premchand, who, I understand dabbles in stocks, tell the House about the over-capitalisation of the Bombay mills by the mill-owners? However, we will get ample opportunities to discuss this problem when we consider the Bill that will come up before the House shortly. It is no use laying the whole blame on labour. The capitalists are to be blamed for their mismanagement and for their great greed in the past.

I will just speak one word about my Honourable friend, Sir Hari Singh Gour. While he was speaking, he condemned lukewarmly the principle of Imperial Preference, but he wanted that somehow we should offer a bribe to the British Government, because three or six months hence, we are going to meet at the Round Table Conference. Sir, I am not one of those who will offer any bribe to anybody, and I want to meet on equal terms, at the Round Table Conference, the Members of the British Cabinet and the British delegation. If we cannot come to a settlement, we want to retire honourably, and then I will decide whether I will not join the movement of civil disobedience which my Honourable friend, Mr. Kikabhai Premchand, had the audacity to condemn on the floor of this House.

Now, Sir, I must speak one word congratulating the Honourable the Finance Member for his bold courage in taking stock of the present financial condition of India. He diagnosed well, he did very well in pointing it out, but so far as the cure he has suggested is concerned, he has gone about it wrongly. The cure he suggests is certain taxation, Imperial Preference or protective duties; that is not a proper cure. Sir, it was given out in the budget speech of the Honourable the Finance Member that Mr. Jukes would be the Retrenchment Officer to look into the retrenchment of civil Departments and of civil budgets, and see if they are capable of any retrenchment. As everybody knows, on the civil side, there can be very little retrenchment unless it is abolition of the post of a *chaprasi* here or a clerk there. On the civil side, there cannot be any real retrenchment.

[Mr. B. Das.]

When I spoke on the Railway Budget, I said there should be a Retrenchment Committee to see whether the heavy increase of expenditure to the tune of 10 crores which has grown up during the last five years, could not be reduced. I realise, Sir, that the Railways, irresponsible as they are, do not want to give the Honourable the Finance Member any extra share of their surplus profits. Therefore, they go on spending large sums of money, as much as they like, in the working expenditure, in repairs and maintenance, which the railways would not be spending if they were under the direct administration of the Honourable the Finance Member. Although certain Honourable Members of this House differ from me, I still maintain that there should be direct control of the Honourable the Finance Member over the Railway Budget. I do not think Mr. Jukes can put his finger into the pockets of my Honourable friend, Mr. Young, who has got too much, though it has been reduced by 80 lakhs this year. Still he has got too much money and can well afford to part with some crores. There should be a Retrenchment Committee appointed. It is no use appointing a Special Officer for this purpose, especially one who is on the point of retirement, and who has, for over thirty years, been trained in the spirit of the Civil Service and their clamour, to which we are all so accustomed. He cannot very well point out or lay his finger where the mistakes lie. After all, how much can he show as retrenchment? There must be a Committee and that Committee should go into the railway head, into their finances and into the military account, and also they will have to lay their fingers especially in places where the military expenditure lies concealed in the expenditure on the civil side and also the railway side. I will point out two or three heads where expenditure, which properly belongs to the military side, has been shown in the civil side. There is expenditure of so many lakhs on radios, so many lakhs in aviation and so many lakhs on broadcasting and so on. We do not want all these luxurious hobbies of radios or broadcasting or aviation in India at present, especially because India is a very poor country. We can very well abolish those departments. Then, there is that other department—meteorology, the expenditure on which is growing every year and which properly speaking should come under the Military Budget. If it is a military expenditure; let it be charged to the military head, and let the 54 crores and odd of the Military Budget cover that expenditure. Then, there are also certain hospitals and scientific departments and institutions which purely come under military expenditure, but they are still being charged on the civil side, and the Honourable the Finance Member cannot find the money to meet the civil expenditure. Lastly, I need not once again point out the special concessions in rates and freights given to the Army.

Sir, much has been said about taxation, and I do not want to touch that on silver, the abolition of which has been well supported from this side of the House. I will say one word about kerosene. If Government need this taxation on kerosene, why this differential treatment, why not equalise the tax on kerosene? The money that is invested in Burma is purely British money, it is not Indian money and we also know about the agitation that has been going on for the last three years regarding the separation of Burma from India. Why should we give the British capitalists in Burma an advantage over other oil-producing countries?

Next I want to touch upon this preferential duty a little. My Honourable friend Mr. Alexander said that the hand-loom weavers would not be

affected. Sir, I am sorry to hear that. I will prove, when the occasion comes, on the floor of this House, that the hand-loom industry in certain provinces happens to produce 40 per cent. of the cloth that is used in those provinces. My Honourable friend, Mr. Gaya Prasad Singh just tells me about Bihar and Orissa, where it is so. Then, Sir, when my Honourable friend, the gallant Baronet, Sir Victor Sassoon pleaded so much for the cotton yarn protective duty, everybody agreed that it should be for three years. Now by the back door, it is going to be extended for six years. If the Honourable the Finance Member needs a little more money, he had better double the income-tax or the super-tax. He should not kill the hand-loom weavers, who are six millions in India, while the mill hands are only four lakhs and a half. Another thing that I want to remind the Honourable the Finance Member of is this, when the Government passed the Cotton Yarn Protection Bill, what did Japan do? Did not Japan put an embargo on the import of Indian rice to Japan? They thought of doing so and also on pig iron, as my Honourable friend, Mr. Neogy, reminds me. If you want us to fight, you had better create some quarrels with the European nations or with America. Why do you create this quarrel with an Asiatic nation? We want to be in perfect amity with Japan. Why, this differential treatment of Government to help either my Honourable friends from Bombay or to help the Government Treasury? Why do you want to bring about this difference between India and Japan? We do not want to have any quarrel with Japan in whatever shape. We want to remain in peace and friendship with Japan.

Then my Honourable friend, Sir George Schuster, himself has alluded to the drop in the world prices of commodities. How is it then that he has not taken any steps to abolish the Lee concessions? The Civil Services clamoured in 1922 for concessions because of the rise in prices. Now the prices have dropped. Why don't you reduce these concessions? The Honourable the Finance Member will thereby get a reduction of several lakhs—I do not know if it will not be crores—in his expenditure. I know the Anglo-Indians on the railways have even secured them and even some of them are still clamouring for these Lee concessions, on considerations which only the Departments know, and which we cannot solve on this side of the House. That is my suggestion to the Government whether a Retrenchment Committee tackles the problem or whether Mr. Jukes examines the question of retrenchment, that is, whether the time has not come to reduce these Lee concessions owing to the drop in world prices of commodities.

My Honourable friend, Mr. Acharya, spoke of the hardship of the tax on sugar. It might have been worse, the salt-tax might have been doubled. In that case, the whole country—I do not refer to special constituencies from which my Honourable friend Mr. Mody and others come, for they need not have any fear in this matter—in the case of other constituencies, there would be a huge uproar. I have, however, every sympathy with the Honourable the Finance Member, because he is only trying to ease the burden of legacy received from his predecessor, Sir Basil Blackett, who reduced the earning power of the people of India. Then he is also suffering from the action of the predecessor of Sir Basil Blackett, namely, Sir Malcolm Hailey, who left India, Indian industry and Indian conditions in such a miserable state by dabbling in high finance, that his successor after seven or eight years is feeling the pinch of it. I know Sir George Schuster

[Mr. B. Das.]

will have to find money to meet the budget demand, but when he said that he was putting all these taxations in order that he might have a little accumulating surplus for preparing the way for a more generous allocation to the provinces of sources of revenue for nation-building services,—a most pious speech—I believe my Honourable friend wrote this when he was probably thinking of his discussions in London with Mr. Layton and others who were hatching the Simon Seven's Report. In this respect I will pay one word of tribute to the Central Committee, although I do not see eye to eye with all their recommendations. They have said that Salt, Income-tax and Customs should be provincial revenues. I whole-heartedly support that. I aspire to see soon Orissa made a separate province and I whole-heartedly support the idea that Salt, Income-tax and Customs should be provincial revenues. I was glad that that bit of common sense dawned on the Central Committee when they wrote that.

My Honourable friend, Sir George Schuster, is putting in money to be spent on new grants. I will refer to one grant particularly, the appointment of Trade Commissioners. I will welcome it. We have demanded it for the last three or four years; but if it only means that the cadre of the Indian Civil Service posts is to be increased and Indian Civil Servants will get these posts, we on this side of the House will oppose this grant completely. There will be enough Indian commercial men to fill the Indian Consular Service when it is recruited to its full cadre. It seems that there is an unholy alliance—of course (Sir George Schuster is not a party to it because he does not belong to the Indian Civil Service—to send away Indians of the Civil Service abroad and thereby to replace that number by European Indian Civil Servants, so that Europeans might more and more get recruited into the Indian Civil Service. I strongly condemn that, and if it going to be the Indian Civil Service, I will oppose it in due course.

Sir, we on this side clamour for protective tariffs. Protective tariffs have become a windfall to the Honourable the Finance Member for the last four or five years. As I said last year, in the memorandum of the Finance Department which was submitted to the Simon Commission, it was mentioned that 20 crores had come from the steel protective duties alone to the pockets of the Finance Member. At that time we suggested that this money, realised from the protective tariff, should be put away for nation-building work, but it has not been done. Again, there are always clamourers, whether it is the Bombay millowners or glass manufacturers, they all want protective tariffs. That means so much money put into the coffers of the Finance Member. My suggestion is that, if the Finance Member wants to build up the nation-building departments, from this year any money collected under the protective tariffs should be set aside for nation-building departments and should be allocated at a later date, to the different provinces.

Mr. President: I had expected that Honourable Members who can speak with authority on the condition of the Bombay mill industry would participate in this debate as early as possible, but none of them rose today, and if they do not get an opportunity hereafter they must thank themselves.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 5th March, 1930.



LEGISLATIVE ASSEMBLY.

Wednesday, 5th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

EMPLOYEES DISCHARGED FROM THE EAST INDIAN RAILWAY.

444. ***Maulvi Muhammad Yakub:** Will Government be pleased to state how many railway employees on the East Indian Railway, Moradabad Division, were served with notice under paragraph 2, or otherwise discharged after an inquiry was made by Mr. Hayman, Member, Railway Board, in August last? What were the charges against these persons and were they given charge sheets under the rules and afforded an opportunity to explain their cases? If not, why not?

Mr. A. A. L. Parsons: The information will be obtained and supplied to the Honourable Member.

Maulvi Muhammad Yakub: Will the Honourable Member supply the information on the floor of this House or put the papers on the table of the House?

Mr. A. A. L. Parsons: I will consider that after I have got the information.

Maulvi Muhammad Yakub: Are Government aware that the information which is supplied privately to the Members does not come to the record and afterwards we do not find any trace of it in the proceedings of the Assembly? (Hear, hear.)

Mr. A. A. L. Parsons: We always place copies in the Library.

Maulvi Muhammad Yakub: Are Government aware that they are not printed in the proceedings of the Assembly and the public does not get any information about those communications? (Hear, hear.)

Mr. A. A. L. Parsons: They are certainly not printed in the proceedings, but copies are placed in the Library.

Maulvi Muhammad Yakub: Are Government aware that the public cannot go into the Library of the Assembly to read the answers?

Mr. A. A. L. Parsons: Yes.

PROMOTIONS ON THE EAST INDIAN RAILWAY.

445. ***Maulvi Muhammad Yakub:** How many Station Masters, Traffic Inspectors, Loco. Foremen and Fitters-in-charge were promoted to the posts of Assistant Superintendent Transportation, Assistant Superintendent Commercial, and Assistant Superintendent Power, during the last three years and how many of them were East Indian Railway officers and how many old Oudh and Rohilkhand Railway officers?

the qualifying examination were not only given the officiating promotion as accountants, but also the benefit of five years of qualified service over their compeers of the regular establishment in the matter of fixation of seniority, and that the same condition of service has been recognised by the Accounts Department in the case of some of those Training Reserve men who were taken over by the latter Department from the Audit Department?

(b) If the answer to part (a) be in the affirmative, will Government please explain why the same privileges, as were recognised in the case of the Training Reserve, are not extended to the qualified men of the Accounts Training Class?

Mr. A. A. L. Parsons: (a) and (b). Men of the Training Reserve with the Auditor General had also to wait for vacancies, after passing the qualifying examination. Whilst such men were given the benefit of five years additional service in the grade under the Auditor General, men of the Accounts Training Class have been given a minimum pay of Rs. 80. i.e., they have been fixed as clerks, class II, over the head of all the clerks class III. The question of their relative seniority in class II itself is still under consideration.

NON-STOPPAGE OF FAST PASSENGER TRAINS AT BARARA STATION.

450. ***Mr. Abdul Latif Sahib Farookhi:** With reference to the reply to Lala Duni Chand's question No. 1128, regarding the non-stoppage of fast passenger trains at Barara when the Honourable the then Railway Member promised on the 9th March, 1926, that a copy of the question would be sent to the Agent, North Western Railway, will Government be now pleased to state whether they sent a copy of the question, as promised, to the Agent? If so, when and what action has the Agent taken thereon?

Mr. A. A. L. Parsons: A copy of the question was sent to the Agent, North Western Railway on the 23rd March, 1926. He reports that, in April 1926, five up and five down trains used to stop at Barara railway station. From the 1st March, 1930, four up and six down trains stop at that station.

INFORMATION ABOUT MATCH FACTORIES IN INDIA.

451. ***Sardar Gulab Singh:** (a) Will Government be pleased to lay on the table the information promised by the Honourable Member in charge of the Industries and Labour Department, as "being collected" in response to my unstarred question No. 91 of the 20th January, 1930, about the match factories in India?

(b) If the required information has not yet been collected, will the Honourable Member please state as to when it will be available at the earliest?

The Honourable Sir Bhupendra Nath Mitra: (a) A statement is laid on the table giving the information required as far as it is available with the Government of India.

(b) Does not arise.

Information promised to be supplied to Sardar Gulab Singh on the 20th January, 1930, in reply to unstarred question No. 91.

Question by Sardar Gulab Singh.—(i) Will Government be pleased to state how many match factories there are in all in (a) British India, and (b) the Native States in India, respectively?

(ii) What is the total output of each of these in (a) British India, and (b) the Native States in India?

(iii) What is the capital invested in each of these?

(iv) How many of these factories are owned by (a) foreign capitalists, and (b) Indian capitalists?

(v) What are the facilities provided by the State for the encouragement, support and uplift of the indigenous match trade?

(vi) Will the Honourable Member in charge of the Industries and Labour Department please state (a) from where the most up-to-date, economic and efficient machinery can be had, and (b) whether any such information or literature has freely been given to the public at large through the Press?

Answer.

(i) According to the latest information available with the Government of India, there are 45 match factories in British India and 6 in Indian States.

(ii) The required information is not available for all the factories.

(iii) and (iv). Complete information is not available. A statement is appended showing the names, authorised and paid-up capital of the Joint Stock Match Manufacturing Companies at work in India at the end of each of the official years 1927-28 and 1928-29.

(v) The attention of the Honourable Member is invited to the statement which was placed in the Library of the Legislature in February, 1928, in answer to starred question No. 760 by the Honourable Mr. B. Das.

(vi) The Director of Industries of the Province concerned may be consulted in the matter.

Statement showing the names, authorised and paid-up capital of Joint Stock match manufacturing companies at work in India at the end of the official years 1927-28 and 1928-29.

(Compiled from published reports and special returns received in this Department from the Registrars of Joint Stock Companies).

Serial No.	Name of Company and province where registered.	1927-28.		1928-29.	
		Authorised.	Paid-up.	Authorised.	Paid-up.
		Rs.	Rs.	Rs.	Rs.
1	BENGAL.				
1	Aurora Match Factory.	3,00,000	..	3,00,000	..
2	Kishoreganj Match Factory	20,000	..	20,000	..
3	Bengal Match Factory and Saw Mills .	5,00,000	12,599	5,00,000	12,599
4	East Bengal and Assam Match Factory .	50,000	2,339	50,000	3,004
5	Standard Match Works*	20,000	7,500	20,000	7,500
6	Lucifer .	1,00,000	29,580	1,00,000	29,580
7	Islamia Match Factory	20,000	..	20,000	..
8	Jalpaiguri Industries .	50,000	11,810	50,000	11,810
9	Bengal Safety Match Works and Medical House . . .	1,00,000	5,948	1,00,000	5,948

*Private.

Serial No.	Name of Company and province where registered.	1927-28.		1928-29.	
		Authorised.	Paid-up.	Authorised.	Paid-up.
		Rs.	Rs.	Rs.	Rs.
10	Assam Match Company	7,00,000	4,99,925	7,00,000	5,00,000
11	New Sunderban Match Factory	5,00,000	..	5,00,000	10,470
12	Small Industries Development Company (in liquidation 26th July 1923)	4,00,000	93,280	4,00,000	93,280
13	Sunderban Match Works (in liquidation 21st October 1926)	10,00,000	1,13,987	10,00,000	1,13,987
14	Bharat Match Factory (in liquidation 10th July 1927)	20,000	3,583	..	..
15	Hindusthan Union Match Company	..	..	3,00,000	..
	Total, Bengal (excluding Companies gone into liquidation)	23,60,000	5,69,701	26,60,000	5,80,911
	MADRAS.				
1	East India Match Company	8,00,000	6,600	8,00,000	19,818
2	Malabar Match Manufacturing Company	3,90,902	2,17,568	3,90,902	3,47,568
3	South Indian Match Factory	3,00,000	1,83,785	3,00,000	1,85,440
4	Sri Brigannayaki Match Factory (gone into liquidation on 1st November 1929)	1,50,000	1,962	1,50,000	1,962
	Total, Madras	16,40,902	4,09,915	16,40,902	5,54,788
	BOMBAY.				
1	Gujrat Islam Match Manufacturing Company	1,00,000	97,070	1,00,000	97,070
2	Belgaum Match Manufacturing Company	1,00,000	39,880	1,00,000	39,880
3	Western India Match Company*	75,00,000	47,00,800	75,00,000	47,00,800
4	Match Manufacturing Supply Company*	50,000	40,500	50,000	40,500
5	Kemmendine Match Company*	3,00,000	91,700	3,00,000	91,700
6	Burma Match Company*	10,00,000	7,31,500	10,00,000	7,31,500
7	Mandalay Match Company*	3,00,000	2,77,510	3,00,000	2,77,510
8	Eastern Match Manufacturing Company	..	..	2,50,000	..
9	Kurla Match Works*	..	..	1,50,000	..
	Total, Bombay	93,50,000	59,78,960	97,50,000	59,78,960

* Private.

Serial No	Name of Company and province where registered.	1927-28.		1928-29.	
		Authorised.	Paid-up.	Authorised.	Paid-up.
		£	£	£	£
1	Swedish Match Company	10,000,000	10,000,000	10,000,000	10,000,000*
	BIHAR AND ORISSA.				
		Rs.	Rs.	Rs.	Rs.
1	Puri Match Industries Company†	20,000	8,526	20,000	9,095
	MYSORE.				
1	Mysore Match Manufacturing Company	20,00,000	4,05,310	20,00,000	3,98,260
2	Karnataka Match Factory	..	..	50,000	2,172
	Total, Mysore	..	..	20,50,000	4,00,432

* Return for 1928-29 not received; figures for 1927-28 repeated.

† Private.

APPOINTMENT OF SIKHS AS SUPERINTENDENTS IN THE RAILWAY MAIL SERVICE.

452 *Sardar Gulab Singh: (a) Will Government please state:

(i) the total number of Sikh Superintendents in the Railway Mail Service, Northern Circle, Ambala;

(ii) if it is a fact that not a single Sikh has ever been recruited to the above post for several years past?

(b) If the reply to part (a) (ii) be in the affirmative, will Government please state reasons why such an important minority of Sikhs has so far been ignored and not been represented in this Department so far?

The Honourable Sir Bhupendra Nath Mitra: (a) (i). The Railway Mail Service, Northern Circle, was abolished in April, 1929. At that time there was one Sikh Superintendent attached thereto. He is now working under the Postmaster General, Punjab and North West Frontier Circle.

(ii) No. Direct recruitment is made only to the cadre of Probationary Superintendents to which cadre two Sikhs have been recruited in the last five years, viz., one in 1925 and the other in 1928.

(b) Does not arise in view of the reply to part (ii) of (a).

APPOINTMENT OF SIKHS IN THE OFFICE OF THE RAILWAY BOARD.

458. *Sardar Gulab Singh: (a) Will Government please state:

- (i) the total number of officers, subordinates, clerks and menials employed in the Railway Board's Office;
- (ii) how many of these are Sikhs and in what positions;
- (iii) the nature and total number of promotions given to the aforesaid staff since the 1st January, 1929; and
- (iv) how many of these promotions were granted to Sikhs?

(b) Will Government be pleased to state:

- (i) the total number of permanent vacancies that occurred in the Upper, Lower and Third Divisions of the Railway Board Office since January, 1928;
- (ii) if it is a fact that not a single Sikh has been given any permanent post in any of the above grades since that time; and
- (iii) why this important minority is always being overlooked in spite of the Home Department's instructions for safeguarding all sorts of minority interests?

(c) Will Government please state:

- (i) the total number of temporary vacancies that have occurred in each of the three divisions of the Railway Board Office, and how many of these were filled up by Sikhs, Muhammadans and Hindus, respectively, since January, 1928;
- (ii) if any more Sikhs have been added to their number than already existed in January, 1928; if not, why not;
- (iii) if there is a reduction in that number, what were the causes that led to it; and
- (iv) in case there is an addition, the number and names of such persons?

Mr. A. A. L. Parsons: I am sending the Honourable Member a statement giving the information required.

APPOINTMENT OF SIKHS IN CERTAIN OFFICES OF THE GOVERNMENT OF INDIA.

459. *Sardar Gulab Singh: (a) Will Government be pleased to state:

- (i) if it is a fact that there is not a single Sikh in the Upper Division of the following offices:—(a) Home Department, (b) Imperial Agriculture Research Office, (c) Assembly Department, and (d) the Legislative Department;
- (ii) the number of total vacancies that occurred in each of the aforesaid offices, and the respective communities to which the men entertained belonged?

(b) Will Government please state if they are prepared to take steps for safeguarding and insuring the interest of the important minority of the Sikhs in case of such appointments in future?

(c) Will Government please state if they are prepared to recruit Sikhs from outside, subject to their passing the qualifying examinations, in cases when no qualified Sikhs are available through the Public Service Commission?

(d) Do Government propose to take steps to encourage the important minority of the Sikhs by appointing a sufficient number of its members in the aforesaid offices whenever vacancies occur in future?

The Honourable Sir James Crerar: (a) (i). Yes.

(ii) I shall be glad to send the information to the Honourable Member if he will indicate the period for which he wants it.

(b) and (d). I would refer the Honourable Member to the reply given in this House to question No. 563 on the 17th September, 1929.

(c) Government do not consider this necessary. The application of the new system of recruitment sanctioned in 1928 will doubtless increase the opportunities of Sikh candidates from outside.

RACIAL DISCRIMINATION AT THE CIVIL AERODROME.

460. *Mr. Gaya Prasad Singh: (a) Has the attention of Government been drawn to a letter published in the *Hindustan Times*, dated the 20th February, 1930, (page 6) from Mr. Laxmi Narain Gadodia, regarding the alleged racial discrimination and insulting treatment meted out to him on the 16th February, at the civil aerodrome where the joy rides were taking place?

(b) What are the facts of the case, and how far was the Aero Club of India and Burma responsible for the arrangements made on the occasion?

(c) Is it a fact that the flights given to the wife and child of Mr. Gadodia lasted not more than five minutes each, while the European ladies and gentlemen were given rides that lasted up to ten minutes?

(d) What is the total amount of financial or other assistance which the Aero Club has received up to date from Government, and what steps do Government propose to take to put down sternly any tendency to racial discrimination, or improper behaviour in connection with this institution?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) and (c). The attention of the Honourable Member is drawn to the letter of the Honorary Secretary, which appeared in the *Hindustan Times* of February 22nd. The Aero Club of India and Burma is not responsible for the flying arrangements on these occasions.

(d) The amount paid to the Aero Club of India and Burma up to date is Rs. 52,500. Government have no information that the Aero Club displayed any tendency to racial discrimination, nor can they agree that this incident would justify any such charge.

Mr. Gaya Prasad Singh: With regard to answer to (b) and (c), has the attention of the Government been drawn to the rejoinder published by Mr. Gadodia in the *Hindustan Times*, dated the 24th February, 1930, in which he calls the explanation of the Secretary "hardly convincing?" (Hear, hear.)

The Honourable Sir Bhupendra Nath Mitra: Sir, that is a question of opinion. I have a recollection that the *Hindustan Times* itself thought that the explanation of the Secretary was satisfactory.

Mr. Gaya Prasad Singh: You are relying upon the opinion of the *Hindustan Times* in support of your answer?

The Honourable Sir Bhupendra Nath Mitra: I am not relying on anybody's opinion. I submitted, to start with, that this was a matter of opinion.

Mr. Anwar-ul-Azim: Does the Honourable Member take his inspiration from the columns of the *Hindustan Times*?

The Honourable Sir Bhupendra Nath Mitra: I do not think that implication arises out of any of my answers.

PROHIBITION OF THE BURNING OF DECEASED HINDUS IN THE BELGIAN CONGO.

461. ***Mr. Gaya Prasad Singh:** With reference to my short notice question of the 18th September, 1929, regarding the order of the Belgian authorities prohibiting the burning of deceased Hindus in Belge Congo, will Government be pleased to state the result of the representation made to His Majesty's Government, and the steps taken to communicate the result to the public, as promised by Sir Denys Bray in his reply?

Mr. E. B. Howell: The matter is still under correspondence with His Majesty's Government.

Mr. Gaya Prasad Singh: When is the decision likely to be arrived at, because it is a grave matter affecting the religious rites and ceremonies of the Hindus in that particular territory?

Mr. E. B. Howell: Government are doing all that they can.

Pandit Hirday Nath Kunzru: Is it a fact that the Government of India communicated their representation to His Majesty's Government by cable?

Mr. E. B. Howell: I cannot remember, but I think they did.

Pandit Hirday Nath Kunzru: Is it a fact that the Government drew the attention of His Majesty's Government to the great urgency of this question?

Mr. E. B. Howell: I must have notice of the details of the correspondence.

Pandit Hirday Nath Kunzru: Has any further communication been sent to His Majesty's Government since the one sent in September last?

Mr. E. B. Howell: Yes, Sir.

Pandit Hirday Nath Kunzru: When was the last communication sent?

Mr. E. B. Howell: Within the last three weeks, Sir.

Pandit Hirday Nath Kunzru: Did Government receive any reply between September and January?

Mr. E. B. Howell: I have already informed the Honourable Member that I would like to have notice of these details about the correspondence.

Pandit Hirday Nath Kunzru: It is not a question of detail. I merely want to know whether the Government have received any reply at all to the communication sent to His Majesty's Government by the Government of India in September last?

Mr. E. B. Howell: Yes, Sir, they have. That is why they telegraphed again.

Pandit Hirday Nath Kunzru: What is the substance of the reply?

Mr. E. B. Howell: I will ask for notice of that.

PROTECTION FOR GLASS MANUFACTURE.

462. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state when they received representations from the Indian Glass Manufacturers' Association for protection?

(b) What action have Government taken so far?

(c) Have Government decided to make any reference to the Tariff Board? If so, when? If not, why not?

The Honourable Sir George Rainy: The Honourable Member is referred to my answer to his question No. 152, dated the 21st January.

SUPERSESSION OF CERTAIN INDIAN MECHANICS.

463. ***Mr. S. C. Mitra:** (a) With reference to my starred question No. 291 of the 10th September, 1929, which has been replied through letter dated the 10th December, 1929, to the effect that there is no racial discrimination, will Government please state why Messrs. N. L. Sett and A. Beg were not confirmed along with Messrs. T. E. De Roze, D. Whaley, E. G. Duke, and E. Sylvester on Rs. 160?

(b) Is it a fact that all the Anglo-Indians (excepting Mr. T. E. De Roze, who was also taken to the III Grade after only three months of his appointment) superseded the claims of the following experienced Indian mechanics, and if so, why?

Name.					Present salary.
					Rs.
Mr. M. N. Paul	..	..	..	..	120
" S. B. Sarkar	..	..	..	..	90
" S. N. Ganguli	..	..	..	..	120
" N. L. Day	..	..	..	..	120
" S. B. Dutta	..	..	..	..	100
" S. P. Halder	..	..	..	..	110
" S. B. Chakravarti	..	..	..	..	90

Mr. A. A. L. Parsons: (a) The reason was that there were no vacancies to which they could be appointed.

(b) I am obtaining the information for the Honourable Member.

PAY OF MECHANICS IN THE LILLOOAH WORKSHOPS.

464. ***Mr. S. C. Mitra:** (a) With reference to the answer to part (b) of my starred question No. 291 of the 10th September, 1929, regarding mechanics in the Lillooah workshops, is it a fact that Europeans and Anglo-Indians start with the higher pay while all the Indians start with lower pay?

(b) Is it a fact that all Europeans and Anglo-Indians obtain higher marks in examinations than Indians?

(c) Will Government please state whether all Europeans and Anglo-Indians are considered, as a matter of fact, better qualified than Indians?

(d) If the answer to part (a) be in the negative, will Government please state if any Indians were taken in the higher grade at the time of their appointments?

Mr. A. A. L. Parsons: (a), (b) and (d). I am obtaining the information for the Honourable Member.

(c) The answer is in the negative.

APPOINTMENT OF APPRENTICES IN THE LILLOOAH WORKSHOPS.

465. ***Mr. S. C. Mitra:** With reference to the answer to part (c) of my starred question No. 291 of the 10th September, 1929, regarding mechanics in the Lillooah workshops, will Government please state if they have given effect to their intention to abolish the probationary period in the case of qualified apprentices selected for appointments?

Mr. A. A. L. Parsons: The East Indian Railway will give effect to this intention in all future cases.

APPOINTMENT OF MECHANICS IN THE LILLOOAH WORKSHOPS.

466. ***Mr. S. C. Mitra:** (a) With reference to the answer to part (a) of my starred question No. 292 of the 10th September, 1929, regarding mechanics in the Lillooah workshops, will Government please state clearly what considerations were made, of men who were already in service, to fill up the vacant posts filled up by the outsiders, Messrs. Alderson, Watson, Lowe, Moslem, Tucker, and Everson?

(b) Do Government propose to pass strict orders that at least in future outsiders will not be provided for without making a fair attempt to fill up the vacancies from the Department?

Mr. A. A. L. Parsons: (a) The consideration of obtaining persons fully qualified to fill the vacant posts.

(b) No; but Government will take up any instances where it comes to the notice that outsiders are engaged to fill vacant posts in the workshops in preference to mechanics in service who are fully qualified to fill them.

APPRENTICES TRAINED IN THE LILLOOAH WORKSHOPS IN 1929.

467. ***Mr. S. C. Mitra:** Will Government please supply the names of the apprentices, Indians, Europeans and Anglo-Indians, who completed their course in 1929, and also the names, technical and general education, and starting salaries of those who were provided for out of them?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to answer questions Nos. 467, 469, 471 and 472 together. Information has been called for and a reply will be sent to the Honourable Member on its receipt.

APPOINTMENT OF APPRENTICES OF THE LILLOOAH WORKSHOPS.

468. ***Mr. S. C. Mitra:** With reference to the answer to part (b) of my starred question No. 293 of the 10th September, 1929, regarding apprentices in the Lillooah workshops, will Government please state why the surplus

first grade bound apprentices will not be provided for at Lucknow, Tatanagar or similar workshops on the East Indian Railway when all these workshops are under one and the same head?

Mr. A. A. L. Parsons: Because it is not proposed to keep any apprentice who is surplus to requirements. All trained mechanics, however, are eligible to be considered on application for vacancies in the workshop establishments at Lucknow, Tatanagar or elsewhere.

PROMOTION OF MECHANICS ON THE EAST INDIAN RAILWAY.

†469. ***Mr. S. C. Mitra:** With reference to the answer to my starred question No. 294 of the 10th September, 1929, regarding the promotion of mechanics on the East Indian Railway, will Government please supply the names, dates of promotion and shops concerned of the three Assistant Foremen mentioned therein?

APPOINTMENT OF CERTAIN APPRENTICES OF THE JAMALPUR WORKSHOPS.

470. ***Mr. S. C. Mitra:** (a) With reference to the answer to my starred question No. 295 of the 10th September, 1929, regarding the appointments of apprentices in the Jamalpur workshops, will Government please state why Messrs. T. E. De Roze, E. G. Duke and also Messrs. F. MacDonald and D. Whaley were appointed while Messrs. N. C. Chatterjee, N. L. Dass, P. R. Bose, S. P. Mukherji, B. B. Pramanic, P. C. Roy Chowdhury and A. C. Ash—all Indians, were given no appointments?

(b) Will Government please explain the reasons?

Mr. A. A. L. Parsons: The Railway Administration explain that those whom they considered best qualified, were appointed.

PAY OF EUROPEAN AND ANGLO-INDIAN MECHANICS IN THE LILLOOAH WORKSHOPS.

†471. ***Mr. S. C. Mitra:** (a) Is it a fact that according to the East Indian Railway Agent's Circular Meeting No. 5, Resolution No. 54 of the 11th May, 1927, the scale of pay of the technically trained grade should start at Rs. 110—150? If so, will Government please state why Messrs. T. E. De Roze, D. Whaley, E. G. Duke and E. Sylvester were appointed on Rs. 160?

(b) Is it a fact that there is a Circular Meeting No. 5, Resolution No. 54 of the 11th May, 1927, issued by the Agent, East Indian Railway "That in future those of our First Class Apprentices whom it is considered desirable to engage at the end of their apprenticeship shall be appointed as Chargemen T. T. (Technically trained)"?

(c) Is it a fact that all Europeans and Anglo-Indians that are appointed in the Lillooah Workshops are not taken in the T. T. grade, as required by the Agent's Circular, but are appointed as mechanics on higher pay?

(d) If so, why is not the Agent's said Circular applied so far as Europeans and Anglo-Indians are concerned?

(e) If the answer to part (c) is in the negative, will Government please supply the names of Europeans and Anglo-Indians who have been appointed in the T. T. grade in the Lillooah Workshops?

†For answer to this question, see answer to question No. 467.

POSTS FOR TRAINED APPRENTICES ON THE EAST INDIAN RAILWAY

†472. ***Mr. S. C. Mitra:** (a) Is it a fact that to make provision for qualified passed apprentices, the Agent, East Indian Railway, made provision for 20 new T. T. grade posts to be filled up in future from the apprentices as they complete their course from time to time?

(b) Are Government aware that all the 20 posts have been filled up all at once from mechanics and that no adequate provision has been left for the apprentices who completed their course and have been provided with posts and also for those who are going to complete from time to time?

COMPLAINTS AGAINST MR. RAM NARAIN, SUPERINTENDENT, NEW DELHI MUNICIPALITY.

473. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that complaints have been received against Ram Narain, Superintendent, New Delhi Municipal Committee, of maltreatment and accepting bribes from shopkeepers and others? If so, what disciplinary steps are being taken against him to avoid recurrences of the nature?

(b) Is it a fact that a general complaint was made against him by the shopkeepers community in 1927 and that a resolution was passed by the Committee against him? What steps, if any, have been taken to stop him from repeating the same offence?

(c) Have any steps been taken to get to the bottom of the circumstances regarding the following:

(i) complaints of shopkeepers made to the President, regarding Lala Ram Narain's asking for bribes from them;

(ii) complaints made by Shyam Chand and Dya Chand, shopkeepers, Raja Ka Bazar, made to the Members of the Committee and the Secretary, verbally in regard to his accepting the bribes by cheating them; and

(iii) complaints made by Rai Bahadur Paras Dass against that very person of accepting the bribe of Jamna Dass Murarilal, shopkeepers, Raja Ka Bazar? Were entries in their accounts books signed by the Magistrate, New Delhi, as an Exhibit (P. A.)?

(d) Were there dismissals of two of the employees of the New Delhi Municipal Committee, Messrs. Hari Ram and Mirza Ali Beg, without calling for their explanation and without making any sifting inquiry into the facts?

(e) Were their appeals considered by the Deputy Commissioner, Delhi?

Sir Frank Noyce: (a) and (b). Yes. In June 1927 a charge of maltreatment and bribery was brought by certain shopkeepers. This was inquired into and the Committee found that, while Mr. Ram Narain might have been over-zealous in the discharge of his duties, the charge of receiving things gratis was not established. However, Mr. Ram Narain was severely reprimanded and warned. When the post of Tax Superintendent was created on 1st May, 1928, Mr. Ram Narain was transferred

†For answer to this question, see answer to question No. 467.

to it and thereby ceased to be connected with the supervision of the shops. In July 1928, another bribery charge was brought against him by two shopkeepers of Raja-ka-Bazar. This was inquired into by the Secretary, New Delhi Municipal Committee, who recorded the statements of the shopkeepers and other witnesses. The case was filed for want of proof.

A further bribery charge has now been brought and was to have been inquired into by a Sub-Committee on the 27th February.

(c) (i) and (ii). These were to have been inquired into by the Sub-Committee on the 27th February, 1930.

(iii) The Honourable Member is referred to the reply to parts (a) and (b). The entries in the account books were initialled and marked as Ex. P. A. by the Secretary of the New Delhi Municipal Committee in his capacity as such and not as Magistrate, New Delhi.

(d) Messrs. Hari Ram and Mirza Ali Beg were dismissed after searching inquiries had been made and their statements had been heard by the Secretary, who is empowered under the business bye-laws of the Committee to appoint and dismiss officials drawing less than Rs. 50 per mensem. Mr. Hari Ram's dismissal was upheld by the President.

(e) Both have appealed to the Deputy Commissioner and both have been placed under suspension pending further inquiries.

Mr. Abdul Latif Sahib Farookhi: Will the Honourable Member please state whether Ram Narain is in service or is under suspension during the inquiry?

Sir Frank Noyce: I have given the Honourable Member all the information I have at present.

Mr. Abdul Latif Sahib Farookhi: Are Government aware that the other two persons, Hari Ram and Mirza Ali Beg, are under orders of suspension pending the inquiry against them? Will Government please inquire whether the same treatment will be meted out to Ram Narain?

Sir Frank Noyce: I will make inquiries as to his position, but I imagine that from the statement I have already made that he is still in service.

Mr. Abdul Latif Sahib Farookhi: Are Government aware that the Committee appointed to inquire into the complaint made against Ram Narain consists of members who formed the Committee on previous occasions, and who exonerated him from blame? Will Government, in view of that, appoint an independent and impartial committee?

Sir Frank Noyce: I have informed the Honourable Member that I have given him all the information that I have.

CHANGE FOR REVISION OF PAY OF THE OFFICE ESTABLISHMENT OF THE TRUSTEES OF THE BRITISH MUSEUM, CALCUTTA.

474. ***Mr. S. C. Mitra:** (a) Will the Government be pleased to state whether the Legislative Assembly in September, 1921, voted a supplementary grant of Rs. 5,000 to meet the additional cost on account of the revision of pay of the office establishment of the Trustees of the Indian Museum, Calcutta?

(b) Was it decided at that time that the charge on account of the cost of the establishment of the Trustees of the Indian Museum falls on the Government of India and not on the Trustees of the Indian Museum?

(c) Did Government, after careful consideration, sanction, in 1922, a revised scale of pay for the office establishment of the Trustees of the Indian Museum?

(d) Was the whole amount of Rs. 5,000 referred to in part (a) placed at the disposal of the Trustees or was only the actual amount involved in the adoption of the sanctioned revised scale given to the Trustees through the Pay and Accounts Officer, Miscellaneous Central Departments, Calcutta?

(e) Was the balance of Rs. 5,000 thus left, treated as lapsed to Government or vested in the Trustees of the Indian Museum?

(f) Are the Trustees of the Indian Museum an autonomous body or have their powers and functions been specified and limited by the Act X of 1910?

(g) Do the Trustees of the Indian Museum receive a lump sum grant or an annual grant under three distinct heads, viz., (i) pay of the establishment, (ii) contingencies and (iii) rent, rates and taxes, from the general revenues?

(h) Do the Trustees contribute anything towards the upkeep of the Indian Museum?

(i) Is the monthly pay of the office establishment of the Trustees of the Indian Museum audited and paid by the Pay and Accounts Officer, Miscellaneous Central Departments, Calcutta, from the specific grant made by the Government of India for the purpose?

(j) Was the memorial of the late Head Clerk of the Trustees' Office, Indian Museum, rejected on the ground that he is not a Government servant?

(k) If the answer to part (j) is in the affirmative, who is a Government servant and what is Government service?

(l) Under what clause of the Government of India Act or any other statute does the charge on account of the cost of the establishment of a private employer fall on the Government of India, and how can the general revenues be utilized for the purposes of a private body?

Sir Frank Noyce: (a) Yes.

(b) No. The decision was taken in 1916.

(c) Yes.

(d) and (e). Only the amount required to meet the extra cost of the revision of pay was given to the Trustees. The balance was treated as having lapsed to Government.

(f) The powers and functions of the Trustees are those set out in the relevant sections of the Indian Museums Act X, 1910.

(g) Government make a lump annual grant-in-aid to cover charges under the heads mentioned by the Honourable Member.

(h) and (i). The information asked for is being collected and will be supplied to the Honourable Member when received.

(j) Yes.

(k) Government servant means any person in the civil service of the Crown in India; whether for the time being in foreign service or not, and Government service means civil service of the Crown.

(l) The Honourable Member would observe from entries No. 46 in Part I, and No. 42 in Part II of Schedule I to the Devolution Rules, that the Central Museum at Calcutta is a Central subject and therefore eligible to receive aid from Central revenues.

FRAUD PERPETRATED ON WORKMEN OF THE EAST INDIAN RAILWAY WORKSHOPS AT LUCKNOW.

475. ***Maulvi Muhammad Yakub:** (a) Are Government aware that on December 17th, 1929, certain employees at the Workshop No. 8, at Lucknow, East Indian Railway (Carriage and Wagon Shops), found that their thumb impressions were taken on an application which contained statements quite contrary to their wishes, and that when the illiterate workmen came to know of the fraud, which was being perpetrated upon them, they remonstrated and went on strike for a short time?

(b) If the facts stated in part (a) are correct, will Government be pleased to state what steps, if any, were taken by them against persons who were responsible for perpetrating fraud upon the illiterate workmen? If not, why not?

Mr. A. A. L. Parsons: (a) and (b). I have called for information from the Agent, East Indian Railway, and will send a reply to the Honourable Member when I receive his report. To relieve the Honourable Member's anxiety, I may say that, in this instance, I shall be prepared to place a copy of the reply, when received, on the table of the House.

LISTS OF STAFFS IN THE DEPARTMENTS OF THE GOVERNMENT OF INDIA.

476. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state whether each Department of the Government of India maintains an establishment list like the one maintained by the office of the Auditor General, giving a complete list of officers, superintendents, assistants and clerks and menials? If so, is that open to the public, more specially to those who compile directories? Is that open to inspection by the Members of the Central Legislature?

The Honourable Sir James Crerar: Each Department of the Government of India maintains a gradation or establishment list, though not necessarily in the exact form referred to by the Honourable Member.

The reply to the last two parts of the question is in the negative.

Mr. Anwar-ul-Azim: Will the Honourable the Leader of the House kindly tell us whether it is not a fact that the compilers of Liddell's Directory and another gentleman here in New Delhi have got in their directories lists of the establishments practically fully tallying with the establishment lists of the Government of India, and they are already in the Library of the House?

The Honourable Sir James Crerar: No, Sir, I have no information to that effect, but I am prepared to accept the Honourable Member's assurance.

RENT FOR ELECTRIC FANS IN NEW DELHI.

477. *Mr. Amar Nath Dutt: (a) Is it a fact that the Government of India have decided to treat electric fans fitted in Government quarters in New Delhi as part of the building since April 1924? If so, will Government be pleased to state whether, in contravention of their decision, any rent for electric fans was charged separately during the year 1929-30?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state the reasons therefor, and also state whether they intend to give any refund for the same? Do Government propose to discontinue charging rents for electric fans from April 1930? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: The reply to the first portion of the question is in the negative, so far as the period from the 1st April, 1924, to 31st March, 1929, is concerned. As regards the period from the 1st April, 1929, the matter is under consideration of Government and the rest of the question therefore does not arise.

ENTRANCE TO THE EAST INDIAN RAILWAY OFFICES IN CLIVE STREET.

478. *Mr. Amar Nath Dutt: (a) Is it a fact that the use of the Clive Street gateway of the East Indian Railway offices at Fairlie Place, Calcutta, is restricted between 9 A.M. to 10-15 A.M. and 4-30 P.M. to 5-30 P.M.? If so, why?

(b) Is it a fact that gentlemen in Indian dress who want to reserve berths or ascertain rates are not allowed the use of the gateway? If so, why?

(c) Is it a fact that the Clive Street gate is the nearest entrance from Dalhousie Square, which is the terminus of tramcars and buses? Is it also a fact that the employees have to undergo a long walk through a circuitous route, owing to the closing of the Clive Street gate? Do the Government propose to open the Clive Street gate to the employees? If not, why not?

(d) Will Government be pleased to state whether two electric lifts have been provided in the East Indian Railway office building at Fairlie Place, Calcutta? If so, will Government be pleased to state whether Indian employees are allowed to use them? If not, why not?

Mr. A. A. L. Parsons: I am ascertaining from the Agent of the East Indian Railway what the present procedure is regarding the matters in question and will furnish the Honourable Member with information on these points.

GROWTH OF MILITARY EXPENDITURE.

479. *Sir Hari Singh Gour: (a) Are the figures given at page 336 of the Central Committee's Report showing the growth of Military expenditure since 1910 correct?

(b) If not, what are the correct figures for the years mentioned therein?

The Honourable Sir George Schuster: (a) and (b). The figures are correct, except for a few mistakes which are apparently printer's errors. I lay on the table a statement showing the correct figures for the years in which printer's errors have been noticed.

The remark against the amount for 1920-21 is not correct as the figures do not include loss by exchange.

Statement showing the correct figures of Military expenditure for certain years.

Year.	Gross or Net expenditure.	As shown in the Report.	Correct figures.
1916-17	Net .	£ 24,993,811	£ 24,990,811
1919-20	Net .	57,986,087	57,985,087
1924-25	Gross .	Rs. 59,66,54,877	Rs. 59,66,51,877
1925-26	Gross .	60,32,37,045	60,39,37,045
1926-27	Gross .	60,91,63,899	60,91,63,889
	Net .	55,96,95,835	55,96,95,825

CAPITATION CHARGES FROM THE ARMY.

480. *Sir Hari Singh Gour: (a) Will Government be pleased to state the amount of capitation charges since 1910 up to date?

(b) Were the rates of such charges recently revised? If so, with what result?

(c) Have the Government of India been a consenting party to their payment?

(d) If so, will they be pleased to state on what ground is India liable for the training of a part of the British Army stationed in India?

(e) If not, what steps have Government so far taken to relieve the revenues of India from that annual contribution?

The Honourable Sir George Schuster: (a) I lay a statement on the table showing the payments made in each year from 1914-15 onwards. The information in respect of the four preceding years will be supplied to the Honourable Member later.

(b) The latest revision of rates took place between 1920 and 1922 in order to allow for increases in pay and prices since 1908 when the former rate was fixed. The result is shown in the statement which I am laying on the table.

(c), (d) and (e). As the Honourable Member is probably aware, the whole question of the capitation payments has been raised by the Government of India and is now under discussion with His Majesty's Government. I am afraid that I cannot at the moment say more than that, although I hope that it will be possible for the Government of India to make a statement on the subject in the near future.

Statement showing the capitation payments made in each year from 1914-15 onwards.

Year.	Army.	R. A. F.	Total.
	£	£	£
1914-15	861,700	..	861,700
1915-16	861,700	..	861,700
1916-17	861,700	..	861,700
1917-18	861,700	..	861,700
1918-19	861,700	..	861,700
1919-20	861,700	..	861,700
1920-21	1,896,000	100,000	1,996,000
1921-22	1,896,000	92,000	1,988,000
1922-23	1,702,000	95,500	1,797,500
1923-24	1,700,000	99,700	1,799,700
1924-25	1,455,000	97,600	1,552,600
1925-26	1,400,000	100,400	1,500,400
1926-27	1,400,000	98,150	1,498,150
1927-28	1,400,000	98,150	1,498,150
1928-29	1,400,000	103,125	1,503,125
1929-30 (Revised)	1,400,025	106,275	1,506,300
1930-31 (Budget)	1,400,025	106,275	1,506,300

Sir Hari Singh Gour: May I know when the question was raised for the first time by the Government of India?

The Honourable Sir George Schuster: I am afraid I cannot give the Honourable Member the exact date. It has been a subject of correspondence for a number of years, having been started before my own connection with my present office. I can inform the Honourable Member that it has been under active discussion during the whole of the past twelve months.

Sir Hari Singh Gour: Is it not the fact that this question has been alive since the last eighteen or twenty years, and in the meantime, while no change in the amount has been made, payment has been made from year to year? May I know whether, if the settlement is finally reached in favour of the Government of India, all the past payments will be refunded to the Government of India?

The Honourable Sir George Schuster: I think, Sir, that the last part of the question is distinctly hypothetical. It is very difficult to make any further statement on the subject now, other than that which I have already made.

Sir Hari Singh Gour: What machinery do the Government of India now propose to employ for the purpose of settling this question?

The Honourable Sir George Schuster: I cannot answer that question, Sir, without anticipating the information which I hope to be able to give this House at an early date.

Sir Hari Singh Gour: May I know whether, in a matter like this, there is any independent machinery for the purpose of settling the dispute between the Government of India and the Home Government?

The Honourable Sir George Schuster: I can, I think, go as far as this in informing the House of the present position of affairs, that one of the most important questions which has been the subject of our recent discussion with His Majesty's Government, has been the form of machinery which shall be employed in settling this very important question.

Sir Hari Singh Gour: Will the Government of India take this House into confidence and consult us as to the suitability and adequacy of the machinery employed for the purpose?

The Honourable Sir George Schuster: It has been our intention, Sir—and that has appeared in our correspondence—to take this House into our confidence before any definite step is taken.

Pandit Hirday Nath Kunzru: May I ask whether the question of the capitation rate was discussed with His Majesty's Government in connection with the present Budget?

The Honourable Sir George Schuster: No, Sir; it was not discussed in connection with the current Budget; it raises much wider issues of a permanent nature.

Dr. B. S. Moonje: Do the Government see the enormity of the question that India is made to pay for the training of the British Army?

The Honourable Sir George Schuster: There are a number of important issues raised in connection with this question, as my Honourable friend is well aware; he can rest assured that everything that can be said on behalf of Indian interests in this matter has been said very vigorously by the Government of India.

Dr. B. S. Moonje: Do the Government of India propose to take the leaders on the non-official side into consultation while settling this question or tendering their advice to His Majesty's Government?

Mr. Vidya Sagar Pandya: And leave the other Members out? (Laughter.)

(No answer was given.)

EQUIPMENT OF THE INDIAN ARMY.

481. ***Sir Hari Singh Gour:** (a) What has been the cost of re-equipment of the Indian Army?

(b) How often has it been re-equipped since 1920? How long does its equipment last, and what are the determining factors in sanctioning its re-equipment?

(c) Is the Army in India equipped and re-equipped as a part of the Imperial forces ready to take the field anywhere, even in Europe, at a moment's notice?

Mr. G. M. Young: (a) and (b). The Honourable Member will find all the information available in the statement that I made on the 5th of September, 1928, and in the memorandum that I then laid on the table. It is obvious that re-equipment of one kind or another is always going on and that the life of the innumerable articles of Army equipment varies enormously. The special programme of re-equipment, which is going on

now, has been estimated to cost something like 10 crores spread over a period of five years.

(c) No, Sir. The Army in India is maintained for the defence of India, and is equipped accordingly.

MECHANISATION OF THE INDIAN ARMY.

482. *Sir Hari Singh Gour: (a) What is the cost of mechanisation of the Indian Army?

(b) Is it confined to the British troops in India?

(c) Does the mechanisation follow the Cardwell system? When did it begin? How long will it continue and what will be its ultimate cost (both capital and recurring)?

Mr. G. M. Young: (a) About Rs. 1 crore were spent on the mechanisation programme last year and the Budget for 1930-31 contains a provision of about Rs. 60 lakhs for the same purpose.

(b) No, Sir.

(c) The reasons for, and the history of the growth of, the policy of mechanisation were fully explained in the statement that I have referred to in the answer to the previous question. Mechanisation is merely modernisation. It began when the motor vehicle began to replace the horse. It has nothing to do with the Cardwell system. How long it will continue, to what extent it will be developed and what it will cost, are all questions that the future alone can answer.

MILITARY EXPENDITURE IN INDIA.

483. *Sir Hari Singh Gour: (a) What is the total annual amount of military expenditure in India taking into account the expenditure—both direct and indirect—the latter including:

(i) loss on the strategic railways and cost and maintenance of strategic roads, and the cost of the Royal Indian Marine; and

(ii) the expenditure classified as political including payments made to Khasedars, and on account of the Military Police Frontier Constabulary; maintenance of hospitals, sanatoria and schools mainly for the health and convenience of British troops and their families; workshops and factories maintained for military purposes?

(b) Do Government propose to show in the Budget all such expenditure under the head "Military"?

The Honourable Sir George Schuster: (a) and (b). I would refer the Honourable Member to the Finance and Revenue Accounts of the Government of India. I may, however, say that I think it would be misleading to treat the whole of the items to which the Honourable Member refers, as military expenditure. But, if the Honourable Member will speak to me on the subject, I will endeavour to have an informative statement extracted from the Finance and Revenue Accounts.

MILITARY EXPENDITURE IN INDIA.

484. *Sir Hari Singh Gour: (a) Are Government aware that it was decided in the Financial Conference at Brussels, in which India was represented, that a country which spent more than 20 per cent. of its revenue upon its defence was courting a serious disaster?

(b) What action have Government taken to bring its military expenditure into line with the decision of the Brussels conference?

The Honourable Sir George Schuster: I would invite the Honourable Member's attention to the reply given by my predecessor to a similar question by the Honourable Member himself on the 25th January, 1926. In this reply it was pointed out that the text of the Brussels Resolution was not in exact accord with the Honourable Member's version. I may add that for the year 1928-29, the latest year for which accounts are available, the total national expenditure of India, including that of the Provincial Governments, but excluding the working expenses of the Railways and of the Posts and Telegraphs and Irrigation Departments was about Rs. 218·81 crores. The net military expenditure was 55·10 crores which amounts to 25 per cent. against 27 per cent. in 1924-25. On the next year's budget proposals I estimate that the percentage will again be considerably reduced. I would invite the Honourable Member's attention to paragraphs 33 and 34 of my speech introducing the next Budget, where I have referred to the definite sign that Army expenditure is really to be reduced.

MILITARY EXPENDITURE IN INDIA.

485. *Sir Hari Singh Gour: (a) Is it a fact, as reported in the papers, that the proposals of Government for retrenchment of the military expenditure have been overruled by Whitehall?

(b) If so, will Government be pleased to lay on the table a copy of the correspondence on the subject?

Mr. G. M. Young: (a) No, Sir.

(b) Does not arise.

MILITARY EXPENDITURE IN INDIA.

486. *Sir Hari Singh Gour: Will Government be pleased to state the amount of the military expenditure restored wholly or partially, or added to, after its retrenchment in consequence of the recommendations of the Inchcape Committee?

Mr. G. M. Young: As far as I am aware, none of the measures of economy carried out as a result of the recommendations of the Inchcape Committee have since been reversed or neutralized.

EXPENDITURE ON THE CIVIL ADMINISTRATION.

487. *Sir Hari Singh Gour: (a) Are Government aware that its expenditure on the civil administration in relation to its revenue is far in excess of that incurred in any other part of the British Commonwealth?

(b) Will Government be pleased to lay on the table a statement showing the percentage of revenue allotted to civil and military expenditure of the Central Government during the last ten years, and a similar statement relating to Canada, Australia and South Africa?

The Honourable Sir George Schuster: (a) Government are not aware of this fact.

(b) Information is being collected and will be furnished to the Honourable Member in due course.

Sir Hari Singh Gour: In view of the importance of the question, will the Honourable Member, after the information is collected, please lay it on the table?

The Honourable Sir George Schuster: Certainly.

ALLEGATIONS AGAINST LALA RATAN LAL, FORMERLY HEADMASTER OF THE
GOVERNMENT HIGH SCHOOL, DELHI.

488. ***Maulvi Muhammad Yakub:** (a) For how many years was Lala Ratan Lal, Headmaster of the Government High School and Assistant Superintendent of Education in Delhi?

(b) Were any complaints made against him as being an anti-Muslim?

(c) How many Muslim schools were there in Delhi, as long as Lala Ratan Lal was there, and how many Muslim schools were opened and how many existing schools were raised to a higher status since his departure?

(d) Is it a fact that Lala Ratan Lal is again to be transferred to Delhi as an Assistant Superintendent of Education and is shortly to be promoted to the post of Superintendent of Education in Delhi?

(e) Do Government propose to make an inquiry into the past activities of the said Lala Ratan Lal and reconsider the proposal of his being transferred to Delhi?

Sir Frank Noyce: The information required by the Honourable Member is being collected and will be supplied to him later.

APPOINTMENT OF MUSLIMS TO CERTAIN DEPARTMENTS IN AJMER-MERWARA.

489. ***Mr. Abdul Latif Sahib Farookhi:** (a) What is the total number of gazetted officers in the Revenue, Excise, Income-tax, Forest, Police, Public Works, Co-operative Societies, and Medical Departments in Ajmer-Merwara?

(b) Are Government aware that there is no Muslim gazetted officer in the said departments in Ajmer-Merwara, though the Muslims form about 20 per cent. of the total population of the province?

(c) Is it a fact that during the last four years a number of gazetted posts in the said Departments in Ajmer-Merwara have been filled in by the appointment of non-Muslims from outside Ajmer-Merwara and by the promotion of non-Muslim non-gazetted officers in Ajmer-Merwara?

(d) How many officers, not previously in the service of the Ajmer-Merwara Administration as gazetted officers, have been appointed to gazetted appointments in the said Departments in Ajmer-Merwara during the last four years?

(e) Do Government propose to fix an adequate proportion of the gazetted appointments in the said Departments of Ajmer-Merwara for the Muslims? If not, why not?

Mr. E. B. Howell: The information required is being collected and will be supplied to the Honourable Member in due course.

APPOINTMENT OF ASSISTANT SUPERINTENDENT OF EDUCATION,
AJMER-MERWARA.

490. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that the present Assistant Superintendent of Education, Ajmer-Merwara, is a third division M.A., B.Sc., of an Indian University without any qualifications in educational training?

(b) Is it a fact that the present Assistant Superintendent of Education, Ajmer-Merwara, was appointed to the post of the Assistant Superintendent of Education in supersession of the Headmaster of a Government high school at Ajmer?

(c) Is it a fact that the Headmaster referred to in part (b) possessed a first class training and qualifications and was senior to the present Assistant Superintendent of Education before his appointment to the said post in grade, actual pay, and length of service?

(d) Is it a fact that the work of the Assistant Superintendent of Education, Ajmer-Merwara, is to supervise and administer primary education and a part of secondary education?

(e) Is it a fact that the gentleman, who gave evidence on behalf of the Nasirabad Cantonment Board, before the Primary Education Committee of the Government of India, pointed out to the said Committee the inadequacy of the qualifications of the present Assistant Superintendent of Education for the proper supervision and administration of primary education?

(f) Do Government propose to appoint, immediately, an experienced officer well-qualified in educational training to the post of the Assistant Superintendent of Education, Ajmer-Merwara? If not, why not?

Sir Frank Noyce: With your permission, Sir, I shall deal with questions Nos. 490 and 497—500 together. The information asked for in these questions is being collected and will be supplied to the Honourable Member later.

Mr. Abdul Latif Sahib Farookhi: Will the Honourable Member please state the reasons why he is not able to collect the information in time so as to enable the House to be in possession of these answers?

Sir Frank Noyce: I think, Sir, it will be seen from the questions put by the Honourable Member that enquiries have to be made into a number of details and these necessarily take time. I did my best to collect the information for the Honourable Member in time to permit of the questions being answered today, but unfortunately was unable to do so.

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LEGISLATIVE ASSEMBLY.

[5TH MAR. 1930.]

TERMS OF ACQUISITION BY GOVERNMENT OF CERTAIN RAILWAYS.

491. *Mr. B. Das: (a) In reference to paragraph 208, page 64, of the Acworth Committee's Report, will Government be pleased to state the share capital invested by each of the Companies, (i) Assam Bengal Railway, (ii) Bengal Nagpur Railway, (iii) Bengal and North Western Railway, (iv) Madras and Southern Mahratta Railway, (v) Bombay, Baroda and Central India Railway, and (vi) South Indian Railway and the capital invested by the Government of India in each case?

(b) Will Government be pleased to indicate in each case the amount of money to be repaid in case acquisition takes place?

(c) Will Government be pleased to state the present market quotation in case of the Assam Bengal Railway? Has it gone up above 45 as quoted in paragraph 208 of Acworth report?

Mr. A. A. L. Parsons: (a) I placed on the table a statement showing (1) the total capital at charge of the railways mentioned on 31st March, 1929, (2) the share capital of the companies managing them. For further particulars, if desired, I would refer the Honourable Member to accounts Nos. 25, 25A and 25B of the Finance and Revenue Accounts of the Government of India, copies of which will be found in the Library.

(b) With the exception of the Bengal and North Western Railway, all the lines referred to are already owned by Government and the cash payment involved when and if their management is taken over by Government on the termination of the contracts with the Companies is represented by the par value of the Companies' share capital in each case; in addition to this existing liabilities and debts of the Company incurred with the sanction of the Secretary of State have also to be taken over by Government. The payment likely to be involved in the purchase of the Bengal and North Western Railway is estimated approximately at a little over £10 million sterling.

(c) The market quotation of the ordinary stock was 91 in December.

Statement showing capital at charge and Share Capital of certain Railways.

	Total capital at charge on 31st March, 1929 (in lakhs of Rs.)	Share capital of Coys. on 31st March, 1929 (in millions of pounds).
(i) Assam Bengal Railway	21.62	1½
(ii) Bengal Nagpur Railway	71.61	3
(iii) Bengal and North Western Railway	11.38 (Coys. Lines). 9.26 (State portion, i.e., Tirhoot Railway).	6 (3 ordy. stock & 3 preference stock).
(iv) Madras and Southern Mahratta Rail- way	54.75	5
(v) Bombay, Baroda and Central India Railway	70.24	2
(vi) South Indian Railway	35.88	1

PRICE OF PURCHASE OF THE BENGAL AND NORTH WESTERN RAILWAY.

492. *Mr. B. Das: (a) In reference to the statement made by the Honourable the Railway Member and the Financial Commissioner of Railways on the floor of the House, that the price of purchase of the Bengal and North Western Railway was fixed at 12 millions sterling subject to revision, will Government be pleased to state how much of it is capital invested and how much of it is goodwill?

(b) Did the Acworth Committee make any recommendations regarding prices to be paid to Bengal and North Western Railway at the time of its purchase?

Mr. A. A. L. Parsons: (a) The method by which the purchase price of the Bengal and North Western and the Rohilkhand and Kumaon Railways is to be determined is indicated on pages 13-14 and 180-181 of the History of Indian Railways corrected up to 31st March, 1928, a copy of which is in the Library. It will be seen that the terms of purchase do not specifically make any provision for goodwill.

(b) No.

PURCHASE PRICE OF THE ASSAM BENGAL RAILWAY.

493. *Mr. B. Das: Will Government be pleased to state if they have borne in mind the following observations of the Acworth Committee, paragraph 208, page 64, in their fixing of the purchase price of the Assam Bengal Railway:

"We should hesitate to advise that the Secretary of State should pay off at par in 1931 shares now standing at 45. But the company is not important and there is ample time for consideration of this exceptional case between now and 1931."

Mr. A. A. L. Parsons: Government are aware of these observations of the Acworth Committee. I may point out, however, that the Assam Bengal Railway is already the property of Government, and there is, strictly speaking, no question of fixing its purchase price. The terms of the existing contract provide for the repayment of the share capital and of existing liabilities, including debentures sanctioned by the Secretary of State, on its determination.

DONATIONS FROM THE MILITARY BUDGET FOR NON-OFFICIAL CHARITIES.

494. *Dr. B. S. Moonje: (a) Will Government please state if it is a fact that donations for non-military non-official charities are made yearly out of the military Budget?

(b) If so, will Government please state what sums have been yearly paid during the last five years for such charities?

(c) Is it a fact that a donation was paid to what is known as the Ex-Services Association during the last year for repatriation in the shape of six passages?

(d) If so, will Government please state:

- (i) to whom these passages were given,
- (ii) to which places,
- (iii) for what purpose,

(iv) the total cost of these six passages, and

(v) whether these persons were at the time in service of the Government?

(e) Will Government be pleased to lay on the table a copy of the rules, if any, in force in the matter?

Mr. G. M. Young: (a) and (c). No, Sir.

(b), (d) and (e). Do not arise.

Dr. B. S. Moonje: Has the Honourable Member seen the report that six passages were given by the Military Department to ex-Service men?

Mr. G. M. Young: I have seen no more than what is contained in my Honourable friend's question.

ACCIDENT AT A LEVEL CROSSING ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

495. ***Dr. B. S. Moonje:** (a) Has the attention of Government been drawn to the report of an accident on the Bombay, Baroda and Central India Railway in the papers of the 17th February, 1930 in which it is reported that "one cart was run over by 42 up yesterday (*i.e.*, on the 13th February, 1930) at the level crossing No. 106 at mile 120-11 between Sindkheda and Dondaichi at 6 A.M." and that "the cart was entirely broken, one man killed and one injured who has been sent to the Nandurbar Hospital for treatment"?

(b) If so, will Government please state how many similar accidents at the level crossing on the different railway lines have occurred every year during the last five years?

(c) Do Government propose to build underground roads at such level crossings to prevent such accidents?

(d) Do Government propose to compensate the dependants of the men killed and wounded, and if so, how?

(e) How many times were compensations paid on account of such accidents during the last five years and what were the amounts paid on each occasion?

Mr. A. A. L. Parsons: (a) Yes.

(b) Prior to the 1st April, 1927, separate figures were not maintained of the number of accidents at railway level crossings. During the financial year 1927-28 there were 136 cases of trains running over obstructions or vehicles at level crossings. In 1928-29 there were 120 such cases.

(c) The policy of Government is that underground or overhead roads should be provided at railway crossings where road traffic is sufficiently heavy to require it.

(d) The Government Inspector's report of his inquiry into this accident has not yet been received and I am unable to say whether compensation will be payable or not.

(e) I am obtaining this information and will communicate later with the Honourable Member.

PAY OF EMPLOYEES IN CIRCLE OFFICES OF THE ARCHÆOLOGICAL DEPARTMENT.

496. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if full time-scales of pay have been introduced in the case of the ministerial staff of the Circle offices of the Archæological Department? If not, why not?

(b) Are the scales of pay in all the Circle offices standard? If not, are they based on local requirements? Are they similar to the scales of pay of the Local Government offices?

(c) Are the scales of pay of the gazetted and non-gazetted staff of almost all the Departments of Local Governments or the Central Government fixed on a full time-scale basis?

(d) If the reply to part (c) is in the affirmative, why have the ministerial staff of the Circle offices of the Archæological Department been deprived of that benefit?

(e) Do Government propose to settle the lot of the employees in the Circle offices of the Archæological Department in the near future?

Sir Frank Noyce: (a) The answer to the first part of the question is in the affirmative. The second part does not, therefore, arise.

(b) The scales of pay in the different Circles are not uniform. They have been fixed according to local conditions of supply and demand; and with due regard to the nature of the work. The scales of pay fixed by Local Governments are followed only in so far as the nature of the work to be performed justifies this.

(c) The information is not readily available.

(d) In view of the answer given by me to the first half of part (a) of this question, the question in part (d) does not arise.

(e) I am afraid I do not altogether follow my Honourable friend's question. If he has any special grievance of the Archæological staff in any Circle in mind, I shall be glad if he will bring it to the notice of Government who will certainly look into the matter.

Sir Hugh Cocke: May I, with your permission, ask question No. 443? I was detained at a Select Committee meeting this morning, and I received the questions only this morning so that I could not make any arrangements for anybody else to ask the question.

Mr. President: The Honourable Member should have informed the Chair.

Sir Hugh Cocke: I was in Select Committee from 10 O'clock till ten minutes past eleven.

Mr. President: He should have sent across a chit.

RULES FOR LICENSING AND TAXATION OF MOTOR VEHICLES.

443. ***Sir Hugh Cocke:** (a) Are Government aware of the troublesome variations in the rules and regulations affecting the licensing and taxation of motor vehicles at present in force in the different provinces?

(b) Do Government propose to place this matter before the Standing Committee for Roads as early as possible with a view to the standardisation of these rules?

The Honourable Sir Bhupendra Nath Mitra: (a) The Government of India are aware that there are considerable variations in the rules.

(b) The matter does not come within the functions of the Standing Committee for Roads. In paragraph 89 of their Report the Indian Road Development Committee recommended that these subjects might conveniently be discussed at the periodical Road Conferences. This suggestion will be considered by the Government of India.

ADMINISTRATION OF THE ANGLO-ARABIC COLLEGE, DELHI.

†497 ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state whether it is a fact that:

- (a) the Government Anglo-Arabic College, Delhi is an aided institution and is in receipt of a grant-in-aid under Government rules;
- (b) the Chief Commissioner of Delhi is the Trustee of the College Itmaddowla Fund, keeps a separate account in his office, issues all cheques and disburses salary bills, etc.;
- (c) the Chief Commissioner of Delhi nominates the members of the managing committee (governing body) of the college;
- (d) the Muslims of Delhi have absolutely no hand and say in the matter of selection of members of the College Committee;
- (e) the Deputy Commissioner of Delhi is the *ex-officio* President of the College Managing Committee, and
- (f) a non-official President from among the members of the Committee or elsewhere has never been appointed in the history of the College?

RULES FOR LEAVE AND PROMOTION OF THE STAFF OF THE ANGLO-ARABIC COLLEGE, DELHI.

†498. ***Mr. Abdul Latif Sahib Farookhi:** (a) With reference to the reply to my starred question No. 834 of the 24th September, 1929, will Government be pleased to lay a copy of the rules governing the leave of the staff of the Government Anglo-Arabic College, Delhi, on the table of the House?

- (b) Are these rules printed and supplied to the members of the staff?
- (c) Will Government be pleased to obtain the information, regarding the rules governing promotion of the staff of the Anglo-Arabic College, Delhi?

APPOINTMENT OF THE PRINCIPAL OF THE ANGLO-ARABIC COLLEGE, DELHI.

†499. ***Mr. Abdul Latif Sahib Farookhi:** (a) How many applications for the post of the Principal of the Arabic College, Delhi, were received? What are the names and qualifications of those applicants and on what grounds was preference given to Mr. Walker?

(b) Is it a fact that the principals of the St. Stephen's College and the Hindu College, Delhi, get comparatively less pay than Mr. Walker?

†For answer to this question, see answer to question No. 490.

(c) What are the academical qualifications of Mr. Walker? From which University and in which division and year did he pass his M. A. and in which degree college or colleges did he teach before and what subjects?

(d) Is it a fact that the pay of Mr. Walker is Rs. 850 per mensem and that the late principal used to get only Rs. 300 per mensem?

(e) Is it a fact that the Vice-Principal gets Rs. 185 and that there is no professor on more than Rs. 200 per mensem?

(f) Can Government quote any degree college where the difference of pay of the Principal and the Vice-Principal or the other staff is so great?

(g) Is it a fact that on account of the poor state of finances and with a view to meet the high pay of the Principal, highly paid professors have been dispensed with on one plea or another and that promotions to deserving men at present working in the institution are refused and low paid men are entertained?

DELAY IN THE PAYMENT OF SALARIES OF TEACHERS IN THE ANGLO-ARABIC COLLEGE, DELHI.

†500. ***Mr. Abdul Latif Sahib Farookhi:** (a) With reference to the answer to my starred question No. 841 of the 24th September, 1929, will Government be pleased to state whether it is a fact that the professors and teachers of the Anglo-Arabic College get their pay a week and sometimes ten days after the date when it becomes due? What are the reasons for it?

(b) Have Government considered the question of overhauling the whole staff and appointing a lower paid and competent Muslim Principal to this institution? If not, why not?

(c) Have Government considered the question of appointing an elected non-official President when occasion arises from among the elected members of the Managing Committee? If not, why not?

UNSTARRED QUESTIONS AND ANSWERS.

OVERWORKED SUB-DIVISIONAL INSPECTORS OF POST OFFICES.

188. **Mr. N. C. Kelkar:** (a) Is it a fact that the work of the Sub-Divisional Inspectors has abnormally increased in various ways owing to the scheme of giving better postal facilities, etc., to the public in rural areas?

(b) Are Government aware that it has become impossible for the Sub-Divisional Inspectors to manage their Sub-Divisions satisfactorily?

(c) If so will Government kindly state what steps are being taken to improve the state of things?

Mr. H. A. Sams: (a) There has been some increase in the work of Inspectors for the reasons stated by the Honourable Member, but Government do not consider that it has been in any way abnormal.

(b) No, because additional appointments of Inspectors have been sanctioned where necessary to cope with the increase of work.

(c) Additional Sub-Divisional Inspectorships of Post Offices will be created as required.

†For answer to this question, see answer to question No. 490.

APPOINTMENT OF DIVISIONAL SUPERINTENDENTS OF POST OFFICES.

189. **Mr. N. C. Kelkar:** Will Government be pleased to state how many appointments of Divisional Superintendents of Post Offices were filled up by men promoted from the Sub-Divisional Inspectors and Head Clerks to Superintendents during the last five years?

The Honourable Sir Bhupendra Nath Mitra: Six.

PAY OF CERTAIN SUB-DIVISIONAL INSPECTORS AND HEAD CLERKS TO SUPERINTENDENTS OF POST OFFICES.

190. **Mr. N. C. Kelkar:** (a) Are Government aware that the Sub-Divisional Inspectors and Head Clerks to Superintendents of Post Offices who held such appointments prior to the 1st December 1919 had to suffer monetary loss by not getting one increment for every year of past service as Inspector or Head Clerk and by not getting any increment for past service prior to 1st September, 1927?

(b) If so, will Government be pleased to state the grounds on which their prayer for advance increments under Fundamental Rule 27 was rejected by the Director General, Posts and Telegraphs, in his No. 696-Est./29, dated the 24th October, 1929?

The Honourable Sir Bhupendra Nath Mitra: (a) Government are aware of the facts stated by the Honourable Member, but they do not admit that the officials in question were treated unfairly.

(b) The attention of the Honourable Member is invited to item 4 (e) of Part I of the statement of grievances represented by the deputation of the All-India (including Burma) Postal and Railway Mail Service Union and of the conclusions arrived at as laid on the table of this House on the 4th March, 1926, and also the reply given to Mr. N. M. Joshi's unstarred question No. 318 in the Legislative Assembly on the 11th March, 1929.

DUTIES OF SUPERINTENDENTS AND SUB-DIVISIONAL INSPECTORS OF POST OFFICES IN THE BOMBAY CIRCLE.

191. **Mr. N. C. Kelkar:** (a) Will Government be pleased to state:

- (i) the nature of duties and responsibilities of a Superintendent of Post Offices and that of a Sub-Divisional Inspector in the Bombay Circle;
- (ii) the average number of clerical staff under the control of a Divisional Superintendent and that of Delivery and Menial staff under the control of a Sub-Divisional Inspector;
- (iii) the number of clerks ordinarily sanctioned for a Divisional Superintendent's office and that for a Sub-Divisional Inspector;
- (iv) the average number of offices inspected by a Divisional Superintendent and that by a Sub-Divisional Inspector in Bombay Circle?

(b) If no clerk has been given to a Sub-Divisional Inspector will Government be pleased to state what steps are being taken to relieve him of the heavy clerical work?

Mr. H. A. Sams: (a) (i) Government are unable to give, within the scope of a reply to a question, details of the duties and responsibilities of a Superintendent of Post Offices and of a Sub-Divisional Inspector, respectively, in the Bombay Circle. But generally speaking it may be stated that a Superintendent is responsible for the postal administration of his Division while a Sub-Divisional Inspector assists him in matters of administrative detail in connection with a portion only of the Divisional area.

(ii) Government do not possess the information and do not propose to call for it, as to collect it for the whole of India and Burma would involve an expenditure of time and labour out of all proportion to the importance of the result.

(iii) Four and nil, respectively.

(iv) 35 and 61, respectively. The former figure, however, comprises the more important offices.

(b) Government do not consider that the clerical work of an Inspector is heavy or that there is any justification for the appointment of a clerk to help him with it.

APPOINTMENTS OF SUB-DIVISIONAL INSPECTORS IN THE BOMBAY POSTAL CIRCLE.

192. **Mr. N. C. Kelkar:** Will Government be pleased to state the total number of appointments of Sub-Divisional Inspectors in the Bombay Postal Circle existing on 31st March, 1922 and 31st March, 1926, and the total number of additional appointments of Sub-Divisional Inspectors in the same Circle sanctioned since then?

Mr. H. A. Sams: The totals are 45 and 38, respectively, but the first figure contains four appointments in Sind, which was subsequently separated from the Bombay Circle. Since the 31st March, 1926, four additional appointments of sub-divisional inspectors have been sanctioned for the Bombay Circle.

APPOINTMENT OF DIVISIONAL SUPERINTENDENTS OF POST OFFICES.

193. **Mr. N. C. Kelkar:** (a) Is it a fact that Sub-Divisional Inspectors are not promoted to the appointments of Divisional Superintendents of Post Offices like officials of similar status in Revenue, Police and other Departments?

(b) If so, are Government prepared to consider the question of promoting the Sub-Divisional Inspectors as Divisional Superintendents of Post Offices without age limit, etc.?

The Honourable Sir Bhupendra Nath Mitra: (a) Inspectors of Post Offices and Inspectors, Railway Mail Service, are not debarred from promotion to posts of Superintendents of Post Offices, which they may attain under the departmental regulations. A comparison with other Departments would be misleading as conditions in these are not the same.

(b) Government regard the existing system as suitable and do not propose to change it.

STRENGTH OF SUB-DIVISIONAL INSPECTORS OF POST OFFICES.

194. **Mr. N. C. Kelkar:** Will Government be pleased to state the present standard, fixed for determining the strength of Sub-Divisional Inspectors of Post Offices?

Mr. H. A. Sams: As a general rule, an Inspector is required to devote 144 days in a year to the actual work of inspection and verification. In special cases, however, a somewhat lower standard is sometimes admitted.

PROBATIONARY SUPERINTENDENTS OF POST OFFICES.

195. **Mr. K. C. Neogy:** Will Government be pleased to state:

- (a) If it is a fact that there are 15 Probationary Superintendents of Post Offices at present?
- (b) What is the distribution at present among the different Circles and on what basis the distribution of Probationary Superintendents is made?
- (c) Whether it is a fact that the number of Probationary Superintendents recruited is usually so regulated as to make them permanent within two years? If so, is not the number of Probationary Superintendents at present excessive?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The present distribution is as shown below:

Bengal and Assam	3
Bihar and Orissa	2
Bombay	2
Central Circle	1
Madras	1
Punjab and North-West Frontier	3
United Provinces	1
Sind and Baluchistan	2

They are ordinarily attached for training to the Circles where the vacancies to which they are appointed occur.

(c) The guiding principle for regulating recruitment of Probationary Superintendents is as stated by the Honourable Member. As regards the second part of the question, Government understand that the possibility of reducing the number of Probationary Superintendents is now being examined by the Director General.

APPOINTMENT OF SUPERINTENDENTS OF POST OFFICES.

196. **Mr. K. C. Neogy:** (a) Is the Director General of Posts and Telegraphs prepared to consider the question of increasing the ratio of departmental men to Probationary Superintendents in filling up permanent vacancies of Superintendents of Post Offices?

(b) What does a Probationary Superintendent cost the Government before he is confirmed? Is it not possible to cut down this cost in any way, without hampering the efficiency of the Department?

(c) Is it a fact that permanent vacancies of Superintendents are filled up in the proportion of one Probationary Superintendent to one departmental passed candidate, whereas in the case of officiating vacancies Probationary Superintendents are given preferential treatment without considering their relative seniority along with the departmental passed candidates?

(d) Are Government prepared to lay down that the same principle as is followed in filling up permanent vacancies should be observed in filling up officiating vacancies as well?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) A Probationary Superintendent is paid Rs. 200 a month. The extent of the period of his probation depends on vacancies in the Superintendents' grade. The cost on account of a Probationary Superintendent therefore varies according to his period of probation. As regards the second part of the question, the Honourable Member's attention is invited to the reply which I have given to the second part of part (c) of his unstarred question No. 195.

(c) Permanent vacancies are filled by qualified Probationary Superintendents and qualified departmental officials alternately. Arrangements for filling officiating vacancies are, under the orders of the Director General, made by the Head of the Circle in which the vacancies occur as he thinks best and most convenient.

(d) Government are not prepared to interfere with the discretion vested in the Director General, Posts and Telegraphs.

APPOINTMENTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

197. **Mr. K. C. Neogy:** (a) What are the numbers of appointments in the various time-scales in the office of the Director General of Posts and Telegraphs?

(b) What is the number of selection grade appointments in that office?

(c) What is the proportion of selection grade appointments to time-scale appointments in that office and how, favourably or unfavourably, does this proportion compare with the proportion in other offices of the same status?

(d) If the proportion of selection grade appointments to time-scale appointments compares unfavourably with other offices of the same status, what action do Government propose to take in order to ensure a flow of promotion?

The Honourable Sir Bhupendra Nath Mitra: (a)

First Division time-scale clerks	121
Second Division time-scale clerks	68
Total	189

(b) 20.

(c) The proportion of selection grade appointments to time-scale appointments in the office of the Director General of Posts and Telegraphs works out to about 11 per cent. This proportion compares favourably with that in other offices of the same status.

(d) Selection grade appointments in the office of the Director General of Posts and Telegraphs are based on responsibility, not on a flow of promotion. Government do not therefore propose to take any action in the manner suggested.

PAYMENTS MADE TO THE CLIVE TRANSPORT COMPANY.

198. **Rai Bahadur Raizada Bhagat Ram:** (a) Will Government be pleased to state what sum was paid in the year 1929 to the Clive Transport Company for officers and soldiers travelling with military travelling warrants between Pathankot and Dalhousie?

(b) With reference to the answer to starred question No. 169 of the 5th September, 1929, will Government be pleased to state how much would have to be paid for officers and soldiers with military travelling warrants travelling by some other company?

Mr. G. M. Young: With your permission, Sir, I propose to answer questions Nos. 198 to 200 together.

The information has been called for from the local military authorities and will be communicated to the Honourable Member in due course.

ARRANGEMENTS MADE FOR TRANSPORT OF MILITARY MEN BETWEEN PATHANKOT AND DALHOUSIE SINCE JANUARY 1930.

199. **Rai Bahadur Raizada Bhagat Ram:** Will Government be pleased to state with what Motor Transport Company they have made a contract for officers and soldiers travelling with military travelling warrants between Pathankot and Dalhousie and at what rates, now that the contract with the Clive Motor Transport Company expired in January 1930?

EXTENSION OF CONTRACT WITH THE CLIVE MOTOR TRANSPORT COMPANY.

200. **Rai Bahadur Raizada Bhagat Ram:** (a) Will Government be pleased to state if it is a fact that the contract with the Clive Motor Transport Company has been extended for some time?

(b) If the answer to part (a) is in the affirmative, what are the reasons for it?

to the Clive Transport Company. Information about the exact date of termination of the contract with that Company is not now available, but the contractor's service broke down in the middle of October, 1919, and the contract *ipso facto* terminated.

(b) The attention of the Honourable Member is invited to the reply given in this House by Mr. Rogers to starred question No. 172 of Lala Hansraj on the 5th September, 1929, from which it will be seen that the increased subsidy at the rate of Rs. 24,911 per annum was paid to the same contractor (i.e., the Indian Horse Dak Company). In consideration for this increase, a mixed motor lorry and tonga service was introduced. This service, however, broke down in October, 1919, and a new contract was entered into with the Clive Transport Company as their's was the only Company which agreed to convey the mails in motor cars and lorries and to render an improved service.

TENDERS FOR CARRIAGE OF MAILS BETWEEN PATHANKOT AND DALHOUSIE.

202. **Rai Bahadur Raizada Bhagat Ram:** Will Government be pleased to quote the tenders and names of the respective transport companies who are willing to carry mails between Pathankot and Dalhousie?

Mr. H. A. Sams: Tenders for the conveyance of mails from the 1st April, 1930, between Pathankot and Dalhousie were received from the following Companies:

No.	Name of the Company.	Amount of tender for one service each way daily throughout the year.	Amount of tender for a second down despatch for 6 months in the summer.
		Rs. A. P.	Rs. A. P.
1	Rai Sahib Onkar Pershad and Kartar Singh, Lahore Cantonment	2,100 0 0	700 0 0
2	The Clive Transport Company, Limited, Delhi	2,015 1 8	2,020 10 0
3	Messrs. Heera Lal & Sons, Sialkot City	1,250 0 0	650 0 0
4	The International Syndicate, Lahore Cantonment	1,000 0 0	(Not quoted.)
5	The Imperial Motor Service, Pathankot	900 0 0	600 0 0
6	Malak Chand Kohli and Pindi Das, Rawalpindi City	900 0 0	600 0 0
7	Messrs. Narain Das and Company, Lahore	900 0 0	600 0 0

CHARGES FOR GOODS CARRIED BY THE CLIVE TRANSPORT COMPANY AND THE NORTH WESTERN RAILWAY.

203. **Rai Bahadur Raizada Bhagat Ram:** (a) Since starred question No. 177 of the 5th September, 1929, was answered, have Government made any inquiries as to the rates charged by the Clive Transport Company for the carriage of goods when not employed as agents for the North Western Railway?

(b) Is it a fact that the rate charged is Re. 1 as. 6 per maund, whereas the North Western Railway charges Rs. 3 per maund for the same?

(c) Will Government be pleased to explain this great difference?

Mr. A. A. L. Parsons: (a) No.

(b) Government have no information as to the rates charged when the Clive Transport Company are not employed as agents for the North Western Railway, but understand that such rates vary from time to time according to competitive conditions. The rates charged by the Company when employed as agents for the North Western Railway are Rs. 1-12-0 per maund for ordinary packages and Rs. 3 per maund for bulky packages.

(c) Such differences as may exist between the rates charged by the Company when employed as agents and when acting independently are influenced by the fact that the rates in the latter case are subject to competitive conditions and vary from time to time whereas in the former case the rates, like other railway freight rates, are stable.

GRANT OF A MONOPOLY FOR THE CARRIAGE OF MAILS AND PASSENGERS TO THE CLIVE TRANSPORT COMPANY.

204. **Rai Bahadur Raizada Bhagat Ram:** (a) Will Government be pleased to state why the civil authorities gave the monopoly to ply between Pathankot and Dalhousie to the Clive Transport Company?

(b) Why was the old Company which carried mails and passengers between Pathankot and Dalhousie before the Clive Transport Company not given the monopoly?

(c) Is it a fact that the former Company was an Indian concern?

(d) Is there any truth in the allegation that the Managing Director of the Clive Transport Company had suffered heavy losses in some other concern and that this monopoly was given to him in order to help him?

(e) Has he recouped his losses now?

(f) Is it a fact that the whole Directorate is non-Indian?

The Honourable Sir Bhupendra Nath Mitra: The information required by the Honourable Member is being collected and will be furnished to him as soon as possible.

TRAINING AND APPOINTMENT OF RAILWAY ACCOUNTANTS.

205. **Rai Bahadur Raizada Bhagat Ram:** (a) Will Government be pleased to state what has been the total expenditure on account of the class started for the training of railway accountants in Calcutta as compared with the budget estimates?

(b) What number of the students of the said class passed the training class examination qualifying for promotion to the posts of officiating accountants?

(c) Is it a fact that the selected candidates for the training class were given in writing to understand that they would be entitled to become accountants in an officiating capacity, on their passing the examination meant for the training class?

(d) Is it a fact that none of the passed students of the class has so far been provided for as an accountant?

(e) Is it a fact that in almost all State Railway accounts offices a certain number of the posts of junior accountants are held by such unqualified men who have been taken directly in these posts from outside the Railway Department, besides those unqualified men who were taken over from the civil accounts offices?

(f) How many posts of accountants and sub-heads in each railway accounts office are held by men of the two classes mentioned in part (e) above who have not so far passed the examination qualifying for accountants?

(g) If the answers to parts (d) and (e) are in the affirmative, will Government please explain why the taxpayers' money was spent in starting and running the training class for railway accountants when there were no posts of accountants to offer them on their qualifying themselves for such posts?

(h) What steps are now being taken to redeem the promises given to these men of the training class at the time of their selection as stated in part (c) that on passing the training class examination their position would improve?

(i) Is it a fact that men of the Training Reserve, started by the Auditor General, on passing the qualifying examination were not only given officiating promotion as accountants, but also the benefit of five years of qualified service over their compeers of the regular establishment in the matter of fixation of seniority, and that the same condition of service has been recognised by the Accounts Department in the case of some of those Training Reserve men who were taken over by the latter Department from the Audit Department?

(j) If the answer to part (i) above is in the affirmative, will Government be pleased to state why the same privileges, as were recognised in the case of the Training Reserve, are not extended to the qualified men of the accounts training class?

Mr. A. A. L. Parsons: (a) to (j). The Honourable Member is referred to the replies given by me on the 5th March to question Nos. 448 and 449 by the Honourable Khan Bahadur Sarfaraz Hussain Khan.

SEPARATION OF INSPECTION FROM PURCHASE IN THE CENTRAL STATIONERY OFFICE.

206. **Mr. Amar Nath Dutt:** Will Government be pleased to state what progress has been made in the direction of the separation of inspection from the purchase in the Central Stationery Office, as it obtains in the Indian Stores Department?

The Honourable Sir Bhupendra Nath Mitra: The question is under the consideration of Government.

PROMOTION OF CLERKS IN THE POST OFFICE.

207. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state if it is a fact that graduates and under-graduates appointed in the Post Office as leave reserve clerks are assigned positions in the Divisional and Circle gradation lists as though they were entertained five years and three years, respectively, before the dates of their permanent entry?

(b) Is it a fact that consequent on the above, the graduates and under-graduates are promoted as clerks much earlier than the matriculate and S.S.L.C. reserve clerks with longer service at their credit?

(c) Is it a fact that graduates and under-graduates entertained in any one Division are shown in the Circle gradation lists as senior to all matriculate and S.S.L.C. leave reserve clerks in the whole Circle with less than five years service?

(d) Will Government be pleased to state the reasons for granting the graduates and under-graduates these concessions?

(e) Are Government aware that, as a result of the above concession granted to the graduates and under-graduates, the other leave reserve clerks are, year after year, losing many places in the Divisional and Circle gradation lists for five years, that is, until such time as they reach the pay equivalent to the initial pay of a graduate and are promoted as clerks much later than the graduates and under-graduates with lesser service?

(f) Is it a fact that certain lady clerks are started on a higher scale of pay in the Post Office?

(g) Is not their seniority determined solely with reference to the dates of their permanent entry in the Department, irrespective of the pay drawn, and is it not ruled that when a woman clerk attains the maximum pay of her time scale, she should wait for promotion to the lowest selection grade until the men clerks who are senior to her by service have received it?

(h) If the answer to above be in the affirmative, will the Government be pleased to state whether they will follow the same principles in fixing the relative seniority of graduates, under-graduates and matriculate leave reserve clerks and cause the revision of the existing Divisional and Circle gradation lists? If not, will they please state their reasons?

Mr. H. A. Sams: (a) and (c). Divisional gradation lists no longer exist, but it is a fact that graduates and under-graduates appointed as clerks on the special starting pay fixed by Government are given position in the Circle gradation list as if they had been entertained in the Post Office four years and two years, respectively, before the dates of their actual permanent appointments.

(b) No. There is no question of promotion. The date of confirmation depends, for all clerks, on the date of their passing the departmental examination for confirmation.

(d) The attention of the Honourable Member is invited to paragraph 13 of Chapter II of the Report of the Postal Committee, 1920.

(e) Yes, the fact is generally as stated except that there is no question of promotion to clerkships; see my reply to (b).

(f) Yes.

(g) Yes.

(h) No, for reasons explained in the reply to part (d) above. I would also add that it is the policy of the Department to give graduates and under-graduates an opportunity of reaching the Lower Selection Grade earlier than men less qualified educationally.

INTRODUCTION OF A PROVIDENT FUND FOR GOVERNMENT EMPLOYEES.

203. Mr. Amar Nath Dutt: Will Government be pleased to state the probable time at which they would introduce a system in which a Provident Fund would take the place of pensions either in whole or in part for the Government employees, and the stage at which the proposal now stands?

The Honourable Sir George Schuster: The Honourable Member is referred to parts (a) and (b) of my reply to Mr. G. Sarvotham Rao's starred question No. 196 on the 29th January, 1930, published on page 336 of the Legislative Assembly Debates.

POSTAL RUNNERS EMPLOYED IN TIBET AND SIKKIM.

209. Mr. Amar Nath Dutt: (a) Will Government be pleased to state the number of runner lines in the Tibet and Sikkim territories and the total number of runners employed on them?

(b) How many of these runner lines are day-working and how many night-working?

(c) Do the runners go in batches of two or more, or is only a single runner employed in each line?

(d) Have Government provided the runners with arms for self-defence? If not, why not?

Mr. H. A. Sams: (a) to (d). The information is being collected and will be furnished to the Honourable Member in due course.

PROMOTION OF PASSED ACCOUNTANTS IN THE POSTAL DEPARTMENT.

210. Mr. Amar Nath Dutt: (a) Will Government be pleased to state the number of officials in each Railway Mail Service and Postal Circle in India and Burma, of the clerical time-scale, who passed the examination held for appointments as accountants?

(b) How many of these were appointed as Head Postmasters, as notified in the Director General's Circular No. 50, dated the 16th October, 1924?

(c) Is it a fact that many of these passed men are not even appointed as accountants and are not paid special pay? If so, how many men are not so employed and why?

(d) Have Government ordered that only those men who will pass the selection grade examination to be held shortly will be promoted to the selection grade appointments?

(e) In view of the assurance given by the Director General in his circular, above quoted, will Government be pleased to state whether they propose to allow all passed accountants to sit for the ensuing selection grade examination? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a), (b) and (c). The information is being collected and will be furnished to the Honourable Member in due course.

(d) No. Passed accountants on ordinary time-scales of pay are also eligible for appointment to the lower selection grade appointments of

accountants and assistant accountants on Rs. 160—250 on condition that they pass the selection grade examination within two years of their appointment to such posts.

(c) The intention of the Orders referred to by the Honourable Member is not as stated by him and in this connection the Honourable Member is referred to the reply given to the Honourable Mr. Mahmood Suhrawardy's question No. 8 in the Council of State on the 19th February, 1930. It is not proposed to allow all passed accountants to sit for the selection grade examination as the selection of the candidates to appear for it is made in order of seniority. Only those passed accountants mentioned in part (d) of the reply who have been promoted provisionally are allowed to appear for the examination irrespective of seniority.

PROMOTIONS IN THE MADRAS POSTAL CIRCLE.

211. **Mr. Amar Nath Dutt:** (a) Is it a fact that the Postmaster General, Madras Circle, wrote to the Director General of Posts and Telegraphs that all the officials in his Circle, who had passed the departmental examination for Inspectors and Head Clerks to Superintendents of Post Offices had been confirmed in that cadre and that, as the selection grade examination would not come off immediately, he should be permitted to conduct the departmental examination for officials who were nominated by the Divisional Superintendents in 1927 to fill in interim vacancies in that cadre?

(b) Did the Director General grant the request of the Postmaster General? If not, will Government be pleased to state if they will allow these officials at least to sit for the next selection grade examination?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) The first part of the question does not arise. With regard to the second part it may be stated that those officials who had already been specially selected for, and promised permission to appear in, the old examination for Inspectors of Post Offices and Superintendents' Head Clerks by Heads of Circles (including the Postmaster General, Madras) were, as a special case, allowed to appear for the Lowest Selection Grade Examination held in December last.

PROMOTION OF POSTMEN.

212. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state the number of officials promoted from postmen and lower grades to clerkships in India and Burma who possessed less than two years service as clerks on the date of the first incremental examination held for clerks and leave reserve clerks?

(b) Were all the officials of this class compelled to appear for the examination on the ground that they had not completed two years service on the date of examination? How many passed in the examination?

(c) Is it a fact that those who did not pass the examination were reverted to their original appointments in the postmen and lower grades? How many were so reverted?

(d) Were not these men promoted to clerkships after they passed a prescribed test in English composition, arithmetic, etc.? If so, what was

the necessity for the Government to direct them to appear for the new examination?

(e) Are Government aware that such men who had more than two years service at date of examination were not asked to appear for the examination, and thus escaped the chances of reversion?

The Honourable Sir Bhupendra Nath Mitra: The information is being collected and will be furnished to the Honourable Member in due course.

ALLOWANCES FOR POSTAL OFFICIALS IN HILLY AND UNHEALTHY TRACTS IN THE MADRAS CIRCLE.

213. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state whether they have any proposal this year to enhance the rates of compensatory allowances and special pay for the hilly and unhealthy tracts in the Madras Circle, and if so, will they please state what rates have been proposed and whether they will be given effect to retrospectively?

(b) If the answer to part (a) be in the negative, will Government be pleased to state when they propose to sanction the enhanced rates of allowance?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The attention of the Honourable Member is invited to paragraphs 35 and 11 of the proceedings of the Standing Finance Committee, dated the 16th and 30th January, 1930, respectively.

PROVISION OF QUARTERS FOR POSTAL AND RAILWAY MAIL SERVICE STAFF AT OOTACAMUND.

214. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state if they propose providing residential quarters for the Postal and Railway Mail Service staff in Ootacamund (the Nilgiris)?

(b) If the reply to part (a) be in the affirmative, when, how many and what is the total cost of the proposal?

The Honourable Sir Bhupendra Nath Mitra: (a) It is proposed to provide quarters for the post office staff only. Quarters are not required for the Railway Mail Service staff because Ootacamund is not the headquarters of any Railway Mail Service section or mail office. A rented rest house has already been provided for the mail guard working between Podanur and Ootacamund where the mail guard halts and rests.

(b) If funds permit, about 22 units of quarters will be constructed in two years. Estimates of cost are not yet ready. They are being prepared.

BROADCAST LICENCES ISSUED BY THE POST OFFICE.

215. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state the number of licences issued by post offices in India and Burma each year for opening broadcast wireless stations, and the amount collected therefor by the Post Office?

(b) What proportion of the amount do Government propose to credit as the share of the Post Office work? If none, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) Probably the Honourable Member refers to Broadcast Receiving licences; if so, the approximate number of such licences issued by Post Offices in India and Burma year by year is as follows:

1924 issued 480.
1925 issued 1,350.
1926 issued 940.
1927 issued 3,600.
1928 issued 6,150.
1929 issued 7,670.

The fee for each license issued is Rs. 10.

(b) 20 per cent. is retained by the Posts and Telegraphs Department, the balance being transferred to the Indian Broadcasting Co.

COST OF THE INDIAN DEPUTATION TO THE UNIVERSAL POSTAL CONFERENCE.

216. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state the total cost each year for the last five years of the Indian deputation to the Universal Postal Conferences?

(b) Is the total cost charged to the Indian Posts and Telegraphs Department in entirety, and if so, in what proportions to the Posts and Telegraphs Departments respectively?

(c) Do not the Government of India share the expenditure? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) There has been only one Universal Postal Conference during the last five years, viz., in 1929. The total cost of the Indian deputation was approximately Rs. 62,000.

(b) and (c). The total cost of the Indian deputation is charged wholly to the Indian Posts and Telegraphs Department and is debited exclusively to the postal branch, the reason being that it is a purely postal charge of the Government of India.

STEAMER SERVICES BETWEEN COLOMBO AND AUSTRALIA.

217. **Mr. Amar Nath Dutt:** (a) Is it a fact that the steamer services between Colombo and Australia have been regularised?

(b) Which are the contracting steamer companies, and what is the amount of the subsidy paid per year out of the revenues of the Indian Posts and Telegraphs Department?

The Honourable Sir Bhupendra Nath Mitra: (a) The question is not quite clear. It may, however, be stated that there is a regular service of mail steamers between Colombo and Australia at intervals of about a week.

(b) Mails from India to Australia are sent from Colombo both by the steamers of the P. and O. S. M. Company and by the Orient S. N. Company. The former are under contract with His Majesty's Postmaster-General, and the latter with the Australian Government. No separate subsidy is paid by India for the mails sent to Australia by the P. and O. S. M. Company steamers, as the contribution made by India towards the subsidy payable to the Company by the British Post Office covers these mails.

In respect of mails sent by the ships of the Orient S. N. Company no subsidy is paid by India to the Company but transit charges are paid to the Australian Post Office according to the rates prescribed by the Universal Postal Convention. For each of the years 1924 to 1928 these charges amounted to £580-14-4.

AMOUNT COLLECTED FROM TELEPHONE PUBLIC CALL OFFICES.

218. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state, year by year, the amount of telephone revenues collected through the Public Call Offices opened in the Post Offices in India and Burma for the last five years?

(b) What share of the revenue is credited to the Post Office for its share of telephone work?

Mr. H. A. Sams: (a) It is regretted that as the compilation of the information asked for would be very laborious and out of proportion to the value of the result, it cannot be undertaken; in any case the complete records for the whole period are no longer available.

(b) No credit is afforded to the Post Office for the services rendered in connection with the working of the Public Call Offices.

SUPPLY OF STATIONERY FOR POST OFFICES.

219. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state the total sum spent during the year 1928-29 as allowances to Postmasters for the purchase of stationery such as sealing wax, oil, etc., for the use of their offices?

(b) Are these materials, except oil, supplied in kind to Railway Mail Service offices by the Department?

(c) Do the Government of India and the Local Governments supply articles of stationery in kind to their subordinate offices?

(d) Do Government propose to make arrangements for the supply in kind of the articles of stationery to Postmasters in lieu of allowances in cash? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) Rs. 3,29,218.

(b) All stationery articles except oil, paste, match boxes, etc., are supplied in kind to Railway Mail Service Offices.

(c) Yes, so far as offices subordinate to the Government of India are concerned. Government have no definite information as regards Local Governments.

(d) No. On account of the difficulty and expenditure involved in sending such supplies to over 20,000 post offices scattered all over India and Burma.

APPOINTMENT OF AN INDIAN AS CHEMICAL EXAMINER FOR CUSTOMS AND EXCISE, CALCUTTA.

220. **Mr. Amar Nath Dutt:** (a) Is it a fact that the post of the Special Chemical Adviser was not advertised after Mr. Jenks, Chemical Examiner for Customs and Excise, Calcutta, left India in July 1928?

(b) Do Government require that the qualification of a Special Chemical Adviser in the Customs Department should principally be of considerable experience in commercial or technical analysis akin to those carried out in the Customs laboratories and a high reputation in scientific circles as a contributor of original research work in scientific journals?

(c) Is it a fact that Dr. H. B. Dunnicliff of the Punjab Educational Service, being a Physical Chemist, was appointed Special Chemical Adviser in November 1928?

(d) Were Government aware that there were, at the time of Dr. Dunnicliff's appointment, many competent Indian chemists in India both in and outside Government service?

(e) If the answer to part (d) is in the affirmative, will Government be pleased to state why a suitable Indian was not appointed to the post?

(f) If Government were not aware of the fact stated in part (d) why was not the post of the Special Chemical Adviser advertised and applications invited for the same?

(g) If the post of the Special Chemical Adviser, to which Dr. Dunnicliff was appointed, was not advertised and applications not invited for the same, do Government now propose to advertise for the post to obtain, if possible, the services of a suitable Indian to the post?

The Honourable Sir George Schuster: (a) Yes.

(b) The post of Special Chemical Adviser was a temporary one. As a whole-time appointment it was maintained only from November, 1928, to the end of September, 1929. The officer's principal duties were administrative rather than connected with research work. He had to visit the various Custom Houses in order to see that the new laboratories were put into full working order and to examine the general position and make recommendations regarding the future organisation of the laboratory work and regarding the administrative relation of the laboratories to the Central Board of Revenue and *inter se*. While performing these duties, he was also required to assist with his advice, when called upon to do so, the officers in charge of the Customs laboratories. For the performance of these functions it was necessary to have an officer who combined adequate technical qualifications with experience of the Government organisation.

(c) Dr. Dunnicliff of the Indian Educational Service, Professor of Chemistry at the Government College, Lahore, was appointed to the post in November, 1928.

(d), (e) and (f). In view of the special objects of the temporary appointment in question it was necessary to obtain some fairly senior officer already in Government service. It is for this reason, and also because of its temporary character, that the post was not advertised.

(g) The Government of India selected the officer already in Government service and available at the pay offered who in their opinion was best suited for the work. Since September, 1929, the post of Special Chemical Adviser has ceased to be a whole-time appointment. Dr. Dunnicliff's part-time services have, by arrangement with the Government of the Punjab, been temporarily retained. Both on grounds of economy and in order to avoid a breach of continuity, the Government of India do not intend to terminate this arrangement and create a new whole-time appointment.

HOURS OF DUTY OF TELEPHONE MISTRIES.

221. **Mr. Amar Nath Dutt:** (a) Is it a fact that the telephone mistries and telephone operators of the Engineering Branch of the Indian Posts and Telegraphs Department, ordinarily perform fifty hours of duty in a week, without any restriction of the hours of duties on Sundays, holidays and at evening and night, whereas restrictions of duties under similar circumstances exist in case of the members of the signalling establishment? If so, will the Honourable Member in charge of the Department of Industries and Labour, be pleased to state the circumstances under which the telephone mistries and telephone operators are debarred from being admitted to the privileges which are being granted to the latter, as detailed in the Government of India communication of the Department of Commerce and Industry, No. 4830-94, dated 29th June, 1911?

(b) Is it a fact that the telephone operators of certain telephone exchanges, viz., Gaya, Munghyr, Hazaribagh, Dinapore, etc., which are run by three telephone operators, are required to perform 56 hours of duty instead of 50 hours, without any extra or overtime allowances? If so, will Government be pleased to state the circumstances under which such an anomaly is in force? Is this contrary to memo. No. 4148, dated the 12th June, 1919, of the Government of India, Department of Commerce and Industry?

(c) Is it a fact that, except the outdoor workers of the Indian Posts and Telegraphs Department, only the telephone mistries and telephone operators are forced to work on Sundays and holidays without any remuneration? If so, will the Honourable Member be pleased to state if he has any intention to redress the long felt grievances of the telephone mistries and telephone operators by bringing them on to the same footing with the members of the signalling establishment, so far as the overtime allowance is concerned?

(d) Is it a fact that the telephone mistries and telephone operators of the big telephone exchanges are granted the privilege to work only two hours on Sundays and holidays but that the same is denied to the telephone mistries and telephone operators of the smaller exchanges?

The Honourable Sir Bhupendra Nath Mitra: (a) The reply to the first part of the question is in the affirmative. With regard to the second part the nature of duties of the signalling staff of the Telegraph Traffic branch differ materially from those of the Telephone mistries and Telephone operators. Government are satisfied that there is no case for exactly similar treatment in respect of hours of duties of the signalling staff and the Telephone mistries and operators.

(b) Enquiries are being made and the result will be communicated to the Honourable Member in due course.

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

(d) No such representation has been made by the men directly concerned but enquiry will be made and the information will be supplied to the Honourable Member.

TRAINING OF APPRENTICES IN THE BENGAL NAGPUR RAILWAY WORKSHOPS AT KHARAGPUR.

222. **Mr. Amar Nath Dutt:** Will Government be pleased to place on the table a copy of their complete answers communicated to Mr. S. C. Mitra, by letters, to his starred questions in the Legislative Assembly, Nos. 819—825, dated the 26th February, 1929, Nos. 491—496 and 537, dated the 16th September, 1929, No. 644, dated the 18th September, 1929, No. 827, dated the 24th September, 1929, and Nos. 861—863, dated the 25th September, 1929, regarding apprenticeship training in the Bengal Nagpur Railway workshops at Kharagpur?

Mr. A. A. L. Parsons: I am sending to the Honourable Member copies of the replies sent to Mr. S. C. Mitra. As he will see, they are numerous and lengthy. Copies have already been placed in the Library.

LOWER SELECTION GRADE POSTS OF CLERKS IN THE TELEGRAPH DEPARTMENT AND IN THE POSTAL DEPARTMENT.

223. **Mr. Amar Nath Dutt:** Is it a fact that an examination has been introduced for the lower selection grade posts amongst the clerks in the Telegraph Department and, if so, have Government considered the question of increasing the number of posts in the above grade also, so as to equalise the proportion with that existing in the Post Office, the sister Department?

The Honourable Sir Bhupendra Nath Mitra: The reply to the first part is in the affirmative. With regard to the second part, the attention of the Honourable Member is drawn to the reply given by Mr. Rogers to his unstarred question No. 415 on the 27th March, 1929.

COMPENSATORY ALLOWANCE IN THE TELEGRAPH DEPARTMENT.

224. **Mr. Amar Nath Dutt:** Will Government be pleased to state when the question of the revision of the compensatory allowance in the Telegraph Department, in certain places, which has long been under consideration, is likely to be finally decided?

The Honourable Sir Bhupendra Nath Mitra: The Honourable Member's attention is invited to paragraph 35 of the Proceedings of the Standing Finance Committee dated the 16th January, 1930, which fully explains the case.

SELECTION OF DEPARTMENTAL CLERKS FOR THE TRAINING CLASSES IN TELEGRAPHY.

225. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state when the departmental clerks are likely to be selected to join the training classes in telegraphy? Is it a fact that recruitment is now open?

(b) Do Government intend to exempt those clerks from the age limit, as a special case, for the purpose of recruitment as telegraphists who joined the Department with the hope of becoming telegraphists? Are Government aware that, owing to there being no recruitment for the last ten or twelve years in some Circles, these clerks have become over age under the existing rules?

The Honourable Sir Bhupendra Nath Mitra: (a) Orders on the subject are expected to issue shortly. The reply to the second part is in the affirmative.

(b) The age limit has been fixed in the interest of the efficiency of the public service and Government do not intend to relax it in any case. With regard to the second part, the facts may be as stated by the Honourable Member, but Government have no precise information.

PUBLIC SERVICE COMMISSION EXAMINATION.

226. **Mr. Amar Nath Dutt:** (a) Is it a fact that the last Public Service Commission examination was held in December, 1926?

(b) Is it a fact that many permanent vacancies in the various Departments of the Government of India (civil as well as military, and the attached offices) are being filled up by unqualified men? Will Government be pleased to state when they will hold a further competitive examination so as to fill up these vacancies by qualified men permanently?

(c) Is it a fact that the concessions noted below were allowed by the Government of India to its employees when they last sat for the qualifying examinations, held in November 1929?

(i) Concession of age limit up to 35 years instead of 30 years in the case of permanent Government servants of Departments other than the Government of India for admission to sit in that competitive examination;

(ii) Exemption of entrance fee of Rs. 10 per head.

(d) Do Government propose to allow, at the next examination, the concessions referred to in part (c)?

(e) Have Government any intention to change the standard of that examination otherwise than was previously done?

The Honourable Sir James Grerar: (a) The Public Service Commission held a qualifying examination in November, 1929, but no open competitive examination for the ministerial service has been held since 1926.

(b) I have no information that permanent vacancies have been filled by unqualified men. The Public Service Commission has been asked to consider the desirability of holding a competitive examination this year.

(c) Yes.

(d) No, for there will be no more qualifying examinations of this kind, and the next examination will be open and competitive.

(e) Government act on the advice of the Public Service Commission in these matters. If any change is made in the standards, adequate notice will be given to intending candidates.

PAY AND ALLOWANCE OF POSTAL RUNNERS IN TIBET AND SIKKIM.

227. **Mr. Amar Nath Dutt:** (a) Will Government be pleased to state if it is a fact that the pay of runners employed on the Lhenock-Gnatong, Gnatong-Yatung and Yatung-Pharjong runner lines was not raised in the recent revision?

(b) Were the runners supplied with free ration and a clothing allowance before the year 1924, but are they now given free clothing and a ration allowance of Rs. 15? If so, why was this change made?

(c) Has any representation been received from the runners asking for enhanced pay and ration allowance? If so, when; and what orders were passed thereon?

(d) What comprises a set of warm clothing for these runners? Are a pair of trousers and a coat included in the supply and, if not, have Government considered the question of supplying these articles to the runners?

(e) Is it a fact that some of the postal runners in the Sikkim territory are not given any allowance at all? If so, what is the reason for this discrimination?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Yes. The change was introduced as the conditions which had justified the former arrangement had ceased to exist.

(c) Yes. The representation was fully considered by the Director-General and it was decided that the prayers contained therein could not be granted.

(d) The information is being collected and will be supplied to the Honourable Member in due course.

(e) Yes. Compensatory allowance or special pay can only be granted if the conditions laid down in rules 9(5) and 9(25) of the Fundamental Rules are fulfilled.

NEW PENSION RULES.

228. **Sir Zulfikar Ali Khan:** (a) Are Government aware that the pension rules promised by the Government of India in the Fundamental Rules promulgated in 1921, which were to replace the rules relating to pensions contained in the Civil Service Regulations, in regard to non-Gazetted Government servants, are still being awaited? Will Government please state the reasons for delaying these rules for so long a time?

(b) Are Government aware that the average age in India is less than 25 years against more than 50 years in England and other European countries and that this average is even lower in the case of Government servants who have to do sedentary work during their life time?

(c) Are Government aware that admittedly no less than 33 per cent. of Government servants die before completing 30 years' service leaving behind families for whom no provision is made in the existing rules?

(d) Are Government aware that thousands of Government servants who have died or have retired during the interval of about nine years since the new rules were promised have been deprived of any relief that the new rules might have brought to them or to their families and that there will be still many more who will be subjected to similar deprivations until the new rules are published?

(e) Are Government prepared to publish the new pension rules without any further delay?

The Honourable Sir George Schuster: (a) I would refer the Honourable Member to my reply to starred question No. 721 by Mr. Siddheswar Prasad Sinha published on page 1193 of the Legislative Assembly Debates for the 23rd September, 1929.

(b) By "average age" the Honourable Member presumably means the "average after life time". This varies with the age of each individual. At age 21 it is about 27 years amongst the ordinary Indian population, that is two years more than what is stated by the Honourable Member. In England at the same age it is 45 years, that is five years less than what is stated by the Honourable Member. The average "after life time" of Government servants in India is considerably higher than amongst the population, and not lower, as stated by the Honourable Member. At age 21, it is 38 years, that is, 11 years more than in the ordinary population.

(c) It is estimated that about 25 per cent. of officers in the Superior Services die before retirement. In the case of non-superior services, the percentage is nearer 30 for those who must retire at the age of 55, but is undoubtedly higher for ministerial officers, who may remain in service till they are 60. The average length of service of members of the non-superior services who survive till they go on pension is, however, in excess of 30 years. I would incidentally mention that in the draft new Pension Rules there is no provision for granting relief to the families of Government servants who die in service.

(d) The Honourable Member is apparently under the impression that the new Pension Rules are to be markedly more liberal than the existing rules. This is incorrect. The draft rules differ from the existing rules mainly in form, though they contain some minor concessions regarding the inclusion of pay drawn in temporary and officiating posts in certain circumstances in "pensionable pay"—i.e., the average pay of the final three years on which pension is calculated.

(e) The Honourable Member's attention is invited to my reply to starred question No. 94 published on page 102 of the Legislative Assembly Debates for the 21st January, 1930.

PRE-AUDIT OF PAY BILLS.

229. **Mr. Adit Prasad Sinha:** (a) Will Government be pleased to state whether a system of pre-audit is conducted prior to the payment of all bills which are paid to officials in Delhi and New Delhi, or whether it is restricted to particular areas and Departments? If so, what are the areas and Departments affected?

(b) Are the pre-audited payments a conclusive check, or can they be revoked subsequently by objections under post-audit?

(c) Are Government aware that bills pre-audited are inordinately delayed and that payees are thereby caused inconvenience?

(d) Is pre-audit carried out throughout the Punjab and the North-West Frontier Circle of the Posts and Telegraphs Department, or is it limited merely to particular zones?

(e) If restricted, what then justifies the necessity for pre-audit?

[Mr. Ghanshyam Das Birla.]

The first thing wanted today is retrenchment, ruthless and drastic. I have been repeating for the last three years that the first thing that the Government should do, until we can see any sign of prosperity on the horizon, is retrenchment. Sir, I am afraid I am not satisfied with the action which the Honourable the Finance Member has taken. He has appointed a Retrenchment Officer. Now we all know the Retrenchment Officer cannot lay his hands on a policy which may be already prescribed. All he can do is to find out for himself whether, under the policy enunciated by the Government, he could make any retrenchment. He cannot have the courage to tell the Government, "Do this, and do not do that". This can only be done by an independent authority. It is up to this House to review the growth of expenditure from year to year and to have the pruning knife applied by a representative committee appointed for the purpose. I may ask the Government of India, where in view of our slender financial resources was the necessity to undertake new obligations every year. If you look at the net expenditure on civil administration, you find that in 1923-24 it stood at 8.65 crores, and it is now 12.20 crores, an increase of about 3½ crores. We have started civil aviation, and in spite of a very bad year, we have gone in for broadcasting. All these things are very good for a country which is prosperous, but for India, where millions are starving, this is a sheer luxury. So far as criticisms are concerned, we have concentrated on military expenditure, and rightly too. I believe there is great scope for retrenchment there, but what I want to add is that in almost every Department of the Government, if an independent authority made the investigation, he would find that there is equally wide room for retrenchment. Under the circumstances, I am against all new taxation.

I do not propose today, in my speech, to deal with the proposed taxation on its merits. I hope, Sir, with your permission, I shall have opportunities of doing that later on. Nor, do I wish to say anything about Imperial Preference today. My views are too well known. I am strongly opposed to any policy of Imperial Preference at this stage, and I hope the Government will realise the strength of opinion held on this side of the House, and will modify their views. All I want to do at this stage is to draw the attention of this House to the seriousness of the situation, and to the need of retrenchment and a policy of construction which may eventually lead to prosperity. The Budget is lacking in these two directions. There is neither retrenchment, nor any constructive scheme and therefore I condemn this Budget.

Figures were produced by Sir George Schuster at the annual session of the Federation to show that things were not as bad as they were painted. I think, Sir, with your permission, I may give for the information of this House a few figures to show that the purchasing power of the masses is very low and there is no improvement worth the name as compared with the pre-war period. In some respects, indeed, we are in a worse position. Let us take first of all the consumption of cloth. In 1913-14, the annual consumption *per capita* stood at 16.28 yards. In 1928-29 it was 14.9 yards. Even if we take the average of the three years ending 1914-15, it stood at 15.48 and if we take the consumption on the basis of a population of 320 millions the average for 1926-27 to 1928-29 comes to 15.97 and as I am sure the population has increased,

it is not much higher than that at present. Then, Sir, take the consumption of sugar. In 1912-13 the annual consumption *per capita* was 23 pounds. It is not higher than that today. The figure which I have quoted for 1912-13 is for the whole of India, while the figure for 1926-27 which is available is only for British India, which shows the consumption at 27.28 pounds, and if we deduced from it the figure for the whole of India it might be just about the same. Then, Sir, Sir George Schuster maintained that the consumption of food-stuffs has much increased. He cited figures of consumption of rice, but he very conveniently forgot to take into account the consumption of other food grains. If we take the consumption of cereals such as wheat, rice and minor food grains, we find that, while on a rough estimate in 1914-15 it stood at 365 pounds *per capita*, for 1923-24 to 1927-28 it was 360 pounds, a reduction of 5 pounds per head per annum.

Then, Sir, much has been made of the imports of treasure. It was maintained by Sir George Schuster, and by other high authorities, that, since 1900, we have imported gold to the extent of 400 million pounds, and therefore India must be rich. Now, Sir, if we are to rely on that argument, the logical conclusion to which we should come about England would be that England is a poorer country than India, because her total gold resources at present amount to only 150 million pounds. What is, after all, our consumption per year? The net private imports of treasure were for the pre-war period about Rs. 1.2-4 per head. It is now Rs. 1.3-8 per head. Just consider for a moment every man consuming gold and silver to the extent of about Rs. 1.4-0 per annum, and it being maintained that we are a very rich country. Sir, it is conveniently forgotten that, what is called hoarding in India, is not actual hoarding in the sense in which it is understood, but that it is consumption and investment, both combined, and it is so because of want of banking facilities in this country for putting money in good investments. If we compare the total deposits held by banks in England, we shall find that, against a circulation of total notes and coin of 360 millions, the deposits held by banks amount to 2,000 million sterling. That is, the deposit is five times more than the circulation of currency. And what do we find in India? The Honourable the Finance Member may correct me, but I think the total currency amounts to about 500 crores, if we take into account all the rupee coins which are in circulation; and the deposits held by banks are about 200 crores. This means that, while the deposits held in banks in India are about 40 per cent. of the total circulation, in England the deposits are about 5 times more than the circulation. Sir, this gives the reason for the system of hoarding, which is so much criticised by our European friends, both official and non-official. When we have more banks in this country and better facilities for investment, surely the tendency of this country to consume gold must decrease. But if the Government want that the responsible people in this country at this stage should discourage people against buying more gold and encourage them to put their money in Government securities, they are bound to be disappointed. And I will give you the reason why. Let us ask for the accounts of gold which was purchased from time to time by the Government of India and the way in which they spent it. If we take the account from 1900 to 1929, we shall find that gold resources to the extent of 140 crores were frittered away by the Government for maintaining the exchange first at 1s. 4d., then at 2s. and afterwards at 1s. 6d.

[Mr. Ghanshyam Das Birla.]

Now, Sir, I do not know how the Government can expect the Indian people to deposit their gold with the Government of India in exchange for Government securities. I want to make it clear that, until we get freedom, until we get full control over the fiscal policy of the Government, and until we are the masters in our own house, I would be the last person to dissuade the Indian people from buying more gold or encourage them to invest money in Postal Certificates and such other things. I say this on account of the bitter experience which we have had in the past. Everybody knows how the Government dissipated our resources. Sir, I would like to ask the Government what guarantee there is that, if once the people of this country decided to hand over their gold to the Government of India, it would not be misused, as it has been misused in the past. I would therefore be very chary of handing over my gold deposits to the Government until I feel certain that I have got control over their policy, and until I know that the Government are not going to abuse their powers, as they have done in the past. Of the many "stupid" things which the Indian masses are represented to have done, there is one at least for which I admire their instinct, and which I think it was quite sensible on their part to do, and that is investing their savings in the precious metals.

One point more, Sir, and then I will bring my remarks to a conclusion. I find that the Honourable the Finance Member is in agreement with us at least on one point, and that is, that he realises the necessity of increasing the productivity of the country. But mere sympathy will not do. What we want is some concrete scheme, and I am very much disappointed that I did not find any concrete scheme in his budget speech in that direction. I will go further and tell this House that it is impossible to launch any constructive measures under the present financial policy of the Government. Let me give an illustration. Suppose we decided today that the Gold Standard Reserve which amounts to about 60 crores should be merged in the Paper Currency Reserve, and that about 60 crores of silver rupees should be taken out of the Paper Currency Reserve and given in loans to the cultivator for increasing his productivity. What will be the effect? The moment you put your money in circulation, the exchange begins to go down. And my friend, the Honourable the Finance Member, cannot sacrifice his 1s. 6d. ratio. He must maintain the exchange at 1s. 6d. at any cost. Any constructive scheme must require money, whether by way of subsidy or loan, and the moment we begin to put money in circulation, the money market weakens, the exchange weakens, and the interest rate goes down. This is the difficulty. No matter whither we go, we cannot get out of our way the stumbling block of the ratio which has become a part of the policy of the Government. Therefore, it is impossible to put forward any constructive scheme until the Government of India are prepared to forget that they have got to do any such thing as the maintenance of exchange at 1s. 6d. However, the duty of this House is quite clear. We know that we have not got any responsibility in this Government; we know that we have got no control over this Government; yet we have got our duty towards the country, and all that we can do, is to draw the attention of the country to it, and agitate for that. I wish to warn the Government again, as I have done in the past, against the disastrous consequences of the present policy.

Although I am not at all happy that our predictions have come out to be true, all the same I think it is the clear duty of every Member on this side of the House to draw attention to the serious situation through which we are passing. Sir, I would like to warn the Government again that this is not the end of the trouble; it is only the beginning. And if we want to save ourselves from the dire consequences, the only thing we can do and should do is to compel the Government to carry out a policy of ruthless retrenchment. Until that is done, I am afraid it will be difficult to find ourselves in a better position.

Mr. W. S. Lamb (Burma: European): Sir, the speakers to whom I have listened in this discussion have avoided for some reason anything more than a broad reference to the taxes proposed by the Finance Member. I do not intend to follow their example because, in the first place, I have, unlike some other Honourable Members, a pleasing duty to perform, and further I desire to deal faithfully, if possible, with one of the proposals of the Honourable the Finance Member. Yearly, Sir, since I came to this Assembly, I have raised my voice in an effort to draw some word of comfort for Burma from a Finance Member. Three years ago I thought I had that comfort, and at this stage of the discussion of the Budget I gave my unqualified thanks for the remission of the duty on hides. That duty is still on the Statute-book and that fact diminishes in some degree the pleasure with which I contemplate the reduction of the export duty on rice by 25 per cent. My full blessings will descend upon the head of the Finance Member when I see the Finance Bill and this proposal steadily going towards the Statute-book. But, although I will not say all I might say about this belated operation, there is, in the speech of the Honourable the Finance Member, something which I can accept gladly and without any mental reservation. I refer to his words:

"I hope that this plan will commend itself to the House as an act of justice and a step in the right direction."

I think there is in that an admission, an admission that for Burma, in the condition of the rice business as it has been for the last four or five years, to be called upon to pay something approaching a crore of rupees a year has been absolutely unjust and a reflection upon those responsible for the financial arrangements between the provinces and the Central Government. The Honourable the Finance Member has referred to the fact that this reduction means that Burma will pay the same sum as the producers of rice do in Siam. The fact that there was a difference against Burma was merely an aggravation of the offence, and it is not sufficient only to take that off. I should like to have from the Honourable the Finance Member, when he comes to reply to this debate, a positive assurance that Burma may expect the remainder of this tax to be removed when the finances of the country permit of it; that is, that if Burma is to remain attached to India and be concerned in the next financial settlement, this crore of rupees or whatever it may be is not going to be used as an argument against Burma's legitimate demands.

I come now, Sir, to proposals which I cannot bless, namely, those contained in paragraph 64 of the Honourable the Finance Member's speech, namely, an increase in excise duty on kerosene and a diminution in the import duty on the same. Sir, it is quite proper for the Honourable the Finance Member to consider that he acquires merit when he deals with the import duty on cotton with unusual frankness, but here when he comes

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to kerosene, that is a matter of the oil business, which is one of the key industries of Burma and India, he dismisses the questions raised by his proposals in, what shall I say, a short paragraph, with what I might call an ashamed terseness, saying little, but meaning apparently a whole volume. Therefore, before I make particular comment upon his desire to place an additional 50 lakhs on the already overburdened oil companies, I would speak of what is nebulous but apparently fraught with meaning. For what seriously disturbs me—and I think it is known to Honourable Members that I myself have an interest in one of the smaller oil companies—what disturbs me on behalf of the oil companies is the import of his words, “we have thought that we have gone as far as it would be wise to go, at least as a first step”. First step towards what? Is it the immolation of the indigenous oil companies and the apotheosis of the Standard Oil Company and other foreign producers? I say there is nothing fantastic in such a suggestion and I think, Sir, that to deal adequately with this little paragraph, I should have the eloquence, perhaps I should have a little of the vituperative eloquence, of our Honourable Members opposite. For, what do we have in the budget proposals? There is proposed a protection for cotton and for sugar, but when it comes to oil, the House is asked, in effect to accept and applaud the principle that indigenous oil companies require no protection. Here, Sir, is a question of vast importance to the oil companies and to India, and the House is asked to accept the principle with no more than a small paragraph which, as a matter of plain fact, advances no reason whatever for a departure from a policy which has been of immense benefit to India. Government may be right—I do not agree that they are—they may be right in asking this House to take a first step, a step which will signify their acceptance of a principle, but is it suggested that it is possible, on the floor of this House, to come to such a momentous conclusion with nothing more before us than a statement from the Honourable the Finance Member that he and his Government are of a certain opinion? If Government are of a certain mind towards indigenous oil companies, is it not their bounden duty to exhibit to this House such evidence as will enable Honourable Members to come to a thorough, properly considered conclusion? As it is, quite apart from this principle that they are asking us to accept, today this House is asked to confirm and applaud a *caveat* to the oil companies, that they should at once reduce their returns. It does not actually amount to a reduction of prices, but what it amounts to is that they should reduce their returns of four annas per unit of two tins in order that these 50 lakhs—it is not merely in order that the Honourable the Finance Member should secure the money that he requires towards his Budget,—but in order that the sum of 15 lakhs out of 50 lakhs should go to the Standard Oil Company or other foreign importers. Therefore, Sir, it is a direct attack against the oil companies. The Honourable the Finance Member, I would explain, wants 35 lakhs from this source, but he takes 50 lakhs—half a crore—and gives 15 lakhs to the Standard Oil Company as, I may say to Honourable Members, a free gift which brings no good whatever to India. The Honourable the Finance Member, of course, has not put it that way. He says that they, the Government, decided to make a change which should at least ensure that the price of ordinary kerosene to the consumer is not increased. I am at a loss to understand this statement. At this present moment,

as always except during a war of rates, the price in India is at the maximum prescribed by the indigenous oil companies, and this maximum, at the moment, is very appreciably below the world parity prices. That being so, naturally the Standard Oil Company, who have to sell in the same market, have to keep their prices also very much below the world parity prices, and although I am not in their confidence, I have not the slightest doubt that they will have the greatest pleasure in following the example of the indigenous companies when there is an increase in prices to meet this imposition of four annas. The effect of this proposal is to give the Standard Oil Company and the foreign importers, not merely 15 lakhs, owing to the remission of the import duty, but an increased profit on their sales of oil in India. Sir, that sounds uncommonly like brotherly love, and it is very unlike the treatment that the Honourable the Finance Member desires to mete out to those smaller companies for whom he suggests he has an adequate sympathy. Let me tell the House and the Honourable Members that, out of these 50 lakhs, the smaller companies would have to pay 10 or 12 lakhs annually—a heavy burden to add to the load already carried by these oil companies. Actually I may say that there are oil companies which are engaged in as difficult a struggle for existence at present prices as cotton mills in Bombay. It may be, you may think that, if the price is increased as I suggested it will be, they will recover this four annas, and they will not suffer this loss. But I would point out to Honourable Members that there is no certainty that the present rates in India shall be maintained. Any day there may be further heavy and considerable cuts in the world prices of kerosene, and then you will have companies in India attacked by foreign importers and you will have them compelled to fight for their very existence. Therefore, Sir, if such a situation develops, how can the smaller companies possibly continue to live if they have a protection of not more than 9 pies per gallon, and this additional heavy burden of 4 annas per unit, which actually represents 6 per cent. on the full gross selling price in Calcutta, a price which of course contains the freight from Rangoon to that port?

Now, Sir, I have no doubt—at least I think it is very possible—that when the Honourable the Finance Member contemplates the oil situation, he thinks of it in terms of the predominant producer in India. I would suggest to him and to the House that they are being treated with an extraordinary lack of consideration, and I would remind the House that, during the last three or four years, the Tariff Board spent months and months upon inquiries into what is called by the sacred name of equalisation of customs duty. That is, any small manufacturer who makes up his mind that he is going to make something, using raw materials which are brought from outside India, goes up to Government and says, “I am suffering and losing perhaps 1,500 or 2,000 rupees a year”. The Tariff Board promptly sits down, and you can see in the Library the results of their findings in such matters. This question of export duty and excise duty is somewhat akin to this equalisation and I would suggest to Honourable Members that surely indigenous oil companies, who belong to India, who produce the oil from the bowels of India, bringing much revenue to the provinces, and particularly to neglected Burma, are entitled to more consideration than is represented by a small paragraph that effectually conceals the thoughts which have inspired Government to give those 15 lakhs to foreign importers. I trust that when the Finance Bill comes to be considered, Honourable Members will show their repugnance quite definitely towards proposals which mean taking half a crore, that is,

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this 50 lakhs, out of the consumers of India in support of a principle which they have had no opportunity of debating.

Mr. T. N. Ramakrishna Reddi (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Mr. President, I must deem myself really fortunate in catching your eye. I thank you, Sir, for giving me an opportunity of expressing my views regarding this Budget. My excuse in taking part in this discussion is that I consider that I will be failing in my duty to my constituency if I do not express my views, and if I do not express the utter disappointment with which the country has received this deficit Budget and the entirely wrong way in which the Honourable the Finance Member tried to tackle the solution of making good this deficiency.

Sir, the Honourable Member referred, at the very outset of his speech, to the various causes that have contributed to this state of affairs in this country, some causes which are peculiar to the conditions in India and others which are due to the disturbances of world conditions, especially in the United States of America, which have indirectly contributed to the depression of the commerce and industries of this country. But whether this present state is due to the causes which the Finance Member has attributed or to the ruinous exchange policy and the mishandling of the currency of the country by the Honourable Member's predecessor, as some of the Indian financiers have said, I leave to the better and well-informed Members of this Assembly to discuss and thresh out and lay bare before this Assembly. But it is common ground that a very difficult situation has arisen in this country. Now, my point is, has the Honourable the Finance Member followed the salutary dictum which he set before himself in his last budget speech? He stated in the opening paragraph of his last year's budget speech:

"If my period of office is blessed with a series of good monsoons, my task may be comparatively easy. If not, I know that I may have to encounter difficulties. But difficulties are also opportunities, for, it is by these that a system is tested, and success in overcoming them may lead to its permanent strengthening. . . . If I have an ambition, it is this, that whether we encounter bad seasons or good, you should be able to say of me when my work is done, that I served your country at least to the utmost of my powers and that in all that I did, my main thought was for the interests of the people of India."

Sir, my point is, has the Finance Member taken this opportunity of the difficult situation and tried to do some lasting good to the country in the shape of reducing the heavy military expenditure and the other heavy civil administration expenses, or has he, instead of doing that, tried to impose some additional taxation upon the already heavily burdened taxpayers of India in order to fill up the deficit of 4½ crores? Sir, I will pass in brief and rapid review some of the additional measures that he has proposed for the consideration of this House.

First and foremost is the protective duty on cotton. With regard to the 4 per cent. protective duty, everyone, especially the millowners of Bombay, and not only the Bombay millowners but the up-country millowners also, will welcome it. And further, even though it may entail some additional cost on the consumers, yet the consumers also will welcome this, because it will give some relief to the indigenous millowners, which they are sorely in need of. But what I do oppose is the 5 per cent. duty on all cotton goods imported from various countries except Great

Britain, and thus the introduction of this Imperial Preference. If it is to serve as a protective duty, by all means let it be made universal, and it may be made applicable to Great Britain also; but instead of that if preference is shown to Great Britain, the goods that would have been coming from Japan and other foreign countries would flow from Great Britain and thus there is no real protection to the Indian manufacturer. Then what will be the result? We will incur the odium of the other countries without getting any comparative benefit. If the goods do not come from other countries, and such goods come through Great Britain, it is something like fortifying a fort, allowing a breach to remain through which others can enter. The Finance Member stated that this duty is only for three years, and after three years, or within that period, the Tariff Board will consider the situation and give their opinion. Sir, this is something like putting the cart before the horse. After all, it is an experiment, and this experiment must be tried by the Tariff Board. The Tariff Board must inquire into it, must go into the *pros* and *cons* of it and then when it is found beneficial, it must be introduced.

The next is the kerosene duty. This must really adversely affect the indigenous industry. On account of this excise duty, the indigenous companies will raise the price of the kerosene in geometrical proportion. There is reduction also in the import duty on foreign kerosene, but this reduction is not such as to counteract the increase in prices, and this certainly will adversely affect the consumers.

Then with regard to the import duty on sugar, as an agriculturist, I welcome this because sugar is consumed only by the middle and higher classes and this will give an impetus to the sugarcane cultivation by the rural classes, and so I welcome this.

With regard to the import duty on silver, I oppose this, because the whole burden will fall upon the Indian buyer, and that is the middle and poorer classes. The Indian consumer has to pay for the purchase of silver over and above the world market rate, and after some time when this duty is removed and the value of the silver is *ipso facto* reduced, this consumer will become the poorer for it.

Thus the Honourable the Finance Member has explored all these sources whereon to impose additional taxation, without boldly facing the issue and cutting down the military and civil administration expenditure. This is the time to observe economy and retrenchment and not to impose additional taxation. Sir, I do not owe any apology to this House if I venture to harp upon the same old theme of the reduction of military expenditure. It is common knowledge that it is eating away very nearly half of the gross income of this country. The Brussels Convention, to which India is also a party, has set 20 per cent. of the gross revenue as the amount that should properly be spent on the military.

Sir Hari Singh Gour (Central Provinces Hindi Division: Non-Muhammadan): They say 20 per cent. is excessive.

Mr. T. N. Ramakrishna Reddi: I am glad that my Honourable friend says that it is excessive. Even the Retrenchment Committee has put it at 50 crores. In spite of all these years, the Government have not seen their way to reduce the expenditure at least to that amount. What have the Government done? They have fixed 55 crores of rupees annually as the amount they should spend for four years. Of course the Military Department have asked for 10 crores more for modernisation and mechanisation of the Army. The Honourable the Finance Member has spread this amount

Mr. President: The Honourable Member must now conclude.

Mr. T. N. Ramakrishna Reddi: I am on my last point, Sir, I will just conclude. In the last budget discussion the Honourable the Finance Member stated:

"I would say to my Honourable friend, Pandit Madan Mohan Malaviya, that the only way in which that can be done is by improving the position of the agriculturist by the combined effort of Government and of all those interested in the welfare of India . . . directed to the extension of education and to the encouragement . . . and introduction of improved methods of agriculture. Anything else is more than a quack remedy."

And he has also said the very same thing again in this year's budget speech. He says:

"After all, it is in the hands of the Provincial Governments that the real nation-building services lie, and the two great needs for India are agricultural development and, as a necessary condition of its success, the increase of a really effective form of primary education. Of all the tasks, the responsibility for which my present office lays upon me, that which I take most seriously is the duty of finding revenue in order that those provinces which are at present handicapped by financial difficulties, may make a great start forward in developing the services which the country really needs . . ."

The Finance Member himself has felt the need of improving the condition of the agriculturists in India, but what has he done? He has only provided Rs. 5 lakhs, and that sum of Rs. 5 lakhs is intended only for the Agricultural Research Institute; it does not reach the actual cultivator. What the Agricultural Commission recommended was that any money that was provided should reach the ordinary cultivator. That is the real remedy which they suggested. They said:

"Lord Curzon's Government fully realised that a central institution under the direct control of the Government of India would be valueless unless there were at the same time real development of agriculture in the provinces."

Thus, the wealth of the nation lies in the agriculturists, and it is the duty of any Government to improve the condition of the agriculturist. That can be done, not by spending money on research institutions at Pusa or Simla, but by reaching the agriculturist, by introducing demonstration farms in each and every village, and by bringing home to the villagers the improved methods of agriculture. That is the only real and effective way in which to improve the agricultural conditions of India, but for that nothing has been provided. The Honourable the Finance Member may say that it is a provincial subject, but it is common knowledge that the Provincial Governments have not sufficient money to develop this, and it is the duty of the Government of India to come to their rescue. There is also another subject.

Mr. President: Order, order. Mr. K. C. Roy.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, whatever may be the differences upon the merits of the budget proposals presented by the Honourable Sir George Schuster, there can be no denying the fact that the House is deeply grateful to him for his fair and unvarnished account of the Indian financial position, as disclosed to this House by him the other day. (Hear, hear.) His analysis of the position has fully borne out the prognostications made by eminent financiers sitting on the other side, notably my Honourable friends, Sir Purshotamdas Thakurdas and Mr. Birla, with whom I should like to associate the name of Mr. Chetty. The forecast

which was given by Sir Basil Blackett on the eve of his departure from India has unfortunately been belied. I do not deny that he made the forecast with a sense of honesty and sincerity. Sir Basil Blackett's prophecy has been falsified. There is no doubt on that point. Between Mr. Birla and Sir George Schuster there is little room for difference on matters of fact, but there is a great deal of difference in the conclusion, for while Mr. Birla has pointed out to this House that we are at the beginning of our trouble. Sir George Schuster has maintained, in the concluding paragraph of his Budget Statement, that we shall be at the end of our troubles if we accept his financial propositions. I hope, Sir, that the forecast which Sir George Schuster has made in the best interests of India will be realised. In making prophecies in financial matters, one has got to realise world conditions as well as the somewhat unsettled and uncertain climatic conditions of India in regard to the monsoon. But even in spite of these limitations, I wish Sir George Schuster all good luck, so that he might be able to bring forward a prosperity Budget before this House next year.

Mr. Birla, in his thoughtful speech, to which I have been taught to listen with respect, has said that he is opposed to the scheme of taxation, and he said that retrenchment was the only remedy. In that matter there is a difference of opinion between the Finance Member and the Honourable and distinguished Member representing Indian commerce and industry. In paragraph 85, the Finance Member says:

"For all these reasons, I have myself regretfully come to the conclusion, which I have already stated, namely, that, however energetically and ruthlessly the search for economies is carried out,—and I shall myself welcome any measures for the conduct of such a search,—there is not room for any *substantial* reduction in the civil expenditure of the Central Government."

This is the dictum of the Honourable the Finance Member, which has met with opposition from many Members, of whom Mr. Reddi was the last—and whose maiden speech has been a source of great pleasure to us. But, Sir, as one who has been watching the functions of the Government of India for many years, I can truthfully bear out the correctness of Sir George Schuster's statement. There is indeed little room for economy in civil expenditure which is roughly about 23 crores per year, but there is room for expansion. At the same time, I feel that expenditure has been sanctioned this year which ought not to have been sanctioned at all, and for this I hold the Standing Finance Committee particularly responsible. A reference has been made to certain expenditure by Mr. Birla and by Mr. Das, who attacked the grant for civil aviation and the grant for broadcasting. I know something of broadcasting, because I was a member of the consulting committee when this company was brought into being; and at that time all of us, who were experienced journalists, told the Government of India that it was not right for them to allow the launching of a company which was foredoomed to failure; but our advice was set at naught by the administration in the Department of Posts and Telegraphs. The company came into existence, and the shareholders have lost their money, and they have now come to Government for help and the Government, I am sorry to say, have undertaken a new responsibility which they will not be able to discharge as time goes on.

There are also other items of expenditure which I can cite, such as the creation of the post of Deputy Secretary in the Department of Education, Health and Lands for emigration. When the Inchcape Committee was in session, my Honourable friend, Sir Purshotamdas Thakurdas, will recall

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that suggestions were actually made in the newspaper Press for the abolition of this Department—I think the suggestion was made in the *Times of India*. With the growth of provincial autonomy, which must come in the process of the political reconstruction of India, the size of the Government of India must be restricted, and I am surprised that an additional appointment of Deputy Secretary should have been sanctioned by the Standing Finance Committee.

I come to another appointment. That appointment is the creation of a post of Administrator for the new city of Delhi; as if the new city has not got enough officers already, we are going to have a costly Administrator for a city which is practically untenanted for the greater part of the year! There is very little room for retrenchment, I agree, in the civil charges of the Government of India, but there is great room to restrain expenditure, that is the primary function of the Finance Committee as well as of the Finance Member.

Sir, while I maintain that there is very little room for economy in the civil expenditure, I say there is very great room for economy in the army expenditure. I have here a statement, extending over a period of forty years, showing the growth of army expenditure. In 1896-91, the net expenditure was Rs. 21 crores, and Sir, you know the net expenditure today is Rs. 55 crores and 10 lakhs. During the last forty years the increase has been more than Rs. 30 crores. That, Sir, is a crushing burden for a poor country like India to pay. This morning the Finance Member gave some very illuminating answers to the questions of my Honourable friend, Sir Hari Singh Gour. Of course my friend was wrong when he said that the military expenditure of a country should be 20 per cent. of its total revenue; that is not correct.

Sir Hari Singh Gour: I never said that; I said that 20 per cent. was excessive.

Mr. K. C. Roy: Please read your question. It is not that: it is 20 per cent. of the total expenditure of a country—not its revenues. I am very gratified with the answers which Sir George Schuster has given; he has held out hopes of retrenchment in our army expenditure, and I hope that he will try and bring the Brussels Conference recommendations into active operation in India; if he does that, our army expenditure will be in the neighbourhood of Rs. 42½ crores, and if we can attain that figure—I am talking roughly from memory—there will be prosperity ahead. I will leave the question of expenditure at that.

I will now turn to one or two political and constitutional aspects of Sir George Schuster's statement. I think his reading of the political position is not quite correct. I think, with the utmost deference to him, that he has overdrawn the picture. He says:

"If the insidious lack of confidence continues to sap our foundations, we shall, as a Government, do our best to protect them and shall not hesitate to take strong financial measures for that purpose."

This, Sir, breathes a spirit of retaliation from a responsible authority. Sir George Schuster, throughout his Budget speech, has applied his world-wide experience of conditions to the framing of his Budget proposals; but in his political analysis, he has not applied world-wide conditions and the world-wide test. What is the position in the world today? There is

political evolution everywhere—in fact revolution. Look at old England; new parties are cropping up, which want to subvert the forces of the Conservative and Labour Parties. This is a new phenomenon, which we have not seen for years. What does Lord Rothermere want to do? He wants to throttle India and Indian aspirations. It is not right therefore to judge India's political evolution only by Indian standards. If you like, go to America and see what is happening there. Go to Italy; go even to Geneva, where political assassination was attempted in the very League of Nations. Political assassinations and political offences are not unknown in Europe, and it is not right to say that Indian credit has suffered because there have been conspiracies and political murders and political crimes. The Indian public has got sanity enough to know their interests, and they know their interests lie in the processes of constitutional development and constitutional methods, and not in anarchical doctrines or Soviet precepts. We all know that, and if we have lost credit in the foreign market, the Government of India cannot altogether escape their share of the responsibility; they have brought into this House such legislation as the Public Safety Bill and the Hunger Strike Bill, which they have not carried through this House. Failures of this kind, to carry through Bills of that character, have created a most melancholy impression in foreign countries; so, along with the representatives of the people, the Government of India must share the responsibility for lack of credit in India's finances and in India's good name.

There is another point to which I wish to allude in this connection. The Finance Member says:

"The future in this respect lies in the hands of the leaders of non-official opinion in India. The responsibility rests with them and not with the Government."

Sir, I have conclusively proved that the responsibility also rests with the Government. If the Government of India become a little more responsive to public opinion, and if they can throttle the opposition that is created in England by Lord Rothermere and others, they will be doing not only a service to India but a great service to the British Empire, of which we are proud to be citizens.

The next point on which I wish to criticise Sir George Schuster is as regards his proposal to take time by the forelock and to make provision for Ministers. This is indeed a novel idea; but I find it has caught on already in Ceylon; the Ceylon Government made a similar proposal and I shall read from a Ceylon paper the verdict of the Ceylonese. It will be very interesting to hear it. They say:

"If the Government wants money for its own purpose, let it say so. To utter the plea of Ministers at this stage when the reform is not even in sight is the surest way to make them irresponsible."

Now, I would invite the Honourable Sir George Schuster to consider this question seriously. We know nothing as to what the future reform is going to be; we do not know whether we are going to have a unitary form of government or a federal government. We do not know anything as to what the reform proposals are, but we are asked to a future commitment for Ministers in the provinces. I hope Sir George Schuster will take my suggestion into his consideration.

Finally, Sir, I can only repeat my congratulations to him for presenting his Budget in a fair and frank manner, and express the hope that, next year, he will be able to give us a Budget which will satisfy all concerned

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and restore his name and authority as one of the greatest financiers in the world of finance and commerce.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Mr. President, being one of the babes of this House, I trust you, Sir, and the Honourable House will not consider me audacious if I rise to speak during the general discussion on the Budget, which happens to have been presented so very soon after my election to this House. But, Sir, as I do not consider myself justified in taking the twenty minutes that you have allotted to us, I will confine myself to only one or two important features in the Budget, which naturally, coming as I do from Bombay, capture my attention.

Sir, I need hardly say that the first point which I will take up is the proposals of Government to protect the textile industry of India. We have long clamoured for this protection. Government have referred the matter to several committees since so long ago as 1926. They then appointed an officer of their own to report on this important matter, but they still continued to think, to cogitate, to meditate and to hesitate. At last they have produced something, and we are therefore thankful. Better late than never.

But while putting forward their proposals they have introduced a feature that has made all Honourable Members in this House and the country think furiously. (*An Honourable Member from the European Group*: "Not at all.") They talk of Imperial Preference. It is unfortunate for the industry, an industry that has been on the verge of extinction, due to the inaction of Government, that when they do bring forward proposals, they should bring them forward in conjunction with a principle which, it is well known, no Member of this House will ever accept. But situated as we are, let us try and discuss the question impartially.

We must first admit that every one of us is opposed to Imperial Preference. There is not a British Dominion that has accepted that principle. There is not a British Dominion today which will give any concession to any part of the Empire or to England if it is prejudicial to its interests. Further, I say that there is not a British Dominion which will give any concession to even Great Britain, if there is the slightest suspicion that that Dominion will be adversely affected in the future. And therefore, I maintain, Sir, that to ask India to do anything that is not absolutely in the interests of this country, is, to say the least, ridiculous and absurd, and that not one Member in this House will countenance an argument or plea that will go to harm the interests of our country.

But, Sir, we are told that the exemption that Government desire to give to England is in the interests of this country itself. There are three points that will have to be examined. Firstly, whether the imported goods from England compete with ours in this country; secondly, whether the exemption given to England is really a relief to the consumer; and thirdly, whether this exemption will by any chance, within the next three years, enable the imported goods from England to compete better with our own goods in this country. These three points require consideration and elucidation, and I leave it at that until Government place their case before us while introducing their Bills.

Sir, the next point I will take up is the statement, which I welcome, from the Honourable the Finance Member, on behalf of the Government

of India, that the Fiscal Autonomy Convention is a reality. But I cannot forget that, after all, the present constitution forces the Government of India to submit their Budget for sanction to higher authorities; nor can I forget that, within the last few years, the Finance Members for India have had to proceed six thousand miles to take their instructions. Sir, I honestly trust and hope that this Convention is a reality, and I am prepared to accept that statement made by the Finance Member. And I not only take it as a reality, but I take it as an assurance that that Convention will be given statutory effect at a very early date. For, after all, if this Convention is a reality, I can see no objection to giving it statutory sanction at the very next opportunity. If it is given statutory sanction, it becomes real fiscal autonomy, and that is what we claim. Without fiscal autonomy, Sir, no reforms, no advance of the constitution, will be of any use. We do not want our Finance Member to go six thousand miles for his instructions. We want him to come to this Assembly. We do not desire to have appeals made to us before we have discussed the Budget, or before the Budget is even introduced. No Budget should be sent anywhere outside this country for opinion or sanction. If protests are to be made, they may be made not only by England, not only by every part of the Empire, but by any country after the introduction of the Budget. That would then be a real convention.

Sir, there is just one point that I would like to deal with. Government have appealed to this House to give serious consideration to their proposals. They ask us "to give full thought to the grave importance of the wider considerations". They remind us that the representatives of this country are soon to meet the representatives of England to consider the future constitution of this country. Sir, I fully realise the importance of this appeal. But may I remind Honourable Members of Government that there is a section of the British public in England which has voiced very different opinions? Up to a short time ago all sections of the British public took credit for being trustees for the teeming millions of the population of this country; that they were here in our interests; they were here to guard the interests of the millions who cannot speak for themselves. Since the famous announcement of His Excellency the Viceroy, a certain section of the British Press, and not an insignificant section, a section which carries considerable weight and influence, a section which has a tremendous following, has changed the trend of their criticisms. They openly declare

I.P.M.: that India is necessary to England and that further reforms are dangerous to the interests of England, because India is England's best market. When this appeal is made to us to look fairly at this question, I will remind Honourable Members of Government and Honourable Members here that there is this powerful section in England which is against giving any reforms to this country, lest this country should deprive England of her trade down here.

Sir, this is an outrageous and monstrous policy to enunciate—that one country should not be allowed to advance because its trade should be reserved for the other country. Our industries and commerce should remain where they are because the interests of another country are affected. All this has taken place within the last four months. The appeal, therefore, I venture to suggest, is inopportune. The appeal ought to be directed to that powerful and influential Press in England who deny us the right to advance commercially and industrially. When we do have real fiscal autonomy, I have not the slightest doubt that, however this House may be constituted, it will look fairly on any proposals that may show some

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favour not only to England but even to any of its Dominions. But this appeal to us, is inopportune while allowing an important section of the British Press to tell the British public that we should get no advance because their trade and industries will suffer.

Sir, I think the sympathy of the whole House will go out to the Honourable the Finance Member, who, so very soon after his arrival in this country, has had the misfortune to present a Budget with a deficit of 5.52 crores. Although I am afraid he is not going to get the support of at least this side of the House, and also of some of the other Benches to all his measures of taxation, I can only extend to him my sympathy. I do not now propose to go into the other details of the Budget. We shall get an opportunity of asking the Honourable the Finance Member to give us details when the two Taxation Bills are before us, and we shall keep an open mind till those Bills are presented to us.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadian): Sir, able people have dealt with the Budget from the financial point of view. I shall confine myself only to the military part of the Budget. I sincerely sympathise with the Honourable Sir George Schuster in the most unenviable position in which he finds himself today, because I know most of his difficulties are inherited by him as a legacy of the past wrong policy and the vicious circle of the system of Government under which he has to work. To that extent, he has our most sincere and honest sympathy, but even making allowances for that, I think it was in his power to do something substantial to contribute his quota to the nation-building part of the Military Budget. He has tried to create an impression that he has begun an era of reduction of military expenditure. If analysed critically, I can only describe it as mere eye-wash or camouflage. He says that Government were committed to pay Rs. 55 crores for the Military Budget for five years, out of which three years have already past and there are still two years more during which Rs. 55 crores will have to be paid annually under this contract with the Military authorities. But he says that he is going to reduce the military expenditure from today by Rs. 80 lakhs for the next three years, at the end of which the contemplated drop in the Military Budget will be ushered in. Let us see if it is really a reduction from today as is claimed by my Honourable friend, Sir George Schuster. Let us see what it comes to. Supposing he had not been so obliging as to reduce the Military Budget before the contract time comes to an end after two years, *i.e.*, in 1932, we would have spent, at the end of the third year, 55 *plus* 55 *plus* 50 crores, which is the drop which was recommended by the Inchcape Committee, namely, Rs. 160 crores. Under the proposed arrangement, which is to continue for three years, we would pay Rs. 162.60 crores in three years. He is thus actually giving to the military Rs. 2.60 crores more than the Military Budget has a claim for. Supposing the Government were to say, I am too optimistic to suppose, that the Military Budget could be reduced at once to 50 crores at the end of two years from now, and also supposing the Military Budget stood at 52 and not 50 crores, at the end of two years, what would be the effect? It would come to 55, *plus* 55, *plus* 52, that is 162 crores. That is, we shall still be paying Rs. 60 lakhs more. Supposing however, the Government were to say that the Military Budget cannot be reduced to 52 crores, but must stand at 53 crores, then we shall be paying 55 *plus* 55.

plus 53 crores, which comes to 163 crores. Thus at the rate proposed by the Finance Member, under which we shall have to pay 54.20, *plus* 54.20, *plus* 54.20, that is 162.60 crores, it would mean a reduction of merely 40 lakhs. Can my Honourable friend, Sir George Schuster, justify it as practically any reduction at all? I am reminded of a proverb in my mother tongue, Marathi, which, if translated into English, means "Little bits of meat and bread extracted from the crevices of the teeth do not satisfy a man's hunger". It is therefore that I call this show of a reduction eye-wash or camouflage. I would certainly have congratulated the Finance Member if he had been able to induce the military authorities to reduce the Military Budget to 50 crores. Of course we are not going to be satisfied even with that. We shall not cease our agitation until the Military Budget has been reduced to very much less than Rs. 50 crores.

Now, looking at it from the nation-building point of view, the Military Budget is generally regarded as money spent for maintaining a destructive machine. But there are two parts of the Military Budget. One part is set apart for maintaining a destructive machine, which is however an inevitable evil, and another part for the nation-building machine. Let us see what our Honourable friend, the Finance Member, has done in regard to this second part *i.e.*, the nation-building machine. We want to win Dominion Status; we are out to have Swaraj ourselves. The only argument against our claim that the Bureaucracy has been advancing is—where are the people in India who can undertake the responsibility for the defence of the country? That is the standing argument against our claim. In this Budget I find that an attempt is being made to perpetuate that argument. If the present state of things were to continue, even at the end of 100 years from today, we may not be in a position to assure them that the country is in a position to assume the responsibility of its defence from foreign aggression. Such is the Bureaucratic way of perpetuating their standing argument against our national claim.

In this Budget, I find that the Finance Minister, Sir George Schuster, has been generous enough to grant five lakhs of rupees for the further expansion of the Territorial Forces, and, it is the Territorial Forces that form the nation-building part of the military machine. This is not merely my own opinion, but it is the opinion given authoritatively by the various committees appointed by the Government of India, themselves. The Territorial Forces Committee say:

"The object of the Territorial Force is an educational one, to create a national desire for patriotic military service and to afford opportunities for military training; to a wide range of the manhood of India and so lay surely and solidly the foundation of a national army such as will be essential to India when in course of time she attains to full responsible government and takes upon her own shoulders the whole burden of her defence."

The same Report continues to say:

"We think it of even greater importance to develop it as a school wherein the young men of the country may be trained to arms and may fit themselves to take their places in the national army of the future ready to defend their country in time of need. The promise to India of self-government implies in our opinion, the grant to her people of an opportunity of training themselves for her Defence."

This is what I call the nation-building part of our military machine, and it is exactly here that the Department has been starved. They have allotted only five lakhs of rupees for this part of the machine, whereas on

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enjoyments and luxuries and on those things which do not fall under the category of necessities of life for India, we find them wasting lakhs and lakhs. This fact has been brought out most prominently by several speakers on the floor of the House, and therefore I shall not weary the House by repeating it. Perhaps it may be argued that the Government do not know how better to develop a national army in India. Supposing that argument were correct, I might take the liberty of enlightening the Government on this occasion as to what is happening in other countries. Here I do not mean other countries which have no connection with the British, but their own Colonies where their own kith and kin reside. I find that, in those Colonies, they almost entirely rely upon the Territorial Force for their defence. They regard it as a nation-building part of their army, and they therefore spend money upon the training of the Territorial Force with a lavish—not only a generous—hand, so that practically the whole nation may be so trained and strengthened that none of its neighbours may be tempted to cast an evil eye of aggression on it.

Now, let us see what is happening in a small colony like New Zealand. What does it do in the matter of the development of its Territorial Force? In 1928, there were 805 officers and 20,140 other ranks in the Territorial Force. Imagine a country which is 100 times or perhaps even 200 times smaller than India having as many officers as 805 and as many rank and file as 20,140. Supposing India were to be allowed to do the same thing that is to spend its revenue with a generous hand on the development of her own Territorials, just as the English Colonies are doing, then there would be no need for an army, which may be called an army of British occupation, which costs us about five times more than our own Standing Army. Or, to put it in another way,—here I am not speaking of the British Army in India—don't you think it is more profitable, more advisable, more safe to rely upon a national army in an emergency than an army which has been described as a mercenary army as the present Indian Army is? Even from the selfish point of view, the Bureaucracy ought to say that it is in their own interests to develop the Territorial Force with a lavish hand or with a generous hand; because with the grant of Swaraj to India and the full development of the Territorials, there will be an unlimited source of supply of man power whenever the Empire may find itself again faced with a real emergency as in the last Anglo-German War.

Now, I will tell the House how many boys in New Zealand are under Military training. Senior cadets are organised in battalions and receive physical and elementary military training. Their strength on the 31st March, 1928, was 525 officers and 33,939 ranks. That is to say, almost one-third of the whole school-going-boy-population of the Colony is being given elementary military training. Does it not thus come to compulsory military training, and in a Colony where there is no fear of foreign aggression? There is the British Navy, which is so powerful that New Zealand, Canada and Australia can never entertain any fear of any kind of attack from any other country, and yet they have been spending such large sums, having regard to their revenue and the size of the country, upon the early military training of their youth. All male inhabitants of New Zealand, who have resided therein for six months and are British subjects are liable to be trained for military service as follows:—

(a) The senior cadets—from 14 years of age or the date of leaving school, to 18 years of age, and (b), the Territorial Force—from 18 years of age to 25 years of age; that is to say, practically the whole population between the ages of 14 and 25, are under compulsory military training so that they may be fitted to be a part of a national army in time of need. But what does our Government do for such military training of our boys? They have provided this year a princely sum of Rs. 5 lakhs for the purpose. I remember my friend Colonel Crawford last time twitted me by saying: "Why don't you spend your own money? If the Government does not spend the money, why don't you spend your own money and why don't you start your own military schools?" I might, in reply, remind him that the money which the British Government have in India is not the money that has been brought from England. It is the money which has been raised in India from our own pockets. Instead of controlling or operating upon it ourselves, it is the British people who are doing it, but the money as such comes from the soil, and it comes from our pockets and from our labour. Therefore, whatever Colonel Crawford may say, I have a right to ask that my Indian revenue should be spent on the strengthening and for the betterment of my country.

Colonel J. D. Crawford (Bengal: European): Will the Honourable Member give me some idea as to what the military threat in New Zealand is?

Dr. B. S. Moonje: I am glad that my Honourable friend has put me that question. There is no military threat, there is no fear and yet they are spending on training their youths with a lavish hand. What would they not have done if there had been a threat? I am glad my Honourable friend's interruption has strengthened my arguments. New Zealand has nil in the matter of military threat. (*An Honourable Member:* "Why has it not?") It is for you to make out a case if you contest my statement. I repeat there is no threat. The British Army and the British Navy are so powerful, that there is not one single country in the world which can look upon New Zealand with an evil eye. If you contest that statement of mine, it is for you to prove it on the floor of the House. And yet what does not New Zealand do in the matter of training her own youths? The New Zealand Government are not sitting idle and complacent. There is no Colonel Crawford in the Legislative Assembly of New Zealand to say to the people there, "Why don't you spend your money; you have got enough money, why should you call upon the Government to spend the money on the military training of your youths?"

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): There must be a Dr. Moonje there.

Dr. B. S. Moonje: Well, the time is coming when India is to be considered a partner in the British Commonwealth of Nations and then New Zealand will be under our clutches as we are at present under the clutches of New Zealand, Australia and Canada and the other British Dominions including Britain itself. The New Zealand Government has established a permanent staff with a strength of 135 officers, and these have been entrusted with the duty of training the youths in the schools. A standing military staff of 135 officers has been deputed to this work, and their entire duty is that they should train all the youths in military drill, discipline, physical training and elementary military training. Now what about the Territorial

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Force in India? How many officers are there to train the Territorials in India? How many military officers have been deputed to train the youths of India? I do not think I need worry you with figures. You know a grant of merely Rs. 5 lakhs is considered enough for the purpose. That ought to be enough information for us. But you know, compared with the smallness of the size of New Zealand, and the bigness of India, need I say it is a drop in the ocean? Besides, and over and above that, what else is New Zealand doing? New Zealand has established 156 rifle clubs with 4,360 members, and these clubs are affiliated to, but do not form part of, the defence force. The Government used to issue free of charge, 200 rounds to each member per year. Well, Sir, here is my reply to the question of my Honourable friend Colonel Crawford, "Why don't you spend your own money from your own pocket?" Why is it that the Government of New Zealand issue 200 rounds to each member of the rifle clubs, free of charge? Also to those members of the rifle clubs who want to purchase extra ammunition, it is sold at a reduced rate. It is these things, and it is these analogies before us, that embitter our heart when we see that, on the vital point where our British Government ought to help us, it is not doing, not only not doing, but on the other hand creating a situation which is nothing better than an eye-wash or camouflage, or false impression or whatever you call it.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): May I ask the Honourable Member, on a point of information, whether he means to say that New Zealand gives all this training and makes all this military preparation, although it has no military threat, as stated by Colonel Crawford?

Dr. B. S. Moonje: Yes. My Honourable friend has asked me a question. I think I have already replied to it. It is not for me, and it is not for us to prove that New Zealand has got a military threat or a threat of aggression from outside. It is not for me to do so. My point is that there is no threat, and yet New Zealand, in anticipation of an emergency coming up in the future, is doing all it can to prepare and train its youths. They keep their powder dry, and no General is worth his name who, in the belief that there is no enemy, does not take care to keep his powder ever dry. But I would impress upon my Honourable friend this point, that, whether there is a threat or not New Zealand is right and wise in seeing that its youths are trained. So far as India is concerned, shall I bring forward proofs to prove that there is a perpetual threat on the North-West Frontier Province to India? It is this threat that is being made the excuse for defrauding us of our rightful claim to nationhood, defrauding us of our rightful claim to Dominion Status and Swaraj. In a moment of weakness—that weakness comes upon all nations at some time or other—in a moment of weakness we were defeated, and we were made helpless, and our national Government passed into the hands of the English people who were then foreigners. We are now creating a commonwealth, and if they so desire, we shall be members of the same household of the same Commonwealth, and if they do not desire that, they shall still deserve to be designated as foreigners . . .

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province; Nominated Non-Official): Who brought them here?

Mr. President: The Honourable Member has exceeded his time limit. The House stands adjourned till Twenty Minutes to Three.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, Education no doubt, like Agriculture, is a transferred subject, but the Government of India cannot wash their hands of all responsibility. A few years ago Sir Andrew Skeen and Major Dauffle visited schools and colleges in India, and they discovered not more than a dozen students whom they declared to be fit for a military career. The Education Department, maintained at an expense of 25 crores of rupees, and having 11 million pupils, cannot produce more than eleven or twelve students fit for a military career,—one in one million. Is that not in itself a condemnation of the Department? There must be something wrong somewhere, but if I examine it closely, I say everything is wrong everywhere. Our curriculum is defective, our mode of instruction is wrong, the text-books are improperly selected, and our system of examination is ruinous. Here in India students are taught not what they like to study, but they are taught subjects in which they have no interest. As regards the mode of instruction, I should first blame the teachers' training colleges. A few years ago the Retrenchment Committee in Bengal recommended that all the training colleges should be abolished. Mr. Zachariah, on behalf of the Government of Bengal, in his quinquennial report said that a degree in a training college had commercial value and had no direct bearing on the daily routine of the teacher's task. As regards the text-books, the Agricultural Commission has condemned the constitution and working of the Text-Book Committee. The Hartog Committee has not a good word to say for these Text-Book Committees. As regards the examinations, I think the British Government, by implanting the British system of examinations in this country had done a great disservice to India. After three quarters of a century, the British people have realised the mischievous effect of their system of examination, but unfortunately it is still being perpetuated in this country. We had in India for centuries a system of examination, which Germany has adopted today.

Mr. President: What about the Budget?

Dr. Ziauddin Ahmad: I am talking about the policy of education, specially of primary education, and advocating a grant from the Central Government towards education. The Hartog Committee is not very sanguine and very sympathetic towards compulsory primary education. They do not oppose it, but reading between the lines, they make us feel that it is impossible to achieve it in the near future. The estimate of cost of it which they have given is 6½ crores of rupees, but looking into the figures . . .

Mr. President: Is that for the centrally administered areas?

Dr. Ziauddin Ahmad: No. They recommended the total expenditure for the whole of British India at 6½ crores; they recommended that the

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Central Government ought to contribute something for primary education, and they want that the Central Government ought to take up some responsibility for primary education. Now let us examine this figure of 6½ crores. According to the figures given by the Hartog Committee, the total number of boys of the school-going age in the whole of British India is 17 millions. According to their own statement, only 80 per cent. could ever be brought to school. Therefore, we have really to cater only for 14½ millions. We have at present 7½ millions in schools and colleges, and according to their own estimation three millions more could be brought into the existing schools without any extra expenditure. Therefore, in order to introduce compulsory education throughout India now, we have to make provision for four million more pupils altogether. Now, considering the cost of education, their calculation is Rs. 8 per head, and the way in which they got this figure was that they divided the total expenditure by the number of pupils in schools. As I have just said, three million boys more can be absorbed in the existing schools. Therefore, if we add this number, and divide the total expenditure by this increased number, the cost per head will be Rs. 5-8, and not Rs. 8. By calculating it as Rs. 5-8, the additional expenditure would be only about 2½ crores of rupees. This is the amount which is necessary to introduce compulsory free education throughout British India; and I appeal to the Assembly that out of this amount, one crore of rupees ought to be contributed by the Central Government for primary education, and the 13 provincial Governments may be requested to raise the remaining 1½ crores in order to introduce compulsory education. This contribution from the Central Government may not be according to population. It may be according to the need of each province, if proper administration be guaranteed, and the money be not absorbed in the general education Budget, but a special Board of Primary Education be created to advise Government about the way in which the money ought to be spent; and if the curriculum of studies be suitably made, I am perfectly certain that Provincial Governments will agree to fresh taxation to the extent of 1½ crores; and we can introduce compulsory primary education within a space of three years without postponing it for an indefinite period, as recommended by the Hartog Committee.

About secondary education, the policy of Government was laid down by the Commission of 1882. It was established by the Resolution of 1904 of the Government of India, and again established in 1913. Their policy is this, that we should maintain only one secondary school at the headquarters of each district, and control secondary education by means of inspection, recognition, and the grant system. This policy has been proved to be very mischievous, and there have been regular criticisms of this, and it is not in keeping with the traditions of other countries. In other countries, the State is responsible for the entire system of secondary education. We all know that secondary education is the fulcrum of entire education. It influences primary education on one side, and higher education on the other, and therefore the educational problem can only be judged, not by primary or university education, but by secondary education. And here the State has altogether failed in its responsibility. Sir William Meyer, when he was Finance Member, asked the Education Department to introduce a definite policy for secondary education, but the Government unfortunately have failed to introduce any policy at all.

There is one point to which I wish to draw special attention, particularly of the Leader of the Opposition, as he will be interested in it. It is a common experience, not only in India, not only in the United Kingdom, but throughout the world, that privately managed institutions are nearly all denominational institutions. Therefore, if you leave the secondary education in the hands of the people, and the Government wash their hands of the responsibility, except to maintain one secondary school as a model, then the denominational schools will come into existence. Every religious organisation will try to maintain its own network of schools, and create a special Department to collect subscriptions, and we will have a kind of Government within Government, *imperium in imperio*, and that will be exceedingly dangerous to the State and to the country. Now we have been discussing a great deal about separate electorates, and I think that the separate electorate is the result of the educational policy that the Government have laid down in this country. (Hear, hear.) First we abolish these denominational schools and the State assumes responsibility for all forms of education, then the people will demand a mixed electorate, as the result of teaching in mixed schools and colleges. (Hear, hear.) Sir, after the war, a great revolution has taken place in every country in education. Germany has introduced compulsory technical education throughout the country. The boys, after receiving compulsory education till the age of 14, are given compulsory technical education till the age of 17 or 18, that is, for a period of from three to four years. England and France, on the other hand, have introduced technical education in their ordinary schools. The central schools have been brought into existence in England, and polytechnics have been very much utilised. My Honourable friend, Pandit Madan Mohan Malaviya, in his supplementary note attached to the Report of the Industrial Commission about 15 years ago, described the necessity of framing a curriculum which would be a mixture of general and technical education. He appealed to the Directors of Industries and of Education to co-operate together and evolve a new type of curriculum which would be a combination of the two. Now, the scheme which he desired to be framed in 1918, has now been actually worked out, both by France and England. They have evolved a curriculum for their schools and colleges, in which they have the combination of general and technical education. They say that technical education has got as much educative value as general education, and the general education is as much utilitarian as the technical education. Here we are still silent, and are doing absolutely nothing in technical education.

Mr. President: Does the Honourable Member want education to be a Central subject?

Dr. Ziauddin Ahmad: I just want to plead that technical education ought to be financed by the Central Government, because the Central Government draw its revenue from customs and taxes and these are the sources of revenue which help technical education in every country.

Mr. President: Technical Education must be a Central subject?

Dr. Ziauddin Ahmad: Yes; it should be a Central subject. That is what I want. The other thing to which I want to draw attention, is

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that the Central Government ought to contribute some money to the Provincial Governments for the maintenance of higher education and give them grants in the same manner as the British Government do to the counties and boroughs.

The next point to which I should like to refer is the Advisory Committees which are maintained by the Central Government. I have come across a number of students, both in India and in England, and I have not seen a single one who said that he received some assistance from these Advisory Committees, though a number of them told me that they got on in spite of the opposition and obstruction from them. Therefore, I beg to recommend very strongly that these Advisory Committees in India ought to be abolished and the Advisory Committee in England may also be dispensed with, as they are not fulfilling any useful purpose, and their place may be taken in India by a Bureau of Education, which has also been recommended by the Hartog Committee, and in England by some organisation such as the Congress of the Universities of the British Empire. I had the opportunity to discuss the matter with them, and they would be very pleased to do practically the same work as the Advisory Committee placed in the office of the High Commissioner, is now doing. There is another difficulty. The students are very suspicious of any intervention on behalf of the High Commissioner, and this suspicion will be entirely removed if this work is done by the Congress of the Universities of the Empire. (*An Honourable Member*: "Question.")

The last thing to which I would like to draw attention is the Public Service Commission. I think it is a white elephant of the Home Department, and I would request the Home Member, had he been here, to kill the animal before he leaves and not to leave it to his successor to bag the game. In the first place, these are the people who make a selection for all kinds of departments. They sit as medical experts and choose a medical man. They sit as engineers and select an engineer. They sit down as accountants to select a person for the Accounts Department. In fact, they pose as being well-informed in each and every Department of the Government of India. I always thought that, in order to select the best doctor, one must be a doctor himself, and in selecting an engineer, one should himself be an engineer. It is impossible for any layman to give an opinion on the selection of a professional person. Their selection, even if they take nominal expert advice, is not of much value. I maintain that any person who considers himself to be an expert in everything practically knows nothing.

The second point is with regard to the competitive examination which they hold. It is a matter on which I have tabled a motion, and I will discuss it when the time comes. But I do maintain that these competitive examinations—I do not bring in any kind of communal representation. I do not bring in the Indianisation of service—I stand only on scientific grounds and I say that these competitive examinations do not select the best candidates. It has been proved very definitely that you cannot select the first and the second by simply adding up the numerical marks allotted to each particular question.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, the Budget before us is, I hope, the last of the

Budgets presented under the existing system, and as I read it, it sounds the death-knell of that system. No critic of the present administration need think of producing stronger arguments against the present system than the budget proposals before us supply. What do they tell us? They remind us that the system is one under which the Government are not responsible to the elected representatives of the people and that they carry on the administration according to their own will, guided only by instructions from England; that under that system expenditure both civil and military has been growing; that it has been growing enormously, and growing inspite of the repeated protests of the representatives of the people. I do not wish to go into figures; but the whole history of India during the last 60 years is a tale of repeated protests against the growth of expenditure. When the Congress met first in 1885, it put forward that protest. Today, the representatives of the people in this Assembly have reiterated that protest in all the criticisms that you have heard on the Budget. Civil

expenditure has grown frightfully—as some previous speakers
3 P.M. have pointed out, by so many crores in a few years. In spite of the poverty of the people, in spite of the growing poverty of the people, civil expenditure has been growing. Military expenditure has grown enormously and has not been reduced even to the extent that was recommended by the Committee which the Government themselves appointed. The result of it is that, even today, Rs. 54 crores and 20 lakhs of expenditure is budgeted for for the maintenance of the Army. The Government have, during the course of the last sixty years, again and again been met by a situation in which money had to be found to make up deficits in the Budget. On most of these occasions, new taxation has been resorted to in order to make up the deficits. There is only one important instance of the appointment of a retrenchment committee, to which Dr. Gour has referred. The recommendations of that Committee brought about a reduction in expenditure worth considering, but the most important recommendation of that Committee, made seven years ago, in regard to military expenditure, *viz.*, that it should be brought down after a few years to a sum not exceeding Rs. 50 crores, has not yet been carried out, and there is no sign that it will be carried out in the near future.

Now, Sir, the condition of the country is truly deplorable. Under this system, highly paid appointments, to the extent to which they exist in this country in the civil and military departments, inflict a burden upon the people which they cannot bear, and it is to maintain this system of high salaried officials from top to bottom, so far as Europeans are concerned, that fresh taxation has been resorted to from time to time. We protest. What is the result of that protest? The protests go unheeded. It is the saddest part of the duty of a Member of this Assembly that he should have to make constant protests against the action of the Government, which go unheeded. What is the present situation? In peaceful times, when there is no war threatening us, when we have been far removed from the effects of the last great war, the Government have come forward to propose fresh taxation of over Rs. 5 crores. In no other country, so far as I know, has war taxation been kept up so long. In this country, the high taxation imposed in consequence of the war is still maintained, and the Government have now put forward proposals to add further to that taxation. This is more than human flesh can bear. You cannot think of a more wicked system of Government than this, under which the representatives of the people who have been elected by the people under rules laid down by Government to voice the sentiments of the people, have not the power to compel the Government to spend as they think fit, the great bulk of the

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money which they are required to raise by their votes in this Assembly. I say deliberately, it is a wicked system of Government, and the sooner we can see the end of it, the better it will be for humanity in India and even in the outside world.

Statesmen in Europe long ago laid down that not more than 20 per cent. of the revenues of a country should be spent on military expenditure. The elected Members of this Assembly, of the first Assembly, brought forward proposals for its reduction. Such proposals have been brought forward again and again. They have taken two shapes, one for the direct reduction of military expenditure, *en bloc*, the other for the creation of a system of military education for Indians under which Indians will be trained to take the places of European military officers whereby the army expenditure of the country will be greatly reduced. The first has been little attended to. The second has been turned down. The Government appointed a Committee of their own, presided over by a very capable General, on which many of our representatives sat. But the unanimous recommendations of that Committee have been turned down. Now you are face to face with this situation, that the Government maintain military expenditure where it is, or very nearly where it is,—the reduction of 80 lakhs in the Army Budget of 55 crores to my mind is very insufficient—the Government maintain this expenditure nearly where it is. The Government have refused to listen to our reasonable demands, demands which were endorsed even by the officers of Government of their own choosing. The Government have turned a deaf ear to all our representations even to introduce a system under which Indians would be trained to take the places of European officers in the Army, and the Government come to us and ask us to vote further taxation, in order that such a system should be kept up. Can they in reason expect our support? And what are the proposals that they have come up to us with, and what is the time at which they have come to us with those proposals? There is widespread depression of trade, unemployment and suffering. There is great dissatisfaction in the country, and the Government know it with the existing system of Government. I may say that, almost without exception, every Indian who has any sense of self-respect, desires that this system should end and that Dominion Status should be established in India at the next amendment of the statute. Every Indian, without exception, is protesting against maintaining the present scale of taxation and expenditure. And what is the response of the Government to this protest? At this juncture they have come forward with proposals for fresh taxation. Many reasons have been assigned for bringing forward these proposals, but the main reason, I am sorry to think, has not been put forward as it should have been put forward in the Budget. The main reason has been the policy which the Government adopted three years ago in the matter of the 1s. 6d. ratio. All the troubles which are now upon us, nearly all the troubles were prophesied. Speakers in this Assembly and writers in the public Press, and on the platform, pointed out that the very troubles which are now facing the country would arise, but the Government did not pay any heed. Of course the present Finance Member was not responsible for it, but the Government of India were. My quarrel is not with any particular member of the Government; my quarrel is with the system of government. The Government of India are responsible for establishing this 1s. 6d. ratio, and most of the troubles, which we are faced with today may be traced to this 1s. 6d. rupee ratio. And now what is the remedy? Adopting the right

measures, I grant it is difficult to adopt the right measures, it requires a great deal of courage, a great deal of statesmanship, a determination to do the right, in spite of all odds against you, a unanimity among the Members of the Government of India in the recognition of what is right and due to India. But the right policy is to undo the evil as soon as you can undo it, and to the extent you can undo it. In every undoing of evil there are some evils which have inevitably to be borne; it is a question of weighing the advantages and the disadvantages, and if the disadvantages are smaller than the advantages, the course of greater advantages should be adopted. We have now had an experience of the evils which were forecasted in connection with the 1s. 6d. ratio. I wish the Government had given us a statement, a full statement, of the losses which the Government of India have had to suffer in maintaining exchange at 1s. 6d. Where have the reserves gone? Why have they gone? How much of them has gone in the vain attempt, the unwise and futile attempt, to maintain the rupee at 1s. 6d.? The rupee will go down, it will not be maintained at 1s. 6d., but the Government refuse to recognise the fact. Will the Government stay their hands even now, and not take any further artificial measures to support the 1s. 6d. rupee? If they would simply abstain from taking artificial measures to support the rupee at 1s. 6d., I venture to say that much of the trouble which we are confronted with, at least a considerable portion of the trouble which we are confronted with, will probably disappear. Are they prepared to do so? If not, why not? And what have the Government been doing by their own action? They have been contributing to the impoverishment of the country. The people of India have got a great deal of silver in their possession. That is their only possession, the possession of the mass of the people scattered all over the country in very small dribblets, like the drops of rain, but which in the total, amount to a good deal. By the action of the Government of India in selling silver, they have contributed to reduce the price of silver. By that act of the Government, the price of the silver which the people possess has been very considerably reduced. Why should the Government of India have resorted to that measure? I ask the Honourable the Finance Member to give one good reason why it should have been necessary for him to sell all the silver,—unless it were to invest it in gold, which I could understand—was it not to bolster up this wrong ratio? And what is to be the sequence now? It is now proposed to put on a duty on silver; that is to say, knowing that silver is going to be cheaper in the world, you are putting on a duty on it whereby its price will be bolstered up for a time in India during which time the people will have to purchase silver at a higher rate than they would have to pay if silver had been allowed to come in at the world market price. They will have to purchase it at that enhanced price, and when this silver duty is removed, or when by other causes silver goes down further in price, they will have to sell it at that lower price. Who will lose, except the people? I can quite understand such a measure being adopted after consideration in the Assembly, after consultation with the representatives of the people, with the definite object of supporting silver under a definite policy of establishing a gold standard and adopting at the same time, other measures by which silver shall be prevented from going down in price, as it is going down now. I can quite understand such a course being adopted as part of a large policy, and the money raised from it being ear-marked—absolutely, every pice of it—for some service of the people, for some benefit to the people. I cannot support the proposal to raise money by means of such a duty, to make up a deficit in the Budget. This is adding to the wrong which has already been inflicted on the people.

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Let me turn to another item of taxation that is proposed. The income-tax has to be increased, and why pray? What is the contingency which has arisen? Is there a war threatening India? What other circumstances are there in existence today to justify this increase of the income-tax at this juncture, at a time of peace, so many years after the war, when there is no threat of war or of trouble with Afghanistan or with Russia? Some friends of mine have said to me, "Let this tax be imposed; it is only the richer people who will suffer". I do not agree with that view. Is it right that the rich people should suffer a wrong? Rich or poor, our people should not be exposed to unnecessary and unjust taxation. There are some others who think that, because there are some high officials of Government who also will have to pay this increased tax, therefore it should not be opposed. But, Sir, I am opposing the taxation because I do not find any justification for it. I am opposing it because so much money will be taken away from my people without any justification. Why is it to be done? Only in order that the deficit of the Government of India may be met. But the deficit ought to, and could have been avoided by prudent financing.

What is the third proposal? It is to increase the cotton import duty from 11 to 15 per cent. for revenue purposes and to add to it a 5 per cent. protective duty limited to non-British goods, i.e., with a preference to United Kingdom piece-goods. Now, I desire to give every reasonable support to the Indian cotton industry. But I ask every Member of the House to consider what the Government proposal for protection means. Have you heard of any country, of any system of government anywhere in modern times, where the Government of the country could bring forward before the Legislative Assembly a proposal of this nature, a proposal that you should make a present of a 5 per cent. duty to the manufacturers of Great Britain because you are anxious to protect your own manufacturers against the competition of another foreign country? And how is this proposal brought in? It is brought in along with the proposal for raising the income-tax. On the one side, you are asked to increase the income-tax on your people, and on the other side you are asked to exempt the United Kingdom cotton piece-goods from the 5 per cent. duty. Let us clearly understand what this exemption from the 5 per cent. duty means. It really means preference. In the Indian Fiscal Commission's Report they say:

"Preference means that goods from one or more favoured countries pay duty at a rate lower than the general rate. Whether the preferential rate is a real reduction in duty, or whether the general rate has been arrived at by making an addition to what is considered the minimum duty, which thus becomes the preferential rate, is, in considering the economic effect, immaterial."

Therefore, Sir, preference means that goods from one or more favoured countries pay duty at a rate lower than the general rate. And what is the effect of it? The effect of it is described by the Fiscal Commission by quoting the Report of the United States Tariff Commission in 1918. They say:

"Where a reduction of duty affects only a fraction of the imports of a particular article, and the major portion of the imports of that article is still left subject to the main or non-concessional duty, the result is not only a loss of revenue to the Treasury, because of the lower rates of duty, but absence of any gain to consumers. The reduction of duty redounds only to the advantage of the foreign producer."

Speaking of the effect of a preferential duty in another place they say:

"The consumer will thus pay the higher duty on the whole supply, and the difference between the two rates of duty will be equivalent to a bounty to the manufacturer in the country receiving the preference."

So that, Sir, the proposed exemption from the 5 per cent. duty means the giving of a bounty to the manufacturer in the United Kingdom. They further say:

"The effect of this bonus is to stimulate the trade of the manufacturers of the country receiving the preference, and in a short time they may secure for themselves the whole market, driving out altogether the non-preferred manufacturers."

That, Sir, is the true position in regard to this duty, and I am surprised that the Government of India should have thought of putting forward such a proposal before this Assembly. Nothing could be clearer than the opinion expressed by the Fiscal Commission on this point. They recommended that, before a policy of Imperial Preference was decided upon, it should be preceded by an inquiry by the Tariff Board who should examine and report whether there were any commodities on which preference might be given to the benefit of the Empire and without detriment to Indian interests. But even that has not been done in this matter. The question whether exemption could be given to United Kingdom goods without detriment to Indian interests has not been inquired into by the Tariff Board. What I have quoted above was the view of the majority of the Fiscal Commission. In addition to this, the members who were in a minority, after pointing out that the effect of such a bonus was to stimulate the trade of the manufacturers of the country receiving the preference, went on to point out that this was not a thing that should be done in the present condition of the country: and they made a suggestion that it should not be carried out so long as India was not a self-governing country.

They said:

"We are in favour of Imperial Preference"—

I do not endorse that view, I am merely quoting it—

"on the distinct condition that India should in this matter be put on the same footing of freedom as is enjoyed by the self-governing Dominions, and that non-official Members of the Legislative Assembly should be given power, by legislation or other equally effective means, to initiate, grant, vary and withdraw preference as may be necessary in the interests of India in all its aspects."

This recommendation was made in 1922. The Government of India have not adopted this course; the Government in England have not adopted this course; and we are asked today to accept this proposal of preference to British piece-goods as one which will benefit India.

I am grieved, Sir, that in this connection we have received a message from His Majesty's Government. I have great respect for His Majesty's Government, but I cannot understand how, with a sense of justice, they could put forward a proposal or approve a proposal like the one that we have before us. For what does it come to? We are asked to raise the duty to 20 per cent. on all cotton imports.

We are asked to have a general duty of 20 per cent. with the exception of goods from the United Kingdom, which means in the words of the Fiscal Commission, the presentation of a bounty to the extent of a 5 per cent. duty to the manufacturers of England. In the speech of the Honourable the Finance Member, he said that we should not cause any unnecessary injury to British interests. Sir, far be it from our minds to cause any injury to British interests. But the real truth in its naked form is this. The proposal of the Government means not protecting the British

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manufacturers from any wrong, but making a present of a 5 per cent. duty to them. What will be the result? Today the competitor of Lancashire is not India so much as Japan. In the last five years the trade of Japan in piece-goods has increased by 33 million yards. In the same period, the trade of Lancashire has diminished by 38 million yards. Now the proposal is to shut out Japan. Who will then step into the place of Japan? It must be Lancashire, and if Lancashire steps into the place of Japan, how does India gain by it? What is the gain to India? Will it help or hinder the development of India's cotton industry? The test that you have to apply is that preference may be given to another country if it does not injure the interests of the country which gives such preference. The Indian market has been snatched away from England partly by Japan, and therefore we are asked to impose a duty only on Japan and not on the manufactures of England. It clearly means that you want to give the advantage of a 5 per cent. duty to the English manufacturer, so that he may come more smoothly, more happily into the Indian market. It practically means that we should tax our people to help England. Now, I ask, Sir, is it fair that such a proposal should be made to the Indian Legislature? The Honourable the Finance Member referred to the message from His Majesty's Government. His Majesty's Government have been very courteous to this Assembly in making an appeal to us to agree to this proposal, and the Finance Member has enforced that appeal by saying that the situation was a very special one and that if we did so, it would have a very important effect on our discussions at the Conference which is likely to take place in the near future. He said this:

"The times are not ordinary. It may not suffice to keep in view only those factors which in ordinary times might be held decisive, for the times are not ordinary. Within a few months the representatives of India will meet the representatives of Great Britain to discuss, in the fullest and frankest way, the future of this great country, and much must depend on the spirit in which they meet. It is obvious that any gesture of friendship which India can spontaneously and without compulsion make to the British Government in their own present grave industrial troubles is bound to strike a responsive note."

I submit, Sir, that this reference to the Round Table Conference was particularly unhappy. In the first place, the Government of India and the Legislature are not united as to what the change in the constitution should be at the next stage. If the Government of India had told the Assembly and the country that they were prepared to support the suggestion that full Dominion Status shall be established at the next revision of the statute, then they would have had some ground, some justification for asking this Assembly to consider the proposal they have put forward. We do not know what their views are; we do not know how far away we are from Dominion Status. We have been asked to attend a Conference, at least some of us might be asked to attend a Conference, where this question of the constitution will be discussed. Suppose we fail to respond to your request, shall we be prejudiced by that decision? Is it right for you to put this kind of pressure upon us? Even if the position were different, even if the case were not so clear as it is, even then I submit we should have expected you not to put this kind of pressure upon us at this juncture. For, I am sorry to say, Sir, that the inference, shall I say the apprehension, is that, if we fail to respond to this gesture of friendship, opinion in England might be prejudicial against us. I strongly hope, Sir,

it will not be. But, if it is, the responsibility for it will lie upon shoulders not on this side of the House but on the other side.

Now, Sir, the Joint Select Committee of Parliament said in their Report on the question of fiscal policy for India, that a convention should be established that in this matter the Government of India, acting in agreement with the Legislative Assembly, should have the power to decide. Mark the words, "in agreement with the Legislative Assembly". They said:

"This examination of the general proposition leads inevitably to the consideration of one special case of non-intervention. Nothing is more likely to endanger the good relations between India and Great Britain than a belief that India's fiscal policy is dictated from Whitehall in the interests of the trade of Great Britain. That such a belief exists at the moment there can be no doubt. That there ought to be no room for it in the future is equally clear. India's position in the Imperial Conference opened the door to negotiation between India and the rest of the Empire, but negotiation without power to legislate is likely to remain ineffective. A satisfactory solution of the question can only be guaranteed by the grant of liberty to the Government of India to devise those tariff arrangements which seem best fitted to India's needs as an integral portion of the British Empire. It cannot be guaranteed by statute without limiting the ultimate power of Parliament to control the administration of India, and without limiting the power of veto which rests in the Crown; and neither of these limitations finds a place in any of the statutes in the British Empire. It can only therefore be assured by an acknowledgment of a convention. Whatever be the right policy for India"—(*I invite particular attention to these words*)—"for the needs of her consumers as well as her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa. In the opinion of the Committee, therefore, the Secretary of State should, as far as possible, avoid interference on this subject when the Government of India and the Legislature are in agreement, and they think that his intervention, when it does take place, should be limited to safeguarding the international obligations of the Empire or any fiscal arrangements within the Empire to which His Majesty's Government is a party."

The Joint Select Committee recommended that the Secretary of State should, as far as possible, avoid interference on this subject, but the interference has taken a more insidious form on this occasion. I have no doubt that His Majesty's Government were prompted by a very kindly thought for the Members of this Assembly. I acknowledge the courtesy which they have shown. I am sure we all appreciate it, but it is unfortunate that this

Mr. President: Order, order. The Honourable Member will have other opportunities to speak on this subject. I would ask him now to conclude his observations.

Pandit Madan Mohan Malaviya: Thank you, Sir. But it was least to be expected that, with that clear recommendation, the Secretary of State should be replaced by His Majesty's Government, and that a message should come to us, through His Majesty's Government, at such a delicate time on such a delicate matter. I do hope that the House will consider the whole question very carefully, and I do hope that the Budget, when it is fully discussed, will lead to an alteration of the proposals for new taxation to make them suit the needs of this country, and avoid the infliction of an unnecessary injury upon the people of this country. The right remedy is more retrenchment, drastic and ruthless retrenchment. That should be the policy to be adopted and not fresh taxation upon a people who are already overburdened by taxation.

*Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): Sir, it is generally considered that the budget debate is always a convenient moment for launching a general assault against the Government trenches, and the clearest objective on this occasion is the Finance Member. My experience, spreading over several years, has shown me that the shafts of criticism shot at him, though they have sometimes pierced his strong armour, have not affected him in the least or brought about his surrender. On this occasion I see that a strong attack has been made on his position, and it remains to be seen what effect it produces on him. It is not, I confess, always very easy to attack a man like Sir George Schuster. His affability, his courtesy, and his spirit to accommodate the Honourable Members is such as to take the sting out of the criticism which we make with regard to his proposals. But, Sir, one thing is certain, that the Government have their difficulties, but we have our duties, and I do not think that either of us can escape them. On this occasion Honourable Members on my right have shown in the clearest terms possible that the proposed Budget is most inopportune, and one which is not likely to appeal to the country. We are now, if I am not using a strong metaphor, on the crater of a volcano. The explosion may take place at any moment. I do not think that, in these circumstances, it is a wise policy on the part of the Government to exasperate public opinion and to create a situation which may add fuel to the fire. I may find other opportunities to speak on certain aspects of the Budget, as you, Sir, have informed the Honourable Panditji, and therefore I would rather reserve my criticism on these points to some other time. I would at present confine myself to only a few observations with regard to the proposal to increase the income-tax, and to levy a tax on kerosene oil.

With regard to the income-tax, my brief remark is that ever since the imposition of this tax, there have been frequent enhancements of this tax and every year the Government find opportunities of adding to its incidence. I do not think this policy of crippling the well-to-do classes, who are active, industrious and enterprising, is a paying policy. I know for certain from my experience that the moneyed classes, who are mostly affected by it, feel so discouraged to invest their money in fruitful enterprises that the prosperity of the country is very much endangered. Taxation is generally resorted to in other countries where prosperity exists. Here in India what is the situation? The situation is this, that there is trade depression and depression in agriculture. Under these circumstances both the rural and urban populations are suffering, and if the income-tax is enhanced, I make bold to say that, not only the urban classes, but also the rural classes, will raise a big howl, and I wonder whether Government would find it convenient to meet that clamour. In Europe the present policy of the Governments in different countries is to try to reduce the burden of the people. During the war, the Governments of the different countries had to resort to heavy taxation, and the people submitted to it quietly and submissively, knowing the dire needs of the situation, but now, in Europe also, the policy of retrenchment and the policy of reducing the taxation of the people is the foremost policy of all Governments. As my Honourable friend the Panditji said, what are the circumstances which compel Government to resort to this policy? There is no war and there are no special circumstances existing which demand such

*Speech not revised by the Honourable Member.

a heavy burden, which is proposed to be imposed on the people. If these moneyed classes are crippled in their resources, I do not think there will be any industrial enterprise undertaken by the people, and if this does not happen, then I cannot understand how the prosperity of the country can increase.

With regard to kerosene oil, I would say that the tax would hit the poorest people in the country very hard. Even in places where there is electric light, for example, Lahore, Delhi and other places, the poorest people, who cannot enjoy the benefits of the electric light, have to burn their dim lights in order to illumine the darkness around them, and these people buy kerosene oil to make their huts cheerful. And if kerosene oil is taxed, then Government would take away from these poor people even of this little consolation. Is it fair and is it right to deprive these poor people of this little commodity, this little chance to light their houses?

Sir, one does recognise the necessity of Government to fill the gap of deficit, and the only stronghold where the treasure lies which could be taken to fill this gap is the military stronghold. I need not expatiate on this subject, as other Honourable Members have fully discussed the military situation in India, but I would certainly add my little quota to it. Sir, the military situation in India at present is such that India has no fear from any foreign aggression. Every country in the world has its military forces ready to meet any foreign aggression and to repel it. And perhaps France or Germany or any other country may require her military strength to be kept up-to-date for fear of mutual antagonism. But here in India this is not the case. Look at our borders. I shall proceed from Burma from the side of China. In China we find a civil war is raging and there is not a ghost of a chance of the Chinese attacking India. Then, we can travel towards Afghanistan and make a big jump from China to Afghanistan. Well, in Afghanistan there is no immediate danger for India. In fact, I never thought that there was any danger for India from Afghanistan. The Government there is now engaged in reorganising its resources and its administration. In fact, if there is any danger to Afghanistan, India may possibly have to help her. Then going from Afghanistan to Persia, we find that there is no peril from this side. Persia is not in a position to attack India. If we leave these two countries alone and go beyond them, we find Russia dominant in those countries. Some apostles of the forward policy may say that Russia might attack through these countries, but I do not believe in this. Russia cannot attack India thousands of miles away from her base. The military strategists may know better, but those who have studied the conditions of the world situation may sometimes offer useful advice and criticism. It is impossible for Russia to attack us. Russia may indulge in propaganda work. The Soviet Government may spread propaganda by subtle means, but she cannot bring her forces to attack India, especially through Afghanistan, when Afghanistan herself is not in a position to give material help to the invaders. Therefore, Sir, I do not understand how it is that the Government of India maintain such an expensive force in India when it is not at all needed. The Government of India maintain a force, which is on a war footing, but the war is not at all in sight, especially on the borders of India. Then, what justification is there for the maintenance of such a large force? This force consumes a very great proportion of the revenues of India, and these revenues come from the pockets of the poorest people. Government exists for

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the happiness of the people and for their comfort, and for their peace, and if a Government takes away the little the people have to feed themselves and their children, what justification is there for that Government to say that it is a civilised government, an enlightened government for the good of the people? The efficiency of the Government lies certainly in ensuring peace and prosperity to the country. But their present military policy would certainly not show that they are, by taxing the poor, following the policy of efficiency.

Sir, much has been said with regard to the situation in India *vis-a-vis* the Conference, which may be held in the near future. Although I believe that very strenuous and honest efforts are being made to conciliate India, and to bring about a harmony of aim and purpose, at the same time I cannot close my eyes to the situation which at present prevails in India. We may suspect the motives of Government at home, we may suspect the situation or the formation of new parties in England and their ulterior motives, yet, to be honest and fair, I must say that, if we want success, if we want to carry our aspirations and ambitions to a successful issue, we must face the conditions in England by bringing about a much needed harmony of interests in India itself. Without that, however we may blame Government, however we may try to show to the world that we are able to manage our own affairs, nobody, I am afraid, will feel impressed by mere verbal claims. The world will only feel impressed when we show a united front, and I have every hope that there is a disposition existing in the country at present that there should be a blending of interests of the different peoples in India. And I think the near future may bring about a perfect unity among the people. We have reasonable men amongst us. (An Honourable Member: "Question.") The question becomes very great, I am afraid, when you yourself question it. We have certainly, in spite of what my friend may say, among us people who understand politics, who understand that unity alone can bring about freedom and liberty to this country. But what is being done? My Honourable friend to my right, Mr. Jinnah, says that an army is necessary for the purpose of bringing about unity.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): I did not say that at all.

Sir Zulfikar Ali Khan: Then, what did he say?

Mr. M. A. Jinnah: I will say if my time comes.

Sir Zulfikar Ali Khan: If the Honourable Member wants to hear my reply then, I am here.

Mr. M. A. Jinnah: My observations were not meant for the Honourable Members at all.

Sir Zulfikar Ali Khan: Then, I am very grateful to my Honourable friend.

Mr. M. A. Jinnah: But he did not quite grasp what I said.

Sir Zulfikar Ali Khan: My hearing is rather defective. Well, Sir, in spite of this confession on the part of my Honourable friend, I would still persist in saying that there are sensible men among us, and I would put

foremost among them my Honourable friend, Mr. Jinnah himself, (Hear, hear and Applause.) and I hope that he will emerge from that Unity Conference, which is at present sitting, with the biggest credentials and will show to the world that the impossible has been achieved. (Hear, hear.) Sir, there is nobody belonging to any country, and there is no citizen of any country, who does not want that his country should not have the breeze of freedom and liberty blown across its face, and I therefore say that, whether I belong to the Muslim community, or whether I belong to any other community, it is our united desire that India should be as dignified, that India should be as independent, (Hear, hear.) and that India should enjoy as much liberty as any member of the British Empire. (Hear, hear.) For this purpose, I am certain that the Indians are ready to make sacrifices. Knowing from my contact with the young and the old, and knowing the temper of the people, I feel sure that this readiness to sacrifice something to achieve the liberties of India will go a very great length in securing for the people of India those liberties which are her birthright. Now, Sir,

Mr. President: I think the Honourable Member must conclude now.

Sir Zulfikar Ali Khan: I shall take my seat, Sir.

Mr. M. R. Jayakar: Sir, in intervening in the debate at such a late stage, my justification is that I wish to invite the attention of the House to one or two important features which arise on the Budget. I do not wish to go into the technical side of the Budget, first, for the reason that I have no time, and secondly, I do not pretend to be an expert in those matters. I will offer my comments on the Budget as a politician, as a layman, and will present the House, for its consideration, with one or two important questions which arise on the Budget. I take the Budget as a kind of diagnosis of the Indian financial situation offered by a very friendly and expert physician, Sir George Schuster. May I remind him that, when he assumed charge, he was reported to have conceived his office as that of a physician called upon to diagnose and improve the financial situation of the country? A local paper reports his speech as couched in the terms of a famous oath of Hippocrates:

"I will use all ways of medical treatment that shall be for the advantage of the sufferers, according to my power and judgment, and will protect them from injury and injustice. Nor will I give to any man, though I be asked to give it, any deadly drug, nor will I consent that it should be given, but purely and holily I will keep guard on my life and my art."

That, Sir, is the conception of Sir George Schuster of his own office, and therefore the diagnosis of the financial situation, coming from such an expert and friendly ministrant, is entitled to great consideration. I may call the attention of the House to the fact that, before this statement of Sir George Schuster was made about a year ago, it was preceded by an equally important observation of his predecessor, Sir Basil Blackett, who promised the House an abundance of surpluses as a result of his financial policy. I will quote a short extract from his speech. He is reported to have said:

"Intrinsically the financial position of the Government of India seems to me to be sound and prosperous. From 1929-30 onwards"—

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[5TH MAR. 1930.]

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Honourable Members will please mark these words:

"From 1929-30 onwards it will be the privilege of this House and of my friend and successor, Sir George Schuster, whose acceptance of the post is a matter of great personal satisfaction to me, to find no outside claimant to the recurring surpluses, which I hope it will be their good fortune to enjoy in the coming years, and they will be free to turn their minds on the one hand to new directions in which money can be usefully laid out for India's advancement."

Well, Sir, that is the diagnosis of a physician whose innings was over, and on the scene came an expert medical man in the person of Sir George Schuster. Therefore, his diagnosis of the present situation is very important. What is his diagnosis of the financial situation? Throughout his budget speech, he suggests in several paragraphs, as if he used the words specifically, "I have made every attempt at retrenchment and economy. I have tried my best to see where I could make cuts and the Budget I present to the House is a result of that endeavour; it is impossible to make further economies". I hope that I am not unfair to Sir George Schuster in regarding this as the main implication of the Budget. The Budget is the result of a very close scrutiny on the part of Sir George Schuster, an expert who came with a great reputation in other parts of the world, and is the scion of a high family of great financiers in Europe. His diagnosis of the present situation, which fills me with apprehension, is this, that there is no scope for further economy in the Departments of the Government as constituted at present. His other diagnosis, which fills me with even greater dismay, is that India is in a state of chronic indebtedness, and the extent of her indebtedness, speaking roughly, is about 1½ crores a year normally. I am not an expert in figures, gentlemen

Mr. President: Order, order.

Mr. M. R. Jayakar: I am not an expert in figures and I am stating what strikes me as a layman. I may frankly say to my Honourable friends that it is this aspect of the Budget which fills me with complete despair. The opinion of an expert like Sir George Schuster is that Government have practically come to the end of their tether, that we cannot run the Government except with a habitual deficit of 1½ crores, and that, but for windfalls like the German reparations and the income-tax from the Privy Council, we should have an additional deficit of 1½ crores even in the present Budget. Well, Sir, it is this insolvent aspect of the Budget which I want to put before my Honourable friends. In other words, without mincing words, Sir George Schuster tells us that the Government of India is a bankrupt Government. I am only paraphrasing, in plain words, the observations of the Finance Member.

4 P.M. He tells us, without using these very words, that India has arrived at a stage when her Government has become bankrupt. We must all thank the Finance Member for his frankness, to which I invite the attention of the House.

The remedy suggested is a very difficult one. I do not want to go into the technicalities of the cotton duties, for two reasons; because at the present moment it may not be right to offer any opinion on that, pending the discussions which are going on, and secondly, because it is

a somewhat technical question, and I do not claim to have first-hand acquaintance with it. I will leave the question alone for the moment. I shall now refer to another matter, which struck me when I read the budget speech, I mean the portion which relates to the Military Department. Lord Bryce, the great constitutional authority of England, once visited India. He was led by his curiosity to travel throughout this country. On his departure he was asked what he thought of the system of Government in India. Lord Bryce is not in any way a person biased by Indian views. His views therefore are of independent value. I will state to the House the remark which he made about the system of Government in India. He is reported to have said, "I smelt gunpowder everywhere in India", a very significant remark indeed, proceeding from a person of Lord Bryce's acquaintance with constitutional questions and his impartiality and detachment as a person unconnected with India. May I say that I too smell gunpowder everywhere throughout the Budget? A great joke has been perpetrated of 80 lakhs retrenchment in 55 crores of rupees in the Military Department! Sir George Schuster will excuse me for saying so, but it is indeed nothing more. 80 lakhs of rupees in 55 crores; and that too spread over three years; half the revenue at one stroke assigned to the Military !!! When the yearly revenue arrives, the Government distribute it at once into two parts, one for the military and the other for everything else. And all that Sir George Schuster is able to do, with his great friendliness for Indians and his expert knowledge, is to cut down 80 lakhs in three years.

I want Honourable Members to examine the implications of this, that we have arrived at a stage when our Government, otherwise bankrupt, insist on spending half its revenue on fighting. As the Honourable the Leader of the Opposition said, let us hope that this is the last Budget of the present Government. Let us all hope that the next Budget will be different, both in its nature and authorship. But what we have to see today is that we have the testimonial of an expert that this Government is on its last legs, has come to the end of its tether, and cannot proceed. The remedy suggested does not strike the non-official mind as either proper or adequate. It is a scheme of taxation not for the purpose of giving relief to the nation-building departments, but for the purpose of enabling Government to set their house in order. Further taxation for the purpose of enabling a spendthrift Government to make both ends meet!! I am not an economist, Sir George Schuster is. I learnt my economics at college many years ago, but I remember learning the elementary lesson that new taxation cannot be justified on the ground that it enables the spendthrift to meet his extravagance. I can understand new taxation for the purpose of enabling the Provincial Governments to go on progressively in their nation-building departments. When I say this I am not ignorant of the hope held out by Sir George Schuster that if there are surpluses—note the condition—if there are surpluses they will be handed over to the Provincial Governments for the purposes of the nation-building departments. He does not say there will be surpluses, but if there are surpluses they will be handed over. I submit, Sir, that this is a delusive canon of taxation.

Sir, I do not wish to speak long, because I know Sir George Schuster must have enough time to reply. I now come to another part of his budget speech, namely, the appeal made to the non-official Benches by

[Mr. M. R. Jayakar.]

Sir George Schuster and His Majesty's Government behind him, to strike a responsive note at this time as a kind of prelude to the ensuing Round Table Conference. You have ruled, Sir, that this is not the time to go into the question of the Round Table Conference. I will therefore not go into that matter at all. But may I say that we are not unwilling to respond and to strike a responsive note, we all know how every day some of my friends, on this side are engaged in creating a responsive atmosphere. But may I draw the attention of the Government of India to the necessity of creating a similar atmosphere on their side? A responsive note, as the word "responsive" denotes is a correlative and reciprocal process. May I draw the attention of the Government of India to the necessity of pulling up their own men in this connection? In these days when the Government of India are thinking of calling a Round Table Conference, and asking for a responsive atmosphere, what are their own pensioned servants doing,—men who have fattened on the money of the Indian people and drew salaries from the Government of India, men who have retired from here and are being sustained by the revenues of the people of India,—what note are they striking? Are they helping the creation of such an atmosphere? May I in this connection draw the attention of the Government Benches to a report in the *Statesman* of the 27th February? I will just explain by way of preface what I am referring to. Honourable Members will remember that, a few days ago, I was so fortunate as to get, with the aid of the European Group, a Resolution through this House, that simultaneous examinations for the Indian Medical Service be started in India and England. It was a very mild Resolution, which even the European Group saw the justice of helping me to get through. Referring to that little episode in this House, some remarks have been made in England by a gentleman called Sir Cecil Walsh. This person had the distinction of being a Judge of the High Court of Allahabad, and if my memory is correct, he made himself notorious even when he was a Judge, by his anti-Indian feelings. While a judge, he wrote a book which, as Pandit Kunzru tells me, created a great sensation at the Bar, for his venom against the Indian people. This gentleman has now retired apparently on a fat pension and safe in his retirement, and probably from a cheap boarding house in London, which is often the haunt of such spent up men, he is fulminating against the people whose salt he eats. This gentleman has the audacity,—I wish the Government of India would pull him up for it—he has the audacity to say with reference to my Resolution, I am reading from a report of his speech appearing in the *Statesman*:

"Sir Cecil Walsh is specially scathing in his condemnation of the half-heartedness of the official Europeans in the Assembly on the occasion utilised by Mr. Jayakar to press, on racial grounds, the claim of Indians to the places and the authority of the Indian Medical Service. Is it not time, asks Sir Cecil Walsh, that English spokesmen in the Assembly stiffened their backs against some of these sharp shooters (of Mr. Jayakar) instead of constantly showing the white feather or retreating from the fight?"

Then he goes on to say,—a most extraordinary statement proceeding from an ex-High Court Judge—that if Indians are appointed in larger numbers in the Indian Medical Service, then:

"The English woman will be obliged to leave India by reason of the lack of reliable medical assistance and the Englishman too will go, and with him the British Raj."

This is the atmosphere that the pensioners of the Government of India are creating in England. This is an atmosphere, the growth of which the Government of India can at once check, and I thought it was necessary for me to draw the attention of Sir George Schuster and his colleagues in the Government to this fact in order that steps might be taken to silence the garrulous pomposity of this ex-judge. This person is, I understand, the President of the Anglo-Indian Association. I should therefore like to ask Colonel Gidney, who has great experience in this matter, whether he thinks that English men and English women in India will leave the country for the simple reason that a few places are given to Indians?

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): As President of the Anglo-Indian Association and representative of the community in this House, I dissociate myself entirely from the insulting and scurrilous statements Sir Cecil Walsh has made.

Mr. M. R. Jayakar: I am very glad to have that assurance, and I hope that the Government Benches will also dissociate themselves from these offensive lies. Let them remove this irresponsible atmosphere on their side, and we shall be ready to reciprocate. The remedy for the evils touched in the speech of the Finance Member is strict and drastic Indianisation. That is the one remedy that I can suggest. I am not relying on any racial grounds. I am speaking merely from the point of view of economy and retrenchment. As the Honourable the Leader of the Opposition, Pandit Madan Mohan Malaviya, pointed out, the one thing necessary is to Indianise the services and curtail the army expenses. I do not wish to refer to the experience of other countries which came to the conclusion that only 20 per cent. of the total income could be justifiably spent on military expenditure. Whatever other countries may have to say, I know that in my own country it is a most wicked system, under which 55 crores out of about 135 crores are dispensed on military matters.

Another suggestion I should like to make to Sir George Schuster, and to the House also, is that India is too poor to run simultaneously two militant Departments, Civil Aviation and the Army, in full strength. If the ambition of the Government is that these two Departments should go on progressing simultaneously, it will be a disaster. I would wish the House to be careful the next time grants for Civil Aviation come before us. Let the House ask boldly the question of the Government Benches, what retrenchment are they going to make in the Army Department as a result of an advance in aviation? As the result of our grants, progress in aviation will take place, and on the occasion of each such grant let the Government Benches tell us what corresponding economies they are going to effect in the Army Department? I hope the Honourable Members will therefore be more careful, when the occasion comes, and not grant a single farthing for civil aviation until Government agree to make corresponding economies on the army side.

The Honourable Sir George Schuster (Finance Member): Sir, I am afraid that I shall have to ask the House to descend from the rather high altitudes in which they have been travelling on Mr. Jayakar's eloquent wings. My task concerns itself with hard and dry facts, and it will be necessary for me to deal with some of those facts. But I would like to express a word of gratitude to my Honourable and learned friend for having reminded me of that oath to which I made reference in my first budget speech last year, as something which expressed perhaps in words which were rather more

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romantic than are usually employed by those engaged in my material calling of finance, but which nevertheless did express what was to be my desire in administering the heavy task which rests upon me now. For if there is one note which I have tried to strike in framing my budget proposals this year, it is the recognition of my obligations as an honest physician charged with the care of the financial health of this country. It has not been an easy task, and I knew that it would not be a popular task; but I feel that the very worst service which I could do to India would be to disguise the difficulties of the case and to deal with the present situation by mere temporary expedients.

Sir, before I deal with the main framework of the case which has been put against the Government by many of the speakers on the other side of the House, there are one or two particular points—points, some of them of importance—which were raised by various speakers in regard to which, I think, I owe a definite answer, and I would like to deal with those first so as not to interrupt, at a later stage, the main thread of my argument.

Questions were raised as to the reactions of the proposed duty on silver, on silver ware and silver thread, and I was also asked, I think, what the Government proposed to do as regards silver produced by local mines. I am not prepared to give a final answer on any of those points. I can only say this, that they are receiving the attention of the Government. I fully appreciate the points that have been made on the other side, and I hope to be in a position to give definite views on those points very shortly.

Then, my Honourable friend, Sir Purshotamdas Thakurdas, raised a particular point as regards our proposals with reference to the Gold Standard Reserve interest. I feel that it is important I should give an explanation on that. My Honourable friend suggested that we were putting by a sum of £150,000, which he calculated as equivalent to 30 lakhs.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Twenty.

The Honourable Sir George Schuster: I beg my Honourable friend's pardon. I understood him to say 30 lakhs. He seemed to be under the impression that we had a sum of 20 lakhs which we might have used for the relief of revenue this year. I should like to explain exactly what the proposal is. The proposal is that we should treat as a standard revenue in respect of the Gold Standard Reserve a sum of £1,600,000 and that if in any one year the revenue exceeds that sum, the excess shall be treated in the following way; one half should go to an equalisation fund and the remaining half should be credited to revenue. To give an illustration of the way in which the system hitherto in force is worked, I quoted figures for the last two years and explained that, as a result of the sudden depreciation in our investments at the end of the year 1928-29, our receipts had only been £1,200,000 roughly, whereas in the current year, 1929-30, owing to the recovery of that loss and to high rates of interest prevailing, our receipts have been £2,400,000, and I explained that this was very disturbing as a budgetary factor. It will be far better if we can rely on a regular receipt under this head and not have the results disturbed by temporary changes in the rates of interest prevailing in London. The figure which we have suggested as our standard revenue is what we considered to be a safe average rate, £1,600,000, representing the interest on a sum of £40,000,000 held in the Gold Standard Reserve, less the amount which they actually

held in gold, which is rather over £2,000,000. That represents slightly over 4 per cent. which is, if anything, rather an optimistic estimate of what we can get from our temporary investments of the Gold Standard Reserve. Therefore, I think, looking to the future, that is a sound provision. If anything, I say the estimate is a little bit too liberal. There is nothing that we could draw upon this year to help out the Budget of next year. The figure on which we estimate receipts next year is £1,700,000, but I think it is quite likely that we shall not realise that sum. We have actually included in the Budget, working on our new rules, a sum of £1,650,000, representing the standard revenue of £1,600,000 and half the surplus of £100,000. I think, as I said just now, that we should be fortunate if we realised the full amount, because, since the estimates were made up, rates of interest in London have further come down, and, if anything, I think that is likely to be an over-estimate. There is really no chance of our realising much more than what we are budgeting for.

My Honourable friend raised another question in that connection and asked whether the new principle which we are introducing implied any particular intention to dispose of our investments in the Gold Standard Reserve. The alteration in procedure was made as a piece of sound financial practice; it has no reference to any future intentions; but it is a sound financial practice, because the Reserve is there to be utilised, and it ought to represent at any time the real realisable value of the assets which are supposed to be there. From that point of view, it is important to keep the assets valued at the current price of the day.

Sir Purshotamdas Thakurdas: I wish to put a question if the Honourable Member is willing to give way. Supposing these securities are held up to the time they mature, can there be any loss at all when the securities are finally realised? That, I thought, was the question I raised.

The Honourable Sir George Schuster: I am not disputing my Honourable friend's contention that, if the securities are held till they mature, unless the British Government goes bankrupt, there will be no loss, but the point is that it may be desirable to sell them or exchange them for some other form of investment before they mature, and we want to have that particular Reserve always representing the sum which it purports to represent. If there was any depreciation on any particular investment which had not been provided for, there would be a deficiency in the published valuation of the Reserve.

Sir Purshotamdas Thakurdas: Depreciation can come on only if you sell the securities before maturity. Otherwise is it not a mere book entry for the purpose of valuation as required by statute?

The Honourable Sir George Schuster: My Honourable friend is perfectly correct in saying that it is a mere book entry. These investments have now been written down, and when they appreciate again in value, the book loss is recovered. There is no difference as regards the ultimate result, and the provision which we now propose to introduce will correct the effects in our budgetary results of any possible alteration in the valuation of the investments, and I think this new provision will really achieve a most desirable object.

Sir Purshotamdas Thakurdas: Would the procedure I suggested be in correct, Sir, from that point of view?

The Honourable Sir George Schuster: It is very difficult to say what is exactly correct in dealing with a fund of this kind. I might, as a matter of confidence, tell this House that I myself argued at great length on exactly the same lines which have been present to the mind of my Honourable friend, but I was ultimately convinced that the procedure which we propose to adopt is the correct procedure. I should be very glad, Sir, to discuss this at length with my Honourable friend. I feel that perhaps at the present moment we are taking an undue time of the House on what is rather a technical question.

Turning, Sir, to the general case which has been made against the Government, we have not had from the greater number of speakers any detailed criticism of the particular proposals of taxation which I have put forward. The case has rather been argued on more general grounds. It has been said, how can the country face this great and increased burden of taxation? What is the justification for imposing it? A very frequent line of argument has been that we are already at the high water mark of taxation at which we arrived during the war and that now, instead of seeing the tide go down, the public are asked to acquiesce in its rising again to a point which can never have been contemplated. I have endeavoured, Sir, in my budget speech to present the position as it faces us at present as clearly as possible, and to explain to the House exactly why it is that we find this gap to fill. I did not take into review the past history of taxation, and I should like to refer to one or two figures in that connection. Taxes in India—and I think one may include in a nation's taxes both the railway and posts and telegraph rates and direct taxes—were increased by very substantial amounts from the years 1916-17 to 1922-23. In fact, taking railway rates, my summary tells me that there was, during that period, a total increase in fares representing Rs. 11·95 crores, and that in other taxation there was a total increase of Rs. 37·29 crores. Then followed the regime of my predecessor, and in the years 1923-24 to 1928-29, there were actually effected, as the result of definite reductions in rates or taxes, reduction of revenue of just over Rs. 5 crores on railway fares, and over Rs. 2 crores on taxation—a total of Rs. 7·12 crores, and on top of that there was the total remission of the provincial contributions, representing Rs. 9·83 crores. Therefore there was a reduction in what the Central Government could rely upon for their own expenditure of about Rs. 17 crores. Now, the whole point of my presentation of the case has been that expectations of revenue on which the final remission of the provincial contributions was proposed—those expectations of revenue have, for a variety of reasons, not been fulfilled. I do not take a very gloomy view of the position merely because those particular expectations have not been fulfilled. I recognise that this country, like every other country which is mainly a producer of agricultural commodities, is passing through an extremely difficult period today, but I do not regard it as more than a part of the normal ebb and flow of economic movement which now is perhaps more than normal, because we have not yet recovered from the violent oscillations set up by the shock of the Great War. But I feel that we are in one of those periods of depression from which, if history repeats itself—and there is no reason why economic history should not repeat itself in this respect—from which there is every reason to expect a recovery. It is unfortunate that such a period should have come upon the country just after a great risk had been taken in the final remission of the provincial contributions, but I cannot feel that the case is much worse than that. There is perhaps another factor which has supervened, and that is, that the normal growth of expenditure has perhaps been larger than was anticipated,

and I think that possibly in the years following the operations of the Retrenchment Committee there was some very ruthless cutting out of particular kinds of work which it had not been really in the interests of Government to have cut out. Those factors have created the gap which we have to face today. So much for the past.

Now, as regards the present picture, I really think that I can claim that I have presented it in a way which could not possibly be misunderstood in my budget speech. And the point I want to make is that this gap, with which we are faced and which I feel that we must fill by sound methods, is not caused by any immediate extravagance, not by any growth of expenditure, but by certain unavoidable causes namely, the interest charges on deadweight debt, the deterioration in the main commercial services, and the fact that we are now proposing to adopt a sounder method in dealing with our liabilities in respect of Postal Cash Certificates. These are the main factors in the situation, and these added to our previous gap of Rs. 90 lakhs which I disclosed last year make up the total for which I have to find balancing revenue. It would no doubt have been possible to disguise all these facts, but I could not reconcile it—I could never reconcile it—with my own financial conscience to have taken such a course. As regards the future I venture to say—although I always hesitate on these matters to make any sort of prophecy—that if we adopt the procedure which I have proposed this year we shall put the country into a very sound position, and that if things go normally with India, we shall find ourselves in the position of being able to devote funds to that nation-building expenditure which all Honourable Members opposite have pressed for.

Before I deal further with that I must make a few remarks on the actual proposals for taxation which I have made. I think I may conclude, from what has been said in the course of this debate, that there is some criticism in all quarters of some of the taxes, and some support in all quarters again for some of the taxes, and that the criticism and support fairly evenly balances itself out. But I am unshaken in the remarks which I made in my original speech that, in the case of all the taxes that I have proposed, there is some counterbalancing advantage. I referred to the possibility of one exception; I thought that possibly it would be difficult to find a counterbalancing advantage in such a direct impost as the income-tax; but there again I could not reconcile it with my own financial conscience to put forward these new proposals without including some form of direct taxation; and perhaps this consideration might commend itself to my critics on the other side, that the introduction of this particular feature will bring home to all of us who are supposed to be responsible for this extravagance, that if there is Government extravagance, we also have to suffer. I think that there is an element of fairness in that, and possibly that consideration will carry some weight with my friends on the other side.

As regards the tax on silver, I thought I had made it clear in my original speech what were the main reasons which caused us to turn at this particular moment to this levy. I was disappointed, I must confess, in the speech of my Honourable friend the Leader of the Opposition, to find that, although I understood that he was very troubled in his thoughts about the existing holders of silver, his consideration has now been diverted to the interests of those who propose to purchase silver in the future. I

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myself feel quite certain that, in imposing this tax, we have put on something which can hardly be removed, and the danger of loss being incurred by its removal, which was one of the points to which my Honourable and learned friend referred, need not be taken seriously. It can be removed in the unlikely event of silver rising very appreciably, and of course if silver was to rise to anything like its war-time value, to a point where the bullion value of the rupee approximated to its face value, then obviously it would be the policy of the Government to take it off. But otherwise, so far as the position of holders in the country is concerned, the particular point made by my Honourable friend does not, I think, arise.

Now, Sir, in connection with silver, I have been asked, and the demand has been particularly pressed by my Honourable friend, Sir Purshotamdas Thakurdas, that we should make a disclosure of the total operations of the Government since the recommendations of the Currency Commission, and I have been very anxious to take the occasion of my intervention in this debate to give my Honourable friend the information which he desires. I wish to make it very clear that I am doing so as a very special case, because I believe no one appreciates better than my Honourable friend how difficult it would be, in the course of ordinary operations, for the Government at all times to be ready to make public what they are doing. The silver market is a difficult market, a tricky market, and for successful operation in that market it is necessary that our plans should not be publicly disclosed. Subject to that reservation, I wish to give the House this information. The total amount of silver sold since the Currency Commission's Report to the end of February, 1930, was 67·8 million fine ounces. The lowest London price on which any contract for refined silver has been based is 22½d. per standard ounce. The average price at which refined silver has been sold works out at 25½d. per ounce. I think that that statement, if it is considered, will answer some of the charges which have been made against the Government. It will indicate, in the first place, that Government have not been in the market during the whole of the recent period of weakness; it will also indicate that our total sales of just under 68 million ounces over a period of three or four years have not been an overriding factor in the world position. It would also indicate that there has been some public advantage in our policy. I daresay some of my Honourable friends will query this, because they will say that, if the Government of India had not sold, the price of silver today would be very much higher than it is; but that I may say is an appreciation of the position which I, after very careful consideration, cannot accept. In any case let us compare the average price which we have got for that silver with the price that prevails today. The average price we got was 25½d. per ounce and the price today is about 19½d. Therefore, on the quantity we have sold, we have realised more than we should realise if we sold today, to the extent of £17,00,000. That at least indicates that the public interest has to some extent been benefited by the Government's policy.

I do not wish, Sir, to attempt to deal in detail with any of the rest of the taxation proposals. I only wish to touch very shortly on some remarks which have fallen from speakers opposite in connection with the Government's cotton proposals. I wish to refer particularly to what was said by my Honourable friend, the Leader of the Opposition. I would ask him to read again the way in which I presented the original proposal to this

House. He referred to our proposal as interference in a very insidious form. I think, that, if there is one thing that I can claim for the manner in which this subject has been handled, it is complete straightforward frankness. There has been nothing insidious about it. We have definitely put our cards on the table and said, "This is put before the House for the House to discuss".

The other point that I wish to make is—and it is a point, I think, which has not been quite clearly appreciated—that our conclusion on an appreciation of the whole position was that no claim for a general increase in the rate of duty to anything more than 15 per cent. had been established, and that it was only if the incidence of the additional 5 per cent. was limited, that any further duty could be considered by the Government of India, having regard to consumers' interests. I wish to make that very clear, and having said that I leave this subject.

I have dealt, Sir, with the general financial position, and the relation of our new taxation proposals to the past and the present. Looking to the future, I had in mind, as I made most clear in my statement, very particularly the needs of the provinces. Having said that, I come to two points with which I particularly wish to deal, because, in all the criticisms which have been made, there are two points which have mainly come home to me. The first point is that, instead of imposing new taxation, I ought to have found the funds by retrenchment, and the other point is the application of the proceeds. It has been said by some critics in reference to that, "We could have consented even to this taxation if the proceeds of it were going to be employed in nation-building services". Or again, in other words, it has been asked, "What are the Government doing as regards the constructive economic policy?" Those are points of great weight; they are points which have been chiefly present to my own mind in dealing with the whole situation this year.

Now, as regards retrenchment, I would ask Honourable Members to face the facts and to consider the position in which we are placed. I think retrenchment must be considered under two headings. There is retrenchment in detail, the careful elimination of waste in any particular department, and there is retrenchment on a large scale, which means the elimination of whole services, or the alteration of conditions of service on a large scale, or other changes of policy. As regards the former, I believe that the method which I am trying to follow is the most effective method. A great deal more work has been done on this matter than I was able to reveal or explain in my budget speech. My Department has, during the last few months, been working on an analysis of how this growth of expenditure has come upon us, but I have found that, in order to get really satisfactory results, it is necessary to have an officer on special duty for the purpose. That proposal I have clearly explained already. It is a matter which requires prolonged work. It is no use suddenly appointing a Retrenchment Committee to go into questions of this kind. It involves the examination of a great deal of detail, and in that connection, I want to refer to one particular item of the growth of expenditure to which critical reference has been made. I referred in my budget speech to the increasing expenditure, as a result of normal increments of pay, which I put down largely to the operation of our time-scale basis of pay. It seems to have been concluded by many speakers that those increments of pay were increments of pay to members of the Indian Civil Service, based on the recommendations of

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the Lee Commission. That is far from expressing the truth. The main part of the increments—I cannot give the detailed figures, but this is one of the subjects which will be studied very carefully by our Retrenchment Officer. The main part of this growth in expenditure represents increment in the pay of members of the subordinate services, and we are always being faced with new demands in that direction. My colleagues on the Standing Finance Committee know very well how these things come up, and when I hear from Honourable Members opposite, as was said by one speaker, that they have no sympathy with the Government in their position, I would remind them that the demands for improved conditions of service, particularly for members of the subordinate staff, almost always come from Honourable Members opposite; and one demand leads to another. We are faced with what looks like a hard case, involving perhaps a small sum of money, and particular terms of service for a particular branch of a Department are improved. As soon as that is done, another branch of another Department comes along and says that we must equalise conditions for them and so on. And this perpetual rising up the scale is going on, step by step, as a result of comparison between one branch of service and another. It is not only in the hands of the Central Government that the power to control this process lies. It often happens that these demands are based on comparisons with conditions prevailing in branches of provincial services. I think myself, that the time has come to conduct a detailed review of the whole position in that respect. We must know where we are, and what future commitments we are likely to be involved in. We must have some idea of what the peak figure of expenditure is likely to be. This process is always going on, for, apart from alterations in the basic conditions, we have the normal increments working, and we have certainly not yet reached the peak figure in this respect. We are approaching a time when the whole of our position will come under review, and there will undoubtedly be a drastic alteration in the distribution of heads of revenue. We as a Central Government have got to review our position, we have got to find ways of helping the provinces. Before that time comes, it is most important that we should know exactly where we stand and have some sort of forecast of what these normal increases in revenue are going to involve for us. That is really the main object of this particular retrenchment inquiry which we are conducting, but in addition to ascertaining what the real facts of the case are, we shall of course most ruthlessly hunt out any sort of extravagance.

On the other hand, if we turn to what I describe as the second class of economy, economy on a big scale, I would ask Honourable Members to consider how I can possibly tackle questions of that kind when we stand, as we do today, on the eve of a constitutional revision. This matter cannot be dealt with pending the constitutional revision. I want Honourable Members to understand this, because I confess that I did feel that I came before them with a much poorer statement, a much poorer record of work done, in the way of retrenchment than I had hoped for when I spoke at this time last year. I want them to realise the position, I want them to realise the difficulties under which one has been working, and I want to make it quite clear to them that I do not think that the work which can be done in the way of retrenchment has yet been completed. That is a frank acknowledgment of the position,

Now, that brings me to the point whether my new taxation proposals are justified when I have made that acknowledgment. I feel they are justified, and that is what I have tried to explain in my budget speech. If I felt that there was a prospect of a big permanent reduction in expenditure, I might well have hesitated to make the proposals which I have made. But let us face the facts. Honourable Members opposite seem to entertain the idea that officials like myself and my colleagues are very costly to the taxpayer in India. I am absolutely certain of one thing, and that is that, whatever the form of constitutional reform which is coming, if it is a reform which is going to mean an advance in the direction of representative and responsible government, that reform is going to cost you more. You cannot get away from it. At present we have, sitting on these benches six members of a Cabinet responsible for the Government of the whole of India. The claims on the time of all officials are growing every day. We undoubtedly, in the future, shall have longer Sessions, more interest in the work of the Government among unofficial Members, and quite rightly too. I entirely welcome it, but you cannot get away from the fact that it is going to cost more.

Pandit Madan Mohan Malaviya: Increase the power to produce more wealth.

The Honourable Sir George Schuster: I am now dealing with the expenditure side. I feel quite certain that, as regards the administrative services of the country, there is no big prospect of retrenchment. I feel very conscious of the need for making a great effort to make retrenchment, but I could not feel on that ground that there was any reason for postponing the taxation which I was proposing.

Pandit Madan Mohan Malaviya: Why don't you propose the reduction of a few battalions for internal security? There are 28 battalions of internal security. Why cannot a few of them be dispensed with?

The Honourable Sir George Schuster: I was dealing, as my Honourable friend may have appreciated, with civil expenditure. Coming now to the other main field of expenditure, to which of course very considerable comment and criticism has been directed in the course of this debate, the military expenditure side, there again I would ask Honourable Members to recollect what our position is. One of the great disappointments to me has been the reception which my proposals have had for the reduction of 80 lakhs in the military expenditure. That was treated, as my Honourable and learned friend Mr. Jayakar said, as a joke. I think that is one of the words which he used. I think that has a far different significance. After all, a reduction of very nearly 2 per cent. in expenditure is an important reduction, and I ask Honourable Members to regard it as a sign that there is an effort being made to reduce military expenditure, and that when the present period of re-equipment is completed on that ground alone there will be a substantial reduction.

Dr. B. S. Moonje: What is the likely amount?

The Honourable Sir George Schuster: But whatever room there is for reduction in military expenditure, that again is a subject which, on a

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large scale, we cannot tackle just at the present stage. We are committed to this programme of re-equipment, and as soon as that is completed, the future will be considered, but I do not believe that it would have been possible to deal with that question in a more drastic and effective way than I have done in the circumstances which face us this year.

Sir Hari Singh Gour: I thought you were coming to the change of policy.

The Honourable Sir George Schuster: I was trying to make it clear that changes of policy could not be considered at the present stage.

Nawab Sir Sahibzada Abdul Qaiyum: I want to know whether it will be safe to reduce the number of troops, with inadequate communications and long distances to be traversed. The North East and North West Borders are fully armed, and excitements of all sorts are going on over there. In the present state of things there, will it be safe to reduce the present Army by a single person?

Pandit Madan Mohan Malaviya: Quite safe.

The Honourable Sir George Schuster: I think it will be inappropriate to enter upon a debate upon the military necessities at the present moment. I was trying to make the point that this is not the time when large questions of changes in military policy can be tackled, and we have to deal with facts, and in my budget proposals, I have to face the facts as they are. On these grounds, I felt that it was necessary to face, in my own words, the situation as I had presented it. On top of that, I added the further justification that, if things went well, and if in addition to that it was possible to find economies, we had, waiting before us, the urgent need of more money for the provinces. It is in that connection I referred to the possibility of distributing more revenue to the provinces. I am not asking the Assembly to provide money which is not immediately required for the next twelve months. My position is that we need every penny for which I am asking them to vote the taxation. What I do say is that, if at the end of that time, it should prove that there is a margin over and above our permanent requirements, then the imposition of taxation will have been justified, because we shall have waiting before us these needs for finding more money for the provinces, of which I have spoken so often.

Then, I would turn finally to that other point—the application of the proceeds of taxation. We have been asked, what are the Government doing towards a constructive economic policy. A great deal has been said about the Government's failure to pursue any constructive policy in the past. I think in any case our eyes now should rather be on the future than on the past. The main channel of expenditure on this basis, which Honourable Members have in mind must, as I have said, be the Provincial Governments. Therefore they cannot expect to find in the Central Government a very large proportion of that kind of expenditure which they wish to see undertaken; but I can claim, I think, that, in the proposals which I have put forward in the Budget this year, there are definite signs of an attempt to deal with the economic situation. We have our cotton proposals; we have our special sugar proposals; we

have the continuance of our obligations as regards the agricultural research work; and we have a thing in which I am particularly interested, our vote of money for the banking inquiry. All these seem to me to be important steps, indicating the desire on the part of the Government to intervene as effectively as they can in certain phases of national life where Government intervention seems likely to be effective.

I was criticised by my Honourable friend, Sir Purshotamdas Thakurdas, for the emphasis, or the lack of emphasis, which I laid on industrial development in certain passages of my speech. I must confess that, in writing those words, I had perhaps rather largely my own personal point of view in my mind, and was not consciously writing in the sense of one announcing a deliberate policy on the part of the Government. My Honourable friend criticised me for referring to industrial development, so far as that could be carried out consistently with, and as a supplement to, agricultural development. What I had in mind when I wrote those words was that, in my own view, looking at the conditions in India, there could be nothing worse for the people of India as a whole than to effect a divorce of the ordinary people of the country from the land. I think we are all agreed—I certainly have found in private conversation a great measure of agreement on this point from Honourable Members opposite—that India does not want large urban concentrations. What we want is an industrial development scattered about through the country-side, where people can combine work on the land with earning of money in industrial occupations. But perhaps it was presumptuous of me to venture those words which seem to imply a definite adoption of a particular policy by the Government on that matter. I wish to make that explanation.

I have only one point to refer to in conclusion. Perhaps I may hang the remarks which I have to make on a suggestion which fell from my Honourable friend, Mr. Chetty, in his very interesting and, if I may say so, statesmanlike speech. He referred, at the end, to the necessity for providing machinery by which the economic policy of the Government could be better directed and more actively pursued. He also suggested that it might be advantageous to the Government of India to follow the example of the British Government in constituting an Economic Advisory Council. I may tell him that that idea had also been present to my mind, and I feel that we have a great deal to learn from that example. I have felt, in my short experience in India, that we feel very much the lack of machinery by which the Government can get in touch with unofficial opinion and discuss what should be the main lines of our economic policy. I have also felt a great need for scientific study of the economic conditions of the country. I feel that we often, on all sides of the House, talk in considerable ignorance of what really is happening and as to how conditions here are produced either by local causes or by world causes. The scientific study of all these factors has advanced very much in recent years, and if there is one field on which money could be usefully expended, I think that field deserves our particular attention. As regards the special proposal which has been made by my Honourable friend, I should like to say, on behalf of the Government, that we shall be very pleased to consider with representatives of the unofficial parties what would be the best way of introducing here into India some feature of that kind, and I hope it will be possible for the leaders of the various

[Sir George Schuster.]

parties, either themselves or through representatives whom they would choose to speak on these matters, to consult with some of us on that matter before the end of this Session. I feel that a constructive economic policy is badly needed by this country. I feel that there is much to be gained by an exchange of ideas and by an appreciation of the realities of the situation. After all, we have only one object, however difficult it may be for Honourable Members opposite to believe it. We have only one object, and that is the advancement of the good of the people of India.

Sir, I have much more that I should like to say, but I am afraid I have kept the House already longer than fits in with their own convenience. It is difficult to deal adequately with all the suggestions which fall from Honourable Members in the course of a debate like this, but I would assure them that it is my practice to have careful notes made of all suggestions, and to go through them afterwards to see if there is any way in which I can meet them or obtain valuable ideas from what has been said. Therefore, if there are some Members to whose speeches I have made no reply, let them not think that their words have been wasted. (Applause.)

The Assembly then adjourned till Eleven of the Clock on Thursday, the 6th March, 1930.

LEGISLATIVE ASSEMBLY.

Thursday, 6th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

THE INDIAN COMPANIES (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I present the Report of the Select Committee on the Bill further to amend the Indian Companies Act, 1913, for certain purposes.

ELECTION OF THE STANDING FINANCE COMMITTEE.

The Honourable Sir George Schuster (Finance Member): Sir, with your permission, I should like to move the Resolution standing in my name, before the House proceeds to the election of Members for the Central Advisory Council for Railways. I explained to you, Sir, that I have to be present in another place this morning. Sir, I beg to move:

"That this Assembly do proceed to the election, for the financial year 1930-31, in such method as may be approved by the Honourable the President, of a Standing Finance Committee of the Assembly not exceeding fourteen in number to which shall be added a Member of the Assembly to be nominated by the Governor General. The Member so nominated shall be the Chairman of the Committee."

The motion was adopted.

ELECTION OF THE STANDING COMMITTEE ON ROADS.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I beg to move:

"That this Assembly do proceed to the election, for the financial year 1930-31, in such method as may be approved by the Honourable the President, of six Members to serve on a Standing Committee on Roads which will be appointed by the Governor General in Council and the constitution and functions of which shall be as defined in the Resolution on Road Development adopted by the Assembly on the 4th February, 1930."

The motion was adopted.

PROCEDURE FOR THE ELECTION OF MEMBERS TO THE STANDING FINANCE COMMITTEE AND THE STANDING COMMITTEE ON ROADS.

Mr. President: I have to inform the Members that, for the purpose of election of Members to the Standing Finance Committee and the Standing Committee on Roads, the Assembly Office will be open to receive nominations up to 12 Noon on Saturday, the 8th March, and Monday, the

[Mr. President.]

10th March, 1930, respectively. The election, if necessary, for the Standing Finance Committee, will take place in this Chamber on Thursday, the 13th March, while the election for the Standing Committee on Roads will be held on Tuesday, the 18th March, 1930. The elections will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

ELECTION OF A PANEL FOR THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

Mr. President: The House will now proceed to elect a panel of eight Members, from which six Members of the Central Advisory Council for Railways will be nominated. The ballot papers will now be supplied to Honourable Members in the order in which I call them. Out of 13 candidates originally nominated, Mr. Fazal Ibrahim Rahimtulla has since withdrawn his candidature.

(The ballot was then taken.)

THE INDIAN TARIFF (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to move that the Bill further to amend the Indian Tariff Act, 1894, for certain purposes, as reported by the Select Committee, be taken into consideration.

Sir, only two changes have been made in the Bill by the Select Committee. As the Bill stood originally, one item in the Schedule applied the saccharine duty to certain substances of a like nature, but left a wide discretion to Collectors of Customs to decide whether particular substances were of that nature or not. The Committee have altered the Bill, so as to provide that the substances to which saccharine duty will be applied should be notified by the Governor General in Council.

The second change made is as regards the proposed alteration of the rates of duty on radio apparatus of certain kinds. It is explained in the Report of the Select Committee that the failure of the Indian Broadcasting Company and the decision of Government, as a temporary arrangement, to take over the broadcasting, rendered it necessary to reconsider that particular proposal, and it has therefore been omitted from the Schedule.

These are the only two changes made, Sir, and I do not think I need say anything further in support of my motion.

The motion was adopted.

Clause 2 with the Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir George Rainy: Sir, I move that the Bill, as amended, be passed.

The motion was adopted.

THE STEEL INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I beg to move that the Bill to amend the law relating to the fostering and development of the steel industry in British India, for certain purposes, as reported by the Select Committee, be taken into consideration.

I explained the object of the Bill both at the time of its introduction and at the time of moving for a Select Committee, and as the Select Committee has reported the Bill without amendment, I do not think I need add anything further.

The motion was adopted.

Clause 2 and the Schedule were added to the Bill.

Mr. President: The question is:

"That clause 1 stand part of the Bill."

Mr. B. Das (Orissa Division: Non-Muhammadian): Sir, I beg to move the amendment standing in my name:

"That for sub-clause (2) of clause 1 of the Bill the following be substituted:

"(2) It shall come into force on the 1st July, 1930."

Sir, Honourable Members remember that at the time this Bill was taken into consideration I put forward my views on the floor of this House on behalf of the consumers and also on behalf of the importers. I must explain that I was a Member of the Select Committee, and I did not write a minute of dissent there as I found there was no substantial disagreement between me and the Members of the Committee. But I have nothing to retract from what I submitted on the first day the Bill was taken into consideration. I received a wire from the Bombay Iron Merchants' Association again. Let me, at this stage, make it clear that I have nothing to do with the iron importers in India, and if I have any sympathy, it is with the Tatas, who own a big key industry—the iron and steel industry in India. But one must be fair. This is the telegram received from the Bombay Iron Merchants Association:

"If Steel Protection Bill is passed, same should not come into force before June next, as trade should be given due notice to enable them to arrange accordingly. Orders placed before introduction of Bill should be allowed at old rates."

Sir, I think this is a very reasonable demand. Orders for iron goods have been placed, and it takes two or three months for the goods to be received. My Honourable friend, Sir George Rainy, the other day mentioned that, during last year, 20,000 tons of iron bars were imported. So if this Bill is passed, and these people are not given adequate time, they will be put to heavy loss. Of course, the Bill as drafted says:

"It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint."

If my Honourable friend, Sir George Rainy, intends to notify a date after 1st July, I have no objection. If he assures me of that, I will withdraw my amendment. But if he wants to notify that it will take immediate effect, it will work a great hardship. Although one would like the scope of protection extended to the Tatas, I still maintain what I

[Mr. B. Das.]

observed the other day. The Tatas have not organised their marketing all over India, although we are forced to extend protection to their industry.

Mr. President: Order, order. That is not the question.

Mr. B. Das: All right, Sir. I will confine myself to my amendment. The Honourable the Commerce Member who is so anxious to extend the scope of protection to the Tatas under the 1927 Steel Protection Act, should see that the importers are not hard hit, and they should be given a sufficient time limit, so that all orders that have already been placed may take effect, and the goods arrive in India without this increased taxation.

The Honourable Sir George Rainy: Sir, I regret I am unable to accept the amendment which has been moved by my Honourable friend, Mr. B. Das. He is asking the House to depart from what, I think, has been the uniform practice with the case of all protective duties that have been imposed. The practice has been, that these duties should come into force as soon as the Bill becomes law, and for obvious reasons, because if time is given, then considerable quantities of the protected goods can be imported at the lower rate of duty, and that is to the detriment of the protected industry. I can see no reason whatever for making an exception in this case.

As regards what fell from the Honourable Member, about the terms of sub-clause (2) as it stands in the Bill, the intention of the Governor General in Council is, as soon as the Bill is passed, to issue a notification bringing it into effect in about 7 days. The object of this is merely to give proper notice, proper warning, to the Customs authorities, so that they may be ready with their arrangements. But if so long a period as 3½ months were given, then I think it is certain that there would be time to import considerable additional quantities of these bars and tie-bars and the Indian manufacturer would be prejudiced.

Mr. President: The question is:

"That for sub-clause (2) of clause 1 of the Bill the following be substituted:

"(2) It shall come into force on the 1st July, 1930."

The motion was negatived.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Rainy: Sir, I move that the Bill be passed.

The motion was adopted.

THE INDIAN PATENTS AND DESIGNS (AMENDMENT) BILL.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I beg to move that the amendments made by the Council of State in the Bill further to amend the Indian Patents and Designs Act, 1911, for certain purposes, be taken into consideration.

Sir, the amendments made by the other House are wholly of a formal character. They are three in number. In sub-clause (1) of clause 1, they have substituted for the figures "1929" the figures "1930". In sub-clause (b) of clause (9), in sub-section (1A), they have substituted for the word "January" the word "July". They have also re-numbered clause 28A as clause 29 and re-numbered consecutively the subsequent clauses. I am sure that this House will have no hesitation in accepting all these amendments.

The motion was adopted.

The amendments made by the Council of State were agreed to.

THE SPECIAL MARRIAGE (AMENDMENT) BILL.

Mr. C. W. Gwynne (Home Department: Nominated Official): Sir, I beg to move that the Bill further to amend the Special Marriage Act, 1872, for certain purposes, as passed by the Council of State, be taken into consideration.

The purpose of the Bill is fully explained in the Statement of Objects and Reasons. It merely seeks to remove a defect in the Act as regards its administration, as pointed out by the Calcutta High Court. Section 2 of the Act provides that, before a marriage is solemnised, the parties and three witnesses shall, in the presence of the Registrar, sign a declaration in the form contained in the Second Schedule to the Act to the effect that either party has completed the age of 21 years. The declaration should also be signed by his or her father or guardian. The declaration at the end of the Second Schedule to the Act contains, in paragraph 6, the form that, if each party has not completed the age of 21 years, the consent of the father or guardian has been given. But the form, as it is at present, does not require the parties to state what their actual age is, and in particular whether or not each party is of the age of 21 years. All that the form requires is that the bridegroom has to state that he has completed 18 years of age, and the bride has to state that she has completed 14 years. This omission is one which is likely to lead to considerable laxity, as the Calcutta High Court has pointed out, as it makes it possible for a minor to get married without obtaining parent or guardian's consent, and in the absence of a specific declaration of age, may lead the Registrar to solemnise marriages without the consent of the father or guardian, even when such consent is necessary under the Act. The present Bill is designed to remedy this omission. This is the main and most important provision of the Bill. In addition, however, in clause 3, sub-clause (2), a few minor provisions of detail have been inserted in order to secure proper identification of the parties and witnesses. Sir, I move.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan Rural): Sir, Honourable Members will remember that I had introduced a Bill for the purpose of removing a similar defect in the Special Marriage Act of 1872. The defect that exists in the Act of 1872 is as follows. If Honourable Members will turn to section 2, they will find that in sub-clause (3) it is stated that each party to the marriage must, if he or she has not completed the age of 21 years, have obtained the

[Sir Hari Singh Gour.]

consent of his or her father or guardian to the marriage. Now, this Act was passed, as Honourable Members will remember, in 1872. It was introduced by Sir Henry Maine in 1868. Neither in 1868 nor in 1872 was there any statutory law of majority for this country. The first statutory law of majority was passed three years later. It was passed as Act IX of 1875, and it was there laid down for the first time that a person shall be deemed to have attained his majority, except in the very special circumstances mentioned in section 3, on the completion of 18 years. Prior to 1875 we followed the English law, the English law being that a person completed his minority and attained his majority on the completion of 21 years, and because we had no statutory provision in this country in respect of the age of majority, the authors of the Act of 1872 provided for the consent of the father or guardian in the case of persons below the age of 21, as they were treated as minors. But look at the discrepancy between the two statutes of the Indian Legislature. In the case of a person who is above the age of 18 and below 21, under the Indian Majority Act, except under the special provisions of section 3, with which I am not concerned, he is a major; consequently he cannot have a guardian. He wants to get married, and yet this section 2 provides and makes the Registrar say, "I cannot permit you to marry, unless you have obtained the consent of your father or guardian". Now, assuming that he has no father, and he has no guardian either; the result is that he cannot marry at all. He is a man of age; he cannot obtain the consent of his guardian because, under the Indian Majority Act and the Guardians and Wards Act, a guardian cannot be appointed to look after a major; and yet he wants to be married; he cannot marry under the law. This was the defect which I draw the attention of this House to by providing for an amendment of the Special Marriage Act of 1872, by substituting "the completion of 18 years" for "18 and 21 years". But at that time I was opposed both by the Government and some of my more orthodox friends, and they said, "You are further loosening the law, and we will not allow you to remove the defect". The result was that my Bill was defeated.

Now, Sir, my Bill was defeated, but look at the result of it. If this Bill becomes law, the position would be this. Under the present law, as it is administered by the High Courts, if Honourable Members will turn to section 5, they will see that, under this section, every party has to say, "I have obtained the consent of my father or guardian". Under the law, as administered by the High Courts, the Registrar cannot insist upon a declaration to the effect that the person has obtained the consent of his father or his guardian. But if you are to tighten the law, as Government propose to do, you would be disqualifying a person between the ages of 18 and 21 from marrying at all if he has no father alive, and he obviously cannot have a guardian whose consent he can obtain. I therefore submit that, when the Government decided to bring forward this Bill, they should have gone into the whole question, particularly in view of the Bill which I had myself introduced for the purpose of rectifying this defect in the statute law. Now, Sir, instead of following on the lines of my own Bill, what Government are trying now to do, is to disqualify those persons from marrying under the Act of 1872. In the Statement of Objects and Reasons it is very clearly stated:

"The result is that the Registrar of Marriages cannot enforce the provision about consent if the parties refrain from filling in paragraph 5 of the declarations."

Paragraph 5 is this. To those of my friends who have not got a copy of the Act before them, I shall quote:

"The consent of my father or guardian, as the case may be, has been given to a marriage between myself and C D and has not been revoked."

Up to now a man between the ages of 18 and 21 need not subscribe to this paragraph 5 at all. But under this Bill, if it is passed, such person will be disqualified because he will be compelled to subscribe to this paragraph 5. The result of that would be that persons between 18 and 21 would be disqualified from marrying at all. I submit, Sir, that that is a defect which can only be removed in the manner I have indicated, namely, by the amendment of section 2, sub-clause (3), by substituting the words, "and each party must, if he or she has not completed the age of 18 years", thereby bringing the Special Marriage Act into conformity with the provisions of the Indian Majority Act, adding a provision to the effect that he has attained the age of majority as provided in Act IX of 1875. That, I submit, is the obvious way of proceeding in the matter; otherwise you will be making the whole thing thoroughly absurd. You ask a major to go before a Registrar, and the Registrar solemnly asks him, "What is your age?"; he says, "20 years and 11 months". The Registrar asks, "Have you obtained the consent of your guardian?"; he says "No, I have not. I cannot have a guardian under the law, and therefore I cannot get anybody's consent". "Have you got your father?"—"No, he is dead". Then the Registrar says "Very well, you cannot marry". That is the position which this Bill will land us in. Now, I ask Honourable Members, can anybody conceive of such an absurdity as this Bill seeks to introduce into the law of the land? (*An Honourable Member*: "Yes, the Government can.") The Government can; they are capable of it. I therefore submit that we must oppose this Bill and compel Government to amend section 2 of the Indian Special Marriage Act by bringing it into conformity with the statutory provisions of the Indian Majority Act. I, therefore, Sir, oppose the consideration of this Bill.

The Honourable Sir James Crerar (Home Member): Sir, the intention of this Bill has been explained by my Honourable friend, Mr. Gwynne. It was merely, without making any alteration of substance in the Act as it stands, to bring the Schedules into conformity with the Act, and to remove the difficulty of administration which has been pointed out by the Calcutta High Court. The point which my Honourable and learned friend has raised is one which will require further consideration. If, therefore, the House will agree to pass the motion for consideration now before it, I shall undertake that no further motion shall be made till that point has been examined.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): Sir, the point mentioned by Sir Hari Singh Gour is a very important one. I confess I have had no time to look into the several sections of this Act; this Bill merely says that in section so and so, for the words so and so, the words so and so be substituted; the practice in the Legislative Council in Bombay used to be, when I was there, that when such Bills were on, the Government showed us the courtesy of putting on the table the Acts to which the amendments were proposed; but apparently in this House such a courtesy does not exist; and the difficulty therefore is that we cannot understand exactly what the amendment amounts to. Therefore,

[Mr. M. R. Jayakar.]

Sir, I could not realize the real nature of the amendment, but now that Sir Hari Singh Gour has drawn our attention to it, it seems to be so obvious that the proposed amendment, if allowed, will create a most extraordinary anomaly. A person who has attained 18 years of age cannot have a guardian except under the circumstances which Sir Hari Singh Gour pointed out; and yet this Bill seeks to make a declaration under clause 5 compulsory, which is not the rule at the present moment, according to Dr. Gour. The result of that would be, as Dr. Gour has pointed out, that a person between 18 and 21 will not be able to take advantage of the Act; he will have to find a father; if his father is dead this will be impossible: then he will have to find a guardian, which is impossible again because no guardian can ordinarily be appointed to a person who has attained 18. The words "twenty-one" in the original Act according to Dr. Gour—and I agree with him—were inserted at a time—in 1870—when India had not its own Majority Act, which was passed in 1875. Therefore the words "twenty-one", according to the state of circumstances in the year 1870, were perfectly sensible; but after the Majority Act was passed in India and "eighteen years" was made the majority year in India, it seems obvious that "twenty-one" should have been removed long before this. Therefore what Dr. Gour has drawn attention to is perfectly obvious, and I cannot understand why Government cannot accede to the point and solve the whole difficulty, either by leaving the law where it is now, with the result that clause 5 will continue to be optional, or if they want to make it compulsory, they should change "twenty-one" into "eighteen" years. That solves the whole difficulty. We should, however, like to have the opinion of the Honourable the Law Member on this point.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I must confess that I did not apply my mind to this Bill before this moment. The criticism which Sir Hari Singh Gour has made seems to me perfectly legitimate criticism. If this matter were in court I could easily defend these changes. Sir, I shall give an illustration. My Honourable and learned friend, Mr. Jayakar, knows that in the Hindu law of adoption there is a doctrine that a woman cannot adopt without the consent of her husband

Mr. M. R. Jayakar: In certain parts of India.

The Honourable Sir Brojendra Mitter: That is the general law; Vasishta says that no woman may adopt without the consent of her husband. What about a widow? One school of Hindu law has interpreted it in this way: She has not got her husband; consent is not possible; therefore, no consent is necessary. In another school of Hindu law it has been held, on the interpretation of the same text, that a widow cannot adopt because the consent of the husband is a preliminary condition. Now, there are these two different views. In the first view, when there is no husband and, therefore, no consent is possible, no consent is necessary, notwithstanding the injunction of law that such consent should be obtained. Similarly, it may well be argued, if this matter came before a court of law, that in the case of a person between 18 and 21 who has got neither a father nor a guardian, consent is not possible, and, therefore, consent is excused. But these are legal subtleties, and I need not weary the House with legal subtleties.

Mr. President: Is it worth while proceeding with the Bill?

The Honourable Sir Brojendra Mitter: What I say is this, that since we are legislating, we might make the law clear and not leave it to be played with in a court of law by subtleties.

Mr. M. S. Aney (Berar Representative): At least leave it without creating greater confusion than there was before.

The Honourable Sir Brojendra Mitter: Since we are legislating, we might as well make the point clear, and I must confess that if the proposed changes are made, it would create some amount of confusion.

Mr. C. W. Gwynne: Sir, the points that have been raised will be very carefully examined; meanwhile I would ask the leave of the House to withdraw this motion.

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

THE PRISONS (AMENDMENT) BILL.

Mr. C. W. Gwynne (Home Department: Nominated Official): Sir, I beg to move that the Bill further to amend the Prisons Act, 1894, for a certain purpose, as passed by the Council of State, be taken into consideration. The purpose of this small, formal and non-contentious amendment of section 27(2) of the Prisons Act is clearly explained in the Statement of Objects and Reasons. It is a measure of administrative convenience rendered advisable by the decision, on a recommendation of the Conference of Inspectors General of Prisons in 1928, that the age limit of an adolescent prisoner should be 21 and not 18 as it was before. The amendment is designed to secure a more convenient and suitable provision for adolescent prisoners, both under trial and convicted, for purposes of proper segregation while in prison. Local Governments have been consulted on this amendment and have all agreed to it. Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Mr. C. W. Gwynne: Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

THE REPEALING AND AMENDING BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move that the Bill to amend certain enactments and to repeal certain other enactments, as passed by the Council of State, be taken into consideration.

[6TH MAR. 1930.]

[Sir Brojendra Mitter.]

Sir, this Bill may be described as legislative spring cleaning. The object is to make some necessary amendments of a formal nature in certain enactments and to repeal certain spent or useless matter in the Statute-book. The reasons for the proposed amendments and repeals are fully explained in the Statement of Objects and Reasons. Sir, I move.

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

The First and Second Schedules were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Brojendra Mitter: Sir, I beg to move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 7th March, 1930.



LEGISLATIVE ASSEMBLY.

Friday, 7th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

ELECTION OF A PANEL FOR THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

Mr. President: I have to inform the Assembly that the following Members have been elected to the panel for the Central Advisory Council for Railways, namely:

1. Lieutenant-Colonel H. A. J. Gidney.
2. Mr. N. C. Kelkar.
3. Mr. Abdul Latif Sahib Farookhi.
4. Dr. A. Suhrawardy.
5. Sardar Bahadur Captain Hira Singh Brar.
6. Haji Abdoola Haroon.
7. The Revd. J. C. Chatterjee.
8. Mr. H. P. Mody.

THE GENERAL BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Mr. President: The House will now take up the second stage of the General Budget, namely, the Demands for Grants. With regard to the order in which these Demands should be taken up I have got to make a few observations. As Honourable Members are aware, since the last three years, I have been accepting the arrangement regarding the order arrived at by the leaders of parties in consultation with Government. The usual order is thus varied in accordance with the general sense of the House. This year an attempt was made yesterday by leaders of parties, in consultation with Government, to ask me to accept a particular arrangement. That arrangement was this: that I should take up the Demand under the head "Executive Council" first and allow Mr. Kelkar to move a cut regarding the irresponsibility of the Executive Council, and the House should devote the whole day to the consideration of that question. Then tomorrow, the 8th March, I should allow the Independent Party to discuss the question of general military policy, and in particular the inaction of Government on the recommendations of the Indian Sandhurst Committee. That should, according to the arrangement, occupy the whole day. It was further suggested to me that on Monday, the 10th March, I should allow the new Swaraj Party to move some cut on some head which they might

[Mr. President.]

select. I have not been favoured with the particular Demand on which they wish to raise a debate and therefore I am not in a position to announce it to the House, but I have agreed to give them two hours to raise a discussion on any question they choose on any Demand. That will be from 11 A.M. to 1 P.M. After that, the remainder of Monday will be devoted to a cut to be moved by the European Group under the head "Finance". I understand they wish to raise the question of retrenchment under that head. Then on Tuesday, the 11th March, two hours will be allotted to the Central Muslim Party to move a cut on any Demand they select. I was told that they wish to raise the question regarding the Report of the Indian Central Committee. I am not sure whether that would be relevant under any of the Demands for Grants. I therefore look forward to meeting the leader of the party during the recess hour and settling with him what particular cut they propose to move. This will take us up to 1 o'clock on Tuesday. The remainder of that day I propose to allot to unattached Members for a discussion on any question that they wish to raise. They therefore must get together and tell me, in the course of the day, whether there is a likelihood of their coming to any agreement. If they do not come to an agreement and I am not informed in time about their intention, other Grants will be taken up from Tuesday, the 11th March, from 1 o'clock, in the order in which they appear on the paper. If, however, they come to some agreement, and I am informed of it in time, I shall allow the afternoon to be utilised for that purpose. We shall then begin the remaining Demands for Grants in the order in which they appear on the Agenda on Wednesday, the 12th March. I hope this arrangement will suit Honourable Members.

Expenditure charged to Revenue.

DEMAND NO. 28—EXECUTIVE COUNCIL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 91,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Executive Council'."

Irresponsible Nature of the Executive Council.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, I move:

"That the Demand under the head 'Executive Council' be reduced to Rupee One."

In order to enable me to draw the attention of the House to the utterly irresponsible character of the Executive Council, I want to reduce the Demand for the Executive Council to one rupee, or 1s. 6d. at the present rate of exchange! I will cut them off with a shilling and six pence.

Mr. President: What will they do with one rupee?

Mr. N. C. Kelkar: It is for them to find the way out of the difficulty. After all, they are absolutely irresponsible, and they can obtain whatever they like in so many other ways even if we cut down their supplies.

Sir, it strikes me at the outset that the debate that I am raising on this question of the irresponsibility of the Executive Council happens to coincide with the ultimatum which Mahatma Gandhi has given to Government. This, however, is no mere accident of the situation. On the contrary, this coincidence discloses, in my opinion, the essential unity that exists between the working of the minds within the Councils as well as the working of the minds outside the Councils. Gandhiji himself has said that his demands are not exhaustive, but they are only illustrative. Now, what is his purpose in putting before the Government his list of illustrative demands and what does he really want? We all know, and Gandhiji himself knows, that good government is no substitute for self-government. At the same time, he knows as well as we do that mere self-government also cannot always be a substitute for good government. And the political ideal of a nation ought to be to get both these together, and, between them, to get good government through self-government. That is the object with which Gandhiji has put forward his demands as illustrative of his purpose. He practically says to Government: "Here is a list of illustrative demands for you to take up. If you meet them immediately, you will be showing that the angle of your vision is changed and your heart has also undergone a certain sympathetic change, which I look forward to and which I expect and want". If you just analyse his demands, you will find that he has not asked for anything fantastic. I will briefly recapitulate what he asks for. What he has asked for are really items of good government, and if Government are not prepared even to grant immediately those items of good government, Government stand condemned by themselves. Take the demand for total prohibition. India is a country which is very well known for its abstemiousness. All the religions in India prohibit drink, and if a country steeped in liquor like America has at last accomplished its desire to go dry, why is it fantastic to suppose that in India, if we begin to administer it, we should also enact laws of prohibition? Then, he has asked for the reduction of the rate of exchange to 1s. 4d. That, as we all know, is a very burning topic, and this side of the House has always considered it to be a legitimate demand. Then he asks for reduction in land revenue by at least 50 per cent. and that it should be subject to legislative control. Some of the Members may be aware that, in our provinces we are taking up this matter with the Provincial Governments. The demand for the reduction of the present land revenue by 50 per cent. need not look in any way fantastic. At present, the land revenue is assessed at the rate of 50 per cent. of the net profits of the agriculturist, but in my own Presidency I remember the Agricultural League that we have formed has put forward the demand that Government should not be entitled to more than 25 per cent. of the net profits of the agriculturist. This is exactly in consonance with the reduction by 50 per cent. of the present land revenue demand, and we also want that agricultural assessments and revisional assessments should all be subject to definite legislation. So, this demand also is not fantastic. Then he has asked for reduction in the military expenditure by at least 50 per cent. to begin with. The present expenditure is about 54 crores. If we reduce this amount to 27 crores, it practically gives a ratio of about 20 per cent. to our total income, and it is admitted on all hands that 20 per cent. should be the usual amount for the Military Budget of any country. So it will be seen that this demand also of Gandhiji is not fantastic, but is very reasonable. Then, he has asked for the reduction of the salaries of the highest grade services by one-half or less, so as to suit the reduced revenue. That is a natural corollary. If the expense is to be reduced,

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how can it be done unless you reduce the salaries of the highly paid officials? So, that also is not a fantastic demand. Then, there is the item of a protective tariff on foreign cloth. We are just now busy with that very measure in this House. Then he insists on the passage of the Coastal Traffic Reservation Bill. We all know the history of this measure and how keenly we are all fighting for it. Then he asks for the discharge of all political prisoners. That is essentially a legitimate demand, if Government are to look forward to peace in this country and a settlement anywhere, either in India or in England. Then he wants the abolition of the Criminal Intelligence Department or its popular control. I suppose, even if we get our self-government we will want our Criminal Intelligence Department. But then it is not a question of having the Criminal Intelligence Department, but of having the popular control on it. That is what he has asked for. Then he wants the issue of licences to use fire-arms for self-defence subject to popular control. That subject has been so ably discussed by my friend, Dr. Moonje, that I need not say much about it.

Now, Sir, here is an illustrative list of demands put forward by Gandhiji. What does he in effect ask? He says, give me immediately at least these items of good government, if you are not going to give me full self-government. He has explained further that, though the idea of Independence has been put forward, you need not be frightened, as we ourselves are not frightened by that idea of Independence, and if you make up with us on the basis of these reasonable demands, we shall say that we have got good government as well as self-government and we shall see how to get the exact measure of self-government that we want later on. Therefore I feel like getting my whole thesis out of this coincidence of the putting forward by Gandhiji of his ultimatum, and the debate I want to raise in this House at this moment upon the irresponsibility of the executive Government, which is the pivot of this all-India administration. Now, it may be asked perhaps, "Even supposing you get responsible government, or a due measure of self-government, what guarantee is there that you yourself will get all these demands that Gandhiji has asked for? Who has told you, who has given a guarantee that, supposing you enjoy a measure of self-government or some kind of self-government that you want, you will necessarily get prohibition, remission of land revenue and so on and so forth?" To that my reply is that there is no reason, in the first place, why this will not necessarily happen. I, for one, have absolute faith that, if we get real self-government and the machinery of legislature to carry out the will of the nation, all these demands that have been put forward by Mahatma Gandhi will be carried into operation. That is my personal belief; but on the other hand, even if it happens that these demands are not granted by the Legislature under our self-government scheme, then the country will simply blame itself and will go on trying to get what it wants by overturning Ministries, one after another in turn, and calling upon other political parties to take up the administration. That is a recognised method for a nation to get what it wants under a scheme of self-government. Now, what is the essence of self-government? It is that people must get a chance, through their representatives, to carry out the national will. That, in brief, is the essence of self-government. A nation may sometimes be wrong in its views, but it can always claim the right even to make mistakes, for mistakes there must be. The man's soul says, "Thou God, give me

liberty," and liberty for what? Liberty not only to do the right, but also to do the wrong, if I sometimes must do wrong. That is the demand of the soul to God, and that is the demand of the nation to Government. "Give us the right to do what we think best, in our interests; it may be right, or it may be wrong." That is the cry of the nation. After all, that is the privilege which the nation itself wants to exercise. For in the assertion of this right lies the realisation of political life, the political genius and the political soul of the nation.

Now, let us all understand the word, "responsibility," its real significance and its limitations. Even when there is responsible government, it certainly does not mean that the executive possess no power at all. In fact it does possess power, also power proportionate to its responsibility. The Legislature, we all know, is a collective body after all, and can discharge its functions, only by definite limited means. This broad sided activity of the Legislature is not so wide as that of the executive itself. There is a particular method prescribed to the Legislature to express its views and its opinion, and principally that by saying, "Yes" or "No." The Legislature collectively is practically always confined to one method of saying, "Yes" or "No," and giving a vote for or against a measure put before it. That is the language through which the collective view of the Council is gathered. In Alexander Dumas' novel of "The Count of Monte Cristo", there is a character which the author describes as paralysed in respect of all its functions excepting its eyes. That character had only one living function, that is the function of the eyes.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): That is short sight.

Mr. N. C. Kelkar: And that character had no other function living. Similarly, if you look at the legislative body collectively, you will find that its function is practically confined to saying, yes or no when giving a vote. The Legislature, that is the acts of the Legislature, are controlled by the executive in respect of a number of things, namely, say, the initiative, procedure, ballot, allotment of days for sessions, practically a monopoly of time for official business, order of business, exclusive rights, as for example in respect of money Bills, and ultimately the threat of resignation and the threat of dissolution. These are the checks through which the executive Government tries to exercise its control upon the legislative body, whose function is practically, as I have said, restricted only to giving a vote and saying, yes or no, by a single word.

Lieut.-Colonel H. A. J. Gidney: That is long sight.

Mr. N. C. Kelkar: Of course the Legislature willingly submits to this control because it is a control in non-essentials, but in essentials, the control of the Legislature over the executive is, and must always be, greater than the control of the executive over the Legislature. These different advantages on either side are easily seen in practice. Thus, for example, the advantage to the side of the Government and the executive is seen in this fact that, in a properly developed Legislature, it is practically impossible for a private Member to pilot and carry out a private Bill to a successful end. But on the other hand the Legislature collectively

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): What about the Sarda Bill?

Mr. N. C. Kelkar: But one swallow does not make a Summer. It was because the executive helped Mr. Sarda, that he was able to get his Bill successfully passed by the Legislature.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): If the Government had opposed it, the Bill could not have been completed yet.

Mr. N. C. Kelkar: These different advantages can be shown easily in practice, for on the one hand the executive can make it impossible for a private Member to carry out any legislation. On the other hand, the Legislature collectively can have its revenge and send Cabinets into the wilderness. We have now seen the French Cabinets being scattered like nine pins in the game of skittle at short intervals. How does that come about? Where does it come from? It comes from the natural operation of the expression of the will of the nation as against the executive. What I am trying to put before this House is that the executive and the Legislature have both got power, but only in different forms, and both of them ultimately share that power with the people at large. In well developed democracies, the power is gradually transferred from the Legislatures ultimately to the people in three ways, firstly by the growth of the power of the Cabinet, secondly, by the increase of the electorate, thirdly, by the widening of the franchise and by the growth of independent public opinion in the country. But responsibility is the pivot on which this tripartite balance turns, namely, the balance of the equitable distribution of power and opportunity among the Cabinet, the Legislature and the electorates, all with a common purpose. The word, "responsibility" has a double meaning as it is ordinarily understood. In the first place, responsibility means power, and in the second place, responsibility means liability to take consequences of abuse, or the wrong use of power, therefore, "responsibility" is a two-faced word. It has got two significances practically, but in India at present the executive Government understand responsibility only in the sense of power, and not in the sense of responsibility, and that is my principal point. Whenever Government want to do a certain thing, they very plausibly put it in this way, that Government must be responsible for this. If they want to do you harm, Government will say that they must be responsible for doing this thing in the interest of the country. So in India, unlike other free and self-governing countries, responsibility is understood by Government only in the sense of power and not responsibility. The nation, however, consequently feels humiliated because even the Legislatures with assured elected majorities have no power, no initiative, and national policies are expressed in the Legislatures only to be frustrated by the obstinacy of the executive. Therefore, to put it briefly, our claim for responsible government in India arises out of the humiliation that the nation has suffered from the conduct of Government on the one hand and the weakness of the Legislatures on the other.

Now, what is the present position of the Executive Council in India? It represents practically the whole Government. As we see here, for instance, there are two groups of Members sitting facing each other. One group, on this side, is responsible to the Indian electorates, and another

group, sitting on that side, especially the Treasury Benches, is responsible only to the Secretary of State, who, along with his other colleagues, holds himself responsible to the British electorate, which is six thousand miles away from India. This is therefore practically like two swords in one scabbard. In this one Legislature there are two groups of Members, one of which is responsible to the Indian electorate, and another responsible to the Secretary of State, which means to the British electorate, six thousand miles away. Therefore it is practically like having two swords in one scabbard; and out of that situation, you can easily see how, with the least contact and conflict, there is a rattling of the swords. That was of course the original intention of the authors of the new reforms. The Montford Act did not intend to give either the executive or the electors real responsibility in any way. It continued the ultimate authority and power in the hands of the Secretary of State himself. His Council is practically mere eye-wash, and the story must have been heard by many people in this House that, at the end of three years of the life of his Council, Lord Birkenhead was not able to distinguish Mr. Mullick from Dr. Paranjpye. Both were members of his Executive Council, both must have been sitting at some of the meetings, but the story is going round, and looking at the manner of Lord Birkenhead, I can believe that story that, at the end of three years, he did not know Dr. Paranjpye from Mr. Mullick. And what is the business they do? They do not meet and make acquaintance, because they have got practically no business. And here is a limerick given in Sir Sivaswamy Aiyer's book about the work done in the Secretary of State's Council:

"Eleven to Noon, think you have come too soon;
Twelve to One, wonder what's to be done;
One to Two, find nothing to do;
Two to Three, begin to see,
It'll be a great bore, to stay till Four."

That is the method of the work in the Secretary of State's Council, and these are the people who are supposed to be entirely responsible for the good administration of the Government of this country; and this Executive Council, instead of being responsible to the electorate of this country, is supposed to be, and is made to be by law, responsible to the Secretary of State for India.

Now, the Act of 1919, as we all know, did enlarge the Councils, but the Councils were expected, in the words of the Act itself or of the authors of the Act, only accurately and regularly to represent to Government the wishes of the country and adequately criticise its conduct. Nothing beyond that. Here you will see no trace of responsibility, either for the Legislature or the Executive Council. What was expected from the enlargement of the Councils was adequate criticism; and while on that point I may say that, if you expect only criticism from us, why should you expect us to put forward only responsible criticism? If you give us a chance by the game of in and out, then only can you ask us to go in for reasonable and responsible criticism, but if you are not going to give the Legislature any responsibility for what is going on in this House, why do you expect us to be reasonable and responsible for your purposes?

As regards the present character of the Executive Council, I have read what was in the mind of the authors of the new reforms. But I would just like to read one or two passages, giving an exact description of what

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is the present position in the country. First I will read a small paragraph from Sir Sivaswamy Aiyer's description of the present situation, and I cite him because, in my opinion, he is a man who enjoys an absolute detachment of opinion in political matters. He says:

"The position of the executive *vis-a-vis* the Legislature is far from comfortable or enviable. Government are therefore obliged to resort to all possible arts of conciliation or exploitation of the differences between the different parties and sections. Opposition has to be overcome by coaxing and cajolery, or bought off by favours or concessions. From the point of view of the Opposition it may perhaps be considered desirable that the Government should be kept in a dependant condition and a pliant mood; but there are limits to pliancy and the statute prevents the Opposition from obtaining a mastery of the situation. From the point of view of the administration, it is a source of weakness to the executive that they should be liable to be defeated at any moment by an irresponsible Legislature. Uncertainty as to the decision of the Legislature, and the want of an assured majority therein, must affect that sense of confidence which is essential to firmness of administration and continuity of policy."

This is by an Indian statesman, and now I am going to read an opinion upon the present constitution of India of a well-known person, Professor Keith, the author of "Responsible Government in the Dominions". His words will show that it is not we in India alone, who have been saying that the reforms are useless, and that they do not come up to expectations. He says:

"The Act of 1919 was passed by a Parliament which was by no means convinced of the wisdom of the new move in India, but which felt constrained to do something to make good the promises given by the British Government during the War to which India had responded by great services."

Therefore it is only by our war services that we have purchased this modified or qualified liberalisation of our political institutions in this country.

"The opposition to it was based on the belief that democratic institutions have never been evolved in the East and therefore could not apply adequately to it, a view recently maintained by Earl Balfour. A more generous conception held that the British rule in India existed for the benefit of the lower classes of the population, who were exposed to injustice at the hands of the wealthier classes and the higher castes."

But Professor Keith himself gives the answer:

"But the difficulty that, after a long period of British autocracy, nothing of substance has been done to raise the position of the depressed classes either economically or in point of education and self-respect is ignored. Nor were the critics aware of the remarkable assimilation of democratic principles by such a race as the Filippinoes under the more enlightened generosity of the United States. The apparent development"—*he indulges in a little sarcasm*—"of democracy in Japan was explained away, and the autocracies of the Spanish Directory, Signor Mussolini and General Pangalos had not yet occurred to prove the unfitness of European democracies for liberty."

Our Government might point its finger and say, "Why take China and Japan? Look at the European countries. Look at the dictatorship in Spain; look at the dictatorship in Italy; look at the dictatorship in Greece". Then, he says:

"At any rate the Act was marked by a spirit of distrust and caution in strange contrast with the generosity which conceded responsible government to the Transvaal and Orange Free State."

Government have been more generous to the South African Republic in respect of the grant of self-government:

"It is true that certain extremists in India put forward ludicrous claims and refused to recognise fundamental facts",

—"but", he says, and that is the crux of the whole situation—

"but none the less a more generous measure would have been well worth risking"—

by the Government.

"The Legislature of India, therefore, might be deemed to be representative, but it differed essentially from a true representative Legislature by having ultimately no power to prevent legislation by the Crown."

I would just read one more sentence and show to the House what view a man of that eminence takes:

"The justification for this attitude was, of course, the fact that India, specially vulnerable to attack through the growth of the strength of the tribes on the frontier, the doubtful friendship of Afghanistan."

But in the end he says, and this is most important,—

"But these considerations should have rendered all the more eager the endeavour to open up military careers for Indians and to train the people to defend themselves as a necessary condition of self-government."

Therefore, I have cited to you the opinion of an Indian statesman, Sir Sivaswamy Aiyer, on the present constitution of the executive and the Government, and also the opinion of an English statesman and a great author on responsible government itself. The quotation I have given conclusively proves that, even that man of detachment admits that Government have not gone so far as they should have gone in the matter of reforms in India. Now, in self-governing countries also it may be said that there are two blocks, one block or one party standing for one kind of principles and policy, and facing that block sits another group of Members of the Legislature with a different policy and principles. That is a fact which obtains in every Legislature practically. But then you must remember that both of them are elected by territorial electorates in the same country, and not as in India one block responsible to the British electorate 6,000 miles away, and another block of Members responsible to the Indian electorates. In every self-governing country there are parties, there may be two or three or even four parties, with different principles and policies, and yet why do they carry on the administration, and even peaceful administration and successful administration? Because the country gets a chance to put its will into operation through the medium of the Legislature, though it may be made up of two or more parties responsible to the different electorates with different principles and policies. The real key to the solution of this problem in those countries is that their game of in and out is freely played, and the game allows a chance of making experiments with alternative policies. That is the real cause of the trouble in India. There is no chance of ever trying an experimental policy, an alternative policy. Government have in their hands certain pre-conceived policies, and they go on as if there was great virtue in constantly following only those policies and trying no other policies. But that never happens in a really self-governing country. This process, this game of in and out serves two purposes; either the nation gets what it wants and it justifies the wisdom of its policy by this game of in and out. But suppose the protagonists of particular policies ultimately find out that their policies are not practicable, and they are so convinced, and come to know the practical limitations of their theoretical ideals and principles, and when they are subjected to cross-examination by the stern facts of the practical problems, then of course they give up those policies and they have got nothing to blame except themselves.

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for having wrongly conceived those policies. But where certain policies are ultimately realised as successful, or in the case of other policies the practical limitations are found out by the protagonists, the central thing remains, namely, that the nation has got a chance to put its will into operation.

Where the policies are not ultimately realised, or have to be given up as impracticable and hopeless, the game of in and out serves at least as a useful safety-valve for letting off steam of failure or discontent, and the best course for folly or ignorance is, after all, to give it a chance for discovering itself. But there is even a higher purpose of responsibility. The history of evolution of responsibility is interesting. Originally, the theory was that the King governed by the divine right and also could do no wrong. But gradually the view prevailed that those who acted on behalf of the Crown, at least must be held responsible for the legal conduct, and the doctrine that the King can do no wrong ultimately came to apply, not only to offences under the criminal law, but also to political errors. And the King can do no wrong, cannot do any wrong, for the simple reason that he is allowed to do nothing by his own independent will and action, and everything is done for him just as everything is found for him. He is, if I may say so, the most exalted and glorified apotheosis of beneficent inactivity or negation. In the early stages, Parliament in England tried a number of schemes to prevent the Crown from carrying out unpopular policies. One of them was to make the ministers seal Royal documents so that individual responsibility of Ministers could be at once located, and functioning ministers would be assailed and would be called to answer and subjected to impeachment. These crude forms of ministerial responsibility have of course now become obsolete; but something of greater value was obtained in its stead. The responsibility of individual ministers remains to this day, as it was before in past centuries, but in the course of time something more has come in addition to the individual responsibility of ministers, and that is the collective responsibility of the Cabinet, and in the form of this collective responsibility of the Cabinet, democracy has given or taken, whichever you like to call it, hostages to the nation for proper administration according to the wishes of the country. And now the position has settled down finally. It has come to this in England. The King must accept the advice of ministers or find other ministers who will accept responsibility.

Now we are of course as much under the rule of the King as England. The Emperor never comes here. He takes practically no part in the administration of this country. But he must in theory accept, on Indian affairs, the advice of Ministers, or find other Ministers who will accept responsibility so far as the State Secretary is concerned. But even though the State Secretary goes out of office, on account of the collective responsibility incurred by the Cabinet, still in relation to India there is absolutely no change of Government. That game of in and out is never played; no non-official political party is ever given any chance to put its policy into practice, and make experiments with an alternative policy. Therefore, the substance of India's claim for responsible government is that the State Secretary's office should be abolished. (Hear, hear.) The State Secretary's power should, for the most part, be transferred to the Indian Government, and the Indian Government itself should become a national Government. It should be Indianised and also made responsible. That is the substance of our demand for self-government. But here I wish to utter a word of caution. Our claim for responsible government should not be confounded

with our claim for Indianisation of the services, because they are two different things. Indianisation is wanted for two reasons. First of all, it is the birthright of the sons of the soil to run the administration of their own country. Secondly, in the interests of the country also I will say we want Indianisation. For we know, and we believe, that, if we have an Indian agency of administration, such Indian agency is bound to be cheaper and more economical. Therefore, if my Honourable friend, the Finance Member, wants to cut down expenditure, instead of putting an officer on retrenchment duty, or appointing a retrenchment committee, let him at once take up and pursue to its furthest conclusion, the policy of Indianisation, which will give us what we want, and will also give him the retrenchment in expenditure that he wants. It is not a fantastic suggestion. Look at the figures of administrative expenditure in Japan, for instance. My Honourable friend Dr. Moonje will be able to tell you what the pay of an army General is in Japan, compared with the pay of an army General in India, and so on. That same scale can be applied to the whole gamut of the administration here. But then we are told, as we were told some time ago by the Honourable the Finance Member, "Don't you be under the delusion that if you get self-government, your expenditure will go down." It may be so, but even if under self-government we shall have to spend as much as now, we shall certainly spend it in a different manner, through our own men, who in return will get very valuable experience of administration for themselves. I will give this as an example. Supposing we spend Rs. 54 crores on military expenditure, we shall certainly create with that a strong national army in the country and establish factories in the country for arms, ammunition and mechanisation, and also schools and colleges for military education. Indianisation is thus very important.

But that is only one part of our aspiration. For India's heart is set upon self-government also. Independent testimony to our real desire for responsible government, in addition to Indianisation—Independent testimony, as I say, comes in from what we find in the Indian States. I am not referring here in any manner to the relations between the British Government and the Indian States over their internal affairs, but what I do point out is, if only to give a parallel, the new movement now going on in the Indian States. Why is the new movement going on there? Our claim for responsible government is not satisfied in the Indian States, where the officers from top to bottom are Indians. There is hardly any Indian State in India where an Indian does not occupy the highest post and does not discharge the highest function. But that is only Indianisation and nothing more. Though there is Indianisation, that does not exhaust our democratic claim and aspiration, for even in Indian States we do say we must have responsible government even at the hands of the Indian officers. What we therefore claim, after all, is the expression of the will of the taxpayer, through the instrument of the legislature and control of the executive. And therefore it comes to this, that if Indian States are mis-governed, we ask both for good government and self-government. But if there are well-administered Indian States, then we do not ask for good government, because it is already there, and still we ask for self-government even in Indian States. Therefore, our claim to responsible government in this country is not spiteful, is not directed against the present rulers simply because they are foreigners. Supposing we enjoy self-government, who knows we may keep some of the Englishmen, the Civilians, if we find them good and efficient men, either as advisers or our permanent officers in the Secretariat, or use them for technical and expert services.

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Not that India has shut itself entirely against foreigners for all time, or means to do it; it wants Englishmen and Europeans; but the question is, who should possess the whip hand of control, and that whip hand of control is claimed by India for the nation itself, rather than that it should be left with an irresponsible bureaucracy.

Mr. President: The Honourable Member is taking a long time.

Mr. N. C. Kelkar: Sir, I have practically come to my last point. I will now conclude by just making one appeal to the Bureaucracy now installed in office, on the Treasury Benches. Sir, with your permission I would like, in conclusion, to address just a few words to the Treasury Benches in a somewhat direct fashion. I would say this to them: "You, occupants of the Treasury Benches, you may be all of you very estimable gentlemen as individuals. I know you possess a high sense of duty, but that duty you owe to an absentee taskmaster six thousand miles away. Don't you therefore feel the irksomeness of your situation? Don't you for yourselves like to be released from that absentee overlord and come into direct relationship, into direct responsibility to the Indian people themselves? When you are criticised, sometimes unfairly criticised, don't you feel like saying to the Opposition, 'Come, good Sirs, here you are, your tasks and your problems, let us see how you, who are so critical of us, acquit yourselves of the responsibility'. Don't you feel the urge of sportsmanship to put you on your mettle and offer a challenge to exchange places with your critics and opponents? Surely you are not so egotistic as to suppose that wisdom and prudence are the exclusive monopoly of the Treasury Benches and that the mere touch of those Benches releases hidden springs of revelation?"

12 Noon. You will surely be prepared to admit that there may be, on this side also, people who may very well claim to share in your gifts as men of affairs and administrators. If that be so, it is your own duty, as much as ours, to fight with the Home Government to make the Executive Council really responsible to the Indian nation. If you fail in that, you will be unfaithful to your own trust. All legitimate responsibility, like honest labour, has a dignity of its own, and by making the Government of India responsible, you would be only ministering to your own honour and self-respect. But if you do not do it, do not think that the destiny of India will remain unachieved". The nation is up and in arms. It is well aware of both of its points of weakness and its points of strength; but it is not going to falter any longer. It has struck its tents and is marching with the music of hope in its ears and the strength of confidence in its ears. Dominion Status and Independence somehow seem intermingled on the horizon; but which of them should be ultimately cherished or accepted as its immediate or ultimate destiny by the Indian nation depends mainly upon the alertness and alacrity which you show in your duty to India. (Cheers.)

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): Sir, in rising to support the motion of my Honourable friend, I am anxious that no words of mine should add to the bitterness of the present situation. There is no impartial critic who will not be prepared to acknowledge that some useful service has been rendered by the Executive Council to this country. Whether the service outweighs the disservice is another story.

Sir, the question that we are considering at this moment has got two aspects, one political and the other psychological. I shall, with your permission, first offer a few observations on the political aspect of the problem, and I shall put one or two very straight questions to the representatives of the Executive Council in this House and ask them to give us straight answers.

We have had one hundred and fifty years of British rule in this country. What have our rulers done as regards the education of the people? We are told, in season and out of season, that they are the trustees of the masses. I do not propose to pause, consider and examine this theory of trusteeship—I shall accept it for the sake of argument—but I shall ask, in all seriousness, what have the trustees done for the betterment of the education of these very men whose interests they profess to protect?

Mr. B. Das (Orissa Division: Non-Muhammadan): The Education Member is not present here!

Munshi Iswar Saran: Who opposed Mr. Gokhale's Bill for compulsory primary education in 1911? Who, I ask again, opposed Mr. Sarma's Resolution for the introduction of primary education as a post-war concession? Sir, I hope my Honourable friends on the other side will give straight answers to these questions, because on those answers will depend the verdict not only of this House but of the civilised world on their administration. Contrast what they were doing before the introduction of these shadowy reforms known as the Montagu-Chelmsford Reforms with what has been done since their introduction. When our Ministers in the provinces got some kind of power and became in some way responsible to the electorate what happened? By 1927 the number of pupils in primary schools rose to 2.94 millions, or an increase of 44 per cent., while the expenditure on primary education, which was 2.93 crores in 1917, became 6.95 crores—an increase of 237 per cent. I say, Sir, that our progress in the realm of education has been impeded by the Executive Council. They were responsible for our education—they realised the taxes. Why, I ask, did they not educate our people? And today we find ourselves in a position when the reactionaries in England can get up and say, "Oh, you want self-government; you want Dominion Status; how can you have it when there is so much illiteracy in your country?" With that argument I am not concerned at this stage, but I do submit that this argument does not lie in the mouths of those who, by their inaction, have kept us in this condition. The education of the country is one test by which we can judge of the achievements of the Executive Council.

Take the other test; our finances. In his last budget speech, Sir Basil Blackett envied his distinguished successor, because, from 1929 onwards, he would be enjoying surpluses, and he would be a happy man. This view of Sir Basil Blackett, I take it, was the view of the Executive Council. A year after, however, the Honourable Sir George Schuster found the finances of India like the curate's egg, good in parts. What did he say? I shall beg the House to mark this. Only a year after he said there were bad patches in our finances, though there was no occasion for serious pessimism. It was only last year that these remarks were made, and what do we get this year? A frankly deficit Budget, with proposals for intolerable taxation, coupled with Imperial Preference. Sir, there may be some dispute whether this particular proposal constitutes Imperial Preference or

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not, but I hope the Executive Government and Sir George Schuster will forgive us if we regard it as Imperial Preference, because I find that journals, weighty and responsible, in England have taken this view. What is worse, Sir, is this. This Executive Council gives us no hope of reduction in the expenditure in the immediate future. The Honourable Sir George Schuster, on their behalf, said, in regard to one branch of expenditure—civil administration—and I must confess that he was perfectly frank—that there was no prospect of any reduction in the near future. I submit with great respect, and I can assure the House that I do not wish to use a single word which may be offensive, that if the finances of a country are any test of its administration, then it must be said that the Executive Council or the Government of India is a failure.

Their policy of expenditure, their manipulation of the ratio, about which there has been repeated complaint in this House and outside, their exchange and currency policy, all these taken together have reduced us to our present condition.

While the country was in an unsatisfactory financial condition, what did the Executive Council do? They started giving Lee concessions to their officers. I do not for a moment wish to minimise the services of the able and distinguished men who confer a boon on us by coming over to this country,—they are all eminent men, I hope all of them are,—but the point is, if the Executive Council had been responsible to us, they would have considered whether, in the present condition of the finances of the country, we could afford to give these concessions to these officers. I say, Sir, if we had an Executive Council which was responsible to us, it would not have appointed the Lee Commission, nor would it have accepted its recommendations. What it would have done is this, it would have taken courage to reduce the scale of salaries from top to bottom. As my friend Mr. Kelkar has said,—and I do wish to support him—it is absolutely necessary that, in the present financial condition of India, and for a long time to come, the scale of salaries in this country should be very much lower than what it is. But this reform will only be possible when we have an Executive Council which is responsible to us, or in other words, when we have responsible Government.

Now, Sir, take another thing. The Government of India have disarmed us, and let them for a moment endeavour, if they can, to look at the matter from our point of view. It is not only that this action of Government has deprived us of our capacity to defend our hearths and homes, but what is infinitely worse is that it has led to our spiritual and moral degradation. Having disarmed us, what else did they do? They would not throw open to us the commissioned ranks of the Army for a long long time. The House is very well aware of the history of this question, and I do not think I need go into it in detail. They resisted our demand for the admission of Indians into the commissioned ranks of the Army. After a long struggle, they have yielded, but they have yielded with such ill grace that their present policy, I submit, Sir, is not only halting but dilatory. They have been spending money over the Army, in spite of our protests, for the last so many years. I have sometimes noticed, Sir,—I mean no offence or disrespect to anybody,—that when we hear the annual wail from this side of the House about the military expenditure, some Honourable Members of this House.

Mr. President: We are going to deal with the military question tomorrow.

Munshi Iswar Saran: I submit, Sir, with profound respect that I am not discussing the military expenditure. I am only inviting the attention of the House to the fact of how the Executive Government have failed us in this matter. I hope, Sir, you will permit me

Mr. President: The Honourable Member can do that tomorrow in a general way. He cannot refer to it in detail today.

Munshi Iswar Saran: I shall not go into details at all. I am much obliged to you for your suggestion.

Now, Sir, this expenditure in 1910 and 1911 was over 28 crores and in the present year 1930-31 it is over 54 crores. Now, Sir, I ask if this Executive Council had been responsible to the people of this country, would it have gone on spending money in the fashion in which it has gone on? Why, Sir? We know as a fact that many suggestions, by way of reform, have been made from time to time, and they have been authoritatively made by the well known Incheape Committee, and still a good many of them remain on the pages of the Report and have not been carried out in their entirety. I say again, if this Government had been a responsible Government, it would not have yielded in the way it has yielded to the wishes of Whitehall or of the War Office—I do not know which. Proposal after proposal has gone to the India Office, and it has gone there only to be buried in that grave of India's hopes and aspirations. I do not think, Sir, I should weary the House by citing other instances. Look at any department you will, and you will find that the Executive Council has failed and failed miserably. I said at the very outset that there was something to be recorded on the credit side, but truth compels me to say that infinitely more has to be recorded on the debit side.

I may, with your permission, Sir, turn now from this unpleasant topic to a topic which is somewhat pleasant and hope-inspiring. An element of change has been introduced into the political atmosphere by the announcement which was made by His Excellency the Viceroy, and may I, Sir, here pause and pay my tribute of respect and admiration to His Excellency Lord Irwin, if it may not be impertinence for me to do so? . . .

Mr. President: It is for you to consider.

Munshi Iswar Saran: I would not have done it if I had thought it would be impertinent. Sir, we on this side have differed from His Excellency and from his policy and criticised him, and we still retain to ourselves the right of differing from him and of criticising him and his policy, but that does not prevent us from paying our meed of praise to Lord Irwin for the magnificent part which he has played at this critical moment in the history of the relations between England and India. There has been, I know, Sir, some misunderstanding about this announcement, but may I say that, if one reads dispassionately the announcement together with the speech. . .

Mr. President: I really cannot allow the Honourable Member to discuss the question of the merits or demerits of the announcement in this debate.

Munshi Iswar Saran: I submit, Sir, with profound respect to the Chair that I

Mr. President: I cannot allow the Honourable Member to discuss the question of the announcement.

Munshi Iswar Saran: May I be permitted to explain my point of view, Sir.

Mr. President: Order, order. I have already ruled that I cannot allow the announcement of His Excellency the Viceroy to be discussed on this cut.

Munshi Iswar Saran: Will you be good enough to permit me to explain my point of view so that you may be pleased to consider it. Am I not allowed to make a submission for your consideration? I am perfectly willing to obey your ruling, but surely you will be pleased to.

Mr. President: The Honourable Member knows that I have given a ruling, and the Honourable Member has got to accept it.

Munshi Iswar Saran: Most willingly I accept the ruling. What I want to submit for your consideration is that I am not discussing the question of the announcement of His Excellency the Viceroy. I submit that it is germane to the question which we are discussing, for the simple reason that it provides an opportunity of converting the irresponsibility of the Executive Council into responsibility.

Mr. President: The Honourable Member might vote against the motion in that case.

Munshi Iswar Saran: It is my misfortune that I am not able to explain myself. I hope in course of time I shall be able to make myself better understood. As you have been pleased to give your ruling, I have got to obey it and I bow to it. I shall not refer to the announcement at all. What I say is this. A situation has been created and it is for the Executive Council to so shape its course of action that full advantage may be taken of this opportunity.

I said at the outset of my remarks that there was a psychological aspect of the question. The problem we are discussing is not merely a political problem. I wish Honourable Members on the opposite Benches to realise that it is with us a question of emotion. Indians feel humiliated that the Government of their country is not their own and they are not free. Indians feel that they can only acquire their rightful place among the nations of the world if the Government of their country becomes responsible to them. Even if this Government were the most ideal Government in the world, we would still protest against it and claim freedom. I submit this is a most critical moment and we have got the last chance. Let me hope and trust that Members on the opposite Benches will so shape their conduct as to fully utilise this opportunity and to see that there may be no occasion next year to move this cut. Sir, I support the motion.

Sir Purshotamdas Thakurdas: I rise to support the motion of my Honourable friend, Mr. Kelkar. I am told that it is not necessary this year to repeat this motion, which has been a hardy annual for the past few years, because the Government of India have achieved this year a substantial step forward in securing the Round Table Conference. I submit that the Round Table Conference is an achievement of His Excellency the Viceroy personally, and that this motion concerns the Governor General in Council, namely, the form

of Government here of which, there is no difference of opinion on this side of the House, India has had too much and which India wishes to see changed without any further delay. I therefore feel that, unless during the last year or the present year, there have been some changes in the policy of Government, which can be said to have been a welcome change from their past policy, one must consider the question of censuring the Executive Council, which for all practical purposes represents the Government of India in this House. I have come to the conclusion that there has been no such change during this current year in the policy of Government in various departments, and that this hardy annual, as it may be called, is justifiably revived this year, and this House should pass this motion. Previous speakers have referred to the policy of Government from the political and, as my Honourable friend Munshi Iswar Saran said, from the higher points of view. As representing trade and commerce in this House, I wish to submit to the House one or two directions in which the apathy of Government, as far as commerce and industry are concerned, have richly earned to the Executive Council this censure motion. I will begin by quoting what Mr. Stanley Baldwin has said lately in connection with industries of England and the necessity for safeguarding British industries. England is a far far senior country to India as regards the efficiency and capacity of her industries to hold their own. Compared with England, we, Sir, in this country, as far as our industries are concerned, can be said to be practically in our childhood, and still what does the illustrious ex-Premier of Great Britain say? I will quote from the Notes and Comments of the *Times* Trade and Engineering Supplement, dated the 8th February, of the current year. With your permission, I will quote in full two paragraphs which I am afraid I cannot curtail. They will convey the burden of what I have to put before the House better than any words of mine. I will therefore read these in full. The heading is, "Free Hand for Safeguarding".

"As for the proposed tariff truce, Mr. Baldwin roundly declared that in no circumstances would he or those he led be a party to anything that might be done by the present Government in that direction. He pointed out that there can be no tariff truce between this country and the world; a nation armed with bows and arrows is not in a position to make arrangements with one equipped with modern artillery"—(*India has no bows and arrows, nor modern artillery*)—"And so he came to the important pronouncement that,"—(*these are Mr. Baldwin's own words*)—"If I am to cope with unemployment as it stands today, I must have a free hand from the country in safeguarding the manufacturers". He rightly insisted that the mere fact that the Government had such power would be of assistance in making treaties with foreign powers."

Under the heading "Safeguarding Procedure", the paper says:

"Mr. Baldwin's statement has been taken to mean that he does not intend to revive the famous "procedure" by which protracted inquiries were instituted by his Government into the desirability of imposing duties. Government by committee is deservedly unpopular and it is quite certain that industry does not want any repetition of proceedings that imposed upon manufacturers the obligation of proving a case at their own expense and in the teeth of determined opposition from importers of foreign merchandise whose prosperity was the best evidence of the need for safeguarding but in fact enabled them to undertake expensive measures to defend their interests. Another good point was Mr. Baldwin's reminder that when industry was in process of rationalisation, like the lobster when changing its shell, it needed protection during the metamorphosis."

These words, Sir, are true words, and if they are true regarding England they are a thousand times truer regarding the necessity of our industries in India. If the necessity for England to safeguard her industries after progress in industrialisation for more than two centuries is great,

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I say that the Government of India can be said to have been not only morally, but almost criminally, liable for neglect of the industries of India at this time of depression. The responsibility is the greater when the Government of India realise that they themselves have avoidably contributed to the existing depression by giving a bounty of 12½ per cent. by their ill-fated currency policy of 1927. Sir, as representing commerce and industry in this House, I consider it my sacred duty to submit to this House that, if for nothing else, for the mere reason that the Government of India have, by a policy of inaction, during the last two years contributed to this acute depression in a manner which was avoidable. If the Members opposite were responsible to this House and could be turned out on a vote of this House, they would not have been in their seats to-day. They would have been turned out last year or even the year before. When I say this, I mean, of course nothing to any one of the Honourable Members opposite personally but collectively as a Government. I say they have more than earned this vote of censure. (Interruption by Lieut.-Colonel H. A. J. Gidney), Colonel Gidney is an expert in medicine.

Lieut.-Colonel H. A. J. Gidney: The motion is not put yet, so how can you call it a vote of censure?

Sir Purshotamdas Thakurdas: It will be a vote of censure I trust by the time the House comes to vote on it.

Lieut.-Colonel H. A. J. Gidney: When the House votes you will be at liberty to so call it.

Sir Purshotamdas Thakurdas: I am saying that it should be passed. Let Colonel Gidney oppose it. (*Several Honourable Members:* "Do not mind Colonel Gidney.") Sir, I am sorry if I have irritated my Honourable friend Colonel Gidney, but if he understood the situation and realised it as well as Members on this side of the House do, he would not have interrupted me at all. I am sorry for his ignorance.

Lieut.-Colonel H. A. J. Gidney: The Honourable Member must not forget that if it had not been for the Commerce Department of Government of India, which he is decrying today he would not be in a position he now occupies.

Sir Purshotamdas Thakurdas: That is a matter of opinion.

Now, let us see what Japan has done lately. She has brought her currency back to the pre-war gold point. She has not appreciated her currency beyond the pre-war level as the Government of India forced us to do. The first thing that Japan did, whilst making the announcement, was to ensure protection to her industries to the extent of the appreciation from the prevailing rate of exchange to the pre-war gold point. Surely, Sir, the statesmen in Japan can be credited by Colonel Gidney to know their business better than he thinks he knows about India.

As against this what has been the condition here? To name only one instance. We are always told that when an industry seeks protection it must go before the Tariff Board. The Right Honourable Stanley Baldwin has said that he would not ask any industry to go before the Tariff Board or what is equivalent to a Tariff Board, and that he would take the whole thing in his own hands. But as far as the Government of India are concerned, even about this slow and patient process of reference to the Tariff Board, I have a very serious complaint to put before the

House. The question of protection to the chemical industry of India was referred to the Tariff Board more than a year ago, and the Honourable the Commerce Member will, I am sure, not challenge me if I say to this House that he expected to publish their Report some time last October, at the latest. Then came December, and then February, and even to this day the Government of India have neither published the Report nor have they told us what their opinion about the Report is. I do not know, Sir, the reason why the publication of that Report has been withheld. Much less do I know the reason of the difficulty of the Government in arriving at their conclusion in this connection. I do not wish to make any guesses, which may be incorrect and may be said to be uncharitable. But the fact remains that, whilst the Government of India are making up their minds, the enterprise concerned in this connection is almost getting desperate, and factories have to close down. Is this fair to the Indian industries? Are the Government of India justified in treating the struggling Indian industries in this way? My constituency, Sir, the Indian Merchants Chamber of Bombay, submitted their views in very unmistakable terms to the Honourable Member, when he was good enough to give them an interview in Bombay last October or November. I do not wish to go into that question here, because the Honourable Member himself confessed then that he very much regretted the delay. That delay till last October or November, has been prolonged by another four or five months, and has caused so much more anxiety and loss to those who have either put their money in or who are employed in that industry. One can only say as a Member of this House, that we are helpless against the Government of India when they prefer to be silent onlookers of such a slow process of death. Are we wrong in supporting this motion and reminding the Government of India that their policy is one which has merited our censure?

I will give the House another instance. Later on in the course of this session will come up the Tariff Bill, the discussion of which I do not wish to anticipate. But I cannot help referring on this motion to the policy of the Government of India, which, in the words of my Honourable friend Mr. Jayakar, always finds us with this written at the door of the Secretariat: "Too late". The question of protection to the textile industry was referred to the Tariff Board some time back. I think the Tariff Board submitted their Report at least two or three years back, and, after a full investigation, they recommended an increase of 4 per cent. in the revenue duty. The Government of India have taken almost three years to make up their minds, and, in fact, they have allowed the position of the textile industry to worsen to such an extent that they have now to come to the conclusion that the 4 per cent. recommended by the Tariff Board is today not only essential, but inadequate to enable the Indian textile industry to withstand the onslaught of competition from outside India. We are today faced with this position, that another 5 per cent. protection is necessary for the Indian textile industry, but the complication comes in because the interests of Lancashire have to be safeguarded. It is a somewhat tell-tale step, the effect of which may not be realised by my Honourable friends on the Government Benches today but it will make them think and repent a year or two hence. With all the goodwill of my Honourable friends on this side of the House, many of them find themselves in an extremely difficult position. But I will not today develop that point. What I ask is, were the Government of

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India justified in withholding the 4 per cent. recommended by the Tariff Board, after a full inquiry three years back, and if so, in whose interest were they waiting all this time? Why did they wait so long as eventually to discover the 4 per cent. increase in the import duty recommended by the Tariff Board to be inadequate, and that nine per cent., that is more than double, is required, even according to the opinion of the Government of India today? Sir, the Government of India never take a liberal view in these matters. They weigh the pros and cons for protection as if they are weighing out not gold or silver but almost precious stones. Whenever anything is to be given by way of protection, it is, weighed in the scales almost to the slightest decimal point, .000001, and after such careful scrutiny of my Honourable friends on the Treasury Benches, they today admit that the 4 per cent., recommended by the Textile Tariff Board after a full inquiry, is inadequate, and requires to be reinforced by a protective duty. I will not follow this any further, Sir.

In contrast with this, let us see what other Governments, which are really representative of the people, and wish well for their countries, do. I do not know, but I am sure that the Government of India in the relative Department must have had telegrams from representatives of Japanese commerce and industry in this country. I have received some telegrams from Osaka, pleading why this duty should not be approved of by this House. But the latest information in this connection, Sir, is really an eye-opener. I have in my hand a telegram from a source in Bombay which I regard as being absolutely reliable. I will read the contents of the telegram for the information of this House:

"Strong report believed reliable Japan selling cloth heavily, guaranteeing to pay, buyers extra protective duty, if any levied"

This is the attitude of the Japanese Government. What a striking contrast this affords to the lukewarm solicitude of the Governor General in Council for the industries of India. The telegram continues:

"Also believed Japanese Government may give bounty if duty levied. Reported 7,000 bales business done."

That, Sir, is the way and the pace at which Governments, which feel for their nationals and their national industry, move and work.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Who is the author of that telegram?

Sir Purshotamdas Thakurdas: I can tell my Honourable friend that it is from a very reliable source, and I take full responsibility for that telegram.

Mr. Lalchand Navalrai: I accept that.

Some Honourable Members: We all accept that.

Sir Purshotamdas Thakurdas: My anxiety was that this House should have the latest information.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): This is quite sufficient for our purposes.

Sir Purshotamdas Thakurdas: I have mentioned this in order to bring out the contrast between the solicitude of the Government of Japan for their industries and for the welfare of those who are engaged in their industries and the comparatively leisurely manner in which the requirements of industries in this country are being attended to by the Governor General in Council. In the speech of the Honourable the Finance Member, I noticed another remarkable contrast in this connection. The Honourable Member, in recommending to this House that they should approve of the raising of the import duty on sugar by Rs. 1½ per cwt., making it 100 per cent. on the current prevailing rate for sugar, said that he expected that the consumer would not suffer by this increase. I am not at present saying a word against the increased import duty because, I believe, it will give even though belated, some protection to the sugarcane grower of India. Whilst an import duty of 100 per cent. on sugar is not supposed to be injurious to the consumer, where it is a question of cotton textiles, anything more than 15 per cent. is considered by the Governor General in Council to be so dangerous that it cannot be thought of. Sir, England does not export sugar, but England does export cotton textiles; that is my short commentary on this. It is this which we object to. The Government here may look after our interests well so long as other countries are concerned, but as soon as the interests of India and England clash, we feel every time that the interests of England, somehow or other, do appeal to the Government of India, and our interests have got to wait outside the door. Sir, so much for Indian industries. I wish I could say more about it today, but I will reserve that for the Bill that is coming on shortly. My intention today is only to make out a case that, by their acts of omission and commission, the Governor General in Council have tried our patience and have justified a case for a responsible Cabinet instead of the present irresponsible and irremovable Cabinet.

Now, Sir, one word regarding commerce. A good crop and the export of raw materials from India are the main things on which the Provincial Governments and the Government of India depend for their finances, and those who produce the raw materials are said to be the special care of the Government. We hear from those die-hards in England, who are frightened of any talk of advance in Indian reforms, that the Government of India, as constituted at present, the British public and Parliament are the trustees of the masses of India and therefore nothing should be done until those masses are better educated and can enjoy the ordinary common vote. Now, let us see what the Government of India have done for those who produce these raw materials. I will not, Sir, touch upon the question of the deliberate loot, as I call it, of 12½ per cent. inflicted on the growers of the raw produce in India. It is not my intention to dwell on that. But has anything been done to see that these raw materials from India which go to international markets get the best price which is justified by the quality and by the special nature, if any, in these international markets? Have the Government of India got any machinery at all, have they devised any machinery during the last 100 years of their rule in India to see that these raw materials and their fate in the foreign markets are followed from day to day and that any improvement and suggestions for better marketing in these international markets are either acted up to or devised? Are we wrong if we conclude that the Government of India's only anxiety is that the raw materials should be exported in order that they may get a revenue, and in order that countries in the west should get something which they wish to manufacture into articles, which they wish to send us back in a

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manufactured form? I may be told that this is not a new feature which can be said to have developed in the current year. I fully agree. I am trying to point out that the Government of India cannot have it both ways; either they must whole-heartedly encourage us to do what is being done in other civilised countries in the world, namely, to use our own raw materials and manufacture articles out of them for our purposes; or, at least in order to justify their goodwill for the masses, they must see that the raw materials which go out fetch the best price in international markets, and what I am more anxious about, enjoy the reputation which they should enjoy. When we wanted a few Trade Commissioners in foreign markets not necessarily for manufactured articles but also to look after our exports, how minutely has every item of expenditure in connection with those five or six appointments been examined! What a long time have the Government of India taken to make up their minds whether they will give India this staff abroad or not! How many times has financial stringency been put before us regarding this item! If I remember it right, I think the first Resolution in connection with the appointment of Indian Trade Commissioners overseas was moved in this very House almost about the year 1921, certainly in the year 1924. For six appointments it took the Government of India either six or nine years. Who is it, what is it, that is supposed to be the care of the Government of India? Only this, carry on the Government from day to day and see that England's manufactured articles find a market here. Is that a condition with which any representative of commerce and industry in this House can reconcile himself? I call upon this House to support this motion for the simple reason of showing that we cannot approve of the Government of India's policy in this connection and that the Government of India do require to be reminded that we are greatly dissatisfied with the way in which they have treated India's commerce and industry.

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): Sir, I am grateful to you for having allowed me to catch your eye at this stage. But I think it would have been more appropriate if better minds, and gentlemen in the position of leaders on my side had stood up and told our story, so far as this cut is concerned. But in any case I feel, Sir, that I have the support of my friends here with regard to what I have to say in this connection. I have listened with a very great amount of interest to what has fallen from the noble Knight who has just sat down with regard to some of the financial and industrial matters, and not being an industrialist or a financier myself, I do not feel justified in dabbling in or passing any opinion on them. But as a very humble student of economics, it appears to me that perhaps there is quite a weighty amount of truth in the charge that has been levelled by him at the financial policy of Government. But I do not think that, at this juncture, it will be right for us, people in a hopeless condition, belonging to minorities, to rouse the ire, should I say, of the Government of India, represented by the Executive Councillors who are all my friends. One very significant fact has been brought out by the speech of Sir Purshotamdas Thakurdas and it is this. Perhaps Government have been—rightly or wrongly—indulging in some costly luxury in giving effect to their decision in regard to the ratio. I personally feel that, as time passes on, with the advantage of having Sir George Schuster as Finance Member, it will be possible for Government to hit on some form by which this national waste could be stopped to an appreciable extent.

Now, I have no quarrel with anybody in this world because we are so unhappily placed in this country: Wherever I turn my eyes, I find myself absolutely in a wilderness. If I had sufficient data at my disposal to support Mr. Kelkar I would have been pleased to help him, and it would have been in this form. You know, Sir, that here, with the efforts of one of our very great men, some sort of trial or experiment at constitution-making is going on here in Delhi. To the credit of Mr. Jinnah it must be said that he has tried his very best to represent our side of the story to those gentlemen whose spokesman Mr. Kelkar is, who has come out with this cut on the Executive Council and on their behalf. And here I may pertinently ask one question. The Honourable the Mover of this motion has got peculiar and bewildered ideas with regard to his rights and duties while he is not in office, while he does not form any part of Government, while he has not got any authoritative say on the policy of Government. And even then, what do I find? Not even an inch of encouragement by way of acknowledging our just and proper rights. If Mr. Kelkar meant business, I am sure, before coming forward with this cut, he should have considered with what audacity he was coming before the House to have its support. You know, Sir, that here in this country, since 1885, the goal of the intelligentsia of the people has been some sort of provincial autonomy. You will know, Sir, as a veteran statesman of our country, that every year, down to 1925 or 1926, the Congress has demanded full provincial autonomy. (Maulvi Abdul Matin Chaudhury: "Question.") I repeat again, for the knowledge of my friend Mr. Chaudhury, who is so hard on me at times, that if he will scan through the resolutions of the Congress from 1885 up to a very short time ago, he will find that they have been clamouring for provincial autonomy and nothing else; and some sort of encouragement has been shown to them from 1909 as such. And from 1909 up till 1920 there has been some sort of compliance with the desire of the Congress. My humble submission is this, that if the Congress meant business, if they had a little foresight in 1885, they should have tried for Dominion Status and Independence then. If as a result of 40 years' crying, the Morley-Minto Reforms came into effect, and on the top of that the present constitution, of which we are a party, I should as an impartial critic think that perhaps the intention of Government is not so bad as is depicted by the Mover of this motion.

Secondly, I should like to ask Mr. Kelkar one other question. He wants now, at this stage, full-fledged autonomy in the centre. Suppose places of eminent civilians and of our countrymen on the Treasury Benches are placed at our disposal and we are given a chance, may I ask him how he will have his Cabinet formed? I hear a whisper that they will take me.

They need not take me individually. But, if the actions of
1 P. M. Mr. Kelkar and his friends were any indication that they have really even a grain of respect for us, who had been rulers in this country for 800 years, who had a stake here in this country for 800 years, and still have, and who had brought culture to the people, and who had once, in their time, ruled from the shores of the Atlantic to the wilds of Assam; if Mr. Kelkar and his friends, before moving this cut at this stage, had come to us and taken our just sentiments into consideration, and if he had compromised with us honourably we would have been pleased to help him. I do not say for a single moment, Sir, that it is not possible to evolve constitutions which might legitimately satisfy all people inhabiting this country. What is needed is courage and broad-mindedness and nothing else. In this connection, I should also remind my Honourable friend, Mr. Kelkar,

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that it was his preceptor, Mr. Tilak, who presided over the Indian National Congress in 1916 at Lucknow. He had a large vision and he agreed to the Lucknow pact. As a result of that, some consideration was shown to us under the Montague-Chelmsford Reforms. The consideration was of a just nature, and not a favour.

Mr. President: It is Friday today.

Mr. Anwar-ul-Azim: Yes, Sir, I know, and if Mr. Kelkar and his friends, who want to have Swaraj in this country, had arranged for some such pact and came here with this demand, it would have been better. When I say this, I do not for a single second feel that the policy of the Government as a whole has been on the right lines, because it seems to me that the policy which they have been pursuing from the beginning of this century has been one of yielding to the mailed fist. I am not a believer in the mailed fist, Sir; I am a believer in evolution and constitutional progress. You know that in 1905 the Government of Lord Curzon created a province on the South-Eastern side of India, and they said that it was a settled fact. It was said that it was to give some impetus to the Mussalmans of Eastern Bengal to take advantage of the progress of time, and of course what did we find? Nationalists, headed then by the late Surendra Nath Banerjee and others of his kind, thought that, if there was to be a province there on that side, the Mussalmans would be predominating there and that must be annulled. Agitation went on, and at the end of 1911, Government yielded to the so-called clamourings, and what was a settled fact was absolutely done away in half a second's time what is the moral that we see? The policy of Government to please the majority forgets the minorities, even though their claims are just and proper. And the idea that was behind the annulment was not realised—Swadeshi and revolution went apace, the remnants of which we see even now. It will be within your recollection, Sir, that in the year 1922 a committee of this House was appointed, with an official majority, to make inquiries with regard to the grant of reforms to the Frontier Province. It is more than ten years now and it has been agitated on the floor of this House 101 times. Being subject to the clamourings of the majority, Government have not the courage to grant reforms to the people of the Frontier who have stood by them in season and out of season. So in this view of the matter, in the weak-kneed way in which they are behaving, perhaps they do not deserve any sympathy. But as a believer in constitutional evolution, I still feel that British statesmanship is not bankrupt. Still they will be able to find out some solution by which our demands, and demands for which Mr. Kelkar and his friends are clamouring, will be met in a suitable way. Mr. Kelkar has taken great trouble to show to this House that the reforms granted in 1919 are a sort of eye-wash. I feel most humbly that I do not agree with him. My idea is this, that if the Montague-Chelmsford scheme were given a full trial, at least 40 to 50 per cent. of the training would have been absolutely at their disposal. You know that, in the provinces, the nation-building departments are in charge of Indian Ministers. Not knowing how to manage their own affairs, perhaps some of the people of my province have, in season and out of season, been trying to oust the Ministry and what is the result? The net result, in my judgment, is that they have absolutely mis-spent the ten years which were given to them as a trial to learn how to dabble in provincial autonomy.

Mr. B. Das: Did you read the Muddiman Committee Report?

Mr. Anwar-ul-Azim: Yes, I had the pleasure of reading it, Sir, now, one might feel that perhaps, on this 7th day of March, 1930, if this motion is passed by the majority of this House, it may have some effect on the Cabinet at Home. But it seems to me, Sir, that the passing of this Resolution by an overwhelming majority will not save the situation, nor will it mend matters, because, unless Mr. Kelkar and his protagonists can take the courage of their conviction and tell the minorities of this country that they will not be hard on the minorities and their aspirations, there is no use, there is no likelihood of attaining the Dominion Status which they so much covet. There is one other matter not very much detached from this motion. It is this. I had the privilege of pressing on the Government Benches a question with regard to the division of the people in this country into majority and minority. I have put interpellations, but Government have absolutely up to now not been able to give any satisfactory reply. If they are so much afraid of being called just, I am sure, Sir, Legislative Councils will not help them. What is the position there? Government make an artificial division for the purposes of representation in the services. Almost all departments of Government both in the provinces and in the centre are manned by one kind of people. This Assembly passed a Resolution in 1923, not to allow any one class of people preponderating in any one office. Do Government pay any heed to those wishes of the Assembly? Why not? Because they are afraid of being called just and impartial. If this fear is allowed to continue I am afraid even their most loyal friends will think a hundred times before they come into this House and bring them off victorious at critical times.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I do not know whether Honourable Members opposite realise how anxiously the Members of the Executive Council await this annual motion, puzzling their brains to think for what particular reason they are to be debarred from travelling during the coming year. I did not expect that it would fall to my lot to speak in the course of this debate; but in view of what fell from my Honourable friend, Sir Purshotamdas Thakurdas, it seemed necessary that I should intervene. My Honourable friend based his plea that the House should support the motion moved by Mr. Kelkar on the ground that the administration of the Commerce and Finance Departments, but mainly the Commerce Department, was such that it ought forthwith to be entrusted to persons responsible to the Legislature. It is obvious that the question whether such a change would be in the interests of India is not one which can be settled on the floor of this House. It is reserved for consideration elsewhere, and by an even more weighty assembly, namely, the Conference which His Majesty's Government will assemble in London. But naturally this House desires from year to year to express its views on the question, and owing to the

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limits of the constitution, it has felt compelled to put its views in the paradoxical form that, if the Executive Council is to be irresponsible, it must also be stationary. The gravamen of my Honourable friend Sir Parshotamdas Thakurdas' charge was, I think, this, that the policy of the Commerce Department was not such as would be the policy of Ministers responsible to this House, that we had not got on nearly so fast with such policy as we had as a Minister responsible to this House would be compelled to do, that we pay inadequate regard to the interests of India and are tempted to act under other influences, and finally that a Minister responsible to this House would adopt the line of policy recently declared by Mr. Stanley Baldwin, namely, that, when tariff changes are to be made, they ought not to be the subject of prolonged and exhaustive inquiry, but that the Government of the day should decide as rapidly as possible and then introduce the necessary legislation.

I shall have something to say, Mr. President, on all of these points. But let me deal first with one particular and rather minor matter on which the Honourable Member spoke with feeling—I mean the delay in the publication of the Tariff Board's Report about the chemical industry. Now, in these matters I always try to deal frankly with this House, and I admit at once that I cannot hold myself free from blame for the delay in publication and I regret it very much. I cannot at this stage give further explanations beyond saying this, that the Report raises somewhat difficult and complicated issues, different in kind, I think, from any that have arisen on previous reports of the Tariff Board. All I would ask the House to remember is the paucity of the staff at headquarters with which the work has to be carried on. In the Commerce Department, we are feeling from week to week the increasing pressure of work of all kinds, particularly the work which we have recently taken over in the Mercantile Marine Department. That process will go on because this House has passed a Bill which will involve a certain amount of work in connection with inland steam vessels—Mr. Neogy's Bill—and another Bill about merchandise marks, which will mean additional work in the Commerce Department; and there are other matters constantly pressing for attention. I do not hesitate to say that if a Minister responsible to this House were put in charge of the Commerce Department and were to be as immediately responsive to the wishes of the House, as my Honourable friend contemplates, he would certainly have to double the staff of the Commerce Department, for otherwise the thing could not be done. As regards dilatoriness in connection with Tariff Board inquiries, I cannot in general plead guilty. My Honourable friend said that it had taken us three years to make up our minds about the Report of the Tariff Board over which my Honourable friend, Sir Frank Noyce, presided on the cotton mill industry. But surely that statement must have been made under some misapprehension, for the decision of the Government of India on that Report was announced in May 1927. The recommendation of the Tariff Board was not a unanimous recommendation, but both sections of the Board made recommendations for temporary protection, and both on the same ground, namely, unfair competition from Japan. In the proposals which the Government of India have laid before the House this Session, the question of unfair competition from Japan does not arise. The Government of India are satisfied that, with the change in the labour laws in Japan, which took effect from the 1st of July last, no question of unfair

competition can be raised. Therefore the Bill which I introduced in this House about a week ago does not directly arise out of the Tariff Board Report at all; it has been arrived at on different grounds. Also, when the charge of dilatoriness in connection with the Tariff Board is brought against me, I cannot help recalling the days when I was President of that body; we were writing our first Steel Report, and one particular occasion is very fresh in my memory when, in the hope that the Government of India might find it possible to pass orders during the Session, I wrote continuously from 11-30 one forenoon till 8-15 on the following evening, and despatched the Report to the Government of India by the Punjab Mail. I am not altogether ashamed of my record in that connection. But of course I recognise this is not a personal question. My Honourable friend made that perfectly clear, and there was not a word in his speech to which, on personal grounds, I could take the smallest exception.

But let me pass to the question of the policy of the Government of India. It is said that it is not a policy which would commend itself to a House popularly elected throughout, and not containing an element of nominated Members. My friend is very likely right, and it is very natural that he and those who agree with him should strive to bring about, at as early a date as possible, a change in the constitution which would enable them to give effect to their views in important matters of public policy. But as things are at present, the policy of discriminating protection recommended by the Fiscal Commission is that which the Government of India have deliberately adopted, and which has received the approval of this House. Therefore, in giving effect to that policy in accordance with the expressed wishes of the House, I do think that the Government of India can rightly be censured. Apart from that, I regret a little that my Honourable friend expressed the view towards the end of his speech that the interest in which we were acting was merely this, that the sale of British goods in India might be as large as possible, because I think that words of that kind make insufficient allowance for honest differences of opinion, and it is, to my mind, always a mistake to impute motives unless you have to. Here again I should like to say that the accusation leaves me quite unharmed. After all, as President of the Tariff Board I recommended the measure which became the Steel Industry (Protection) Act of 1924, and that act imposed the protective duties on goods from all countries alike. But my Honourable friend will say that in the Steel Bill of 1927 a different course was adopted, the duties on goods of British manufacture being in some cases less than on goods made in other countries. That is quite true, but so far as I am concerned, I had no responsibility for that measure, because the decision had been taken before my return to India, and the Bill was passed when Sir Charles Innes held the Commerce portfolio. I do not know whether anything that I could say would convince the House in this matter, but in the case of those of us who have been the servants of India for long time—in my case I have just completed my 30th year of service,—I wonder if Members realise how intimate the bond becomes, and how bound we feel to do our best for India—our best according to our own judgment, for we cannot pass on the responsibility to any one else—but the very best that we can in the interests of India. So much, Sir, I must say. I do not believe I could carry further conviction by multiplying words, and having said so much, let me say this, that I recognise that, when a charge of that kind is made from the other side of the House, what is meant is not that we consciously direct our policy in interests other than India's but that, acting under

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some sub-conscious bias, we may do so. The reply to that might be more difficult, but there again I would ask Honourable Members on the other side to realise the intimate tie that grows up out of long periods of service. Some here may remember Dean Ramsay's story about the old Scotch servant who had been with his master for 40 years, and when at last he was getting old and difficult, the master wanted him to go. The servant refused to go and clinched the matter by saying, "If you don't know when you have got a good servant, I know when I have got a good master". That, Sir, is the reply of the Government Benches.

Now, my Honourable friend quoted what Mr. Baldwin said recently. I do not know whether it is fair to speculate, but apparently the statement was made after the application of a certain amount of pressure from manufacturing interests, and the view he expressed was that there ought not to be these prolonged exhaustive and exhausting inquiries before protection was given. A great deal depends, of course, on your underlying policy. Is it out and out protection?

Sir Purshotamdas Thakurdas: That is it.

The Honourable Sir George Rainy: Of course, if that is the view, if the view is that protection always does good and never does harm, then I quite agree that, the major premises having been granted, it is rather a waste of time to make these prolonged inquiries. But that is not the policy of the Government of India at present. My Honourable friend is quite entitled to say that it ought to be the policy of the Government of India, but still it is not. Speaking from my own experience, however, on the Tariff Board, I think these inquiries serve a most useful purpose, both in clearing the public mind on the issues to be settled, and sometimes, I have had reason to believe in clearing the minds of those who had made the application. I have seldom finished a Tariff Board inquiry without suspecting that in certain points I knew rather more about the industry than the original applicants knew about it in the beginning.

Then my Honourable friend referred to one or two other matters. He read out to us a telegram which he had received from Bombay. Now, knowing my Honourable friend as I do, it is quite certain that he would not have read that telegram to the House unless, as he said, he was prepared to take full responsibility for it . . .

Sir Purshotamdas Thakurdas: I would recommend to the Government of India also to accept it as reliable.

The Honourable Sir George Rainy: And any information that my Honourable friend and others may give us on that matter will of course be valuable to us. But as regards the action of the Japanese Government which he held up as worthy of imitation by the Indian Government, I am not quite sure that I agree with him. What he said was that the Japanese Government,—I hope I am quoting him correctly,—were prepared to bear the cost of any additional protective duty that might be imposed. I presume there must be some limitation on the period, because it is hardly possible that any Government could off-hand incur a liability of that kind indefinitely. Therefore it may be merely this, assuming the facts to be as stated, that until the goods for which bargains have already been made are put on the market, they will undertake this liability. I do not know. But essentially what is said to have been done is in the nature of an export

bounty. An export bounty is a double edged weapon, and it is apt to recoil on the country that uses it. These bounties are also weapons that can be turned back comparatively easily, because if a country decides to give an export bounty on its goods, the invariable and inevitable reply of other countries is to impose countervailing duties. Before accepting the statement that the Japanese Government propose to take action of that kind, I think one would naturally wait until their intentions had been fully declared.

Finally, Mr. President, my Honourable friend spoke of the delay in the appointment of Trade Commissioners. That is a matter which has given us a good deal of anxious thought, and I am glad to think that we shall be able to get a start in that matter at a very early date. But I am not prepared to say that it was a matter which we ought to have taken up hastily, especially during years when my Honourable friend the Finance Member naturally and properly is entitled to demand that proposals for expenditure placed before him shall be fully justified, and in particular that proposals for new schemes should not come up in the middle of the year but should be reserved for the budget season, when all schemes can be considered together on their merits, and those which are considered the most urgent should receive an allotment of funds.

I have endeavoured, Mr. President, to reply as fully as I can to what fell from my Honourable friend. We on this side recognised fully how natural it is that Members on the other side should look forward eagerly to the time when some of them will fill our places on this Bench. May I say that sometimes, when our labours are excessively severe, it is almost a sympathetic wish that goes back from this side of the House, because a place on this Bench, honourable though it is, is not always a place of ease.

Mr. Arthur Moore (Bengal: European): Sir, I am sorry to say that on this question I find myself in agreement with Mr. Kelkar in criticising the Government for their irresponsibility. I know, Sir, constitutionally they are not removable by a vote of this House. As far as I know, they have never disclaimed a sense of moral responsibility to this House. They have never hitherto ignored the view that they are to a large extent trustees for the growth of Parliamentary institutions in this country. Now, Sir, I would like to call attention to a dereliction of duty in that regard. You, Sir, on January 21, made to us a most important and considered statement in which you very fully and frankly reminded us of your sympathies and of your former connection with the Congress Party . . .

Mr. President: Order, order. The Honourable Member will not be entitled, on this cut, to discuss a particular statement made by the President.

Mr. Arthur Moore: I bow to your ruling, Sir. I do not wish to discuss the statement itself. I was merely proposing to discuss the attitude of the Government in that regard . . .

Mr. President: Order, order. The Honourable Member has already made one insinuation. I will not allow him to proceed further in connection with that statement.

Mr. Arthur Moore: That statement has not been mentioned on any previous occasion, Sir.

Rai Bahadur S. C. Dutta (Surma Valley cum Shillong: Non Muhammadan): Sir, the subject of this debate I took to be the irresponsibility of

[Rai Bahadur S. C. Dutta.]

the Executive Council. This irresponsibility of the Executive Council is something quite different from the failure of the Executive Council. The failure of the executive may arise out of its irresponsibility, or there may be other causes. When this debate was first announced, I wondered whether there would be any real debate on this issue, because we all know that the executive is irresponsible. The only question is how and when this irresponsibility is going to be removed. I thought we would have a discussion on that. But instead of that, I have listened first of all to a dissertation by the Mover as to the elementary principles of responsible government. Perhaps this was necessary, because we have no responsible government here. Then we listened to something about military expenditure, and then we drifted to protection, and then to the Tariff Board. I do not see how the real point in issue has been debated here. We know the executive is irresponsible. We know its evils. We know we have been promised that this irresponsibility will be removed by the British Government in their own good. There remains the question of how and when. Well, Sir, of course I knew that the Government would be safely entrenched behind the declaration made by the Viceroy, and would say that they cannot add anything to it, but there is no restraint upon the other parties here, the European Group and others, to discuss the new policy as to these matters. There are many matters of details as to safeguards for minorities and others. What is it that stands in the way of the immediate grant of responsible government? I wish I had the power of language to emphasize the fact that the matter brooks of no delay. The educated people are impatient. The masses are restless. The old men are impatient and despairing. The young are impatient and demonstrative. Some of them are reckless and on the verge of rebellion. Well, Sir, the women of India are more impatient than the men. If the fathers of the family are cautious, the mothers are on the side of the sons who are going forward. Some of

us feel that there are various difficulties in the way of the achievement of immediate responsible government or Dominion Status. But that is no reason why there should be any long delay. Then there are the questions of the minorities and of various safeguards. There is however no inherent difficulty in the settlement of these matters. Once these matters are settled, I see no reason why there should be any further delay.

Then, also, there is the question of the Indian States. The immediate grant of responsible government or Dominion Status in British India may embitter the present relations between the Indian States and the Government of India. The Princes may think that, in that case, they will be under the subordination of the people of British India. That may be a reason for delaying the grant of Dominion Status for, say, another five years or so. But, then, we can bring these Indian States into line with British India, and have a sort of federal system, where there will be no question of inferiority. But, Sir, if, even within a limited time, the Indian States cannot be persuaded to join the British Government in the attainment of Dominion Status, there is no reason why, on that account, the people of British India should be deprived of their rights. Even on this score I maintain there should be no long delay in the grant of responsible government to the people of this country.

Then take the question of Defence. We admit that the nation is not in a position to maintain the defence of the country without the aid of

the British. It is often asked by Britishers, "How will you defend yourselves if we go away?" But how does the question of your going away come in at all? We are not asking the British to go away. Supposing we were granted Dominion Status and we found that we could not defend our country well without the help of the British Army, then what stands in the way of the British Army remaining here? Nobody asks them to go away. They may say, "We will defend your country, even after responsible government is granted to you, but then we want a price for it". This price they want in the shape of the restriction of our liberties. If that is the position, namely, that because India is not prepared to defend herself, because the people of India find themselves unarmed and therefore the British are not willing to surrender their domination over us, then let us understand it clearly.

Then, Sir, there are other difficulties ahead of us which come from the opposition of Englishmen here or in England with whom the cry of "not yet" means never. There is the spectre of young master Steel-frame, younger brother to Mademoiselle Fur-coat. There is the new United Empire Party, with a cry of free trade within the Empire. They do not want to surrender India in any case. Sir, this policy of no surrender, and free trade within the Empire, if insisted on, would mean the slavery of India. I submit there can be no difficulty as to what the verdict of patriotic India will be in these circumstances. There are dangers ahead of us, but we should not forget that the real danger comes from those enemies of progress in India who are in England. The position of the moderates in this country is quite clear. They must side with the other parties, so far as this question of constitutional advance is concerned. It would be a mistake to suppose that the moderates in India will exhaust their energies in order to fight the party of violence or the Independence wallahs. We all know there is violence in the country. But if the Honourable Members, who are for constitutional progress in the country, join hands together, they can keep this movement of violence within control or deprive it of its influence and strength. Even with regard to the civil resisters, the apprehension entertained by the Members of this House is that their actions, too, might lead to violence. If they can keep their movement within control, we may leave them alone to follow their path of self-chosen peril. As I said, the feeling of the patriotic Indians is not to quarrel with any of these movements, although the danger from some of these movements may be real. Our duty should be to leave these movements severely alone and fight against those movements which have been inaugurated in England against the constitutional advance of India.

In conclusion, I may say that such a debate could be initiated on a formal cut. In that case, I would be ready to support the motion. But in the present circumstances, I think, I cannot support the drastic cut that is forced upon the Government, for they would have to carry on only with certification. I, therefore, hope that this motion will not be pressed to a vote.

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): Sir, in the first place, let me congratulate the Honourable Member, Mr. Dutta, the Member for Southern Assam, who has delivered his maiden speech with calm and vigour. It is not the purpose of my speech to discuss in details either the present political situation in this country or the immediate form of government to be put into force in India. That problem will be thoroughly discussed and considered by the representatives of India and of Great Britain in a Round Table Conference, which it is the duty of

[Mian Mohammad Shah Nawaz.]

everybody to make it a success, and I do hope that all concerned will come to the greatest measure of agreement. What is at present required, pending the legislative and constitutional changes, is a new and wider outlook on the part of the officials and the Members of the Executive Council of the Government of India towards India, its people and their aspirations. The only question which an Englishman and a Member of the Executive Council should ask to himself whenever he is adopting a particular course of action, is, is it for India's good, is it for India's benefit? I venture to submit, Sir, that judged by that standard, the officials have failed in their duty. Whenever there is a conflict of interest between Great Britain and India, they look to the interests of Great Britain as a rule. (Hear, hear.) I do not say that there is not an increasing number of Englishmen who do sympathize with the legitimate desires and aspirations of the Indian people and who see the point of view of the Indian people, but I do submit that there are officials in the country—and there are quite a large number of them—who think that, in their relations with India, force is the ultimate arbiter and that consequently they can impose their will in the last resort. Well, Sir, it would be infinitely better if they were to realise that the British connection, whether it is in the form of immediate Dominion Status or in any other form, should always rest on the goodwill of the people and not on force. (Hear, hear.)

The great Army that is occupying this country is certainly necessary. But one of the objects of that Army is to keep down the Indians to a great extent. I have already said—and I repeat it again—that in the matter of the Indianization of the Army, delay has given rise to bitter unbelief, and it is time that the recommendations of the Sandhurst Committee were accepted *in toto*. There are certain European officials in this country, and there are quite a number of Englishmen in England, who think that a large measure of reforms will jeopardise their trade, worth many millions. But these gentlemen forget the simple fact that, with a view to retard the progress of the reforms and the legitimate aspirations of the Indian people, they are advocating that decline of British trade in India which they most fear. Great Britain's attitude towards India should not be measured in pounds, shillings and pence. I say, Sir, that the British people should realise that India has begun to move that the teeming millions of Indian people have begun to move in right earnest, and they cannot be checked without disaster.

Apart from other important problems, one of the major problems of the day is the unemployment of the youth of this country. Youth is bitter, youth is disappointed, youth wants to upset the old institutions, youth is against old methods of agitation and they really do not care for this form of government or that form of government. What youth wants at present is bread. It is not a matter on which Government can fold their hands and sit back and let things drift. This problem should be dealt with vigour and intelligence by the Government of India. The only way to deal with this is by promoting the rapid growth of the industries and by agricultural development.

Again, Sir, I have a little complaint against the Government as regards my own community, the Muslim community, which forms the major minority community in this country. Since the time I have come to this Assembly, I feel that the rights and interests of the Muslims, particularly in the services, have been disregarded. I see that a larger number of posts

of *chaprasis* and posts of some petty officers are meant for people of my community. I have a great complaint on that point, and I say that the Government should see that the Muslim community is properly and adequately represented in the superior services. Sir, I am not in favour of the cut proposed by my Honourable friend, Mr. Kelkar, for the simple reason that the present system of government is likely to be changed soon. We cannot ask the Members of the Executive Council to go away or not to travel. The Executive Council is admittedly not responsible to the Legislature. But that problem, as I say, will be thrashed out in the deliberations of the Round Table Conference, which should be convened soon. Is it worth while to move such a drastic cut in the Demand for the Executive Council? It is not a token cut. It is a cut which would reduce the entire votable demand to one rupee. In my opinion the Hindus and Muslims should settle their differences before they participate in the deliberations of the Round Table Conference and there they should put forward a united demand of the Indian people. The present cut is, in my opinion, unnecessary.

Mr. Abdul Haya (East Punjab: Muhammadan): It is with a heavy heart that I rise this afternoon to make a few observations, for I am a man of few words. I may make it clear at the outset that I whole-heartedly support the motion which has been moved by my Honourable friend, Mr. Kelkar. (Hear, hear.) The motion has raised a constitutional issue, and the issue is that this Government is an irresponsible government, and that the executive is not responsible to the people of this country, that the executive is not responsible to this House. This is the clear cut issue and I do not see any point in dragging on this debate and going on making speeches over it. I want to ask, Sir, on this issue, what is the position of the Government? Do they join issue with us? Do they mean to say that they are responsible to the people of India? Why do not they acknowledge that this House has a just grievance on this issue? In good grace, I say to the Treasury Benches, you should rise, if you please, in a body and plead guilty. Sir, I have great sympathy with the sentiments that have been expressed by the two Honourable Members who sit on my left. Both of them, the Honourable Mr. Shah Nawaz and the Honourable Mr. Anwar-ul-Azim, advocated the cause of the minority communities. Sir, I yield to none in this House with regard to this matter. On proper occasions, I have advocated the cause of my community, but I do not see any point in harping on the same tune, in season and out of season. May I ask my friend, Mr. Anwar-ul-Azim, what his position is? With great patience I heard his illuminating discourse, but he did not make it clear whether he was for this motion or opposed to it. Sir, when he began to charge my Honourable friend, Mr. Kelkar, with not having done justice to the minority communities, and when he waxed eloquent on that, I rubbed my eyes. I thought that those efforts that are being made outside this House had succeeded, and that Swaraj had been established, and my Honourable friend, Mr. Kelkar, was carrying on the Government of this country, and I thought my Honourable friend, Mr. Anwar-ul-Azim, was justified in making the attack on behalf of the minority community. But, Sir, may I ask him, if the majority community have not done their duty, if they have not risen equal to the occasion, is that a ground for you to stand aside and support this Government? If no justice has been done to the Mussalmans by the

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Hindus, I ask, what have the Government done? Why should you support them? Sir, I will make it abundantly clear on behalf of my friends that we have got genuine grievances against the majority community, but at this moment, when serious and honest efforts are being made to bridge that gulf in another place by our esteemed countrymen who have the good of the country at heart, it would have been better if he had exercised discretion and not given expression to these sentiments, which in these circumstances can do us no good.

Sir, in supporting this motion, I wish to make one more observation. There are certain countrymen of ours who have adopted a certain course of action. Reference has been made to that course of action on many an occasion in this House. We do not see eye to eye with them; they have declared Independence; they are on the war path; they are in for civil disobedience. I ask the Treasury Benches, is the fault entirely theirs, or have they got a share in this matter? Have they not by their conduct driven them to that course of action? Sir, we who do not see eye to eye with them have at the same time a soft corner in our hearts for those who lead that struggle. There is not one Indian in this House who would not rise and take off his hat and salute Mahatma Gandhi; there is not one Indian who will not salute Pandit Jawaharlal Nehru; there is not one Indian who would not salute Sardar Vallabhbhai Patel. We believe that they have taken a leap in the dark, but we believe that they are honest persons; they are superior persons than we are, who stand aside and stay our hands. They have taken a leap in the dark, but we, who sit behind, and do not join this *jehad*, we are also surrounded by darkness on either side, and we in vain ask for light. For my part, I assure you, Sir, that, although I have abstained from joining them for the present, for I believe they have taken a leap in the dark, and I do not see eye to eye with them, still in this confusion and darkness around me, I am sometimes overwhelmed with grief, and a suspicion comes into my mind, and I say to myself, perhaps it may be that I and my friends here are in the wrong and they are in the right.

The Honourable Sir James Crerar (Home Member): Sir, the debate has been already somewhat prolonged and I do not propose to trespass long upon the indulgence of the House. I am inclined to share the sentiments of my Honourable colleague, the Member for Commerce and Railways, when he said that the annual debate which takes place upon this Demand always leaves the Members of Government a very wide field of speculation as to the precise case which they shall be called upon to meet. A large part of the debate in the course of the morning dealt with topics of which I cannot claim any expert knowledge. They have been replied to by my Honourable colleague in a manner which I hope went very far, if not to satisfy the views of Honourable Members opposite, at least to convince them that, in that sphere of Government, there was no lack of sincerity, goodwill and a true regard for the interests of India.

Turning now to that part of the discussion with which I am more particularly concerned, I have a very few words to say with regard to the constitutional issues raised by the Honourable the Mover. I shall confine myself to the precise issue raised by this motion and the argument which he and those who entered upon the same ground employed in the course

of the debate. The Honourable Member argued that the Government of India was an irresponsible body, irresponsible in the constitutional sense, irresponsible in the sense that it is not removeable by the vote of the Legislature. He complained that the scheme of reforms introduced by the Government of India Act was inadequate and that it did not give effect to the democratic principle of responsibility. Now, Sir, with one important qualification, I have no very great quarrel with the Honourable Member's statement of the position. From the constitutional point of view, it is true that the Government of India are not responsible to the Legislature in the sense in which that term is commonly accepted; but I do not accept the other possible interpretation that might be placed upon the Honourable gentleman's motion, namely, that the Government of India are in every sense irresponsible. Moreover, I think one important qualification has to be made with regard to the Honourable Member's complaint against the institution of the reforms in 1920, namely, that it did not contain an element of responsibility, the important qualification surely being the measure of responsible government which at that time was undoubtedly introduced in the Provincial Governments. Many doubts have been expressed with regard to that system; many criticisms have been made on it. Nevertheless, I think that, looking over the events of the last ten years, a candid judge would be compelled to admit that, at any rate during that period, the administration of many important functions of Government, was carried on in times of great difficulty, in times of great stress, under many handicaps and disadvantages; but they were carried on, on the upshot, to the benefit of the people of India. The most important inference which I personally draw from the Honourable Member's speech is that he himself, on behalf of those for whom he speaks, accepts in principle the British doctrinaire tradition of constitutional government. On that I am glad to be on common ground with the Honourable Member. He does not, I gather, complain of the direction towards which the political affairs of this country have been set. He complains rather of the pace. Well, Sir, important developments in the direction of progress have taken place in very recent times. Important developments are in progress, and though I cannot presume to prophesy or pronounce upon the precise steps which will be taken to promote the further advancement of India's political future, I have no doubt myself that they will be in full accordance with the pronouncement of 1917. I trust that the results of the Conference shortly to take place in London will be to effect what His Excellency, in his address to this House recently, said, namely, the elucidation and harmony of views. What share, the Honourable Member implicitly asks, what share have the Government to take in that task? I should reply briefly in two sentences. In my view, they have got two imperative duties to discharge, and it is their fullest intention to discharge them. The first is to adhere loyally in spirit and in letter to the declaration to which I have referred; and the second is to maintain, by every means at their command, all those conditions, including the maintenance of peace and order, which are necessary for the development and the fruition of that policy.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I have been greatly disappointed to hear the speech of the Honourable the Home Member. I thought that in view of the situation he would be able to make a more sympathetic response to the

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motion that is before the House. That motion, Sir, is not one which concerns the personality of any Member of the Government. It concerns the system, and it is not sufficient to say that constitutional changes are under consideration and will take place in their time. The object of this motion is to record a very solemn and emphatic protest on behalf of the representatives of the people against the continuance of the present system of Government. That protest is repeated year after year in order that there should be no doubt left in the mind of any one here or in England that the people of India do not feel satisfied with the continuation of the present system. Therefore, apart from every other consideration, those who are not satisfied with the existing system, those who desire that there should be responsibility introduced in the Government of India, must consider it their duty to the country to record such a protest. No other question need be mixed up with it. The views expressed by individual Members, either in supporting the motion or in opposing it, are individual views. The point before the House is that the representatives of the people record their continuing protest against the irresponsible character of the present constitution. And, Sir, though there was some confusion introduced by some speakers on this question, I think, it was made sufficiently clear in all the speeches that the people are not satisfied with the existing system of the Government of India. The Executive Government of India is not responsible to the elected representatives of the people, and my Honourable friend, Mr. Abdul Haye, put the point very tersely when he asked the Government Benches whether they could say that the Executive Government of this country was responsible to the people. He gave an opportunity to the Members of Government to answer that, to acknowledge that the objection of the Non-Official Members was justifiable and unanswerable. The Government of India must admit—they cannot but admit—that they are not responsible to the representatives of the people in this House, and if that is the position, how can they oppose a Resolution like this? With what reason can they urge that such a cut should not be made? Therefore, Sir, when the Honourable the Home Member rose to speak, I expected that he would not only admit the correctness of our position, but also that he would try to show that if the Government of India were not by statute responsible to the representatives of the people of this country, they felt that they were morally responsible to them, and, that at any rate they were responsive to the wishes and sentiments of the people. I am sorry that the Honourable the Home Member has not given the slightest indication of such an attitude.

The Honourable the Home Member has referred to the declaration of 1917. He has said that the Government of India adhered loyally in spirit and letter to the declaration of 1917. Does the Honourable Member realise what picture that brings up to the minds of Members on this side? It brings up the idea that the British Government still adhere to the view that they alone are to be the arbiters of the question of what progress shall be made, towards responsible government in India, in what time it shall be made, and by what stages it shall be made. Is not the Honourable the Home Member aware that that claim has been repudiated, protested against, times out of number? Does he not know that there is not a single self-respecting Indian living today who would be content to leave the decision of this question which so deeply affects our national honour and our most vital national interests to be determined by the British Government alone? Is not the Honourable Member aware of the boycott of the Simon Commission? Did not the people of this country, of all parties, declare to the

world that they strongly resented the implications of that declaration of 1917? How does he advance the position of the Government? How does he bring himself nearer to the representatives of the people by merely repeating that the Government adhere loyally in spirit and letter to that declaration? He has said that there are two clear duties which the Government have to perform, one, to adhere to that declaration, and the second to maintain peace and order by every means at their command. Every school boy knows that the Government have to, that it is their duty to maintain peace and order. But I did not see any indication in the speech of my Honourable friend that that peace and order was to be maintained in a spirit of statesmanship, in a spirit of large-minded sympathy with the legitimate aspirations of those over whom they happen to hold sway. It sounded to me as if the Honourable the Home Member wanted to tell the world that the Government were going to maintain law and order, come what may, regardless of all other considerations. I am sorry, Sir, to think that this is not the attitude which will bring the Government into harmony with the people of this country. I want the Government of India to realise that they have at this juncture a greater duty to perform than the mere maintenance of law and order. I quite recognise that the existing Government of India cannot ask that the constitution should be changed at their will. But is it not their duty to bring to the notice of Parliament the feeling that exists in this country, the feeling that has existed in this country, for a long time past, and to represent that feeling in a faithful and friendly spirit to Parliament? When the Congress and all political parties declared the boycott of the Simon Commission, did not that fact give the Government of India sufficient justification for asking Parliament to scrap that Commission, and to declare that the question of the next revision of the statute would be discussed with the representatives of the people of India and His Majesty's Government or with the representatives of the British Parliament? After the boycott had been shown to be complete, did the Government of India represent through the proper channel to the Simon Commission that, in the circumstances of the situation, it was its duty to submit its Report as early as might be possible? The Indian Central Committee was appointed, and it submitted its Report in October last. Has the Simon Commission submitted its Report even now? It has not. Did not the Government of India know that the Congress, which is the largest political body in the country, declared at Calcutta in December, 1928, that it would wait for one year for Dominion Status to be conceded; and that, if it was not agreed upon within one year, it would declare for Independence? Was that a matter to be slightly passed over by the Government of India? Was it not their duty to take serious note of the declaration of the Congress, which is the chief political organisation of this country, with a membership of about five lakhs or more? Was it not the duty of the Government of India, who are on the spot, the servants of the Indian people and of the British Parliament, was it not their duty to communicate with the British Government and to say, "This looks serious, you must ask the Simon Commission to report early", and was it not the duty of the Government of India to ask Parliament to arrange that there should be a conference at an early date in order that matters in question might be discussed in a friendly spirit, while yet the greatest political organisation in the country was still standing clearly for the establishment of Dominion Status? The Government of India could not pretend to be surprised to find that the Congress, that a large section of the Congress, declared themselves for complete Independence. The Government of India are largely responsible for this attitude which the Congress has taken. They did not do their duty by the people of this

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country of informing Parliament of the need for timely action, for expeditious action, to bring about a conference and a solution of our great problem. Everyone knows that the announcement made by His Excellency the Viceroy was welcomed in all parts of the country. Leaders of all parties, including Mahatma Gandhi, the greatest Indian living today, welcomed it though he and many others of us put forward certain conditions in the manifesto which we published in reply to it, even then did the Government of India see the necessity of communicating to the Government in England that the Report of the Simon Commission should be expedited, and that the date of the Conference that was proposed should be fixed early, and did they themselves recognise that there should be the spirit of Dominion Status introduced in the administration of this country from the date the announcement was made? That was the most important practical statement contained in that manifesto. It was suggested that the Government should feel and let the people feel that Dominion Status was in action in a truer sense than that in which Mr. Wedgwood Benn mentioned in the House of Commons. Did the Government of India do that? They did not, and when the Congress, even after that, gave a clear indication to the Government that, if Dominion Status was even indirectly assured, there would be no resort to a movement for civil disobedience, even then the Government of India failed to respond to the situation, failed to make the right gesture at the right moment to those who in despair accepted that resolution.

And now, Sir, what is the position? My Honourable friend, the Home Member, says that, "It is the duty of the Government of India to maintain peace and order by every means at their command". There is no man with any sense of humanity in him who would like that peace and order should be lightly disturbed. You have at this moment in this country one of the greatest men born in this world, who is today the greatest apostle of complete non-violence. He has now decided to lead a campaign of non-violent civil disobedience. I do not know—we are not here to discuss—the wisdom or unwisdom of that course. I personally have my differences with Mahatma Gandhi. I differed openly from him at the Congress when he went in for a declaration of Independence. I have stood firmly for Dominion Status, and I stand firmly by it today. But it is the Government who, by their attitude and action are driving more and more important people into the party of Independence. It is not a crime that Indians should strive by peaceful means, for Independence; it is not a sin for any Indian to desire what you Englishmen have desired, what every right-minded people, what every freedom-loving people, have desired, namely, the independence of their own country. We desire that there should be Dominion Status established in our country because we think that it is a more feasible plan by means of which we shall by peaceful means virtually acquire complete Independence. We desire it, we honestly desire it for that reason. But you cannot say that, because you have, by your inaction, by your want of sympathy, by your want of statesmanship, driven some of my people to adopt the resolution of complete Independence, that therefore you will be justified in adopting a policy of repression which your maintaining of peace and order often means, and that you will have finished your duty by maintaining such peace and order. I warn the Government that that is not the correct attitude. What the situation demands is an attitude of statesmanship, of broad sympathy, a broad appreciation of the situation. I ask every Englishman who deserves that name, every Britisher who is a lover of liberty who deserves to be so called, I ask him to put himself into the skin

of us Indians, to feel as we Indians feel, and to ask himself whether, if he had been placed in the condition in which we Indians are, he would not have done everything possible to establish the independence of his own country, and I ask him to look at all such efforts with sympathy, to try to avoid strife, to try to avoid bloodshed, to try to avoid evil passions being excited and the country being made to wade through a bitter strife and struggle. It is given to Englishmen, particularly it is given to the members of the Government of India, to sit down with Indians and to arrive at a policy, a sympathetic broad-minded, statesmanlike policy, whereby the differences between Mahatma Gandhi and the Congress on the one side and the Government on the other should be bridged, as much as possible, and as early as possible. (Hear, hear).

If the Government of India fail to represent to His Majesty's Government the gravity of the situation here, and if the Government of India think that, by merely resorting to severe measures for keeping down every movement which they do not approve, they will have done their duty, they are sadly mistaken. It is a very serious situation in which the country is placed. It is the duty of everyone to try to bring about a better understanding, a more harmonious relation between the people and the Government, a more sympathetic attitude on the part of the Government. It is no good making light of the action of men like Mahatma Gandhi. He has taken that action after a very great deliberation, and it is no good simply sitting quiet and saying "When anything wrong will happen, we shall try by all means at our command to keep law and order". Those who have taken up this agitation are not going to commit any violence so far as they are concerned, and whatever action you take, you have to take only such action as you can justify to the people of India and to people outside in the civilised world. That action cannot be merely such strong action as the Home Member has indicated. The situation demands sympathy, broad statesmanship, harmony, goodwill and a desire to act with goodwill at the earliest possible moment. Nothing is more important at this juncture in India than that the Government of India should apply themselves to a careful and honest study of the situation and to represent to His Majesty's Government that the situation demands that there should be an early date fixed for the Conference and that the British Government should make it known that they agree that Dominion Status shall be established in India at the next revision of the statute. If the Government will do that, I undertake to say that today Mahatma Gandhi will be prepared to accept that arrangement and to cry a halt. If you do not do this, and if you are still going on telling us that you adhere strictly to the letter of the declaration of 1917, it is obvious that you are not realising the gravity of the situation, and most certainly you are not doing your duty by the people of this country. I hope, Sir, it is still possible for the Government to reconsider their position and to acknowledge that the situation demands statesmanship, sympathy, a broad outlook, and a desire to promote harmony between all sections of the people and between the people of India and of England.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, the motion before the House, as it is worded, is not very clear. It says "irresponsible nature of the Executive Council". I think it is admitted—the Honourable the Home Member admitted it—that constitutionally the Government of India are not responsible to the Legislature. That proposition is admitted; it need not be discussed; it does not require even an

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admission from the Honourable Member. Any one who knows the statute and constitutional law can at once come to the conclusion, and no other conclusion, that the Government of India, as it is at present constituted, is not responsible to the Legislature. The motion as it is worded says "irresponsible nature of the Executive Council". The fact that it is not responsible cannot be denied. I do not know exactly what my Honourable friend, Mr. Kelkar, had in his mind, but I think one can understand, taking it generally,—and as I would like to interpret it—it comes to this, that there has been a great deal said, not only here by some Honourable Members who constitute the Executive Council of the Governor General, but even on the floor of the House of Commons; and the Secretary of State for India made a great deal of this phrase, namely, that, although India has not got Dominion Status and responsible government, nevertheless, in order to impress the people, he said that there was Dominion Status in action. I would like therefore, Sir, to make it clear on the floor of this House to Honourable Members here, and to the world outside, that Dominion Status in action has not been a reality, and I would therefore not like to oppose this motion, as I would like to see Dominion Status in action really. I do not wish to detain this House in making an indictment in detail against the Government; but, Sir, in the last answer which came from the Honourable the Home Member there was surely not one single word which showed, leave alone action, but any spirit, any feeling, any sentiment which gave any indication to this House, that Dominion Status was in action. The Honourable the Home Member referred to the declaration of 1917. May I remind the Honourable the Home Member, and ask him, has he overlooked the latest announcement on behalf of His Majesty's Government? Why did he not refer to that? Why did he not say that, since the declaration of 1917, there has been, with further modification and interpretation, another declaration. Has he forgotten so soon the declaration made by His Excellency the Viceroy on behalf of His Majesty's Government?

Then, Sir, the Honourable the Home Member used a phrase, to which we are often accustomed in this country: Government every now and then say, "It is our duty to maintain law and order". Who says it is not your duty? Why do you keep repeating it? When you go on repeating those words, what does it mean? It conveys to me only one meaning. I would never have taken any notice of it otherwise; but when you repeat every now and then that you mean to maintain law and order and that all the resources of the Government will be utilised for the purpose of maintaining law and order, what does that convey to us? I hope the Honourable the Home Member did not mean by it no Dominion Status in action, but that the Government further mean to resort to ruthless repression in this country. Is that what you mean? (*An Honourable Member*: "What else can it mean?") I would certainly advise the Government as it is our painful duty, sitting on these Benches, merely to advise a Government which constitutionally is irremovable, and irresponsible, to this House and which is by its sentiments and feelings alien and bureaucratic—I say it is our painful duty to advise them from these Benches every now and then and give them a word of warning. I maintain that if you resort to any repressive policy at this moment, you will be committing the greatest blunder. I shall say no more.

There are certain countrymen of ours who have adopted a certain course with which a good many of us not only do not see eye to eye but disapprove of it. I think the Honourable the Home Member knows as well as I do, that any suppression of progressive opinion in any country by means of coercion and repression leads to the destruction of the Government that resorts to those measures; and I think therefore the Government of India—I hope at any rate apart from the question of Dominion Status in action—will not run amok, but will deal with the situation such as it is in a statesmanlike manner.

Sir, I do not wish to keep the House any more, but I think Sir George Rainy put the matter in a nutshell by giving us that little antedote of the Scotch servant. He is quite right. You have found a very good master; a master whom you can rule and do what you like with. (Laughter.) I think, Sir, no servant can be unhappy when he has got such a master; he can help himself to any amount of pay he likes and rule over him; it is a very happy position in which you are, but that is exactly what we object to. You put your hand in our pockets and take as much money as you like, draw as fat salaries as you like, do as you please and do not care a straw as to our interests or what happens to us and we have no say in the matter. That is exactly what we object to; that is the grievance and that is the very reason we do not want those servants who rule, but servants whom we shall be able to rule; that is the whole issue. In other words we want servants whom we can control and who are responsible to us and whom we can dismiss.

Lieut.-Colonel H. A. J. Gidney: A change of masters.

Mr. M. A. Jinnah: A change of servants who are your masters now; we want real servants, and let us be the real masters. That is the position; and, Sir, I cannot understand how any Honourable Member in this House can possibly vote against a proposition of this character. I know my friends of the Central Muslim Party are very keen, very zealous in safeguarding the interests of the community to which I have the honour to belong. (*Sir Zulfiqar Ali Khan*: "Hear, hear.") But I cannot understand how you are going to advance the interests of your community by supporting a wrong thing.

Nawab Sir Sahibzada Abdul Qaiyum (North West Frontier Province: Nominated Non-Official): We want better masters than the present ones. What is the use of change if we do not get better ones.

Mr. M. A. Jinnah: Yes. And let me tell you, Sir, in answer to that, that seventy millions of Mussalmans should not be afraid of facing the issue squarely and fairly no matter what the Government do and no matter what the Hindus do. (Hear, hear.) You are seventy millions. What is the good of leaning upon the Government? What is the good of your appealing to the Hindus? Do you want concessions? I do not want concessions. (Hear, hear.) What is the good? You are seventy million Mussalmans. Organise yourselves in this country, and you will be a power, and you will be able to dictate not only to the Government, but to the Hindus and to every one else your just rights. Show a manly attitude. Why are you going to support a wrong thing? Support this motion if you think it be a right one. My friend, Mr. Anwar-ul-Azim, said, "Yes, Government are to be

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blamed; but then I do not know whether, if I agree with you and vote with you, I shall incur the displeasure of the Treasury Benches". (Laughter.)

Nawab Sir Sahibzada Abdul Qaiyum: Not quite so.

Mr. M. A. Jinnah: Sir, let the Treasury Benches realise that, whether the Hindus settle with us, or whether they do not, whether they march with us or whether they do not, we mean to march forward, and we want responsible government in this country (Hear, hear), with due provisions for the safeguards for Mussalmans and other minorities.

Mian Mohammad Shah Nawaz: Responsible government is the desire of everybody; but, before you march, let the Hindus and Muslims compose their differences.

Mr. M. A. Jinnah: Then vote for this motion and prove it by your vote.

Mian Mohammad Shah Nawaz: Hindus and Muslims should settle their differences. Put a united demand for Dominion Status before the Round Table Conference and it will be effective.

Mr. M. A. Jinnah: My friend is going much further than I am going. This motion says that we do not approve of the irresponsible nature of the Executive Council. Do you approve of it? You do not. Then why don't you vote for this motion?

Let me explain, Sir, to my friends that this is purely a constitutional issue. That is where my friends do not seem to appreciate the position. This is purely a constitutional issue. We want to record our votes on this constitutional issue, that the present Executive Council is not of a responsible nature; we want to make it clear that Dominion Status is not in action in this country, leave alone the establishment of full Dominion Status and responsible government. That is what we want to make clear

Mian Mohammad Shah Nawaz: Then table a proper Resolution.

Mr. M. A. Jinnah: One word more, Sir, and I have finished. I know you are a little impatient. Unless my time is not up, I do not want to take more time. But I have got one more thing to say, and it is this, pending the Round Table Conference, pending the settlement of those great constitutional issues, may I say one word to the Treasury Benches? Will you in the meantime train yourselves up by practising real Dominion Status in action so that when it does come in fact you will not feel the shock which otherwise you will get?

Mr. President: The question is:

"That the Demand under the head, 'Executive Council' be reduced to Re. 1."

The Assembly divided:

AYES—39.

Abdul Haye, Mr.
Abdul Matin Chaudhury, Maulvi.
Acharya, Mr. M. K.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chaman Lall, Diwan.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Dutt, Mr. Amar Nath.
Ghazanfar Ali Khan, Raja.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Hyder, Dr. L. K.
Ismail Khan, Mr. Muhammad.
Iswar Saran, Munshi.
Jayakar, Mr. M. R.
Jehangir, Sir Cowasji.
Jinnah, Mr. M. A.

Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.
Lal, Mr. Hari Prashad.
Lalchand Navalrai, Mr.
Malaviya, Pandit Madan Mohan.
Moonje, Dr. B. S.
Munshi, Mr. Jehangir K.
Pandya, Mr. Vidya Sagar.
Patil, Rao Bahadur B. L.
Purshotamdas Thakurdas, Sir.
Rang Behari Lal, Lala.
Rao, Mr. G. Sarvotham.
Reddi, Mr. T. N. Ramakrishna.
Shafee Daoodi, Maulvi Mohammad.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Sitaramaraju, Mr. B.
Talatuley, Mr. S. D.
Ziauddin Ahmad, Dr.

NOES—50.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chambers, Mr. G. W.
Chatterjee, The Revd. J. C.
Coatman, Mr. J.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Dutta, Rai Bahadur S. C.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Kikabhai Premchand, Mr.
Lindsay, Sir Darcy.

Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Montcath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan
Bahadur.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Singh, Mr. Adit Prasad.
Singh, Raja Raghunandan Prasad.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Tirloki Nath, Lala.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. President: The question is:

"That a sum not exceeding Rs. 91,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Executive Council'."

The motion was adopted.

Mr. President: The Central Muslim Party have since given me notice that they propose to raise the question of the reforms for the North-West Frontier Province. Am I right?

Mian Mohammad Shah Nawaz: Yes.

Mr. President: That will be taken up on Tuesday morning from 11 to 1. I have not yet received any notice from the unattached Members. The new Swaraj Party have given me notice that they propose to move the question of the treatment of political prisoners. That will be taken up on Monday morning.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 8th March, 1930.



LEGISLATIVE ASSEMBLY.

Saturday, 8th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Mr. L. V. Heathcote, M.L.A. (Associated Chambers of Commerce: Nominated Non-Official).

SHORT NOTICE QUESTION AND ANSWER.

IMPRISONMENT OF SARDAR VALLABHBHAI PATEL.

Pandit Madan Mohan Malaviya: Will Government be pleased to state under what section or sections Sardar Vallabhbhai Patel has been sentenced?

The Honourable Sir James Crerar: I have not yet received any official information on the subject. I have asked the Government of Bombay to report the facts by telegram.

Pandit Madan Mohan Malaviya: Will the Honourable Member be pleased to convey the information to me when he has received it? I expect he will receive it by tomorrow.

The Honourable Sir James Crerar: I shall be glad to intimate to the Honourable Member when the information which I have asked for has been received.

Pandit Madan Mohan Malaviya: Will the Honourable Member try to obtain it by tomorrow morning?

The Honourable Sir James Crerar: Sir, a telegram is being despatched immediately. I cannot, of course, guarantee when the reply will be received.

Mr. President: I have received notice of a motion for leave for the adjournment of the House to draw the attention to a definite matter of urgent public importance, namely, the imprisonment of Sardar Vallabhbhai Patel from Pandit Madan Mohan Malaviya. In view of the answer just given by the Leader of the House, perhaps the Honourable the Pandit would be well advised to wait till he receives the reply from the Government of Bombay.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): I will, Sir. Thank you.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Will he be in order then?

Mr. President: The Chair will be prepared to waive urgency.

STATEMENT OF BUSINESS.

The Honourable Sir James Crerar (Leader of the House): Sir, I desire, with your permission, to make a statement as to the probable course of business in the week beginning Monday, the 10th March. As Honourable Members are aware, Monday, the 10th, Tuesday, the 11th, and Wednesday, the 12th, have been allotted for the discussion of the Demands for Grants. On Thursday, the 13th, the Government business will include the election of a Member to the Standing Committee for Roads in place of Mr. Gangand Sinha and the election of Members to the Standing Finance Committee. The Honourable Sir George Rainy will move to take into consideration and, if that motion is accepted, to pass the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927. Friday, the 14th, and Saturday, the 15th, as Members are aware, are gazetted holidays.

THE GENERAL BUDGET—LIST OF DEMANDS—*contd.*

DEMAND No. 39—ARMY DEPARTMENT.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 5,47,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Army Department'."

Military Policy of the Government.

Maulvi Abdul Matin Chaudhury (Assam: Muhammadan): Sir, I move that the Demand under the head "Army Department" be reduced to rupee one.

Sir, I move this motion as a protest against the general military policy of the Government, and in particular the policy of not giving effect to the recommendations of the Sandhurst Committee. Though, Sir, there has not been any authoritative official pronouncement to that effect, it is evident that the military policy of the Government is the policy of excluding Indians from the higher ranks of the Army. It is a policy of perpetuating the hegemony of the British officers in the Army. One fact that emerges unmistakably out of the examination of the military policy of the Government is that the settled policy of the Government is to deny to the Indians the opportunity of higher military training, and make India absolutely dependent upon the British officers, both for internal security and for protection against foreign aggression. We are persuaded to believe that the British officer has undertaken the onerous responsibility, the white man's burden, of guarding the frontiers of India, so that the martial races from the North may not sweep upon the plains of Hindustan, or that the internal peace of the country may not be disturbed by the Mussalmans and the Hindus flying at each others throats. That is what we have been

asked to believe. But the last European war has been responsible for exploding many a myth. It has among other things, exploded the myth of the white man's burden, and it has also exploded the myth of the white man's superiority. It is time that the Government realised that India can no longer be lulled into sleep by these comforting shibboleths. The Indians have been demanding their rights and the opportunity of defending their own country, their own hearths and homes, and wisdom and statesmanship demand that Government should make a ready response to that. But unfortunately there is no sign of any growth of wisdom in the Government. There is no sign of any return to any sane and sound policy. They are moving, Sir, along their traditional lines and this is best illustrated by their attitude with regard to the recommendations of the Indian Sandhurst Committee. In that Committee, distinguished military officers on the one side and eminent Indian politicians on the other came to the unanimous conclusion as to the steps that ought to be taken to Indianise the higher ranks of the Army. The main recommendations of the Sandhurst Committee were the creation of an Indian Sandhurst, forcing the pace of Indianising the Army, so that, by 1952, fifty per cent. of the officers of the Indian Army would be Indianised, and the abandonment of the eight unit scheme. These recommendations, Sir, did not come very much up to the expectation of the country. But they marked a definite advance on the existing position. I am not, Sir, an admirer of this Sandhurst Report. I consider it a halting and cautious compromise, but even that, Sir, the Government is reluctant to accept. Three years ago the Report was published, and there is as yet no indication that the Government accept the policy underlying the Report. The Honourable the Army Secretary told us the other day that a Sandhurst was to be started in 1933 and there was still three years to go.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): He never said anything like that.

Maulvi Abdul Matin Chaudhury: He reminded the House that it was to be started in 1933.

Pandit Hirday Nath Kunzru: He did not say it was going to be started in 1933.

Maulvi Abdul Matin Chaudhury: This is what Mr. Young said on the last occasion:

"May I remind the House that an Indian Sandhurst was to be founded in 1933 and there are still three years to go."

That is the sentence used by him.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): Did not the Commander-in-Chief refer to this matter in the other House?

Mr. G. M. Young (Army Secretary): What I did say was, "May I remind the House that it was to be founded in 1933 and that there are still three years to go." I did not say that it was the intention of the Government to found it in 1933.

Maulvi Abdul Matin Chaudhury: From this it is evident that the Government say, there are still three years to wait for the Indian Sandhurst to come. So far, in the Budget we find no provision for any preliminary expense for the Indian Sandhurst three years hence. My Honourable friend, Mr. Young, believes in the Bible. According to the Old Testament, when God created the Universe, He said, "Let there be light", and there

[Maulvi Abdul Matin Chaudhury.]

was light, and God said, "it was good". Imitating the Lord Almighty, Mr. Young will say in 1933, "Let there be a Sandhurst" and there will spring up a Sandhurst in the tableland of Dehra Dun and we shall all rejoice and say "It is good". But, Sir, surely Mr. Young does not expect us to be satisfied with this lame assurance of his. The Army Headquarters may congratulate themselves on their effectively shelving the major recommendations of the Sandhurst Committee, but do they realise, Sir, what has been the reaction on the country of this policy of Government? Now-a-days no public meeting is held in any town or village in India but sends up the cry, "Long live Revolution". Do Government realise the significance of this cry? It means that people have lost all faith in the evolutionary process in politics. The conviction is growing upon our countrymen that all the constitutional agitation and all the eloquence of Mr. Jinnah or the sweet reasonableness of Pandit Madan Mohan Malaviya lead the country nowhere. At least, it has led the country nowhere nearer its goal, so far as the military sphere is concerned. Events in India are moving very fast. They are moving with startling rapidity. Three years ago the Sandhurst Report was welcomed as a definite advance, but today, Sir, many representative Indians will hesitate to put their signatures to a document like that. I can tell you, Sir, that five years hence, you will not find a single patriotic Indian who will be left to do it homage. It will be relegated to limbo of obscurity, as an obsolete and antediluvian document. But at this particular juncture, the attitude of Government towards the Sandhurst Report has got an additional significance. His Excellency the Viceroy has announced that the goal of India is the attainment of Dominion Status. Dominion Status, Sir, postulates a Dominion Army. Mr. Young cannot extemporise a band of trained army officers simultaneously with the grant of Dominion Status, and this attitude of Government and their apathy in this matter has made the Indian public sceptical about the Viceregal pronouncement. The House expects from Mr. Young an authoritative pronouncement as to what is going to be the policy of Government in this matter, whether the Government intend to take immediate steps for the starting of the Indian Sandhurst, what steps do the Government intend to take for forcing the pace of Indianising the Army, and what steps do they intend to take with regard to the abandonment of the eight units' scheme? We want a clear, definite statement on these points. We want to know whether the Government will still continue its policy of keeping India under the heels of an army of occupation, or do they contemplate a departure from that policy. That is what we want to know from Mr. Young. Before I sit down, I want to sound a note of warning to the Government Benches. In this country, there is a vast reservoir of energy, pluck, initiative and enterprise among the Indian youth. Unless it is harnessed to the military service of the State, unless this is disciplined and brought under control, there is every danger of its seeking an outlet in other directions. Already, Sir, the Indian youth has become a keen student of Irish revolutionary history and Irish revolutionary methods. De Valera and Michael Collins are the ideals of the Indian youths of today. (Mr. B. Das: "Hear, hear.") They seek their inspiration from the careers of these Irish patriots and their exploits. Now, Sir, if this revolutionary tendency is to be checked, the best course for the Government is to throw open the higher military career to the educated Indian youth. If they give effect to the recommendations of the Sand-

hurst Committee, by 1952 half the cadets of the Indian Army, will be Indians. But if they do not give effect to that, if they ignore the Report of the Sandhurst Committee, if they do not strengthen the hands of those who stand for gradual, constitutional advance, it is quite likely that, in 1952, the flag that the Indian Army officers will salute may not be the Union Jack, but it will be the Tri-colour flag of an Independent India. (Hear, hear and applause.)

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Sir, I want to make two or three points on this question. My first point is that the Indian Army is too big for the needs of the situation. It might sound a little bit fantastic for me to say in view of the perpetual threat already magnified beyond bounds, from the North Western Frontier, that the present Indian Army is really too big for the needs of the situation. I might go in for a little critical analysis and calculation so that I might try to impress upon the House that it is really too big for the needs of the Indian situation. The Indian Army at the present moment is composed as follows:

(a) On the one hand:

Britishers holding King's Commission	..	..	7,444
British other ranks	..	..	62,069
Total Britishers	..	..	69,513

(b) On the other hand:

Indians with Viceroy's Commissions	..	..	4,658
Indian other ranks	..	..	1,51,691
Total Indians	..	..	1,56,349

Such is the Army, as composed at the present moment. Now, one British soldier, as I have said and proved by calculations in one of my budget speeches in this Assembly costs the State five times more than an Indian soldier. Do I mean thereby that the value of a British soldier as expressed in terms of fighting capacity is five times more than the value of an Indian soldier? I will not express my own opinion in the matter, but that is what the British officers allege. Sir Mortimer Durand, who has been memorialised in what is known as the Durand Line says in his diary:

"I confess I always thought 100 British Soldiers were worth five times the number of Asiatics."

If this value be expressed in terms of numbers of Indian sepoys, then 69,513 Britishers multiplied by 5 means 3,47,565 Indian soldiers. This plus 1,56,349 actual Indian soldiers means 5,03,914 trained Indian soldiers. So the whole Indian Army at the present moment may be said to be composed of 5,03,914 fighting Indians. But let me be not unfair to Sir Mortimer Durand. He further on says:

"Anything more cool and gentlemanly than a Sikh under fire is not to be found; and at all events, with the cavalry branch, Indians are far more practically useful."

Now, what is the military threat to India? There could be no threat from the seaside, because there is the British Navy, and India forms a bright jewel in the Crown of the British Empire. Therefore, there is not much of a threat worth mentioning from the seaside.

Colonel J. D. Crawford (Bengal: European): What do you pay for this Navy?

Pandit Hirday Nath Kunzru: What do the Dominions pay?

Dr. B. S. Moonje: That is not the point. What we pay for the British Navy is not the question at the present moment. My point is that I want to make out that the present Army is too big for the needs of the present situation in India. The military threat to India therefore is practically nothing from the seaside. Now let us see the land frontier. It is practically nothing from its Eastern frontier. It is practically nothing from its Northern frontier, because there are the invulnerable Himalayas. The only frontier which allows a military threat to India is the North Western frontier from Baluchistan to the Khyber. Now, what are the populations there? My Honourable friend, Mr. Coatman, the Publicity Officer of the Government of India, interrupted me the other day, and I am now quoting from the book which he has presented to Parliament as the Report upon India in the year 1927-28, this being his latest book. About the people inhabiting the hilly country known as the Tribal Territories bordering on our North West Frontier he says:

"They (i.e., these tribes) are believed to number three millions" (i.e., 30 lakhs), "of whom at least half" (15 lakhs) "are males and of the latter, close on three quarters of a million" (about 7 lakhs) "are regarded as adults and fighting men".

Therefore, we have got in all 7 lakhs of men on the North Western frontier who are regarded as a perpetual threat to the British Empire in India. We have therefore to provide against any aggression coming from these 7 lakhs of men only, and these 7 lakhs of men are armed with what weapons? Mr. Coatman says:

"Their armament has vastly increased within the last few years, and as long ago as 1920 there were believed to be not less than 140,000 modern rifles in tribal territory."

Suppose now that their armaments have vastly increased since 1920. In seven years the number of their rifles may have increased by 10, 15 or 20 thousand. That means that, at the most generous calculation, there are now not more than two lakhs of modern rifles there at the present moment. Therefore, the military threat, which is regarded as a perpetual threat to India, and on the excuse of which such a huge military expenditure of 55 crores is justified, is a threat composed of 7 lakhs of fighting men and about 2 lakhs of modern rifles. I hope it is not contended that the people there have got 50 pounders, or 60 pounder guns or field artillery or machine guns or air force. There are no such modern scientific weapons there in the possession of the people of the tribal territory. And supposing if they had, have they the training and the scientific knowledge needed for their use on the battlefield? Therefore on all the most generous considerations, the military threat to India is composed of only 7,00,000 men and about 2 lakhs of modern rifles. Besides are these men trained, drilled and disciplined on modern scientific lines? The Great British General Sir Ian Hamilton says, in his book, "Soul and Body of the Army":

"A thousand men standing up in the open with arms in hand, each anxious to fight himself, but each uncertain of how far his fellows meant to fight, were liable to be scattered like chaff by a mere handful of soldiers hypnotised by habit into responding as one individual to the order of their Sergeant."

Are these tribal people so trained? In order to provide against the possibility of an attack on India by 7 lakhs of men armed with 2 lakhs of rifles, we have provided for an expenditure this year of 54 crores and 20 lakhs of rupees. That is the calculation that I have come to and I am

going to present this calculation to my Honourable friend, Mr. Young, who is the Army Secretary in India. If he thinks that he can present a better case to justify a military expenditure of 54 crores and 20 lakhs, I should invite information. I keep an open mind.

That is one point that I wanted to speak about and therefore my contention is that the present military policy in India is lavishly expensive. I therefore believe that, looking to the possibility of any threat of foreign aggression, as it exists at present, there is no need for such a heavy expenditure on the Army in India.

Now, I should like to draw the attention of the House to a little speech, as reported in the Press, made in the Council of State day before yesterday by His Excellency the Commander-in-Chief. The points that he made out in his speech are as follows. First he quotes with approval the fact that whereas all the European countries have seen their way to increase their military expenditure, it is only England that has reduced her military expenditure, thereby perhaps indicating that the military threat to England has become very much less. Have the Germans ceased to entertain any kind of idea of hostility to England? Has France ceased to be so inimical to England as she was about 50 years ago? Is Russia so very friendly to England that England may feel that there is no military threat from that side, and therefore England must reduce her military expenditure? And His Excellency the Commander-in-Chief puts it with great pride and satisfaction that England should teach a lesson to other Nations like America, Germany and France and see its way to reduce its military expenditure from 51 to 40 million pounds, that is, a reduction of 10 million pounds. And India alone in the British Empire, with a military threat of 7 lakhs of fighting men only, is not in a position to be able to reduce its military expenditure by very much more than Rs. 80 lakhs. I said the other day that even this reduction is a make-believe reduction, an eye-wash, a camouflage. I have made calculations and proved that it is not the real reduction that it ought to have been.

The second point of His Excellency the Commander-in-Chief, which concerns me at present, is this. A question was asked two days ago in the House of Commons by Commander Kenworthy, and Mr. Wedgwood Benn, the Secretary of State for India, said that he was quite prepared to consider the extension of the present scheme of Indianisation of the Indian Army if the Government of India felt justified in recommending it on the basis of the results already achieved. In this connection, His Excellency said in his speech in the Council of State day before yesterday that the recommendations of the Skeen Committee had been given effect to in every respect except in regard to the eight unit scheme and the establishing of the Indian Sandhurst in 1933. He said further that the Government of India did not feel confident that the cadets coming forward for the Indian Sandhurst could be relied upon as being sufficient either in quality or in quantity so as to justify the Government in undertaking the heavy expenditure involved in the immediate creation of an Indian Sandhurst with possibly a very large staff. This means that His Excellency has two objections to the creation of an Indian Sandhurst. The first is that the Indian cadets that have so far come forward have not given entire satisfaction, or at least as much satisfaction as he was led to expect, and therefore, if an Indian Sandhurst were started in India, it would be a costly thing, and it would not be patronised or made full use of by the Indian cadets, that is, what His Excellency means to convey is that it will be creating a supply before

[Dr. B. S. Moonje.]

there is any demand for it, if he were to go in for an Indian Sandhurst. Let us see what are the results achieved so far in regard to the cadets appearing before the Interview and Record Board for selection for admission into the cadet colleges of England. Taking for instance, the last examination, the November examination, out of the two examinations that were held last year, only one examination was held in 1928—taking the last November examination, let us see what the results are. The results were, if I remember aright—I am open to correction with regard to these figures—the results were that 69 students appeared before the Interview Board.

Mr. G. M. Young: Fifty-nine, three in England and the rest in India.

Dr. B. S. Moonje: If I remember aright, 69 appeared; I think I am right. But I take your figure as 59, and that is for how many vacancies? Would you supply me those figures?

Mr. G. M. Young: There were 10 vacancies at Sandhurst

Dr. B. S. Moonje: I will tell you if you do not remember. So far as my information goes, there were 10 vacancies for Sandhurst, 4 for Woolwich and 6 for Cranwell. Is it right?

Mr. G. M. Young: I think yes.

Dr. B. S. Moonje: Oh that does not matter. That is, about 20 candidates were to be selected, and 69 candidates, according to my memory and 59 according to the information of my Honourable friend, Mr. Young, the Army Secretary, appeared for the competitive examination. That is a good competition, three or three and a half times as many students appeared for competition as there were vacancies. Who can say that is not a good competition with a better promise for the future? Therefore, even from this point of view, from the point of view of the students taking advantage of the competition, the result is not to be despised, because three times as many students appeared for competing for ten vacancies for Sandhurst, six for Cranwell and four for Woolwich. Besides, the Government, as my Honourable friend, Mr. Kelkar, just reminds me, have not been undertaking, as they ought to, any propaganda work in order to popularise it and bring in a larger number of students for the competition and also has not been creating a larger number of vacancies. The Government may, or rather are, unmindful of their duties in the matter, but it concerns me vitally and I am therefore carrying on the propaganda on my own initiative, but it is not looked upon with favour, I personally know, by the Members of the Bureaucracy. (*An Honourable Member:* "How many passed the test"?) I will just come to it. Sixteen boys were declared passed both in the written and oral examination for Sandhurst, but unfortunately only 10 were taken, because there were no vacancies for the other 6, though they satisfactorily passed the examination held by the Interview and Record Board. What damping effect will it have on the young men if only ten vacancies are to be filled up every time out of so many boys competing and passing the examination? Look at the amount of disappointment and discontent that it will give rise to. As regards Cranwell, there are only 6 vacancies; 7 boys were declared passed but only 6 were taken, and one was kept out because there was no vacancy. As for Woolwich, none from India was taken. Now I might cite here an instance which is very instructive. One boy had got 747 marks total for the Woolwich examination. Though

the number of pass marks fixed for Woolwich was 690, he got 747 marks, that is 57 marks more than the total pass marks fixed. This same boy got 656 for Sandhurst, for which the pass marks are 540 that is 116 more than the pass marks fixed. So this boy got very much more than the pass marks both for Sandhurst and Woolwich. But he could not be taken in for Sandhurst because there were no more vacancies than 10 and he could not be taken in for the Woolwich because unfortunately he did not get a sufficient number of marks in one subject, mathematics. Up to two years ago, up to 1928, the marks in mathematics, and chemistry or physics were combined and the pass marks fixed for the combined subjects were 240. A boy was required to pass in two subjects combined either mathematics and chemistry, or mathematics and physics and was required to get 240 pass marks in these combined subjects. If we take that standard, this boy failed only for want of 3 marks because he got only 237 marks in these combined subjects. He got 210 marks in the Interview and Record Board examination though the pass marks fixed are only 140; that is, he got 70 marks more than the pass marks. But, according to rules, he could not be taken, because he did not get a sufficient number of marks in the subject of mathematics, and he failed by 3 marks only in the combined subjects of mathematics and physics. I have referred in my questions, asked some days ago, to what Lord Rawlinson, our late Commander-in-Chief had said in connection with slackness of the test of these competitive examinations for entry into the military colleges of England for British boys. He has said in his diary that for the competitive examinations for Sandhurst and Woolwich about his time, though the standard was the same, as it is now, the standard for testing of British boys was very low; because a sufficient number of cadets were not coming forward to fill the number of vacancies that were offered. Could not a little relaxation be made in the observance of these rigid rules so as to provide for taking at least one or two students for Woolwich like the one of whom I have thought to make mention here? I may make mention here, for what it is worth, about certain misunderstandings or impressions prevailing among the people in respect of selection of Indian boys, particularly for Woolwich and Cranwell, though I do not believe that there could be much truth in them. Anyway, the impression is gaining ground in the country that prejudices are still lingering in the minds of the British officers in two respects. First, that boys generally not belonging to what are called the martial classes, though quite up to the standard of fitness prescribed for selection, are generally turned down; that is one misunderstanding prevailing among the people. The second impression or misunderstanding that is prevailing is that, though they might take some Indian boys for Sandhurst, as far as possible, they turn down boys for Woolwich and Cranwell. I do not think that that kind of misunderstanding is well founded, but at least so far as there is any little ground for such belief among the people.

An Honourable Member: What are the conditions under which boys are permitted to appear in the examination?

Dr. B. S. Moonje: The Honourable Member can get a copy of the rules and regulations and see for himself. There is no time for me to go into that now. The results of the examinations for the last two years give some basis to that belief, to that misunderstanding, to that impression amongst the people. In 1928, so far as my information goes, no student was selected for Cranwell or Woolwich. In 1929, excepting the

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last examination of November, 1929, no students again were selected for Woolwich or Cranwell. In the last examination only one was selected for Woolwich from amongst 69 boys who appeared for the competition in India. It may be that, in the opinion of the Interview Board, none of the boys was fit for Woolwich. It may be, and yet these things give colour to the belief, to the misunderstanding amongst the people, that boys for Woolwich and Cranwell are to be turned down and boys for Sandhurst alone are to be taken. It is this point that I want here to bring to the notice of the Government of India, and I wish they could do something to remove this misunderstanding, this impression, wherever it might exist. Therefore, from what I have said, it has been proved beyond doubt, beyond contradiction, that so far as the results of the Interview and Record Board examination are concerned, boys come in sufficiently large numbers for competition to be selected for the vacancies, however few they may be, at Sandhurst, Woolwich and Cranwell. Therefore, this system of Indianisation of the Army so far has achieved results even to the satisfaction of the British Military officers like those of the Board and I hope these results, when brought to the notice of His Excellency the Commander-in-Chief, will be found satisfactory even by him and enable him to revise his opinion in the matter, and recommend and justify his recommendation for further substantial extension of the Scheme.

Now, as regards Indian officers who have been given King's Commissions, there are I think about 115 in number. About them the Skeen Committee themselves say:

"There are a number of young King's Commissioned officers already in the Indian Army who are pronounced by their Commanding officers to be efficient according to the single standard of efficiency which the Army recognises, and many of these have reached their present position in the face of far greater disadvantages and difficulties than a British boy has to overcome." (Page 21.)

Thus they have stood the test of efficiency, the only one standard of efficiency which ought to prevail in the Army. Therefore, either from the point of view of cadets coming up for the competitive examination before the Interview Board, or from the point of view of the efficiency of the Indians who have been given King's Commissions and are working in the Army under British Commanding Officers, it has been proved that the results achieved so far are quite satisfactory and most promising for the future. I am therefore surprised at the statement made by His Excellency the Commander-in-Chief in the other House that the Government do not feel confident that the cadets coming forward for the Indian Sandhurst could be relied on as being efficient either in quantity or in quality so as to justify the Government in undertaking the heavy expenditure involved in the immediate creation of an Indian Sandhurst. Until an authoritative case with substantial proofs has been made out from the Government's side, justifying the remarks made by His Excellency the Commander-in-Chief that the Government do not feel satisfied about the results achieved so far we must be pardoned if—we feel we are justified if—we attribute motives to the Government that they really do not look upon the Scheme of Indianisation with any favour. If, as I have said, the results are satisfactory, then there is absolutely no reason why Government should not come forward and allay our doubts, remove the misunderstandings that are in our minds, by making a declaration that, as recommended by the Skeen Committee, an Indian Sandhurst will really be

established in 1933. If they are still suspicious, if they are still doubtful, about the efficiency of the Indian cadets, they have got the Military College at Dehra Dun, they might increase the number of entrants in that College; they might reduce the fees of the College so that a larger and larger number of intelligent boys might find it within their means to join the College; they might train them, and in three years' time a sufficiently large number of cadets trained in their own way, and by their own men in Dehra Dun, would be available for taking their education and training in the Indian Sandhurst. Thus so far I have not been able to find one valid reason amongst those which the Government have advanced so far against an Indian Sandhurst being established in 1933, as recommended by the Skeen Committee. With these points before me, Sir, I cannot but support the cut that has been made by my friend, Mr. Abdul Matin Chaudhury.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): Sir, I really sympathise with my Honourable friend, Dr. Moonje, in his impatience to see the Indian Army Indianised at the earliest possible date and made less expensive than it has been in the past. There are many others in this House who are of the same opinion and would like to see the Indian Army Indianised to its full extent, as fast as possible, and to cut down the Army expenditure to its minimum, and to this extent, Dr. Moonje has my fullest support. Sir, I hold no brief for my friend, Mr. Young, or for the Government of India, and if I make a few observations on this subject, I hope they will be taken as the spontaneous remarks of a man, who has spent most of his time with the Indian Army in their operations in the various centres of their activities. I feel I also have a little justification for speaking on this subject, because I happened to be a member of the Sandhurst Committee, which has come under discussion. These are the two pleas which I can bring forward for the expression of my views on this subject.

Taking first the general question of the expensiveness of the Army, I know from my personal experience that the Army expenses are more strictly scrutinised in most of the Departments of the Army than the expenses of some of the ordinary Departments of the civil administration. In the ordinary administration, the addition of a lakh here or a lakh there does not count for much. As a matter of fact, for very ordinary reasons posts can be created for people who can make themselves indispensable in some of the Departments, on the plea that their expert opinion must be available and money does not matter very much in the creation of such posts. But in the Army, no new appointments can be created, no additional officers can be appointed in a battalion, neither can a joint Commandant be appointed to command a regiment. But, whether the present strength of the Army is just enough, or whether it can be reduced, is really the point at issue. I think that in spite of all that has fallen from the lips of my friend, Dr. Moonje, the Army is really not too large at its present strength. At present the dangers may be less or more, I cannot say. Dr. Moonje thinks that we are quite safe from the North-East and South-East borders of India; and though I cannot fully agree with him on that point, there may be some justification for it; but as far as the North-West Frontier is concerned, we are certainly not safe from that corner, though here the blame lies with our own people perhaps. But I think it is not the danger from the tribesmen alone for which India

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has to keep up this Army, but it is on account of the possibilities of dangers and invasions from that direction that India must maintain a strong Army. As to the direction of the possible invasions of India, the invading Army need not follow the routes through the Hindu Kush range or the valley of Chitral, or even through the Kabul or Kandahar plateaus. There is a very open space and a fine route for the possible invasion from the North, between the East of Persia and the West of Afghanistan; and it is for that reason that Baluchistan at least should be well defended and well equipped with troops.

Sir, the Army is a thing which cannot be raised or created in a day; it requires a great deal of training and equipment; and if anything extraordinary happens on Indian borders, the same difficulty will arise as had to be faced by the British Government in raising the Kitchener Army. If the war had not been prolonged and given more time for the training of the new troops, perhaps the raw material or half-trained troops that were pushed on to the German frontier, would have failed to achieve the victory. You keep your watchmen for eventualities; whether you see an immediate danger of burglary in your house or not, still you have to keep permanent watchmen at your gate to make sure that your house is not burgled. It is a kind of watch that has to be maintained by keeping a permanent army.

As regards the personnel of the Army, Sir, let us take it for granted that it is a bit large. But with the very indifferent communications and very inferior equipment as compared with the armies of the West, you have to keep a larger number. I believe the expenses go a good deal towards the equipment of the Army and the opening of new communications, and especially the mechanical transport, etc. When these communications are completed, when the equipment is brought up to date, and when you can put in more aeroplanes and strengthen the Air Force, perhaps the number may then be reduced. Sir, my friend laid great stress on the British element in the Army. He thinks that it is very expensive, and that the cost is five times more than the cost of the Indian section. That, I am afraid, is an unavoidable evil. My friend has not touched at all the question of the internal peace of the country. (Colonel J. D. Crawford: "Hear, hear.") Perhaps he has intentionally avoided it. He spoke only of the poor North-West Frontier Province and the dangers from that corner. But that is not all. The internal peace of the country almost entirely depends on this British element in the Army. . . .

Dr. B. S. Moonje: 70,000 Britishers are required for internal security?

Nawab Sir Sahibzada Abdul Qaiyum: Yes, I think so; the country is nearly as big as the whole of Europe. I may give an example. In 1919, when we were unexpectedly attacked at Landi Khana, and wanted some troops, we could not get more than three to four thousand men in the whole country north of Jullundur. Occasions like this do arise every now and then and may arise again. You must not forget the great disgrace that India had to suffer by the temporary fall of Thal though for a few hours only—this was simply due to the fact that we could not spare troops for that corner, although we knew the danger was real in that direction, and troops from the Khyber had to be transported to the Thal side in lorries

Dr. B. S. Moonje: The inner history of that war has yet to be written.

Nawab Sir Sahibzada Abdul Qaiyum: When it is written, I hope you will be able to change your opinion. If, as I say, communications are opened and transport is improved and the Air Force comes more into operation, naturally the personnel of the Army will be reduced. But what I want to say is this: it is the armament and the equipment part of the Army which absorbs the greater part of the Military Budget. It is the opening of new communications and various other matters of that sort which lead to the expensiveness of the army and it is the standard of life and equipment of the forces, as compared with other European countries, that go to swell the Army Budget. Have you ever compared the rise in the civil expenditure with that in the Army? Every day in this House, Resolutions are put in for the increase of the salaries of the Postal and Telegraph Department employees, of peons here and of peons there, and so on. If you will compare the figures, you will see that the pay of the Army man is comparatively very low. As regards equipment,

12 NOON. of course, that is not the concern of the poor soldier. He is prepared to sacrifice his life for the sake of the Rs. 13 or Rs. 23 that he is getting a month. He does not get even a rupee per day, which is given to an ordinary coolie in many parts of India; nor has he any additional advantages in the military service by way of pensions, etc. Even the higher officers of the Army draw lower pensions than those drawn by officers of their rank in the civil services. Well, Sir, I don't like to go into greater details here, but all that I want to point out is that the greater part of the Army expenditure is incurred on the present-day equipments, and the moment those equipments, etc., are brought to the level of those that exist in other advanced countries, there will then be the possibility of reducing the expenditure, as well as the number of men in the Army.

I will now come to the Sandhurst Committee's Report. There were three points made by the Mover of the Resolution. The first was that there were no signs of the establishment of an Indian Sandhurst in the near future; the second was that the eight units' scheme, which was recommended to be abolished by the Committee, is still in existence; and the third was that a larger number of candidates were not taken at the entrance examination. Sir, I think that the recommendations of the Sandhurst Committee were very moderate and modest, and they should have been accepted without much hesitation. There is still a chance for Government to reconsider the matter before it is too late

Mr. M. A. Jinnah (Bombay: Muhammadan Urban): It does not want to.

Nawab Sir Sahibzada Abdul Qaiyum: Well, Sir, I shall come to the establishment of an Indian Sandhurst later on, but I do not see any justification for Government refusing the recommendation for the abolition of the eight units' scheme. I have never been able to understand the great danger that would follow if Government accepted that recommendation. I have never been able to understand the great delay in the removal, if I may use the words that have often come to my ears, of the untouchability bar put on those eight units. Why should those eight units be segregated from the rest of the Army? Personally, I have not been able to understand the reasons for the policy of Government in that respect.

Mr. M. A. Jinnah: Because the British did not want to serve under Indian officers.

Nawab Sir Sahibzada Abdul Qaiyum: Well, they have been serving in the civil Departments, and in the Army too there are many units in which Indians are serving in the non-Indianised units along with Britishers. If there are cases where they can live together and work together, why should these eight units be particularised for Indianisation? The Indian officers lose the opportunity of learning a good many things from their British comrades.

Then, Sir, as regards the candidates coming up for the Sandhurst examination, I had the opportunity of sitting on the Interview Board once or twice. To be frank, and I hope my friend Dr. Moonje will not feel injured, if I say that the type of candidates that is coming before the Interview Board, with some exceptions of course, is not the real type of men whom you will care to have for the Army.

Dr. B. S. Moonje: Do you contradict the figures that I gave out of the candidates who appeared at the last examination?

Nawab Sir Sahibzada Abdul Qaiyum: I have already said, with a few exceptions. I do not condemn the whole lot that came up before the Board. I only say that the majority, with of course a few exceptions, is not of the type of people who will do well in the Army

Dr. B. S. Moonje: Seven more candidates passed than there were vacancies. You must remember that.

Nawab Sir Sahibzada Abdul Qaiyum: If you simply want to change the colour from white to black, you are quite justified, but what I am referring to is that the type of man with character, who can command a unit in action, is not forthcoming. I do not know if all that is wanted by my friend is a change of colour and that he will not attach much value or credit to the spirit inside the candidates, but I don't want to enter into a discussion with him on this point.

Dr. B. S. Moonje: That very agency composed of not Indians but British officers, that certifies the character has passed seven students more than there were vacancies.

Nawab Sir Sahibzada Abdul Qaiyum: When my friend said that there were as many as fifty candidates for as many as twenty posts, and that that was a good competition, I thought in my mind whether 2½ candidates for one post was really good competition. I think that 50 candidates for one post will be a good competition out of 30 crores of people, who want to get themselves trained for the Army. You have not condemned very many. A boy may have passed, and he may not have got a post; but you must see how many failed to get through.

Dr. B. S. Moonje: Perhaps, from your point of view, 33 crores should compete for 10 vacancies?

Nawab Sir Sahibzada Abdul Qaiyum: That is exactly what I am coming to. I want the thirty crores to break up their caste system and that they all should make up their minds to go up for military service

Mr. M. A. Jinnah: Then we shall not have to discuss the Sandhurst Report at all.

Nawab Sir Sahibzada Abdul Qaiyum: The Sandhurst Report is really out of date now. When you signed it on the 9th of November some

years ago, the communal trouble was not so bad in the country. But do you now suggest, in the light of what is happening in the country today, that the Army which is maintained for keeping peace and order should be interfered with by a new experiment, especially when your police have been accused of partiality and class prejudices? Do you want to establish a Sandhurst here, when the cadets will be living in an atmosphere surcharged with ideas of independence and cries of "Long Live Revolution" and what not? Well, you must change your mind now and take your Sandhurst either to the South of the Andamans or to Australia and establish it there, so that the cadets may be free from this poisonous atmosphere!

Mr. M. A. Jinnah: Does the Honourable Member still require responsible government in the North-West Frontier Province or not?

Nawab Sir Sahibzada Abdul Qaiyum: I shall not ask for it if others do not want it. I have said, on the floor of this House, more than once that I am not a great believer in these reforms, but as we are part and parcel of India, and we do not consider ourselves a bit less fitted for them than you are, we claim constitutional advance as our birthright. We are second to none in education, and in patriotism. We have been Indians for the past hundred years, so much so that we have sacrificed our mother tongue for the sake of Indian citizenship, by adopting Urdu as our *lingua franca*.

Dr. B. S. Moonje: Does the Honourable Member argue that, owing to the communal troubles in India, the Indian Army should be disbanded and the entire Army should be composed of British officers?

Nawab Sir Sahibzada Abdul Qaiyum: If it were in my power, I should have done that. Nothing short of that. I have said on the floor of this House that there is only one solution of these difficulties and that is that there should be a forced settlement between Hindus and Muslims and that intermarriages between Hindus, Mussalmans and other communities must be contracted by some statute if you want a real unity.

Sir Hari Singh Gour: Did you not oppose the Special Marriage Act?

Nawab Sir Sahibzada Abdul Qaiyum: It was not enough to create the spirit which I should like to see created. If Dr. Gour will see the proceedings, he will see that I said that it was a small measure of advancement in the right direction. I want the Treasury Benches or the non-officials to come up with a strong measure to bring about forced marriages between the various communities and the settlement of their differences by some law. If my friend over there (Dr. Gour) will bring in a Resolution or a Bill according to which everybody in India will be at liberty to do anything in the name of religion or according to the dictates of his conscience under the protection of Government, whether it is the killing of a cow or playing of music before a mosque or an untouchable getting into the most sacred temple or an untouchable marrying a high class woman, then I shall certainly support him. If I am here, I promise him my whole-hearted support.

Sir Hari Singh Gour: Why don't you bring in a Bill like that yourself?

Nawab Sir Sahibzada Abdul Qaiyum: Simply because Mr. Acharya and men of that sort will not support me. Social reformers who come to this House, are not justified in bringing such measures before this House unless

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they are prepared to go before the masses and address them at public meetings, and get support from them. My friend, Sir Hari Singh Gour, has no justification for coming to this House and asking us to put our signature to measures of this sort without first going before the public.

Now, Sir, I have taken myself away from the main subject and I am sorry for that. I believe, Sir, that the Sandhurst Committee recommendations are not very many and they could be easily adopted and might be adopted even now without much difficulty, except, of course, with one exception. It is about the place of the location of this Indian Sandhurst. In the present circumstances this Sandhurst should I think be located somewhere in Central Asia across the Pamirs, or somewhere in the South Seas, away from the poisonous atmosphere of this country. Things were really not so bad with respect to communal troubles when we signed the report some years ago. But under the present circumstances I don't believe that even the 18 months' absence of cadets from India at Sandhurst is enough for purifying them from this communal bias. If the cadets could be isolated, I believe, we should get very fine army officers from among our large population, with the spirit that is coming on. I do not mean that spirit is lacking in India. There are people who go on hunger strike, which is harder than a fight. If they can hunger strike, they can easily face the enemy too. On that ground, I think it will be wiser if the more modest recommendations of the Sandhurst Committee are accepted, and some definite policy announced by the Army Department in this direction.

There is one point more and that is about the number of candidates that are coming up before the Examination Board. We know that, with good social position and money resources, and with good education and other influences, a number of candidates do come up every time for this entrance examination, but I have noticed that, in many cases, they belong to classes which are not represented in the rank and file of the Army. I know that there are only special communities which are taken in the rank and file of the Army, but if a candidate is seeking to be an officer in the Army in the higher ranks, commanding men who do not belong to his own class, or whose confidence he cannot command, he will be handicapped greatly in the discharge of his duties. Where martial spirit is required, that spirit should be known to the rank and file at least by the traditions of the families to which the candidates belong, to begin with. My own experience tells me that a man who comes from the same class which forms the majority of the rank and file of the regiment, is much more respected as an officer and commands greater confidence of the people under him. I hope that an opportunity will be given to some of these people, who are not taken in the Army, to go into the rank and file and show their worth there, so that they may establish their claim for the officers' class as well. I do not think that there are many in the non-combatant classes who are poor enough to join the rank and file! If, however, these classes do not care to join the rank and file and prefer to do their ordinary trade or business, or find other avocations of life more profitable, then they have no justification in sending up their youths for the higher grades only.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): Sir, the question of the military expenditure of the Government of India and of the Indianisation of the Army has been a veritable hardy annual,

but it must be recognised that it lies at the root of most of the evils from which the country is suffering. The maintenance of military expenditure on the present scale is calculated, on the one hand, gravely to hamper our advance towards self-government and to stand in the way of our complete mastery in our own house, and, on the other hand, to draw away immense resources which could be utilised for objects which are vital to the well-being of the people. Now, Sir, the military policy and military expenditure of the Government of India have been sharply criticised and as stoutly defended. I am afraid it is an absolutely unequal fight. On one side, we have the Government Benches, which are in possession of facts and figures, and, on the other, we have non-official Members who, in these highly technical matters, are not by any means as well equipped as my friends on the Treasury Benches. Therefore, I do not propose to be drawn into details. I do not desire to discuss any particular item or to put forward any definite suggestion with regard to making a cut here or doing away with an item there. I regard this as absolutely beside the issue which is now before the House. It is possible that the Government might say, as they have always said, and to which my Honourable friend, Sir Abdul Qaiyum, has just endorsed, that the expenditure on the Army is by no means extravagant, and that the strength of our forces is by no means excessive when you take into account the needs of the country, its vast population and the immense frontiers which have to be guarded. Now, Sir, that may or may not be the case. I am not prepared to argue that point here. But I do know, and it is a fact which neither the Benches on the other side nor its supporters in the country can dispute, that, this country simply cannot afford the expenditure which is now being incurred on the Army.

Colonel J. D. Crawford: You mean expenditure on the administrative side.

Mr. H. P. Mody: I will come to that presently. I say that the economic condition of the masses is so unhappy in spite of all the improvements which have taken place in recent years, improvements which we are not prepared to ignore, that it is impossible for us to stand still while the Army expenditure is rising, or, if it is not rising, at any rate, while it is swallowing up a great deal of the resources of the country. The military expenditure is admitted to be 27 per cent. of the resources of the country. Whatever it is, what I am trying to establish is that it is altogether beyond the resources of the country. Now, you might say, that may be so, but the expenditure is necessary. I dispute that proposition. I say that, irrespective of any necessity which you think you might be labouring under of maintaining the Army at a particular strength and spending a particular amount on it, you cannot possibly ignore other aspects of the question. I say that you have to retrench, and if that means the taking of certain risks, you have to take those risks. What is happening in other countries? Is my Honourable friend, who represents the Army Department, prepared to say that other countries at the present moment are not taking very considerable risks? What was the position of England immediately prior to the declaration of the Great War? I do not claim to be an expert, but I think I can say with confidence that experts many years before the Great War were of opinion that, if there was a European conflagration, it was impossible for England to stand aside, and in that case the strength that she would have to put

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forward would be very largely in excess of the standing army which England was then maintaining. And yet, Sir, apart from the Territorials, not a single man was added to the regular strength of the Army. If that is not absolutely correct, we might say that very little was added to the regular strength of the Army. England, therefore, went to the war unprepared in a sense, and raised thereafter millions of men to go forward in the various theatres of war throughout the world. The same was the case with France. She was menaced for 50 years by a militant neighbour, whose preparations were known the world over, and yet France was prepared to take certain risks and she took them, and she paid heavy penalties for these risks. In order to guard against possible dangers, you do not starve the country, you do not tax the people out of existence, and that is exactly what is happening in this country at the present moment, I am very sorry to have to state. Government might think they are providing this Army with a view to safeguard our frontiers and to secure internal peace. That may be so. I am not prepared to deny it, because I have not got the expert knowledge of my Honourable friends, Dr. Moonje and Sir Abdul Qaiyum. I am not prepared to state that the strength is not required for the needs of the country. My whole point is that, while you are safeguarding yourself against certain dangers, you are laying yourselves open to far greater dangers, in other directions. And those other dangers are those which the Mover of the proposition has just pointed out. They are largely due to unemployment and to the economic distress that is prevailing throughout the country. Thereby, you are creating an army of incipient rebels. (Interruption by the Revd. J. C. Chatterjee.) I see that my Honourable friend's idea is to provide employment for them by raising the strength of the Army. That is not my idea of improving the economic status of the people. The economic status of the people can only be improved by keeping your expenditure down to the lowest possible minimum, consistently with a reasonable degree of efficiency. It is true that you have a highly civilized government, but the question arises—and it is a point which I might have made on the Budget—whether this country can afford the very best, and whether the time has not come when it should be satisfied with the second best. The whole issue is whether it is possible for us to maintain an expenditure, either on the civil or on the military side, at the figure at which it is being maintained at the moment. I say that, if you do not keep down your taxation to the lowest figure possible, consistently with safety, efficiency and other considerations, and if you do not provide an outlet for trade and industries to expand, then you are creating a very grave situation in the country. That, Sir, is all that I have to say on the first aspect of this question.

Now, Sir, the second point is with regard to the question of the Indianisation of the Army. A great deal has been said about the report of the Sandhurst Committee. The Honourable the Mover stated that the Report was exceedingly modest and that he was not prepared to subscribe to it, but that it was a happy compromise. It has not turned out to be either happy or a compromise, because the Government, for one reason or another, have shown themselves unable to accept the very modest recommendations which that Committee put up. A great deal has been said in recent years, about the difficulties in the way of the acceptance

of this Report. I want to ask my Honourable friends on the other side, in all friendliness, can you be heard at all when you talk about difficulties in this matter? I find, on a casual reference to the Report that, out of a strength of something like 1,600 Captains in the Indian Army in 1925, only seven Indians were found fit to hold the rank of Captain. That was in 1925, more than a hundred years after British rule has been firmly established and consolidated and extended. My Honourable friend, who just preceded me, Sir Abdul Qaiyum, seemed obsessed by the difficulties in the way and said armies could not be created in a day—you require the right spirit, you require character, you require morale which builds up armies and which commands them. Well, I accept all that. But I say to my Honourable friends on the other side, after more than a hundred years, could you not find more than seven people of the required intelligence and character to occupy the posts of Captains? Is that what you say?

Dr. B. S. Moonje: What can they do, if they are not fit?

Mr. H. P. Mody: I am coming to that presently. What I was saying was that if Government could not have more than seven men for holding the rank even of Captains, how can they be heard when they speak of difficulties? If we on this side said nothing, they would go on talking about difficulties for another fifty years, and at the end of it, what would happen? Nothing. They would still be talking of want of character, want of capacity, want of morale, and everything else that can be brought out in arguments of this character. My Honourable friend, Dr. Moonje, wanted to draw me out on the question of fitness. Indians are supposed to be fit for the highest positions under the Crown; they can become Governors of Provinces, Members of Executive Councils; they can become Privy Councillors, and they can be admitted to all the privileged positions in the country. In all these positions, they have shown capacity and character, and have acquitted themselves with credit. But when it is the question of the Army, you require something very different, and you say that Indians do not possess the character, the capacity and the morale sufficient for occupying positions in the Army at the present moment. When is that something to come, and from where? I want to know when the Government are going to make a real solid beginning. When they merely talk about difficulties, it is impossible to regard such arguments with any degree of patience. For these reasons, I feel that this House ought, unequivocally, to express itself on the motion which is before the House. We must convey to Government, in the strongest possible terms, that this country cannot afford the present military expenditure, and that it is grossly dissatisfied with the pace at which Indianisation is proceeding. With these words, I support the motion.

Mr. M. S. Aney (Berar Representative): Sir, I have very great pleasure in supporting the motion which my Honourable friend, Maulvi Abdul Matin Chaudhury, has moved. The motion opens up the discussion of all the questions with regard to military policy, and particularly with regard to the attitude of the Government towards the Sandhurst Report. I am not going to discuss, Sir, the question of military expenditure, because you know, Sir, that on the floor of this House, that question has been threshed out very often, so often that it is impossible for any one of us to make any useful and new contribution to the debate on that point. It is an admitted

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fact that the expenditure which the Indian taxpayer has to bear for maintaining this huge corps of the military department is simply grinding and crushing him, and under this weight he finds it very difficult to make any progress whatsoever. All that is an admitted fact, notwithstanding the bold stand which my Honourable friend, Mr. Young, may take in opposition. I, therefore, do not want to go into that question, because I take it to be a self-evident proposition requiring no more demonstration.

Secondly, on the question of the Sandhurst Report also, my Honourable friend Mr. Jinnah has so often discussed that Report threadbare before this House, and brought out the iniquities which the attitude of Government has created in not accepting the main and the most substantial recommendations of that Report, that I do not think I should be able to throw any light on the matter, in taking up that topic and discussing it again. Besides, some of the points had already been touched upon in the debate. And I am perfectly sure that my Honourable friend Mr. Jinnah is bound to take part in this debate at some stage or another, and I think he will be able to throw more light on the question by his authoritative statement. I do not therefore want to anticipate him also. But military policy does not merely consist of military expenditure and the Indianisation of the Army. There are many other aspects of military policy which, in the heat of controversy, and in our zeal to consider these two important questions, generally go unnoticed; and one of these neglected aspects is the question of the entire disarming of this nation. That is also a part of the military policy, in my opinion. The administration of the Arms Act is one of the integral part of the military policy. I maintain that the Government of India are ruling this country not merely by exclusively confining the choice to Britishers in the matter of officering the Indian Army, but by putting heavy and intolerable burdens, and by crushing the people under the perpetual weight of extravagant expenditure which demands a considerable fraction of the revenues of the country and by taking from the citizens all the arms and by submitting them to the inhuman and cruel policy of emasculation by disarming the whole nation. That is another and the most shocking part of the military policy, and a very integral part of it too. I am particularly drawing the attention of this House to this part of the military policy on this occasion for this reason. For one reason or another, we often find our debates on important and essentially national issues very dexterously and deviously diverted into communal channels. One reason, in my opinion, why communal jealousy exists in this country is, that this is a nation which is disarmed. It is a nation in which people do not feel confidence in their own strength. It has become a nation of men who have lost all sense of self-respect and all sense of self-confidence. They feel that they are helpless and that they are entirely dependent for their ordinary protection upon a foreign bureaucracy. It is a common experience that two weak neighbours always and invariably suspect each other. Two strong men feel confidence in and respect each other. If you arm this nation, if my Hindu friends and Muhammadan friends will not remain a disarmed people, as they are today, I am sure that a good many communal troubles that are referred to in the debates on the floor of the House will never occur at all. Both the communities will have greater respect and regard for each other, because they, feeling secure in their own strength, can easily detect and respect the good qualities of each other. Now, suffering from a

sense of weakness they have been reduced to the position of utter helplessness, and been forced to depend entirely, even for their ordinary protection, upon an alien bureaucracy, and obliged to look up to it for help as the guardian of peace and order. The result is that most of them feel that probably his neighbour is trying to harm him by joining hands with the foreign Government. Every one thinks that the other man is in an unholy combination with the foreign bureaucrat, and thus gaining all the advantage over him, and there is an unconscious transformation in his mind persuading him to be hostile to the neighbour and friendly to the foreigner who happens to be the ruler. These mutual jealousies and recriminations are unfortunately the most deplorable outlook of our public life, but they are the inevitable results of the cruel policy of disarming the nation which the Government have been pursuing for the last 75 years; a policy which no civilised nation will ever like to pursue if it cares to rule any people in a civilised manner. I shall give you, Sir, an historic illustration and contrast the present with the past. Are not Honourable Members, at least the Indian Members of this House, aware of this fact, that even when Hindu rulers and Muhammadan rulers were at war in the 17th and 18th centuries, there were loyal Hindu subjects, under Muhammadan rulers, who fought for them, and also there were loyal Muhammadan subjects under Hindu rulers, who fought for them. The subjects and the rulers, though of different religions and beliefs, never suspected each other. Under the Peshawas and the Mahrattas there were Muhammadan Generals who loyally and bravely fought with the Muhammadan armies opposed to them and I say, without hesitation, that they fought with the same loyalty against the Mughal Emperor as any other Mahratta regiment fought at that time. The same is the story as regards Hindu soldiers and officers, who fought under Muhammadan Generals and Muhammadan rulers against the Hindu armies opposed to them. Can it be said that the Hindu or the Moslem of the 18th century was less religious and devout than his great grandson of today? They never suspected that a Muhammadan ruler would do injustice to a Hindu, or that a Hindu ruler would do injustice to a Muhammadan. Both of them felt quite confident of their own strength and were appreciative of the innate good qualities of each other. It is comradeship in arms on the field of battle that really cements unity between the two people or communities. In a state of helotage and abject and demoralising conditions of disarmament and helplessness, no attempt however honest, can ever hope to succeed in bringing about full and sincere and lasting concord and harmony between two great and large communities. It is thus your policy of emasculation which has created this detestable spirit of division between the Hindus and Muhammadans in this country, and one of the main factors by which you have brought about that disunity is keeping both of us in a state of perpetual helplessness, by disarming us and by making us feel every moment of our existence on this earth that we are a helpless miserable lot which can only be protected by you, and which must therefore look up for ordinary succour to you as the guardians of peace and order in this country.

Mr. M. A. Jinnah: And also appointments.

Mr. M. S. Aney: That is true, and I admit the truth of the valuable suggestion which my Honourable friend Mr. Jinnah has made. This is the sort of thing that is being done. So I say that this is the main

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reason why well meaning leaders of public opinion, whose disinterestedness is above question, leaders of the type of Mr. Jinnah on the one side and Pandit Madan Mohan Malaviya on the other side, and even men of world-wide reputation like Mahatma Gandhi have up to this time failed in bringing about any unity or concord and harmony. Do you mean to say that their efforts were not disinterested? This feeling of mutual jealousy, which is generated on account of a policy like this, cannot be completely eradicated unless there is a radical change in the policy itself; and, therefore, when my friends on this side of the House stand on the floor of the House and ask you to make a radical change in your military policy, I desire to warn the Government of India to take particular note of this fact, and in future whatever you may do about Indianisation and other questions, you must remember that you cannot keep Indians a nation of disarmed people for ever. Relax the rules under the Arms Act, give full facilities to the people to carry arms in the same manner as is done by the people of free and civilised countries, and you will soon find that the well-meaning efforts of our friends will bring about that complete concord and harmony in this country, the absence of which you deplore so much every day.

With your permission, Sir, I want to address a few words direct to the Treasury Benches. The tears, that you shed now and then and the expressions of regret and sorrow that you use at the present tension between the two communities, are considered by us as crocodile tears and insincere professions, so long as you do not make real efforts, which alone can bring about concord and harmony. We feel like that; probably my language is harsh and it may perhaps be unnecessarily strong, but I must tell you frankly how we feel. We maintain that a situation of this nature has been brought about by you, and you are seen perversely persisting in taking advantage of that fact to tell us that we are not fit for self-government. Indianise the Army, arm the people of this country, give them full facilities to grow as men to their full stature, and you will soon find that, not only are we fit for self-government, but, without your assistance, we shall maintain that Government against any foreign aggression whatsoever. For these reasons I strongly support this motion.

Sardar Bahadur Honorary Captain Hira Singh, Brar (Punjab: Nominated Non-Official): Sir, I belong to a class which mostly fills the Indian Army and a class from which recruits for the Army are mostly drawn. So I may not be able to tell you much about high policy, but I may be able to tell you how the Indian Army has been organised since I joined it in 1883. In 1880 the cost of the Army was 20 or 21 crores, and it has gone up now to something like 54 crores. In those days, when I joined the Army, the pay of a sepoy was Rs. 7 per month, *plus* 8 annas for his clothing, *plus* Rs. 2-8-0 as compensation for his food.

Mr. M. R. Jayakar: What was the cost of living in those days?

Sardar Bahadur Honorary Captain Hira Singh, Brar: The cost of living was something like six or seven rupees per head and Rs. 3-8 the man had to pay himself. The rest was compensated to him by Government, which used to come to something like Rs. 2-8. The total amount which he used to draw was Rs. 10. That was in 1883. In 1898, the pay was raised to Rs. 9, *plus* compensation, and perhaps a rupee more

for his clothing. At that time the expenses were either 20 or 21 crores. In 1911, another Rs. 2 were added and he drew 11 rupees a month, excluding his rations. In 1917, the pay was raised to Rs. 16, *plus* free rations and free clothing. Clothing in my opinion costs him about Rs. 10, per annum. His food costs not less than Rs. 10, which comes to about Rs. 30 per head per month. His pay has therefore gone up during these 47 years to about three times more than what it was in 1883. Of course the cost of a British soldier is much higher than that of an Indian soldier.

Dr. B. S. Moonje: Yes, five times as much.

Sardar Bahadur Honorary Captain Hira Singh, Brar: It may be five times or more. *But some Members, probably Dr. Moonje is surprised to see that it is five times more. I think Dr. Moonje knows very well that, when we buy English made goods or articles, naturally we pay more, as they are sold at a higher rate than articles manufactured in other countries. I need not say more on this, but my friends can easily see the difference when one buys a Ford car and my Honourable friends on the opposite Benches buy Rolls-Royces. You can very well judge then why it is five times as much. I think that should satisfy Dr. Moonje.

Dr. B. S. Moonje: Yes, I said that in my speech.

Sardar Bahadur Honorary Captain Hira Singh, Brar: One thing more. In the general discussion, some Members have stated that they would like to have the British troops reduced. I cannot say very much in this connection. But ever since I joined the Army, wherever we went, we went in mixed brigades. That is, when the armies were mobilised, they were always brigaded mixed. One Punjabi, one Rajput, one Gurkha and one British Regiment. (An Honourable Member: "Why mixed?") Why are we mixed here? I can well see that we are well mixed here, and perhaps more mixed. We are sitting in seven divisions in this House. This is the world. I believe every soldier fights well when he finds another present by his side. If the other is more disciplined he says, "I should be still better disciplined". There will be so much competition and so much of learning from each other. Well, Sir, that is one of the advantages. Another one is, as my Honourable friend, Sir Abdul Qaiyum said, to maintain internal peace I will say nothing more in this connection.

Mr. Abdul Latif Sahib Farookhi (North Madras: Muhammadan): Mr. Aney has rightly replied to it.

Sardar Bahadur Honorary Captain Hira Singh, Brar: Yes.

Mr. Abdul Latif Sahib Farookhi: What is your answer for that?

Sardar Bahadur Honorary Captain Hira Singh, Brar: I do not remember what he said. (Laughter.) Unless it is made clear to me again, I can't say anything in that direction. He travelled so very fast. Well, Sir, I remember one thing more. You know I had the honour of serving on the Indian Sandhurst Committee. I think this question was also considered at that time and the Committee have never made any attempt to forecast the time when it may be possible to dispense with the British element. They say on page 33:

"Again we do not attempt to forecast the time when it may be possible to dispense with the British element in the Indian Army. * * * We also for the present assume generally the employment in India of a quota of British troops."

[Captain Hira Singh, Brar.]

Now, that is all I can say about the British troops in India. About the reduction, I have already told you about the expenditure in 1880, and you know what it is now. As regards the reduction of the Indian Army, any body who has studied the situation of the long frontier line on the North-West and South-West of India should never think of reducing the Indian Army in India. Of course, every one knows that the efficiency of the Army depends on two factors, mechanical and technical. You have to buy the latest mechanical transport, things like aeroplanes, just like the one now flying over us, to carry our messages and letters faster than by any other means. The spirit and morale of the troops depends very largely on the confidence of their leaders and their training, and if they possess inferior weapons to those of their opponents, they are sure to fail. Therefore, our Army must have the best weapons.

The status of the Indian soldier today is a little better than what it was about 100 years ago, and the House is well aware of the part the Indian soldier has played during the Great War. But what have they got after that? Reduction in cost, reduction in units, more reduction, more unemployment and still more reduction, and perhaps still more unemployment. The Indian and other soldiers get just sufficient to live on. Instead of carrying gold or silver in their pockets, they carry lead or fragments of bullets. Now, Sir, in this House, every now and again Resolutions are passed, as my Honourable friend, Sir Abdul Quiyum has said, to raise the pay of postal employees, or the pay of employees in other Departments, on the plea that labour has increased. But have they ever thought of an increase in the pay of the Indian soldier? The House can do a lot to improve the Indian soldier's position. Unfortunately, the Indian soldier, or any other soldier, is remembered only when a war is on, and as soon as the war is over, he is forgotten. Afterwards everybody thinks of reducing whatever little pay he gets. Now, everybody says, that the Army is swallowing the whole of the revenue of India.

1 P.M. But when we ask our Commanding Officer for any little concession by way of free passes for our families or children, from a station in the South to our village in the Punjab, we are told that there is no money, and that they cannot help us. Similarly, if we ask for a little more accommodation for our families in the married quarters, we are told there is no provision. But in this House, I find all Honourable Members are thinking that the whole of the revenue of India is eaten by the Army. It reminds me of a story. A man was sentenced to death and he was about to be put on the stake; the sweeper came and said that the man was too thin. The judge replied, "Get hold of a fat man and put him on the stake instead." Now, the Army is fat, so cut the Army Budget, reduce the Army expenditure. Most of the Members here, Sir, some of them at any rate, do not know the face of a soldier, nor the face of the man who has seen service in war. (Some Honourable Members: "Here you are, we see you.") Come with me to Jullundur and Rohtak and I will show you their real faces, I will show you the wealth they possess. You will be surprised to find that they are carrying, uncoined metals in their bodies. Some of it is in the shape of a bullet in the body. Others carry silver plates to hold their skulls together; many have silver plated arms, instead of gold and silver in their pockets. I wonder if some of the Honourable Members would like to see these soldiers. The glorious pages which they

have made in Indian history during the great war, are something of which every Indian ought to be proud.

Dr. B. S. Moonje: There are Honourable Members in this House whose relations have died in the world war.

Sardar Bahadur Honorary Captain Hira Singh, Brar: My own relations, why, my two brothers have died in the Army. One brother is lying in Burma, one brother was killed in Thal near Kuram in 1878 in an Afghanistan campaign, and my father had three wounds in his arm and leg which he received while defending the Residency at Lucknow, for which my father received the Order of Merit.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): And yet you are only a Captain in your old age?

An Honourable Member: Only an Honorary Captain.

Sardar Bahadur Honorary Captain Hira Singh, Brar: Here I am sorry. Of course, I blame.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Whom do you blame?

Sardar Bahadur Honorary Captain Hira Singh, Brar: That is my lot. I blame myself. I blame my *kismet*. If my father had cared to give me a little more education, I would have been something else; now I am what I am, a soldier, a soldier today, and for the last 47 years. Sir, I do not know why the late Mr. S. R. Das, who was a Member of the Executive Council and who raised Rs. 10 or 20 lakhs, did not ask this House to start a school for the sons of the poor Indian soldiers, who gave their lives in thousands on the battlefields of Palestine, the Dardanelles, France and other places? Sir, has this House established any record of sympathy, since the Great War, for the poor Indian soldier, who has always defended our hearths and homes?

Mr. M. S. Aney: Who is paying for the Jullundur School? Is it not this House?

Sardar Bahadur Honorary Captain Hira Singh, Brar: The Government are doing everything, and the Honourable Mr. Jayakar wanted to take away even that. What is that, Sir, after all? Only a primary school for our boys. Give our sons a little more education, so that they may become fit to get King's Commissions.

Dr. B. S. Moonje: But you said just now you don't want that.

Sardar Bahadur Honorary Captain Hira Singh, Brar: Why not? I have sent my three sons to Sandhurst. One of them failed, but the other two have got commissions. I am for Sandhurst and for nothing else. Sir my class is for the Army. Our occupation is the Army. Somebody asked me the question, how many soldiers died in the last war. I say there is no home, which has not lost one or two of its dear sons or relatives.

Mr. President: The Honourable Member must now conclude.

Sardar Bahadur Honorary Captain Hira Singh, Brar: Very Good, Sir, How are we going to enlist the Indian soldier's sympathy? That is the question. I most respectfully beg this House always to bear in mind to

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do something for him. I do not say that you never do anything for him. I do not know from where we are to get the money to do that, when you think the Army is already getting too much. Surely you don't mean to reduce the soldier's pay. At the same time, I do say, as Nawab Sir Abdul Qaiyum has said, that the money spent on the Army is so strictly controlled that a pice is not spent more than what is allowed. Sir, I can never forget Sir Prabhshankar's words. He told us that India is a great continent and that it is something like a big cow which stands facing towards the North West Frontier with its sharp horns, and the soldiers are made to catch the horns while the people in the plains milk her and enjoy the butter and cream; and they do it, Sir, without asking whether the man holding the horns is fully paid for his difficult task or for his chances of injury. But we are asked to hold the horns more firmly and at a reduced cost.

Now, Sir, about the selection of the Sandhurst cadets. I think we are doing well, and I think, in time, more boys will come up, and I think the people are realising the necessity of developing the body and the physique of their boys better than before. Perhaps you may like to hear what we did when the Sandhurst Committee went to Aligarh College; we went and reviewed the boys, and General Skeen asked us how many in our opinion were fit for the King's Commission. If I were to say exactly what I told him then, you will get annoyed perhaps.

An Honourable Member: We should like to know.

Sardar Bahadur Honorary Captain Hira Singh, Brar: I think I shall reserve it; but it was a very poor number; a very miserable number I told him.

Maulvi Muhammad Yakub: Were you fit yourself for the King's Commission?

Sardar Bahadur Honorary Captain Hira Singh, Brar: If you can manage to give me one now, I shall feel very happy; I am still feeling strong and I shall still carry on, I tell you honestly.

Mr. President: I think the Honourable Member must now conclude.

Sardar Bahadur Honorary Captain Hira Singh, Brar: There is very little I have to say, Sir. This is my first chance, so, Sir, I beg your pardon. I want to say something about the Sandhurst. Our boys who are going to lead the soldiers ought to be of superior quality to those whom they are to lead. Honourable Members may ask, "How do you think yourself a better man?" Sir, I am not a better man, nor have I got better brains. But body and physique are surely the most important things for a soldier.

Mr. M. A. Jinnah: Not without brains!

Sardar Bahadur Honorary Captain Hira Singh, Brar: Quite right, Sir, also brains; when the body is good, the brain is generally good; if the body is weak, the brain suffers a great deal. So, Sir, is my own experience.

Mr. President: Will the Honourable Member now conclude?

Sardar Bahadur Honorary Captain Hira Singh, Brar: I tell you my own experience.

Mr. President: Order, order.

Raja Ghazanfar Ali Khan (North Punjab: Muhammadan): Sir, I want to inform my friend, Captain Hira Singh, who is supposed to be here to defend the interests of the Indian soldiers, that there are Members in this House who not only know the faces of the Indian soldiers, but know their feelings too.

Sardar Bahadur Honorary Captain Hira Singh, Brar: I said some Members, Sir.

Raja Ghazanfar Ali Khan: I have the honour to represent a constituency in this House which I can safely call the biggest and the largest military constituency in India. My small constituency contains at least 150,000 soldiers and in certain parts 57 per cent. of the population joined the Army during the great war. I know what their grievances are, and I know what their complaints are. I for one would be very reluctant indeed to say any words about the reduction of the Military Budget, because I know how our speeches in this Assembly are misrepresented, and an active propaganda is carried on against us. For instance, Sir, suppose I make a speech here and say that the Army Budget should be cut down by one or two crores, my intention being that the excessive items, such as the maintenance of the British troops in India should be reduced, what happens actually is that some small sum is cut down, say, in the construction of barracks for Indian commissioned officers, and the accommodation for their family quarters is reduced or, as Captain Hira Singh said, they are denied free tickets for their families, and when they complain about it, the answer given is, "Oh, the Legislative Assembly will not allow us to spend more money". Sir, I want to ask, is there a single Indian Member here who would grudge providing all such facilities to the Indian soldiers and officers?

Honourable Members: Certainly not.

Raja Ghazanfar Ali Khan: There is not a single Member here who would do so; but at the same time we know as the Honourable the Finance Member has told us, that there is a deficit Budget, and to meet that expenditure, we have got to raise more taxation. One of the biggest items in the Budget is the military—about 55 crores—and we cannot help but ask the Government to reduce that figure as far as it lies in their power. We are supported in this opinion by the Incheape Committee, who thoroughly went into the question. Now, Captain Hira Singh says that the British soldiers are indispensable, and I must confess that I was greatly disappointed to hear similar remarks coming from my most respected friend, Nawab Sir Abdul Qaiyum. My only consolation is that he made those remarks more in a jocular way than seriously. I cannot believe for a moment that a man like Nawab Sir Abdul Qaiyum will say that, if the military policy at present were in his hands he would demolish and disband all the Indian regiments and have only British troops.

Nawab Sir Sahibzada Abdul Qaiyum: Did I say that?

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Raja Ghazanfar Ali Khan: My Honourable friend did say that, and I am very glad to see that it was just as I thought—he never meant what he said.

Another point is the communal question. It is very unfortunate that this communal question has loomed so large on the horizon that, whatever discussion may be taking place in this House, this question is dragged in. I can say definitely that it would be extremely unjustifiable on the part of any Member in this House to blame the military or the police for showing even the slightest communal prejudice in the maintenance of law and order. During the last seven or eight years we have not come across a single instance where communal trouble broke out between soldiers of a regiment in a cantonment, or where the police were deputed to discharge their duties of maintenance of law and order and they showed any communal bias.

Therefore, I think, when Nawab Sahib made the remark that the integrity of the police was being criticised it was more by way of joke . . .

Nawab Sir Sahibzada Abdul Qaiyum: I feel, Sir, I must make a personal explanation now. In the first place, I really forget the words used by me; that is whether I actually said what is ascribed to me.

Mr. President: That is all right.

Nawab Sir Sahibzada Abdul Qaiyum: The second point which I mentioned was this, that I thought it was only the Army which was so far safe in maintaining peace and order and that the police, wherever it came in contact with riots, were suspected of partiality and did not command the full confidence of the people in communal riots, and that the Army was the only source of safety.

Raja Ghazanfar Ali Khan: I am quite satisfied as long as Nawab Abdul Qaiyum says that it is only on the allegations published in certain irresponsible newspapers or certain conversations he had with some of his friends, that he based his opinion, but I would ask the Government to say whether they have got any suspicion that the police have not shown absolute honesty and fairness in dealing with communal riots . . .

Nawab Sir Sahibzada Abdul Qaiyum: But is it not a fact, Sir, that whenever a riot takes place, telegrams reach the headquarters asking that a certain police officer belonging to one community or the other, should be transferred, and in some cases even Magistrates are suspected in such matters?

Raja Ghazanfar Ali Khan: Sir, I would not like to waste my time in answering that argument of my friend. All I can say is this. Even when there is a riot between two parties in a village, one of the parties, who is generally in the wrong, sends telegrams to higher officers just as a safeguard . . .

Colonel J. D. Crawford: May I recommend to the Honourable Member to read the Central Committee's Report on the subject?

Raja Ghazanfar Ali Khan: Sir, I attach more importance to the Indian Sandhurst Committee's Report than to the Central Committee's Report. I personally do not share the views expressed by Dr. Moonje, as far as the military policy in India is concerned. I think it would be

entirely wrong if the Government of India were to determine their military policy by counting of heads and the number of rifles at seven lakhs and two lakhs on the frontier. Sir, this is a much larger and more important question, and I personally think that the size and number of the Army maintained in India is not at all larger than is required for this country, and therefore I am not one of those who would plead for the reduction of the Army. What I do maintain is that the number of British troops kept in India is far larger than is really required. I have not the slightest hesitation in saying that the Government of India can absolutely depend upon their Indian soldiers and officers to serve when the opportunity arises with the same amount of efficiency as they can possibly expect from British soldiers. For instance, I may refer to the interview given by Commander Kenworthy the other day, what does he say? He says that his experience of the regiments in the Indian States is that they are as efficient as any army in any country, although they do not possess any British soldiers . . .

Sir Hugh Cocke (Bombay: European): How did he find it out?

Raja Ghazanfar Ali Khan: By personal experience. (*An Honourable Member from the European Group:* "Experience of six weeks!")

Then, Sir, turning to the third annual discussion of the Sandhurst Committee's Report, I am a little bit surprised to see that my friend Mr. Matin Chaudhury has used the word "inaction" in relation to the Sandhurst report.

Mr. M. A. Jinnah: It is a polite way of putting it.

Raja Ghazanfar Ali Khan: If by inaction he means that the Government have not been playing about with the Report and sending the files here and there, then he is entirely wrong. If he has got any suspicions on the point, I may be permitted to read only a few lines from the speech which the Army Secretary made in 1928, wherein he says that:

"When the Committee's proposals were received by us, the first thing that happened was they were referred to the principal Staff Officers. Then they submitted their memorandum to the Government of India, who again, in their turn, considered all the proposals most carefully. They eventually forwarded their recommendations to the Secretary of State. Their recommendations, together with the reports of the debates that took place in the House last September, were considered at length by the Secretary of State in Council and were approved. The Secretary of State forwarded them to His Majesty's Government, which were again forwarded to the Cabinet, assisted by the highest military advisers of the Empire. They considered these proposals and submitted their recommendations to the Cabinet. In the end His Majesty's Government sent out to us their concurrence."

So, Sir, after doing all this, you cannot blame the Government for inaction. If by "inaction" he means that the Government have not put into practice any of the recommendations of the Sandhurst Committee's Report, well, I think he is again wrong, because they have positively rejected at least 80 per cent. of the recommendations of the Sandhurst Committee and therefore you cannot blame them for inaction. (Laughter.)

Sir, if I may be permitted to refer for a moment to the terms of reference of the Sandhurst Committee, the House will observe that they were divided into four classes, (a) by what means it may be possible to

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improve upon the present supply of Indian Cadets, both in regard to numbers and quality, and (b) whether it is desirable and practicable to establish a military college in India to train Indians for the commissioned ranks of the Indian Army, (c) and (d) relate to (b) because they say, "If the answer to (b) is in the affirmative, then this should be done and that should be done". So really speaking, the Sandhurst Committee had to deal with only two terms of reference, one was how to get an increased number of candidates for King's Commissions, and secondly the desirability of establishing an Indian Sandhurst. Now, Sir, reading in one of the papers the speech made by His Excellency the Commander-in-Chief in the Council of State the other day, I found that His Excellency is reported to have said this, "We are, in the year 1930, and according to the recommendation of the Sandhurst Committee, the Sandhurst College is to be established in 1933". He further adds, "Provided the Sandhurst College is unable to accept the number of Indian candidates we want to send," and so on. In other words, according to His Excellency's speech, really these two distinct terms of reference to the Sandhurst Committee are put together, though really speaking they are absolutely separate. The question of the English Sandhurst being able to accommodate Indian candidates has got nothing to do with the second term of reference to the Committee, but quite independent of that question, the Committee recommends that an Indian Sandhurst should be established in 1933. Now, Sir, it is highly disappointing to find that the Government of India have not even decided to establish an Indian Sandhurst in 1933. Therefore, it is obvious from this that, so far as this term of reference is concerned, the Government of India have absolutely declined to do anything in the matter.

Then we come to the first term of reference, that is the desirability of getting more Indians to come forward to accept the King's Commissions in the Army. Here the recommendations of the Committee can be divided into three parts, No. 1 to take in 20 Indians, and No. 2 to increase their number progressively in such a way that their number should reach 50 per cent. at the end of 25 years, and (3) to adopt such means as would encourage suitable Indian young men to adopt the military career. Now, what have the Government of India done with regard to this? They have accepted the first recommendation; they have agreed to take 20 candidates every year, but then they do not agree to increase the number annually in accordance with the suggestion of the Sandhurst Committee. Secondly, instead of adopting such means as would encourage suitable young men to join the military line, they have, by insisting upon the continuation of the eight unit scheme, positively devised a means which would discourage the proper stuff in India to come forward and take a military career. There is absolutely no justification for this scheme, and I can assure the Government, whatever reasons they may give to the Indian young men who are actually in service, and who belong to the eight unit scheme, they are extremely dissatisfied, and they think it is great racial distinction. Now, it has been said that, while British officers of the civil departments are willing to work under Indian officers, naturally they should have no compunction in serving under Indian officers in the Army. But the fact remains that they do not want to serve under Indian officers. What does it show? There is

very strict discipline in the Army, and the British young men are not prepared to undergo that strict discipline and then serve under Indian officers. In the civil departments, the discipline is not so very stringent, and therefore they can pull on even if the superior officer happens to be an Indian. As regards the appointment of Indian commissioned officers to the King's Commission, I think this is a very important matter, provided the Government would always restrict their choice to the young Indian commissioned officers.

Before I conclude my remarks, I would like to point out to the Government that a Resolution was passed by the Legislative Assembly on March 28th, 1921, where they recommended that the general rule, in selecting candidates for training in Sandhurst, should be that the large majority of the selections should be from communities which furnish recruits, and as far as possible in proportion to the numbers in which they furnish such recruits. I want the Army Secretary to tell me whether, in making selections, they keep in view this recommendation of the Legislative Assembly or not. If they do not, will he explain why the Army Department do not keep this recommendation in view?

Now, Sir, I come to a comparatively minor point, which does not relate to the Sandhurst Committee Report, but concerns a matter of local importance and interest, about which I have tabled a separate motion. I had better speak on it in connection with this cut. This concerns one of the nation-building branches of the Army Department, that is horse breeding, an activity which is confined at present to three districts in the Punjab. I think the Members in this House would be interested to know that more than a crore of rupees is annually spent on purchase of horses for the country from Australia. About 30 or 35 years back, the military authorities decided to devise means by which they would encourage country-bred horses, so that they might dispense with Australian horses. With this object in view, they devised a scheme. Anybody who would bring to them an approved mare, would be given a certain portion of land. He shall maintain that mare and the Government will have the first right on the sale of the colts. This scheme has been working for the last 35 years satisfactorily, with the result that now, most of the supplies of the Army can be obtained locally, and so the money, which used to go out to a foreign country, now remains in India. For the last four or five years those people have been put to extreme difficulties and very unfair treatment. The most unfortunate thing is that the officers in that Department seem to be non-transferable. I can quote the name of an officer who has remained there for more than 20 years, and in spite of the fact that the people are extremely dissatisfied with his behaviour, the Government have not transferred him.

An Honourable Member: Has he misbehaved?

Raja Ghazanfar Ali Khan: I would not hesitate to call it misbehaviour. I can give you an instance. A gazetted officer of another Department was passing along the road and this officer crossed him. This Indian officer did not salute him and he reported to the higher officers immediately that, "This gazetted officer passed me and did not salute me". (*An Honourable Member:* "Shame.") Now, with a man of that type, how can you expect him to be in sympathy with these small petty zamindars, who have sold their own houses and gone out of their native place to settle in this

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new colony? These are very loyal people. I am talking of that part of the country where people think that, even reading a newspaper amounts to defying law and order, and they are so loyal that they would not read a daily paper even.

An Honourable Member: Even the *Pioneer*!

Raja Ghazanfar Ali Khan: Even the *Civil and Military Gazette*. During the last year and a half, they have become so impatient that they have started holding meetings, and inviting leaders from outside to help them. If the Government really want to avoid trouble, which I think is bound to come, they had better meet their very modest demands and the Government may not appoint a regular committee, but hold an inquiry into the various allegations which are common. Two years ago I had sent a motion of this nature, and the Army Secretary had assured me that, if I did not move that motion, he would look into this matter.

Mr. G. M. Young: I did not say anything of the sort. We did hold an inquiry into the matter, but there was no stipulation on my part about my Honourable friend not moving his motion. There was not the slightest objection to his moving his motion. We held an inquiry two years ago, and I sent to my Honourable friend the full results of that inquiry, in which practically all the allegations which he brought forward were entirely disproved. I have not heard anything since from my Honourable friend from that day to this.

Raja Ghazanfar Ali Khan: Now, Sir, what was that inquiry? How was that inquiry conducted? The Army Secretary and an officer of the Remount Department constituted that Committee. I am not surprised in the least that they reported that all the allegations were baseless. They are the very people whose conduct had to be inquired into and I do not believe all that they say. On the other hand, I can still challenge the Government that, if they appoint an Indian or, I would not insist on an Indian, even if they appoint a European civil officer who is unprejudiced and ask him to inquire into these things, they will be thoroughly convinced that my allegations are perfectly true.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair.

Colonel J. D. Crawford: Sir, the debate can be divided into two phases—one, the question of the retrenchment of military expenditure and the other, the question of an Indian Sandhurst. I propose to take up the question of retrenchment first. The Army, as the House knows, is divided for military purposes into three parts, the field army, the covering troops, and internal security. My friend, Dr. Moonje, gave us what was his opinion of the military situation beyond our frontiers, and pleaded that, at the moment, it was such as to enable us to take some risks towards the reduction of our troops. I do not think that you can run your defence on the

particular situation at any particular moment. I do not think the field army, which we maintain, is actually adequate to do more than repel the first dash of an attack upon India. It would, in the long run, have to be very materially increased to enable us to cope successfully with any attack beyond our borders.

On the question of the covering troops, I think there is something to be said. We have undertaken a policy along our North-West Frontier, amongst our border tribes which has cost the Indian taxpayer no little sum of money. From the reports that reach us, that policy is at last proving successful. We are bringing our border tribes towards peace and to decent methods of living, and I think the taxpayer has a right to ask Government to what extent the pursuance of that policy has enabled them to consider a reduction in covering troops.

On the third question of internal security, there are two points which I would like to emphasise before the House. Dr. Moonje, I know—at least I hope so—is doing a great deal to settle one of those troubles in India which are a factor in the size of the Army that you have to maintain for internal security. I think the heckling on the part of the Opposition of my Honourable friend, Sir Abdul Qaiyum, has proved this, that he was prepared to take you in this debate into actual realities. At times we do not face realities, and that is our difficulty in solving our military problem. Communal trouble is a grave reality, and whilst Mr. Aney may give us some idea as to how he would settle that very difficult problem, I felt that he was rather taking the role of a fretful wife who looks to a husband (the Government of India) and blames him for everything that happens, whether right or wrong. There is a duty for him and for all of us here to remove the beams that are in our own eyes before we try to remove the motes in the Government's eyes. That is our duty all along. That is our great problem, our difficult problem, and one, which, if we can settle it amongst ourselves, is likely to bring Dominion Status many years nearer and reduce military expenditure much quicker than it would otherwise be possible. And that is not the only danger to internal security. We have today those in this country who are definitely set on a revolutionary purpose, and it was a great surprise to me to see that some Members of this House are prepared to back such a movement. I find it difficult to understand how my friend Mr. B. Das finds it compatible with his oath of allegiance to make remarks such as he did this morning.

Mr. B. Das (Orissa Division: Non-Muhammadan): I quite stand by them.

Colonel J. D. Crawford: You stand by them and also by your oath of allegiance; your conscience is very wide. Sir, those are the actual facts in the situation, facts which may be very very dangerous to India. Under those circumstances it is undoubtedly difficult for us to press upon Government retrenchment in its internal security measures. I might be inclined to do so, if we could get this House to support the Government in taking measures that would free India from any danger from those directions.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): I do not want to interrupt the Honourable Member, but I would like to ask him whether it is his opinion that the size of the Indian Army is dependent upon internal security alone and upon no other factor.

Colonel J. D. Crawford: I have taken the three divisions of army responsibility, field army, covering troops and internal security.
 3 P.M. I have said that the field army, to my mind, is only adequate at the moment for its purpose, but were a war to come on, the field army would have to be materially increased in order to defend India. As regards the covering troops, I have offered a suggestion to Government that they should let us know how far the policy, the excellent policy they have been pursuing on the North-West Frontier, will enable them to reduce the number of troops that must be maintained under the head, covering troops.

Nawab Sir Sahibzada Abdul Qaiyum: They will have to incur expenses in some other way.

Colonel J. D. Crawford: As regards the internal security, I say there are two great factors, there are two great difficulties menacing us, one amongst ourselves and one in revolutionaries and men who are not in my mind amenable to any reason. That is the reason why you cannot at the moment reduce your internal security troops. My Honourable friend Raja Ghazanfar Ali Khan dwelt on the question of the maintenance of British troops. I have often read in the extremist papers praise for British troops whenever they have been called in in connection with communal riots. They get that praise because the general public know that they are not participants in any of our own disputes and they take confidence accordingly. You cannot replace them until you can find equally neutral men fit to take their position.

My Honourable friend, Captain Hira Singh, made an appeal to the House to remember what the Indian soldier has done for India. Who was it who won first for India the declaration of 1917? Those men who by co-operation, and by giving their lives, won that well deserved recognition for India. (Hear, hear.) There is very little recognition of that fact on the Benches opposite. It gives, to my mind, a lesson well worth remembering that whole-hearted co-operation brings with it, more rapidly than any other means, adequate reward.

While on the question of retrenchment, there is one other question I should like to ask the Government. To what extent has the development of your Royal Air Force and the development of mechanisation led to the possibility of retrenchment in some way or other? It seems to me that the development of these two things might and must, in the future, lead to some reduction in the strength of our Standing Army in so far as numbers are concerned, and yet I wonder if mechanisation is going to lead us to a cheaper Army, or is constant replacement of mechanical equipment going to be as expensive as are the old conditions? When you come to retrenchment, I think we have got to recognise that Government have done a good deal. When the House came to the arrangement that the Army should have a definite figure over a period of years and should make within itself economies to provide itself with equipment, we saved ourselves a good number of crores of rupees on account of replacement of equipment. I think we should acknowledge the work that the Army has done within itself, in being able to make economies that enabled it to carry the burden of properly equipping our men. I do wish the House would remember that. I have been a soldier myself on the frontier in the war, and we have had to go into the war not properly equipped. The Mesopotamian

campaign should have been fresh in the minds of many Honourable Members here, when the Indian Army was sent to the war absolutely inadequately equipped.

Dr. B. S. Moonje: In spite of the many crores that are spent, you went unequipped.

Colonel J. D. Crawford: I do think that Honourable Members opposite should not ask their countrymen to fight without every possible mechanical aid that it is possible to give them.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muham-madan): Is the Indian Army to be equipped to fight in any part of the world?

Colonel J. D. Crawford: There is one other point I should like to mention at the moment, and that is the statement made by my Honourable friend Raja Ghazanfar Ali Khan. The point that I want to make, about his statement, is that we cannot hope to get to the bottom of this problem if we take as facts things that are not facts. Commander Kenworthy, as the Honourable Member reminded us, has issued a statement on the splendid fitness of the Indian State troops. Now, I am not one who is going to deny the wonderful service that Indian States rendered during the war, nor the fineness of the material that forms their troops, but we must remember that, when it actually came to fighting, the lack of education given to their officers and the method of appointing their officers was such as to make those battalions very nearly useless until they had been provided with fully trained officers. That is a fact, and it is no use shutting our eyes to it.

Raja Ghazanfar Ali Khan: May I remind the Honourable Member, Colonel Crawford, that I did not base my opinion on Commander Kenworthy's interview but on the speeches made by His Excellency the Commander-in-Chief and by His Excellency the Viceroy since the War about the Indian States? (Hear, hear.)

Colonel J. D. Crawford: I can but tell the House, and I believe that the House want to know, and ought to know, what are the real facts, if you do not know the real facts it is not possible to build correctly.

Mr. M. A. Jinnah: You do!

Colonel J. D. Crawford: I now pass on to the question of the Skeen Committee's Report. The House are aware that I was one of those who did not believe in that Report, because that Committee set out to accomplish its task, in what I believe was the wrong way. They set out to Indianise what they called the higher ranks in the Army, and I submit that you cannot have two classes of Indian officers. You will have to start to re-organise on the same basis as the British battalions. All your officers should be put in the same class, and should start life as platoon commanders and rise from that to full command of a battalion. Those are the lines upon which I believe the problem should be tackled. I keep telling the House—they may laugh at me, when I say it—that 18 officers in an Indian battalion today are Indians. They may be uneducated men, they may not know how to read or write. I quite agree that it has been very difficult for them to carry on. They have all been gallant and they serve their particular purpose so long as you have British officers in India. These officers serve

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as go-betweens between the British officers and the rank and file. But lack of education and lack of training do not fit them to fill to the full the duties of an officer. Altogether, apart from politics, the Army today finds that the training of these men is not up to modern requirements. What have they done? The Army have established a school today for the training of those officers, and I believe those are the lines and that is the way in which we should proceed—a military school and a military college for the training of our officers in India.

Sir Hari Singh Gour: Are they merely to be go-betweens and not officers?

Colonel J. D. Crawford: I see no reason why these men should be go-betweens any longer when the whole Army is Indianised.

Mr. M. A. Jinnah: But when will that be? How long will it take?

Colonel J. D. Crawford: My Honourable friend is aware that it takes an ordinary officer to rise from the position of platoon commander to commanding officer 26 years.

Diwan Chaman Lall: How long did it take during the war?

Colonel J. D. Crawford: That is a question which is very often asked. How long did it take during the war? It shows how very little some of the Honourable Members realise what was the position in the war.

Diwan Chaman Lall: How long did it take you?

Colonel J. D. Crawford: The war in France was a static war. If you had been there, Mr. Chaman Lall

Mr. President: Order, order.

Colonel J. D. Crawford: If the Honourable Member had been there, he would have understood that the people commanding were the staff who issued minute orders and minute details in writing as to everything that was to be done from minute to minute, and that a battalion commander, therefore had not the same responsibility even as a platoon commander in open warfare.

Diwan Chaman Lall: It was the biggest war.

Mr. M. S. Aney: Is the efficiency of a commanding officer tested more during war time or during peace time?

Colonel J. D. Crawford: War time, of course.

Diwan Chaman Lall: How long will it take during the war?

Colonel J. D. Crawford: You turn out in that period officers who, because they were so minutely instructed, did the work in an admirable condition.

Diwan Chaman Lall: How long?

Colonel J. D. Crawford: But they did not do it to my mind as efficiently as officers who had had longer training.

Diwan Chaman Lall: Will it take six months?

Nawab Sir Sahibzada Abdul Qaiyum: If you start a civil war, then you will be able to turn out a good Indian army in no time.

Colonel J. D. Crawford: The point is that we must remember that in training your regular Army you cannot adopt the method you are forced to do under war conditions. Now, so far as I understand the position, the Skeen Committee were really given a particular job, that was to advise Government as to how they could secure from India men suitable for Indian military service. My friend Dr. Moonje has done a good deal more to help that than possibly any other Member in this House. He has not ignored the desire to go on at the top, but he has dug in at the bottom. He has forced upon Government measures for the physical training, disciplining and education of our schoolboys that must lead to the building up of a national military spirit; and I regretted, the other day, when he took a further step, that the House considered it so unimportant as not to support him in a review of the work being done in that direction, and as to whether we could or could not make suggestions for improving or speeding it up. That is the type of work that is very valuable. He is today bringing pressure to bear on the Government to increase the Territorial forces set up mainly for that purpose of increasing the military spirit in India. I think Government could tell us whether our existing establishment of 21,000 for the Territorial forces is filled, and whether there is room for expansion—I understand that in many of our schools there are boys today who want to join the Officers' Training Corps, but the strength of these units is limited—room for expansion there, scope for expansion so as to give more lads training of that nature, training which whether it leads to the Army or not is bound to be valuable to them throughout life.

Now, the Skeen Committee did make certain recommendations and the one that appealed to me most was that, unless the public understand that there is a real career being opened to men in the Army, you will not get the same or adequate numbers of recruits coming forward. That is a very reasonable argument, but I think, from what we know of what Government have done—the Honourable the Mover suggested that Government have done nothing—we can say that they have done something, and that we are today, judging from the figures my friend Dr. Moonje gave, getting to that position in which the supply of candidates exceeds the vacancies at our disposal. The more the supply of candidates increases, the greater the opportunity for setting up a military college in India. I have very real sympathy over that question. I cannot believe that you can make any real start in this subject if you have to send your men for training six thousand miles away. That is really a great obstacle. What I visualise is a training school from which we shall not only recruit from civil sources, but we shall recruit men from our rank and file, from Dehra Dun and from our King George's Schools and schools of that nature who would, and should, take up Dominion Commissions. I think this King's Commission, which Government have given, is definitely retarding our process of building up a Dominion Army. No other Dominion has the King's Commission. They have their own commissions, and that is what we should have here as a real basis and a sound foundation for the Dominion Army. By all means let your candidates, if they like—as they do in other Dominions—go in certain numbers to Sandhurst for service in the Imperial Army. I have no objection to their being placed on the same footing as the other Dominions.

Dr. B. S. Moonje: After self-government, it will be an Indian commission and not British.

Colonel J. D. Crawford: These are the lines upon which we should build and the commissions we issue should be Dominion Commissions.

Mr. M. A. Jinnah: What will that be?

Colonel J. D. Crawford: My Honourable friend Mr. Jinnah knows perfectly well what a Dominion Commission is.

Mr. M. A. Jinnah: No, I don't. What will be the position of an officer to whom you will give a Dominion Commission?

Sir Hari Singh Gour: What will be his position *vis-a-vis* an officer holding the King's Commission?

Colonel J. D. Crawford: His position will be that of a full officer in the Indian or Dominion Army.

Mr. M. A. Jinnah: What does that mean?

Colonel J. D. Crawford: It gives him authority to command troops in India.

Mr. M. A. Jinnah: I will ask my Honourable friend to consult legal advisers about it before he expresses an opinion.

Colonel J. D. Crawford: My Honourable friend is of course a legal authority himself. My purpose is perfectly plain. If you have your Dominion Army here, you will have your own officers with your own commissions with authority to command that Army. That is, I believe, the correct method, and I hold that the grant of King's Commissions to all our men is definitely retarding the rate at which we can build up any Dominion Army.

I should like to make some suggestions here to Government. We who are laymen or outside the confidence of the military authorities, do not know what is the final goal to which you are moving, as regards defence. It seems to me that you cannot build your foundations until you have some idea as to what your final goal is. No architect builds his house until he has drawn it fully, and I believe that we are slipping along, building up here and there, without any real idea as to where we will go. One thing that is obvious to me is that you are intending to build up a Dominion Army. You started with eight units, and very shortly no doubt you will be expanding that number of units. What is going to be the final strength of the Indian Army and what are going to be its particular responsibilities? It seems to me that the time has nearly come when technical men, soldiers themselves, should face that problem and should give us some indication of what are the lines upon which you are building. I can perfectly well understand and sympathise with the desire of the House to get on with the job. I only have a technical disagreement with my friends on the Skeen Committee, because I believe that the basis upon which they were working was fundamentally wrong. It is becoming, as I said, necessary today that we should think of the large number of officers who are already in our Indian regiments and whose equipment is not suitable to fit them to modern requirements.

I think there is little more to be said, but I do plead with the House that they should recognise that something is being done and materially

done, that we have made considerable advance along the lines upon which we are going; and I would ask them also, in discussing this problem, to remember the realities. Elected Members opposite have said that Indians have risen to very high positions under the Crown. All credit to them for having done so, but whilst you may make experiments and take some risks in all ordinary administrative spheres, when it comes to war, you cannot take risks which you cannot correct. You can correct a mistake in administration; you cannot correct it in battle; and unless we maintain in India an army capable of keeping off external aggression we shall never rise to a free India.

Mr. G. M. Young: Sir, this debate has fallen, as my Honourable friend, Colonel Crawford, has said, into two parts. That part of it which deals with general military policy has been restricted almost entirely to a discussion of military expenditure. The other part is the part, which came first in the motion, on the action, or, as the Honourable the Mover preferred to put it, inaction, of the Government of India on the Indian Sandhurst Committee's Report. I will take that part of it first. Not only the Honourable the Mover, but several Honourable Members, not only on this occasion but on previous occasions, have maintained that the Government have taken no action beyond entering into certain correspondence on the recommendations of that Committee. Now, as long as Honourable Members maintain that attitude in defiance of the facts, how can we reach any reasonable solution of the difficulty? How can we decide what is the next stage, when Honourable Members opposite do not admit the first step which has already been taken?

Mr. M. A. Jinnah: What is that?

Mr. G. M. Young: I will tell the Honourable Member. I believe he knows it already.

Mr. M. A. Jinnah: I would like to hear it today.

Mr. G. M. Young: The first step was to increase the number of vacancies at Sandhurst to 20 a year, and to open Woolwich and Cranwell to Indian cadets, with a view to their becoming King's Commissioned officers in the Engineers, Artillery and Air Force. I am perfectly aware that the Government of India knew, before they made that recommendation, that those 20 vacancies were the maximum which the Army Council were at that moment prepared to accept as a start. The Indian Sandhurst Committee were also aware of that fact, and that is no doubt why they fixed 20 as the figure to be taken at the beginning. Honourable Members may call that nothing. But an average of 20 cadets a year is sufficient to keep going an establishment of 500 officers. Honourable Members may say that that is not enough. But it is a start, there is no doubt; an establishment of 500 Indian King's Commissioned officers, whereas 12, or 15 years ago there was not one. Honourable Members then go on to say—at least I remember my Honourable friend, Mr. Jinnah, saying—that there are so many vacancies offered, and it will be a very distant date before they are increased. I rather fancy the date he named was Doomsday. As a matter of fact, we made it perfectly clear that this original expansion is only as a start. The Indian Sandhurst Committee then added what they called a suggested scheme for expansion as an appendix to their Report. There they laid down, in advance, the amount of expansion year by year. The

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Government of India said, "No, we cannot accept this time-table in advance; we must proceed upon established results". Now, Sir, what have the results been? My Honourable friend, Dr. Moonje, has called attention to the results of the last examination. Those results, I may say at once, are very promising. Until that examination, we had not had real competition; that is to say, no Indian candidate had ever qualified, and then failed to get a place because there were not enough vacancies. In the examination of last November, there were 69 candidates. My Honourable friend, Dr. Moonje, was perfectly right. There were 69 candidates who appeared for the examination. There were 59 who completed it. The other ten were examined by the Interview Board, and were told that they had not passed. In view of that fact, they did not complete the written examination. There is one other small figure of my Honourable friend's which requires correction. He said that there were four vacancies at Woolwich. As a matter of fact, there were six. Otherwise the figures are correct. Therefore, there were 69 candidates, of whom 20 have obtained vacancies in the cadet colleges. That is, as I said, the first time that there was competition. Speaking the other day, my Honourable friend, Mr. Jinnah, enlarged upon the desirability of getting good competition. He said, "If you have 500 candidates for 20 or 30 vacancies, that is good. If you have 1,500 candidates for 20 or 30 vacancies, that is better still; that will be getting good competition." We have not got as far as that, but we are on our way.

Dr. B. S. Moonje: I think it is 18 vacancies that were available, and not 20.

Mr. G. M. Young: My Honourable friend is right again. I included in my figures two vacancies for the Royal Indian Marine, which were filled. Before leaving the question of the expansion of the vacancies, I should like to mention, that, not only is it the declared policy of the Government of India to expand those vacancies when the time arises, but that policy was quite recently reaffirmed by the Secretary of State in his answer to the question asked by Lieut. Commander Kenworthy.

I now turn to the question of establishing an Indian military college. There again, in answer to the same question, the Secretary of State said that the question of training Indians in India for the King's Commission was under his consideration. I have frequently stated in this House that the establishment of an Indian military college will come, when the number and quality of the candidates coming forward justifies it. You cannot start laying down a military college unless there is a certain minimum number of candidates. What that minimum will be, we do not know yet. We are working it out, and we are watching the results of the examination. When you get a steady flow of candidates, sufficient to start a military college, that will be the time to start a college.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): What is the minimum number, would the Honourable Member tell us?

Mr. G. M. Young: I think we can lay down the number when the time comes. It is not possible to say at the moment exactly what the minimum will be. But when the time comes, it can be settled. Honourable Members may say that we are not proceeding fast enough. We may not be

proceeding as fast as some Honourable Members would wish. That we accept, but we have our reasons for going slow. But they stultify the discussion when they say that we are doing nothing. My Honourable friend, Mr. Jinnah, drew a humorous picture the other day of myself hurrying with bricks and mortar towards the end of 1932. That seems to me rather an unconvincing argument. It is perfectly true that to build a large military college and equip, it will cost a good deal of money. But there is nothing to prevent one starting with a temporary building or a building which already exists. There is no need to take a decision four or five years in advance and say that then we will have a college. All I wish to maintain is that we have made a start in both these respects and that we are moving, and not stationary.

Now, I come to the one point on which it may fairly be said that the Government of India and His Majesty's Government have turned down the recommendations of the Indian Sandhurst Committee. That is, the so-called eight units system, the principle of Indianising by units instead of Indianising by individual posts within the units. My Honourable friend, the Mover of this motion, argued that Dominion Status involves the creation of a Dominion army, and that that cannot be raised in a moment. I quite agree with him that it cannot be raised in a moment. But it might surprise him to learn that the reason why we adopted the principle of the eight-units' system, instead of the recommendations of the Indian Sandhurst Committee, is that we are aiming at the creation of a Dominion army, which the recommendations of the Sandhurst Committee would not have achieved. The whole point of it is that you get Indian officers together in units, and get these units completely officered by Indians. By that means alone will you be able to make the experiment and discover whether it is a success or not. If we had proceeded on the plan recommended by the Indian Sandhurst Committee, and reversed Lord Rawlinson's scheme of the eight units, as I have said before in this House, by 1952 we should not be anywhere nearer knowing whether Indian officers can, unaided and unsupported by British officers, lead Indian troops, than we are today. By that time, you would have, it is true, half the officers of the Indian Army Indians; but they would have been distributed in exact proportion to the British officers throughout every unit in the Army. I do not know whether Honourable Members are aware of any army in the world that is officered on a plan of that kind; I personally have never heard of one. The eight units system was admittedly unpopular at the start. There is no doubt that those Indian officers who are in the Army—and there are still 36 of them in 28 units which are not Indianised units—disliked at the outset the eight units' scheme. That is a matter on which we keep a very close eye and we are satisfied that that prejudice is to some extent lessening, and Indians are beginning to take pride in having their own units, as we foresaw they would. We all knew that the plan would be unpopular at the start; but in our opinion it was necessary, and it is now less unpopular.

It has often been said, Sir, that the sole object of this measure was to prevent a deterioration in British recruitment. I have never denied that British recruitment would suffer if the recommendations of the Skeen Committee had been put into force. That was not the sole object, however, in forming the eight units scheme. Sir, the unpopularity of

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the Indian Army among British recruits, which would have ensued if the Skeen Committee's recommendations had been accepted, has been attributed to racial arrogance, superiority complex, and all that sort of thing. As a matter of fact, Sir, it has nothing, so far as I know, to do with that. It is merely the natural desire of an officer to serve with his own kind. That very natural desire is not confined to British officers of the Indian Army; it exists all over the world. If Honourable Members will only look at realities, if they take up a copy of the Indian Army List today, and look, for instance, at the battalion that is stationed here in Delhi, the Gordon Highlanders, if they look at the officer establishment of the unit, they will find that the names are practically all Scottish. The same tendency is already to be found in our own Indianising units. We have had applications from members of one community or another to go to the unit which already contains the largest number of that community. There is no racial arrogance about it. There is no superiority complex about it. It is merely the natural desire of birds of a feather to flock together. That in itself will be a great help towards the efficiency of these units. The officers will be brother officers in more senses than one.

Sir, I now turn to the other division of this question, the retrenchment of military expenditure. We are almost tired of hearing that we have not given effect to the recommendations of the Inchcape Committee. We did give effect to them immediately, and reductions were effected which took us well below the figure recommended by the Inchcape Committee. It is quite true that a large portion of the reductions below that figure was due to the rise in exchange. We do not deny that, but the fact remains that we carried out the recommendations of the Inchcape Committee, and that our figure now is well below what that Committee recommended. Here again, we are not stationary; we are still moving. It has been suggested that the drop of 80 lakhs in military expenditure this year, in the budget year, is not a true saving. My Honourable friend, Dr. Moonje, produced figures to show that if the ultimate figure falls to Rs. 50 crores, there will be no real saving. But I think he loses count of the fact that, by taking the drop now, and increasing the period of stabilization, we are facilitating a larger drop at the end of it than would otherwise be possible. There was one Honourable Member today who said, that, though military expenditure might not be going up, at any rate it is not falling. He did not use the formula that was used during the last few years, that military expenditure was going up by leaps and bounds. It is not doing that now, it is actually falling. It is relevant, Sir, to point out what His Excellency the Commander-in-Chief pointed out the other day in another place, about what other nations are doing. I hope I shall not be tiring the patience of the House if I read some of the figures of military expenditure of other nations. In France, including the expenditure on air forces, in 1922-23 it was £39 millions; it has risen steadily until, in 1929, it is £64.6 millions. Germany only began military expenditure again in 1924 with a figure of £22.5 millions, which has now reached approximately £32 millions—an increase of £10 millions. The United States of America,—who are taking a lead with Great Britain in the naval disarmament campaign—their figures are distinctly instructive. Their expenditure in 1923 was £51.7 millions; in 1928 it was £59.3 millions; for 1929-30 the figure is £61.7 millions. That represents army

expenditure only. The air force expenditure in the same period has risen from £2.76 millions to £7.2 millions: naval expenditure from £6.2 millions to £7.5 millions. Italy shows an increase from £18 millions in 1923 to £28.7 millions in 1929, but a decrease from £31.1 millions in 1928. At the same time, in air force expenditure, Italy has risen from £1.9 million to £7.6 millions; and in naval expenditure, from £6.1 millions to £13.3 millions. I come last to Russia. We have no figures for Russia before 1925, but Russian military expenditure in 1925, was £41.7 millions; now it is £84 millions, that is, the estimate for the ensuing year. We have often been told that Russian military expenditure is due to fear of Great Britain. These figures of course make that quite clear. Russia's expenditure has risen from £41.7 millions to £84 millions. Great Britain has reduced her expenditure from £51 millions to £40 millions, and India has reduced hers in the same period from Rs. 65 crores 26 lakhs to Rs. 54 crores and 35 lakhs.

Now, Sir, certain methods of retrenchment have been proposed by my Honourable friend, Pandit Hirday Nath Kunzru, in the general discussion on the Budget. He brought forward two specific proposals. In one he referred to the recommendation of the Inchcape Committee that the strength of Indian battalions should be reduced by, I think, 154 men. There was an immediate reduction of 64 men, and he asked if there had been any further reduction since then. He seemed rather pained at the idea that any further reduction could have been made without informing the House. As a matter of fact, a further reduction has taken place, consequent upon the reorganisation of battalions from a four-company to a three-company basis. I do not think, Sir, that it would be worth while troubling the Honourable Members of this House with these tactical details, but it is a fact that the strength of the Indian infantry battalions has been cut down by another 34 men. It is now 728, whereas it used to be 826 before the Inchcape recommendations. That, Sir, is the furthest limit to which, in the opinion of the military authorities at the present time, it would be wise to reduce a battalion from a tactical point of view.

Pandit Hirday Nath Kunzru: May I put a question to my Honourable friend? The Inchcape Committee recommended that the war strength of an Indian battalion should be 766; that is, it recommended that the strength should be reduced immediately from 826 to 766; and in addition to this it recommended that, after the formation of a proper infantry reserve, the peace strength should be 20 per cent. below the war strength; am I therefore correct in saying that we have to reduce not 826, but 766 by 20 per cent.?

Mr. G. M. Young: I have given the House the reductions that have been made in the light of the needs of the reorganisation. These are the reductions that have actually been made. Further reduction, even to the extent of 30 or 40 men, would not result in an economy sufficient to bridge the gap of Rs. 4½ crores, which was under discussion during the general discussion of the Budget. I hesitate to say exactly how much it would come to; but certainly it would not come to more than half a crore at the outside.

Another measure of retrenchment that has been suggested by my friend was the reduction of British troops. Sir, I have been in this House now for some years; and I have heard that suggestion occasionally put

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forward, but it has almost always been by way of interruption. The other day, towards the end of the general discussion on the Budget, my Honourable friend, the Leader of the Opposition, made a speech summarising the discussion, and dwelling at some length upon the necessity of reducing military expenditure. I may not have heard him correctly, but I do not think that he put forward that suggestion in the course of his speech. However, when the Finance Member rose to reply, and himself reached the question of the reduction of military expenditure, my Honourable friend called out from his seat, "Why don't you reduce two or three internal security battalions? I understand there are 28 of them". I have myself been subjected to similar interruptions, but I have never known this House discuss seriously the question of the reduction of British troops. I think that it is a problem of sufficient importance to merit something more than an interruption; and if Honourable Members wished it to be discussed on the floor of this House, surely they have had plenty of opportunities of doing so

Pandit Madan Mohan Malaviya: Has not attention been drawn many times to the desirability of reducing the internal security British troops?

Mr. G. M. Young: Yes, Sir; but almost always by way of interruption

Pandit Madan Mohan Malaviya: Not necessarily; in the course of debate also.

Mr. G. M. Young: Sometimes in the course of debate, but repeatedly by interruption; and never has it been discussed on a Resolution on the floor of this House.

Pandit Madan Mohan Malaviya: Will my Honourable friend give the reason why Government think that 28 battalions are maintained as internal security British troops and why they cannot be reduced?

Mr. G. M. Young: I think the answer to my Honourable friend's question was given by my Honourable friend, Sir Abdul Qaiyum, when he made his interruption.

An Honourable Member: Oh! On behalf of Government?

Mr. G. M. Young: He frankly said, as far as I understood him, that he did not wish a single soldier to be reduced.

Pandit Madan Mohan Malaviya: My Honourable friend complained just now that we did not discuss this matter seriously. Is he serious when he presents to us the remark of Sir Abdul Qaiyum on this point that not a single soldier can be reduced? Is he serious?

Mr. G. M. Young: I made no complaint at all. I merely said that the subject was one worthy of something more than an interruption, and I still say so.

My Honourable friend, Colonel Crawford, asked me one or two questions. He asked to what extent we might be able to reduce our covering troops as a result of our policy on the frontier. Of course that is a question that will be borne in mind. We have not come to any conclusion yet. We have only just reoccupied Wana, and I think it is hardly the time for a reduction just now. He also asked me to what extent the

development of our air force, and of mechanisation, has led to retrenchment in other directions. That, again, Sir, is a problem that is constantly kept in mind. But the Royal Air Force is now only at the strength which was originally recommended for it shortly after the war. We have since added two squadrons, which were originally recommended. As for mechanisation, it is by no means as yet complete; but as I say, these problems are constantly in our mind. He also asked us whether mechanisation will not land us in greater recurring charges than animal transport. That is not the opinion of our experts. The opinion of our experts is contained in the memorandum which I laid on the table in September 1928, and is that it will involve some slight reduction in recurring expenditure in peace time, and an enormous reductions in recurring expenditure in war.

I do not think, Sir, I have now anything more to say but this. The motion before the House is not a token cut. It is a motion for the reduction of the Army Department grant to one rupee. There will be two direct effects of this motion, if it is carried. The first is that it will throw out of employment a very large body of Indian Government servants and only a few European Government servants. (*An Honourable Member:* "That is non-votable.") The second effect of this reduction would be to deprive this Honourable House of its only means of criticising and keeping control, such as it is, (*Laughter*), over military expenditure. I do not know if the Honourable Members who vote for this motion will do it with either of those two objects in mind, or if they will be doing it in anticipation of the grant being restored by His Excellency the Governor General.

Mr. M. A. Jinnah: Sir, I think this House deserves congratulations that we have had at last some statement from the Department which the Honourable Member represents and which takes away something like 54 or 55 crores to keep it up. It is a most extraordinary position in this House, that this is the first opportunity we have of hearing anything about what the Honourable Member has done in the course of the official year and why the expenditure is necessary and so on and so forth. Sir, it was the ordinary practice of this House that the Commander-in-Chief, who is the Member-in-charge of this Department, usually made a statement at least in the course of general discussion on the Budget. The last of such statements was made, I believe, in 1928, and on that occasion his statement was a detailed statement, and further he gave us information as to what the Government were doing, what their policy was, what their programme was, how they were spending money and so on. But, Sir, it happened to be the duty of some of us here ruthlessly to criticise, not the Commander-in-Chief as such, but the Member-in-charge of that Department speaking on behalf of the Government of India, and it seems that, since then, the Member-in-charge of that Department is no more here. That date marks his exit from the floor of this House. Now, Sir, I want to know who is the Member-in-charge? If the Commander-in-Chief thinks that this House is not worthy of him to sit in his uniform as the Field-Marshal, I want to know who is the Member-in-charge on behalf of the Government of India who is accountable to this House, and who can, with some responsibility and with some authority, make any statement with regard to the policy of the Government of India. Nobody. Of course, we have got the Army Secretary here. I have a great personal regard for my friend, Mr. Mackworth Young. But, Sir, I

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hope he will not follow his Chief and leave this House if I criticise him, because I shall certainly miss him, because I think he is the finest Secretary that could be put forward to evade every question, to draw red herrings across our path and mislead this House in every way he can. But what is his position? Where does he stand? What can he speak? You might as well—I say with great respect to him personally—you might as well put there a clerk who will read out whatever he is told to read out to this House to the best of his abilities. Is this the way you are going to treat this House? Because the Commander-in-Chief is not here, we have nobody here on behalf of the Government of India in charge of this Department to meet us on the floor of this House. I pity the poor Secretary, who has only got to carry out the orders and instructions issued to him. Is he responsible for the policy? Can he put forward the policy? No. Well, Sir, I think it has been repeatedly said before, and I do ask the Government of India carefully to consider this extraordinary position. This Army Department, which takes away not only 54 or 55 crores of rupees a year of the total revenue of this country to spend as they like, but which is also responsible for the military policy in this country has no responsible member to represent it in this House? Of course, my friend, Mr. Young, is very clever. When he meets some arguments to reduce the British troops, to make this reduction here or retrenchment there, the answer is: "Oh, well, we cannot endanger the safety and the security of India. This is absolutely necessary," and so on. Now, Sir, that is an expert opinion behind him. I cannot, nor can any Honourable Member who is not acquainted with the technique and the strategic point of view, possibly challenge an opinion from that side that the strength of or the composition of the Army is absolutely essential. But why do you misrepresent the position that we take up? The position that we take up is, not that you should reduce the Army so as to endanger the safety of India with regard to either the internal security or the external aggression, I for one, Sir, standing in this place have never said that you should reduce the Army by a single soldier which will endanger the safety of India. That has never been my point, and I do not think that is the point in the mind of any Honourable Member in impressing upon the Army authorities the necessity of effecting retrenchment or reduction. But says the Secretary: "You ask us to reduce the British troops. Why don't you table a Resolution?" Surely, Mr. Young knows why. What will be the answer of Mr. Young? He will ask, "What will you substitute for it?" "Naturally, would you not put that question?" And what is the substitute that I can offer? You will then say, "You are on the horns of a dilemma. You wanted to take away the British troops, but what is the substitute you can offer?" I say I cannot offer a substitute,—how can I? That is just, Sir, how Mr. Young can very well ask us, "Why don't you raise the question by way of a Resolution?" Sir, Government understand perfectly well why we don't raise that question. Our point is this, that you will never be able to get rid of this garrison,—the Indian Army, composed both of British troops and Indian troops as it is constituted at present is a garrison,—you will never be able to get rid of this garrison so long as you have not got materials ready to make the Army a national army. Now, that is the policy, and that is the programme which I want the Government of India honestly to follow. Do you wish to nationalise the Indian Army or you do not? Then

you will ask me, "How are we to do it?" Well, if you do not know it, I have repeatedly told you, and I shall repeat it again, that as long as we have not got a sufficient number of Indian officer ranks, it is not possible for us to nationalise the Indian Army, and I think Mr. Young will honestly admit that, if not on the floor of this House, at least in the lobby. How can you nationalise an army? Because Mr. Young knows perfectly well, and I think Colonel Crawford ought to know it,—that it is impossible to nationalise your Army unless you have got your officer ranks. That is exactly the first step, the fundamental step, on which we have concentrated; and not only have we concentrated, but even Lord Rawlinson concentrated on it. Why? Even the Government of India realise it, and they have, by implication, if not expressly, admitted that the first thing to do is to Indianise the officer ranks. Sir, officers, I admit, cannot be made to order. A certain amount of training is necessary; but of course, my friend, Colonel Crawford, went much further. According to his argument and his conclusion, it comes to this, that you can only make officers quickly if there is a civil war or revolution in the country. If he wants to wait for that, he might get it; but don't wait for that

Colonel J. D. Crawford: I should like to point out, Sir, that I said that officers were made during the Great War because they were under much greater control than the regular officers whom you require for the regular Army.

Mr. M. A. Jinnah: No, Sir. Your statement was quite correct that officers are made by a revolution, by actual war, whether it is civil or international. It is a perfectly sound proposition, according to Colonel Crawford. But do you want to try that method? Probably, if there had not been a revolution in France, Napoleon would never have been heard of. It was the revolution that made Napoleon, and there are many Napoleons probably in embryo in India, who may come forward and even excel your Commander-in-Chief. Are we going to try that method? We

4 P.M. want constitutional evolution. That is why I am standing on the floor of this House. Do you want to follow this policy honestly or do you not? Do you want the officer ranks of the Indian Army to be Indianised, or to you not? That is the whole question, and until you recognise that and nationalise your Army, and get a second line of defence, it is no use my tabling a Resolution and asking you to reduce white troops or black troops.

Now, who is responsible to this House? Who cares for the opinion of this House? Here is a question put in the House of Commons by Commander Kenworthy. He said the matter was causing uneasiness among Britain's best friends in India, and asked for an assurance of sympathetic consideration. Mr. Benn replied that he was ready to consider the extension of the scheme of Indianising the eight units in the Army as soon as the Government of India felt justified in recommending it on the results achieved. Well, have you done that? Why have you not done that? We in India are in this position. There is the Army Secretary, there is the Commander-in-Chief, there is the Governor General in Council, there is the Secretary of State for India, the British Cabinet, the Imperial General Staff and the Imperial Defence Committee, and after all these bodies, who were referred to by my friend, Raja Ghazanfar Ali Khan, had been consulted, before His Excellency the Commander-in-Chief made that so-called "satisfactory" announcement on the 8th March,

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1928, after digesting the Report of Sandhurst Committee for nearly two years. Between these bodies and authorities one does not know where India stands. Naturally Mr. Young feels that he has got this bad and rotten case to defend. He does his best and jogs along as best he can. What does he say about the Sandhurst Committee's Report? He says it is not right to say that we have not accepted any of the recommendations of the Sandhurst Committee. Strictly, technically, perhaps he is right, because the recommendation of the Sandhurst Committee was that the number should be doubled in the first year. My friend asks, "Have we not done that?" Well, Sir, I am surprised that a responsible Member, sitting on the Treasury Bench, should talk in this fashion. I ask, is that the recommendation, or the only recommendation, of the Sandhurst Committee? We asked you to give us bread and you are giving us stones. The very foundation of the recommendations of the Sandhurst Committee was the establishment of a Sandhurst in India. What other recommendation of the Sandhurst Committee have you carried out? Have you carried out this recommendation to double the number of vacancies up to now? You have not. Why have you not? The Honourable Member says, "Oh, we cannot get suitable candidates". Why not? You say, "They are not forthcoming". When a responsible Member comes here and says that he cannot get 20 or 24 or 27 suitable candidates for Sandhurst, I refuse to believe it. I say there is something rotten in your system. You know that is the testimony of no less an authority than Sir Malcolm Hailey, who is not always favourably inclined towards India. If you have got eyes to see, look at the cricket fields. Why is it that you are not getting these candidates? There are reasons and you are responsible for them. You proceed in this matter in such a way that, instead of encouraging the people to put their heart into it, instead of bucking them up, you start in a manner which throws a damper on them. Take the eight unit system. Every British officer, be it said to his credit, who appeared before the Sandhurst Committee, emphatically condemned the eight unit scheme, and equally and naturally more emphatically every Indian officer who held the King's Commission, who was examined before the Sandhurst Committee, opposed it. The reason is an obvious one. It means this, that under this scheme an Indian would never command a British officer. When you tell this to an Indian boy, it chills him. It does not encourage him. It makes him feel, "What is the good of going into this business?" Mr. Young says, "By Indianising these eight units, you will get an officer who will be in charge of the regiments in 22 or 23 years." Does he suggest that otherwise it will take 100 years?

Mr. G. M. Young: Perhaps my Honourable friend will allow me to correct that statement. I did not say that. What I said was that, by this system, you will get a regiment officered entirely by Indians in approximately that time, which you would not get under the Skeen Committee's scheme.

Mr. M. A. Jinnah: What is the idea of that? Why don't you have the entire Treasury Bench composed of Indians or a portion of it by means of an eight unit scheme of segregation? What is the use of putting forward these arguments? Why don't you confess it? Why don't you honestly say that you do not want an Indian officer to command over a British officer? I assure you it will be much better for you to say that.

Do not try to mislead us, because it will not serve any good purpose at all. Now, it was a very important recommendation that the eight unit scheme should be given up. Has that been accepted by the Government? No, it has not been accepted. Even today what do we hear? In this connection I would like to quote from the speech of the Commander-in-Chief. Of late, he has taken to making statements in another place, and this is what he said there, while referring to the Establishment of a Sandhurst and the abolition of the eight unit scheme:

"The former was recommended to be established only in 1933. Government did not feel confident that the cadets coming forward for an Indian Sandhurst could be relied upon for being sufficient either in quality or in quantity to justify Government undertaking the heavy expenditure involved in the immediate creation of a Sandhurst in India."

Now, Sir, who says that we want a Sandhurst to be established immediately? It is quite clear and it is understood that the Sandhurst is to be established in 1933. It is also quite clear and understood that the number is to be increased gradually, and if you follow the recommendations of the Sandhurst Committee, which I have always described as interdependent or interwoven, you will find that they are intended, to a very great extent, to spur on the recruitment and to encourage it. If you take it as a whole and wholeheartedly support it, and not talk too much of the time-table, referred to in the Sandhurst Report—as if the Government of India were the only authority in whom the entire wisdom was centred—the difficulty will soon be solved. We are told over and over again that it is difficult to follow the time-table. If you cannot accomplish it, no crime will be committed. But why don't you accept it? Say that we do accept the time-table, and we will do our best to accomplish it. Supposing you do not succeed in it, what will happen? Will the heavens fall? Why are you then quibbling? Why don't you frankly say that we do accept this and we will do our best and carry out this programme as it is recommended by the Sandhurst Committee. We will go on increasing the number. Of course, if you do not get the candidates, it is no fault of yours. Then you should explain to us why you cannot get them. But why don't you endorse it? Why do you hesitate? That is what I cannot understand. That shows that you do not want to encourage the recruitment, and that your continuation of the eight unit scheme is a damper and is certainly against the entire sentiment of the Indian youth. You do not even admit that you will go on with the increase of the number according to the time-table. I will quote to the House what the Honourable Mr. Mackworth Young said on the last occasion. But today he says that he is glad that the result of the last examination was more favourable. Why do you want it to be forced step by step, and why do you want to be humiliated in this fashion? You know it perfectly well, that you can easily get 27 boys if you want to. This is what he said on the last occasion:

"What we cannot do is to prophesy that that event will take place in 1933." (*That is, the Sandhurst.*) "I have never been able to understand what Honourable Members want, nor how have we turned down, as they say, the recommendations of the Sandhurst Committee in this respect. We have started this year exactly the number of vacancies for Sandhurst which the Committee recommended. We have never up to this moment succeeded in obtaining the full number of candidates for the vacancies at Sandhurst. All we say is that we are not going to raise the number of our 20 above the initial recommendation of the Indian Sandhurst Committee until we get something like 20 candidates. The Committee, on the other hand, postulate 20 this year, 24 the next year, 27 the next year, and so on subject, of course, to suitable candidates being forthcoming."

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Why don't you accept it? Am I not justified in saying that the three main fundamental recommendations of the Sandhurst Committee are not accepted by the Government of India?

Now, let us take the subsidiary recommendations of the Sandhurst Committee. Have they been accepted? Have you done anything with regard to the physical training and drill? This House had to pass a Resolution, and I believe my friend Dr. Moonje brought in that Resolution. Until he brought in that Resolution, and that was in 1928, what did the Government do? Did they do anything? No. And what about the Resolution which we passed the other day here, namely, the co-ordination of other educational institutions, which should give training to the boys which would help them if they ever chose to take up a military career for themselves? My friend here, the Honourable the Secretary of the Education Department, told us many rosy things, but did he tell us what lead they did give, as recommended by the Committee since 1926? What about that? Nothing was said about it until that Resolution was brought up here. Then the Government, like a drowning man who catches at a straw, were willing to accept the amended Resolution of Colonel Crawford. What I say is this. There was no need for any Resolution. Government ought to have carried this out. If they told us that, in consequence of these recommendations, we have taken the following steps, and have achieved these results, then I would have thought that there was somebody there responsible to this House in charge of the Army Department. But you have not done that either.

May I ask frankly and honestly, which other important recommendation of the Sandhurst Committee you have endorsed? And yet, Sir, I am astonished. To my amazement I find that a man in the position of the Commander-in-Chief makes a statement in the other place, and says that we have given effect to every recommendation of the Sandhurst Committee, except the establishment of a Sandhurst and the scheme of eight units. Sir, if it had not been the Commander-in-Chief, if anybody else had made that statement, I would certainly have characterised it as a tissue of lies.

Sir, you are trifling with this question. What is the position? We started the inauguration of this policy in 1918, when for the first time in the history of India, you admitted the sons of the soil as eligible for the King's Commission. That was how many years ago? Twelve years ago. And what is the total number of Indian Commissioned officers today? It will be 107 in April this year. One-hundred and seven, out of how many? As many as 3,200 of officers' rank and yet, Sir, the Army Secretary stands here and says to me, "You may accuse me that we are not going fast." I say, you are proceeding in a most disgraceful manner, unworthy of any Government who honestly believe in their own declaration that you want to Indianise the officers' rank in India. Sir, on this subject, it is difficult to speak with restraint because of misrepresentations and misleading arguments that are advanced. And what are we told in this House, Sir? Is there a man—I venture to say, there is no man—who is not the well-wisher of the poor Indian soldiers? Has there ever been uttered a single word in this House against the poor Indian soldier, the sepoy who started his life on Rs. 7 a month in 1883, as the gallant Captain Hira Singh pointed out to us? Have we ever grudged them, have we ever grudged you, Captain

Hira Singh, a fair treatment? What is the position of the poor Indian soldier in the Army? Yes, you are loyal, you give up your life for the salt that you eat, for the master that you serve. Whoever grudges you anything, so far as these Benches are concerned? And yet I know it is a wicked thing to do. I know it is represented that, whenever this House wants to cut down military expenditure, it is said that these representatives of yours in the Legislature are responsible for all the troubles of the Indian soldiers. We had heard my Honourable friend, Sir Abdul Qaiyum. I listened to his speech with great attention. His heart, Sir, is with us (Hear, hear), but his head is there (pointing to the Government Benches). (Laughter.) He consciously or otherwise reflected, as a mirror, the views and sentiments and feelings of the Treasury Benches which, after he had finished, rewarded him and gave a great deal of applause. There happens to be a common chord running between my Honourable friends on the Treasury Benches and my Honourable friend Sir Abdul Qaiyum.

Nawab Sir Sahibzada Abdul Qaiyum: I did not notice any applause.

Mr. M. A. Jinnah: But I did; because the Honourable Member was excited (Laughter), he did not notice. I am stating facts quite correctly. Although he was in great difficulty, and felt great pains and labour, he ultimately said, you should at least give effect to the recommendations of the Sandhurst Committee (Hear, hear and Laughter), because he had signed it. After all, it is his old love, notwithstanding the fact that, since he signed it, he feels that communal tension has grown much, which of course does not entitle him to ask for reforms in the North-West Frontier Province. I hope he will not ask for reforms for his province.

Nawab Sir Sahibzada Abdul Qaiyum: If Government will take back the reforms from the provinces which are worse than the North-West Frontier Province in many respects, then I shall not ask for them.

Mr. M. A. Jinnah: The Honourable Member is asking for them because other provinces ask for them.

Nawab Sir Sahibzada Abdul Qaiyum: Yes, because other people have them.

Mr. M. A. Jinnah: As I already said, my Honourable friend's heart is with us. That is enough for me, because he occupies a very difficult position. Well, I hope and trust that, when a division is taken, he will go with me into the lobby.

Nawab Sir Sahibzada Abdul Qaiyum: What will they do with one rupee? They cannot even disband the Army with it.

Mr. M. A. Jinnah: My Honourable friend is now immersed in the thought that, if we cut down this Army grant to only one rupee, as my Honourable friend Mr. Young pointed out, it will be only your countrymen who will suffer, not others. Well, what does it matter? After all, there is His Excellency the Governor General, who has the power to put right a matter, and he will do so. But apart from any frivolities, I do want you to understand that there is a very big constitutional issue involved in this vote. I know some Honourable Members will say, why practically reject the whole grant if you only want to pass a vote of censure on Government? Why don't you give a cut of Rs. 100 or Rs. 200? Well, Sir, a cut of Rs. 100 or Rs. 200 does not compel certification. I say that,

[Mr. M. A. Jinnah]

from a constitutional point, it is the only way in which I can defeat the Government—it may be the fiction of a constitution—it is a fiction. In reality Government are irremovable, the Government are irresponsible, as you heard yesterday, in fact even the Honourable the Home Member admitted that you cannot do anything to them. They are a permanent fixture (Laughter), you can do nothing to them—I say that, in constitutional language, if I compel the Governor General to certify a grant, then in constitutional language, I have unequivocally defeated this Government, and if they have got any self-respect, they ought not to occupy those Benches. But here they will do so all the same. (Laughter.) That really is the position, and therefore I hope that my Honourable friend, Sir Abdul Qaiyum, will not hesitate on that score.

Nawab Sir Sahibzada Abdul Qaiyum: Hope against hope.

Mr. M. A. Jinnah: Then, I will sit down as hopeless, and I hope there are other countrymen of mine who will walk with me into the lobby and defeat the Government. (Applause.)

(Mr. President having stood up to put the question to the House.)

Mr. Arthur Moore (Bengal: European): Sir, I rise to a point of order. Is it in order for an Honourable Member of this House to refer to His Excellency the Commander-in-Chief's statement in another place and say it is a tissue of lies? The Honourable Member should make some withdrawal.

Mr. President: The question is:

"That the Demand under the head 'Army Department' be reduced to Rs. 1."

The Assembly divided:

AYES—49.

Abdoola Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Abdullah Haji Kasim, Khan Bahadur Haji.
Acharya, Mr. M. K.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chaman Lall, Diwan.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Dutt, Mr. Amar Nath.
Farookhi, Mr. Abdul Latif Saheb.
Ghazanfar Ali Khan, Raja.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Hyder, Dr. L. K.
Ismail Khan, Mr. Muhammad.
Iswar Saran, Munshi.
Javakar, Mr. M. R.
Jehangir, Sir Cowasji.
Jinnah, Mr. M. A.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirdav Nath.
Lal, Mr. Hari Prashad.

Lalchand Navalrai, Mr.
Malaviya, Pandit Madan Mohan.
Mitra, Mr. S. C.
Mody, Mr. H. P.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Munshi, Mr. Jehangir K.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Patil, Rao Bahadur B. L.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rang Behari Lal, Lala.
Rao, Mr. G. Sarvotham.
Reddi, Mr. T. N. Ramakrishna.
Shafee Daoodi, Maulvi Mohammad.
Shah Nawaz, Mian Mohammad.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Sitaramaraju, Mr. B.
Talatuley, Mr. S. D.
Yakub, Maulvi Muhammad.
Zulfiqar Ali Khan, Sir.

NOES—44.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Coatman, Mr. J.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gidney, Lieut. Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Heathcote, Mr. L. V.
Hira Singh, Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur Sardar.

Kikabhai Premchand, Mr.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was adopted.

Mr. President: The question is:

"That a sum not exceeding Re. 1 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Army Department'."

(On Mr. President declaring for the "Noes", some Honourable Members on the Opposition Benches maintained that "the Ayes have it".)

Mr. President: The Honourable Members should have challenged a division at the proper time. I have already declared the result. The "Noes" have it.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Monday, the 10th March, 1930.

LEGISLATIVE ASSEMBLY.

Monday, 10th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN:

Pandit Nilakantha Das, M.L.A. (Orissa Division: Non-Muhammadan); and Pandit Krishna Kant Malaviya, M.L.A. (Cities of the United Provinces: Non-Muhammadan Urban).

MOTION FOR ADJOURNMENT.

ARREST AND CONVICTION OF SARDAR VALLABHBHAI PATEL.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I ask for leave to move the adjournment of the House in order to draw attention to a definite matter of urgent and public importance, namely, the arrest and conviction of Sardar Vallabhbhai Patel. The House is aware, Sir, that Sardar Vallabhbhai Patel is acting along with Mahatma Gandhi and directing and carrying on agitation against the existing Salt Act, under which people are prohibited from manufacturing salt. The whole policy has been previously published. Sardar Vallabhbhai Patel was going to Ras to address a public meeting. When he reached there, I am informed—and I am indebted to the Honourable the Home Member for this information—that the Magistrate served upon Sardar Vallabhbhai Patel a notice under section 42 of the Bombay District Police Act, prohibiting him from delivering any speech for one month. Sardar Vallabhbhai Patel told him that he would disregard that notice. I am informed by another message that he told the people, those who had assembled to listen to him, to preserve non-violence, that he had been served with an order prohibiting him from making a speech and that he was going to disregard that order; but he appealed to the people to remain non-violent. When he told them that he was going to speak, and before he had made any speech he was asked by the Magistrate to accompany him and that he was under arrest. He followed the Magistrate and there the thing ended so far.

Now, Sir, the question that arises in this connection is whether the Government were justified in preventing Sardar Vallabhbhai Patel from making the speech that he intended to make. Sardar Vallabhbhai Patel is a well-known public man, held in very high esteem by vast millions of people of this country. He was going to deliver a speech to the people. I can well understand that if in the speech that he was going to deliver, there was anything which brought him under the law, he might have been prosecuted. I would not object to any man who has offended against any law being properly tried and punished according to the existing Code for the offences

[Pandit Madan Mohan Malaviya.]

that he might have committed. My complaint is not against the prosecution or the punishment of any man who commits a violation of an existing enactment. But I submit that forbidding a man of the standing and well-known character of Sardar Vallabhbhai Patel making speech is very dangerous interference with the freedom of speech.

The Honourable Sir James Crerar (Home Member): I do not wish to interrupt the Honourable and learned gentleman; but on a point of order, is he not now speaking on the merits?

Mr. President: I think the Honourable Pandit is speaking on the merits of the case. That stage will be reached if the motion is admitted.

Pandit Madan Mohan Malaviya: Thank you, Sir. I will not speak on the merits. I was drawing attention to the great principle involved in this matter. Sardar Vallabhbhai Patel has been prohibited from addressing the meeting. He has been arrested, prosecuted and punished with imprisonment. Mahatma Gandhi has announced that he is going to pursue the same course and it may be fairly taken as certain that a large number of other people are also going to follow that course. Is this matter not sufficiently important to be dealt with by the Government of India? The Government of India the other day, through the Honourable the Home Member, told the House that they had no information on the subject, when I drew their attention to the conviction and imprisonment of Sardar Vallabhbhai Patel, and asked them as to the section or sections under which he had been prosecuted and punished.

Mr. President: I do not think it is necessary for the Honourable the Pandit to go into all these details at this stage.

Pandit Madan Mohan Malaviya: Very well, Sir. My object in drawing attention to this matter is that it is a matter which involves a great principle and ought to have a policy behind it, and we should have the opportunity of pointing out to the Government the dangers that are involved in allowing Provincial Governments to proceed in a matter of this importance without the direction of the Government of India and without a policy being laid down by the Central Government. In 1921, 25,000 Indians were imprisoned, and on that occasion too the Local Governments took the reins and ran off without consulting the Government of India. This is an occasion when the Government of India ought to lay down a policy. If we do not know what that policy is and if the House is not given an opportunity to discuss the matter, and to guard the Government of India from adopting a course which is likely to lead to great evils, the situation will become very serious. I submit, therefore, Sir, that the matter is of sufficient urgency and public importance. Mahatma Gandhi has announced that he is going to start his campaign on the 12th instant. This case has already happened and in a few days time there will be many arrests and many prosecutions. The matter is therefore of urgent and public importance and requires the attention of the House and I therefore submit that leave should be given to me to move the adjournment of the House.

The Honourable Sir James Crerar: I have no objection to raise.

Mr. President: I rule that the motion is in order, and as no objection is taken, I intimate that leave is granted and that the motion will be taken up for discussion at 4 P.M.

THE GENERAL BUDGET—LIST OF DEMANDS—*contd.*

DEMAND No. 32—HOME DEPARTMENT.

The Honourable Sir George Schuster (Finance Member): I beg to move:

"That a sum not exceeding Rs. 7,11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of the 'Home Department'."

Policy of Government regarding Political Prisoners and their Treatment.

Maulvi Mohammad Shafee Daoodi (Tirhut Division: Muhammadan): Sir, I beg to move:

"That the demand under the head 'Home Department' be reduced by Rs. 100."

My object, Sir, in moving this cut is to censure Government for their policy in regard to persons detained in custody by the Government for offences arising out of the political movement in the country, as well as for the treatment meted out to them when they are in the custody of the Government. The first part relates to matters which are of paramount importance at this moment in the country.

Mr. President: What is the first part?

Maulvi Mohammad Shafee Daoodi: The first part, Sir, relates to the policy of the Government in regard to persons detained in custody for offences arising out of the political movement in the country. This relates, as I say, to matters which are of paramount importance particularly at this moment in the country.

Mr. President: Is the Honourable Member dealing with the policy of Government in regard to the treatment of political prisoners in jail? The Honourable Member said that there are two parts to his motion. Is it not?

Maulvi Mohammad Shafee Daoodi: The subject is the same, Sir, though I have divided it into two for the sake of convenience. One is the policy of Government in regard to prisoners in general, and the other is in regard to their treatment while they are in jail.

Mr. President: Will the Honourable Member confine himself to the treatment of political prisoners, or does he want to open up the whole question of prisoners in general?

Maulvi Mohammad Shafee Daoodi: Only political prisoners.

Mr. President: I take it that the only question now before the House is the treatment of political prisoners in jail.

Maulvi Mohammad Shafee Daoodi: Political prisoners, Sir, is really my subject—both the policy of Government in regard to political prisoners and under-trial prisoners of course, as well as their treatment while they are in jail. The two things are one and the same; I have only divided them so that I may put the case more clearly before the House. As I said, Sir, the country is passing through a very critical time. In my opinion it is in the throes of a great revolution.

The Honourable Sir James Crerar (Home Member): If I may interrupt my Honourable friend, I should be glad to know whether the issue he raises is the general question of policy, or the particular question of the treatment of political prisoners under imprisonment.

Maulvi Mohammad Shafee Daoodi: Will the Honourable Member please speak up, Sir?

The Honourable Sir James Crerar: The question I asked to be resolved was what was the specific single issue; whether it is the general question of policy regarding the undertaking of prosecutions, or the more specific question of the treatment of prisoners in jail. There would seem to be two distinct issues, and I understand the motion is made on one issue alone.

Maulvi Mohammad Shafee Daoodi: The Honourable Member will see when I make my statement as to what it relates to. It is certainly one and the same thing, but of course one has got to consider political prisoners as a whole, beginning from the moment of their activities in regard to political matters or in regard to offences which arise out of the political movements in the country. We have got to criticise the policy of the Government both in general as well as in particular when they are detained in jail.

I was saying, Sir, when I was interrupted, that we ought not to forget the time through which we are passing. Of course, at times when the political conscientiousness of the country is confined to a very few, the policy of the Government in regard to such prisoners may be of no consequence. But when you realise that the country is passing through a very serious time, you have got to consider your policy in regard to them. Every one concerned, Sir, with the future of India realises the seriousness of the situation, and if you realise the happenings in the country in their true perspective, you will be doing good both to the Government as well as to the people. Sir, the people inhabiting this land are men of culture, men of talent, men of high traditions, men of an once dominating civilization of the East, and they, people of this character, are bent upon achieving their lost glory. They are claiming their birthright. They should be conducted through their struggle in a manner which befits a great nation. The policy of the Government in regard to those who have, or who will take part in the movement, will greatly determine the character of the movement. If the Government are ruthless in their policy towards them, we should be prepared for a similar thing in return. It is no use hiding this plain fact. If you ask me what your policy should have been or should be in future towards these political prisoners, I should express myself in the simplest words that I can think of. The policy of Government in regard to political prisoners should be the policy of a friend in power to a friend in need of him and to a friend under him. It is true that you are sitting over the political prisoners today, but the tables might be turned, and the political prisoners of today may be sitting over you tomorrow. You should recognise the fact that political prisoners are dying for the sake of others who will follow them. They are out to meet with a fate which nobody willingly would court for himself. But these men of courage feel the necessity of dying for the people left behind them. This is no joke and you should not play with them. I say this because we have experience of the past. Without enumerating all the

instances which have happened in this country since the mass political movement has developed, I would quote only two recent instances—one of that young courageous Jatindra Nath Das, and the other of the gentleman in Burma—Mr. Wizaya. My idea is that the lives of such patriots should have much greater value than that which has been apparently put on them till now. That game should not be played again. Ahead of us is coming a time when the Government will be put to the severest trial on this score. All the people might be turned into political prisoners, and the whole country might become a vast prison house. My object is to guard against the coming danger, and my advice to the Government is, do to them as you would wish them to do unto you when you are in the same position. I hope His Excellency the Viceroy feels like that, but he has his environments; on all the four sides he is surrounded by men of the steel frame, which has no heart to feel. That is the danger spot, and I want to sound a note of warning in time. My advice to the steel frame is to place all their cards before the highest authority, namely, His Excellency the Viceroy, and then to allow him to exercise his own discretion freely. I am sure this is the only course to keep the situation in hand.

As regards the treatment of political prisoners in jail, the Government in my opinion have been very miserly. The rules which have recently been announced by the Home Department do not go as far as they should have gone. When we have to deal with big issues, we must have big hearts. A political prisoner is a man of conviction, and is generally a man of character. He has his notions about the policy of the country; he has his knowledge of history of his own country, as well as of others. You cannot treat him shabbily. He cannot brook it. He is an honourable man as well as, if not more so than, ourselves. Treat him then honourably. You cannot deny him a daily newspaper of the first class type available in the country. You cannot ask him to read a paper conducted by the jail authorities, and that also once a week. This is starving him of his intellectual food. You will be killing him intellectually every day that he is in prison in this manner. It would mean an avowed attempt to kill his spirit; and that the representatives of this House will not allow to be done so far as it lies in their power. Political movements in the country are growing at such a rapid rate that no one, howsoever safe he may be today, can think of remaining safe in the near future. When I was in jail in 1921-22, I put the greatest value on the newspapers of the day. My meals, my clothing and other comforts were all of no consequence to me, unless I had devoured the newspaper. My companions, however little literate they may have been, would run to me for the news of the country in the daily papers. It appeared as if they were hungry after the news. This is a matter on which I lay great emphasis. I find that the leaders who advised the Government on this point were not very keen, because, in my opinion, they have not suffered the pangs of a politically minded Indian, who happens to be detained in jail without any news of the country. Government ought to realise that withholding newspapers from political prisoners will not do. The thing is so urgent and important to a political prisoner that it will be smuggled in if you do not allow it openly. I know how zealous and active political prisoners were in order to get news of their country and of the movement which they had taken part in. From my experience I would say that the Government would be well advised to be generous in this respect.

[Maulvi Mohammad Shafee Daoodi.]

My second item of complaint under this head is that the political prisoners, as such, have not been recognised as deserving of special treatment. I know it has been said that political prisoners are not recognised as such in any other country of Europe. I have not made a study of that to be able to say whether that statement is correct or not. But what I think of the question is that, in India, the conditions are absolutely different; and here the same rule which generally applies in Europe cannot be applied. To my knowledge India is the only country with a record of an unbroken high standard of civilisation which is under the domination of a foreign government. The inhabitants of this country have now to undergo ordeals of a unique character. A new civilisation, foreign to their genius, is being imposed on them from without. It does not suit them at all; but it has made great headway in spite of that. The life of the people, though simple, had previously been one of satisfaction; the people had sufficient to eat; there was no exploitation of the kind that they have now to experience. The struggle for existence now is more intense than it was some years back, with the net result that a man cannot have what he wishes to have. One has only to compare his own life some thirty years back with his life in 1930. The comparison is galling to him. He does not require any demagogue to convince him that he, his animals, his goats, his buffaloes, and his cows are emaciated because there is that foreign exploitation going on in a manner which is not visible to the eyes. He naturally believes that there is some force in action which is bringing about this deplorable result for both man and animal living on the soil of India. It is enough to excite him to action, which action must necessarily be against the interests of Government. The Government therefore will take him into custody. Such actions, though they are an offence in the eyes of the Government, are the natural outcome of the life that he is compelled to live by the force of circumstances. Either he starts a movement himself, or he follows a movement started by others; in both cases the object is to save his life from the injurious effects of this exploitation. You cannot dub him a felon, a wretch or a wicked man. He wants to get out of this enforced condition. He has got a right to do it, nay his very innermost feeling is hurt if he does not do anything against it. A man with such notions, is, I should say, a perfect gentleman in the accepted sense of the term, and he should be accepted by the Government also as such. His style of life, his standard of living and his education, though indifferent should not deprive him of the treatment meted out to a gentleman who has, by accident, been put in favourable circumstances.

Mr. President: This is all generalisation. If the Honourable Member will put forward any concrete proposals before the Government, they will be in a position to reply.

Maulvi Mohammad Shafee Daoodi: These are some of my humble arguments. I am coming now to the proposals, Sir. It is the motive behind his action that is relevant in deciding whether he should be in class A, B or C. I maintain that such political prisoners should not be classed as ordinary criminals. I maintain that the struggle for minimising the exploitation of one by the other is a very noble struggle, and the man who has the courage of his convictions to start on such a campaign should be more respected than humiliated. I therefore plead for better treatment of political prisoners as such, and that political

prisoners must stand on a different level from ordinary criminals. It appears to me, Sir, from the revision of the Jail Rules that this aspect of the case has not been either considered or mentioned in the Rules. If the Government are not going to give preferential treatment to political prisoners, as such, at the present moment, I am sure the Government will have to yield to the pressure of public opinion in the country to give preferential treatment to prisoners who have been detained in custody on account of any action which has been prompted by motives not of greed, not of any lower object, but by higher motives of advancing the cause of his fellow beings in the country in which he lives. This is, Sir, the second thing which I want to urge, and I believe if the Government were to accept this view of the case, there would be much less to be said at the present moment. They have made classifications, which do not satisfy politically-minded India. They may have been satisfactory in ordinary times, but are not at the present day when the country is in a turmoil. I do not want to take much time of the House, Sir. I know we have got only an hour and a half more, and my friends here would be willing to contribute their quota to this subject. I therefore move the motion and would ask the House to extend their support to me.

Sardar Gulab Singh (West Punjab: Sikh): With your permission, Sir, I lend my full support to the cut that has just been moved by my Honourable friend Maulvi Mohammad Shafee Daoodi. It has been so well reasoned that it does not require any exhaustive comment.

It is a long established fact that India is determined to be free, and she is bound to gain that freedom sooner or later, with or without the British co-operation. Under the British flag today, a desire to be free is also supposed to be criminal and an expression of the same is enough to lead person by itself to a prison, where the patriots are treated alike as felons, by the current jail regulations. There has been recently a modification of jail rules, and the same have been enacted by the authorities and some party leaders themselves. With due deference to my leaders here, I submit, Sir, that our privileges have been seriously trespassed by not putting the proposed changes for discussion before this House. And the result of the same is that the new rules may have been said to mark a decided advance in the prevailing conditions of Indian jails, but they have fallen considerably short of the popular expectations and demands.

In differentiating between the various classes of prisoners, emphasis has been laid not on the nature of the crime but on the social status, education, and style of life of the prisoners concerned. This was not at all the object of the agitation started last year by several prisoners which even led to the actual sacrifice of some of them. There are prisoners rotting in the jails today, who were sent there by certain laws, that have been repealed since long, and there has been no provision made to include even the non-violent of these into Class "A". The sacred cause, unselfish suffering, patient endurance, and honest endeavours of those great souls, who have accepted the doctrine of non-violence and are in fact the true preservers of peace, are not so easy to picture while sitting in these comfortable benches. They can never be classed as ordinary criminals. Their main sufferings are not for their self interest, and it cannot be said at all to involve any sort of serious or premeditated violence, callousness, personal greed or moral degradation in any respect.

[Sardar Gulab Singh.]

It is only the intent that is of the greatest importance in the political offences, and the nature of the crime has not been considered to be one of the bases of their classification.

I cannot see any moral or legal justification on the part of the Government, nor there seems to be any sound and cogent reason forthcoming to contend that the non-violent political prisoners as such, should not be treated as "A" Class prisoners, irrespective of their social status or antecedents in life. Their purity and nobility of cause alone should suffice to get them included into first class category. I am at a loss to understand why a dissolute corrupt Anglo-Indian criminal, or an Indian swindler living in good style, is worthy of any sort of better treatment than an honest, devoted patriot who has sacrificed his all for the nation, and lives in no way better than a labourer. Incidentally, of course, those who wanted improvement in jail treatment towards the political prisoners, objected also to the special facilities being afforded to the European and the Anglo-Indian convicts. But the so-called reforms constitute the reintroduction of the principle of racial discrimination from the back door. Style of life is an ambiguous phrase, and so is the social status, and both can have a very wide range of varied interpretations. By emphasising the style of life, rather than the nature of offence, Class "B" has been secured and guaranteed for even the worst type of European and Eurasian offenders, even if they are guilty of dacoity, murder, fraud or embezzlement. I cannot see in what way an uneducated, low class, morally corrupt, callous Anglo-Indian guilty of burglary or murder, is in any way deserving of any better treatment than an Indian criminal placed in the "C" Class. Just because the former wears a coat and a necktie, and eats with a fork and knife, is he entitled to preferential treatment to his Indian fellow prisoner, who lives in the style of his own countrymen? The injustice of the arrangement will be apparent, when it is realised that, under the new regulations, a man living in a life of forced poverty, will be sent to Class "C", even if he be convicted of a purely political non-violent offence, while a degenerate, proletariat, depraved Anglo-Indian, for the single reason that he wears a hat and a suit, even though he is guilty of the most heinous crime, will be automatically put in the "B" division.

There was no objection to a classification being made on the basis of education and antecedents of a person if they were to be combined with the nature of the offence as well, but we strongly protest against the "social status and the style of life" being the only distinguishing factors. The fact that a man is educated, has good antecedents, and is guilty of none of those offences which involve serious moral turpitude, callousness or premeditated violence, should be enough to place him in Class "A". All those who do not meet these conditions, but are educated and have good antecedents should automatically belong to Class "B". The rest should be put into the third category.

The final authority for classifying prisoners has been placed in the hands of the Local Government, which again is unfair. The fate of the prisoners should not depend on the whim and caprice of the Local Government. If at all any tribunal for final review in this respect is necessary, it should be the High Court, and not the Local Government; in other words, it should be the judiciary and not the executive. Consequently

I insist, Sir, that any concessions to mere style of living or social status should be definitely eliminated, and I emphatically assert, Sir, that the aim of the revised rules for the jails should be to reduce the direct and the indirect racial discriminations to nil, and insure that genuine non-violent political prisoners, guilty of offences not involving personal greed, or moral turpitude should be placed in Class A or B according to the nature of their crime, education, and antecedents; and that every effort should be made to approximate their environments in jails to the status enjoyed by them in life. Particularly, should they in no case be asked to perform labour which by habit, physique or inclination they are not fit to perform. In the absence of any such assurance there can be absolutely no satisfaction with the so-called improved jail rules, and there is nothing in the aforesaid suggestions that I have made, which may humiliate the administration, country or individual. With these observations, Sir, I conclude my support.

Mr. K. C. Roy (Bengal: Nominated Non-Official): The House is indebted to my friend Maulvi Mohammad Shafee Daoodi for bringing this matter to the notice of the House. If my friend will permit me to say so, he cannot maintain his position that there were none on that committee who had any jail experience. I may tell him that, amongst the gentlemen who were invited to assist the Government in this matter, was no less a person than Pandit Motilal Nehru, and he voiced some of the sentiments which my Honourable friend has expressed this morning, but it was a matter of regret to me that some of the members did not stay long enough to complete the task. But the task, where it was left, was ably taken up by my friend Mr. Jinnah, than whom it is difficult to find a more ardent advocate of the political prisoners, and my friend Pandit Madan Mohan Malaviya was also there. Now, Sir, the point that Mr. Shafee has raised was considered in European countries twenty years ago. In England it arose out of the suffragette movement. In spite of all efforts to find out a class to be called political prisoners, it was found impossible. In no country in the world is there such a class called political prisoners. The conditions under which the political prisoners live and perform their jail duties, the conditions under which they are allowed to stay in a jail, have been the subject of constant deliberation of the entire conference, of which Sir James Crerar was the Chairman. While we found that we could not place a definite class of prisoners as political prisoners, we proceeded to find out how best we could improve their conditions. We considered the question of non-violent prisoners. We considered the question of their education, of their social status and even of their motive.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): If I may interrupt the Honourable Member, may I ask him whether his Committee did not consider the question of introducing a sort of caste system among the political prisoners and laying down distinctions of social status between one class of political prisoners as against another class of prisoners?

Mr. K. C. Roy: The answer to that question will be given to him by the Government side.

Mr. C. S. Ranga Iyer: I want to know from the Honourable Member

Mr.- President: The Honourable Member must address through the Chair.

Mr. C. S. Ranga Iyer: I want to know, Sir, from the Honourable Member because he was talking of a distinction of status among the political prisoners. I want him to explain what he means by that. Does he not want to introduce a caste system among the political prisoners? I can understand only one status, namely, the political status.

Mr. K. C. Roy: The Honourable Member will have ample opportunity to give his views to the House. I prefer to give my own. The question of creating a class of political prisoners was also raised by me in the Conference, but, Sir, it was found that it was not admitting of practical application. The point is this. We considered this question very thoroughly, and we came to the conclusion that in future, political prisoners in India will be divided into three groups, A, B, and C. An important point arising out of this controversy was raised by Mr. Jayakar last Summer about the racial distinctions in jails, and there was no more ardent exponent of abolishing racial distinctions than my friend Sir Darcy Lindsay. The first thing that the Conference did was to proceed and consider the abolition of racial distinctions in jails. And the second thing we did was how best to secure a better life and a better mode of living for the political prisoners. With this object, we proceeded to classify them. Political prisoners, according to the rules as they stand today, come under classes A and B, and most of the points, which my friends on the other side raised, would undoubtedly come under classes A and B, particularly the non-violent political offenders who are of good character and good social standing.

But let me tell the House, Sir, what is the practice in other countries about the political prisoners. As I told the House earlier in the day, this question was raised in England, and the British Government proceeded to consider it and this is what they did.

"Their claim to be treated as political prisoners was long discussed and warmly pressed."

Finally, the rule was revised and they proceeded to do this:

"Amelioration of the ordinary prison conditions to offenders whose previous character is good and who have been committed to prison for an offence not involving dishonesty, cruelty, indecency or serious violence."

Then, again, Sir, who got the benefit of these new conditions:

"The benefit of the rule has been granted to suffragists, passive resisters to the Education Act, conscientious objectors and isolated cases of Kentsit preachers, and passive resisters to the Insurance Act."

These are persons who got the benefit of this special rule, but the benefits of the rule which we have framed will go to a wider class of people. I therefore claim that the rule that we have framed is a great improvement on the present position, and also a great improvement on the Churchill rules.

Then, a point has been made by the Honourable the Mover, Maulvi Mohammad Shafee Daoodi, about the opportunities for intellectual occupation of the prisoners, who are political or otherwise, because it is very difficult to differentiate between the various classes of prisoners. This was

precisely the point which I raised in the Committee. Of course, I was not enamoured of the jail newspapers, but I agreed in the end that, so far as jail newspapers are concerned, they are good. The practice should not however be extended any further, and every other opportunity should be given for the proper mental and intellectual development of the prisoners. This is what we have done in this direction, and I maintain that even that is a great improvement upon the existing rules. I entirely agree that the rule does not go far enough, but I hope that, in the application of these rules, the Government of India, as well as the Provincial Governments, will see their way to give ample material for intellectual purposes for political and other prisoners.

The next point that my Honourable friend raised was about the motive. We examined this point at considerable length, and we found, as is the case in all other countries, that it is impossible in determining the jail treatment, to take motive as a criterion. That must be left to the judicial authorities.

Another matter that was raised by my Honourable friend on the other side was that the Provincial Governments have been left to classify the prisoners. On that point, I may say, if I am not giving away any secrets, there were considerable differences of opinion amongst ourselves, and my view has been that it is better to have the power of revision vested in the Provincial Government rather than the First Class and Presidency Magistrates and Judges. I know from my own experience, in Bengal, that some of the recent sentences passed by the First Class Magistrates at Alipore and elsewhere in other cases have not been very satisfactory, and to empower them also to classify the prisoners without a right of revision to be vested in the Local Governments would be very unfortunate indeed.

(At this stage Mr. President vacated the Chair which was taken by Pandit Madan Mohan Malaviya.)

Now, Sir, taken as a whole, I am satisfied that we have made a great advance as a first step. Experience will no doubt guide the Government of India, and I have no doubt, as time goes on, there will be more improvements forthcoming for the political prisoners. I therefore feel that I am justified in holding that good work has been done, for which thanks are due not only to Government but also to the Committees in the provinces.

Mr. C. S. Ranga Iyer: Sir, the last speaker, in answer to my interruptions with regard to what he perhaps imagines to be certain very revolutionary changes that have been introduced in regard to jail administration, or rather the treatment of political prisoners, quoted, by way of justification of these alleged revolutionary changes, the opinion of the Honourable gentleman from Allahabad, Pandit Madan Mohan Malaviya, and he also quoted other distinguished authorities. With great respect to the distinguished authorities whom he quoted, I do not know

Mr. K. C. Roy: I am sorry to interrupt the Honourable Member, but I never quoted any authority. I simply said they were the members.

Mr. C. S. Ranga Iyer: He did not quote their authority, but he did mention the fact, which is as good as quoting an authority, that these gentlemen were concerned with the modification or improvement of the

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 jail regulations. As I have not had the opportunity of understanding their views first hand myself, I must postpone the examination of that aspect of the question to a later date as I do not rely on second hand authorities. But I know from the newspapers that they have introduced three classes of political prisoners called A, B and C. I think it is an impertinent classification. I have got some knowledge of jail life, and I consider it to be a most impertinent and mischievous classification. The object of this classification is to create jealousy and hatred amongst fellow prisoners. There is nothing more demoralising than to divide the political prisoners by putting under different categories, A B C, men who go to jail for the liberation of their country from the foreign yoke. It is disastrous to agree to any such classification of political prisoners. I am saying this because the previous speaker made those observations.

Mr. K. C. Roy: With due deference to my Honourable friend, I may say that there is no such thing as political prisoners, and all prisoners have been classified as A, B and C.

Mr. C. S. Ranga Iyer: Exactly, I believe there is a classification of all, including political prisoners, according to the new jail regulations, a report of which I read in the *London Times*. I believe they are going to make certain alterations in regard to political prisoners and also certain distinctions. It is alleged that men having a certain status in public life ought to be given a certain kind of treatment in the prison. A man occupying some other status in public life ought to be given some other kind of treatment. Also a provision has been made, if I may say so,—I am guided only by the telegraphic report which appeared in the *London Times* and the *London Times* is fairly accurate in these matters—a certain distinction has also been introduced, namely, that a gentleman imprisoned will have the opportunity of buying his own food and clothing from the money which he might deposit with the jailor or the Superintendent of the jail. Some such provision has been introduced. I need not go into these impertinent divisions. It is not that every prisoner will be wealthy enough to deposit money with the jailor. It is only few people who have plenty of money who can do so. Especially as you are going to get a large number of people into prison as a result of the mass civil disobedience—it is bound to come today, tomorrow or some time—I presume, Sir, there will be a large number of political prisoners. The proletariat is going to walk into prison today, tomorrow or the day after, the whole nation is going to walk into prison unless you give us what we want. I do not know whether you are going to give it to us, unless we take it out of your hands by revolution. There is no getting away from it. You know we are out to fill the prisons absolutely completely in the way in which we did when Mahatma Gandhi called us in 1921 and perhaps in a much greater way. But it will take time. We are looking forward to the day when Pandit Malaviyaji will march into prison as His Majesty's guest. We are looking forward to the day when Mr. Jinnah will be a member of the prison, one of His Majesty's guests. I say it will take time. We are just giving a chance to the British Government, the Conservatives, the Liberals and the Socialists. You are now meeting a situation which is going to develop.

What is going to happen? Open cold-blooded non-violent revolution,—that is exactly what is going to occur. By way of anticipation you are introducing these modifications.

I dislike the introduction of any distinction in regard to the status of political prisoners which has been introduced in the past and which is going to be introduced in the future. I dislike it all. All political prisoners, whatever their status, should be treated in the same manner. If you mean to oppress them, oppress them by all means, be impartial in your oppression. If you are going to treat them well, treat them all equally well. If Pandit Madan Mohan Malaviya, the prisoner of the future, is going to get daily newspapers, I cannot see any justification, I do not see any reason why one of his humble followers from the distant villages should not have the same kind of treatment. I do know what a terrible feeling this kind of differentiation amongst political prisoners creates. I was myself one of the political prisoners during the non-cooperation days, and yet I had no cause of complaint against the treatment meted out to me, because I was treated very well indeed. I got what they called special treatment. That was six months before the boycott of the Prince of Wales. Then came other persons to the prison, who were treated differently. They were not treated so well. I was a friend of the Superintendent, or rather the Superintendent of the jail liked to be my friend, and so we got on merrily. A distinguished European visitor to the jail happened to visit me in the jail—she was a charming English lady, wife of Mr. O'Donnell, who was at that time Secretary in the Government of India—when that distinguished lady visited me in the Agra jail, she told me that Mr. Lansbury, who was then in jail, was playing football in England, and she told me that she heard that I was wearing English costume in the jail. I was not wearing English dress then; I had suspended the wearing of it for a while, and I have resumed it since. But then, all the same, I had no complaint whatever of any kind against the treatment I got in the jail. At some time in England, I mentioned this delightful news to Mr. George Lansbury, who was then a contemporary jail-bird in England, but who is now one of His Majesty's Ministers. (Laughter.) When I mentioned this news, he said that he did play football in the prison. That is exactly what I want, similar comfort and conveniences, for political prisoners in India.

India is going to organise a revolt against British rule. The country is going to do it—the extremists, the moderates, one and all, will do it, though not today at least ultimately. There will have to be a combined attack by all the parties in India, otherwise it is absolutely certain that Great Britain is not going to withdraw her rule from India, nor give anything substantial to India, judging from the speech of Lord Birkenhead recently in England. I had the pleasure of listening to the speech of Lord Birkenhead in the House of Lords—he speaks honestly the British mind—he says that for generations, for centuries, for thousands of centuries, he could not see any time when Great Britain would withdraw from India, he could not see any time when the Governor General of India could be reduced to a position resembling the position of the Governor General of the Colonies, and so on and so forth. I think Lord Birkenhead's was an admirable speech free from the camouflage which often the Tory Ministers—even the Socialist Ministers have learnt it today after coming to office—it was free from the

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camouflage which the Tory Ministers often indulge in. It was plain speaking. Therefore, Sir, we have ultimately to offer battle. Indians of all shades of opinion, Conservatives, Moderates, Radicals, Loyalists, Labour, one and all have to join the fray. A stage will come, is coming, coming much sooner than perhaps many of us realise, the stage is coming when there will be several thousands of prisoners. All of them cannot be wealthy people. All of them cannot have the distinction of Pandit Madan Mohan Malaviya; all of them cannot have the wealth of Pandit Motilal Nehru. I cannot understand why one class of prisoners should be treated differently, I cannot see any reason why the leaders, when they go to prison, should be given special and differential treatment, because their followers, when they go to prison, feel, and honestly feel, that they have been victimised by these "wretched leaders" who have accepted special treatment and ask why they are not given the same treatment as is meted out to their leaders. Such expressions have often been used in the prisons. So far as I was concerned, though I was given special treatment, yet my fellow prisoners in the Agra prison were not treated so well as myself and they felt that it was a matter for me to take up with the Inspector General of Prisons. When I represented this matter to the Inspector General of Prisons, who just then happened to visit me in the jail, when I told him I would relinquish special treatment if my fellow-prisoners were not treated similarly, he said, "Well, Mr. Ranga Iyer, I can take the horse to the water, but I cannot make it drink". Since then I relinquished special treatment. I honestly felt that when some of my fellow prisoners, some of my young friends from schools and colleges, who had left their schools and colleges and flocked to the prison because of my inflammatory speeches, because I incited them to revolt, when some of my young friends were treated very badly in the jail, I felt that I should not be enjoying better treatment than what they got. I do not see any reason why this Government, except it be with the most mischievous intention, should contemplate the idea of introducing any distinction among the political prisoners. I stand firmly against the introduction of any kind of distinction in the matter of political prisoners. I do not care whether you give them better treatment or not. Well, the worse you treat them the better, because the treatment given to prisoners inside the jail is known outside, even the fact of a revolt in the jail comes to light. When I was in jail, certain fellow prisoners in the Lucknow jail were denied the right of worshipping an image of Sri Krishna inside the jail, and when we consulted Pandit Motilal Nehru, he did not want that there should be a rebellion on that score—he always takes a reasonable view. (Laughter.) But I led the rebellion myself. No one knows this better than Pandit Khristna Kanta Malaviya—my fellow barrack mate—who was there then is here now. I led the rebellion with the object of getting the right of idol or image worship conceded inside the jail. I was punished for that, and I was transferred to the local district jail. They put me in a solitary cell, very stuffy, later in a separate cell. But that is another matter. The fact remains that my fellow-prisoners got the right of worshipping the image in the prison. The Superintendent of the jail in those days—perhaps he is now the Inspector General of Prisons in the United Provinces—the Superintendent then was Colonel Clementson. He was a dear fellow to talk to; he belonged to the better category of Englishmen and he was always kind to me. He had a very good opinion about myself until I rebelled, and since then he changed his opinion about me. (Laughter.) Well, Sir, I said to the Superintendent, "why I objected to this treatment

was that you just wanted to use your authority against these young fellows. Why don't you try conclusions with Pandit Motilal Nehru or myself? If you try conclusions with some of us, it will appear in the newspapers, and fellow-prisoners in other provinces would come to know of it, for after all prisoners subsist by the sympathy existing outside". That is what I said to the Superintendent; under jail rules, it was disorderly conduct for a prisoner. I lost all my remission for good conduct and remained in jail for a whole year. It is rather a bad thing to remain in prison for one year. I had one year's rigorous imprisonment. I have a personal knowledge of this problem.

Sir, I do sympathise with all that my Honourable friend Maulvi Shafee Daoodi said. He spoke with great enthusiasm and earnestness on the subject. Now, Sir, I will only refer to the treatment of the latest recruit to the jail, one of His Majesty's distinguished guests in the Guzerat jails. According to the latest information that has percolated through the Press, Messrs. Mahadeo Desai and Kirpalani asked the Superintendent of the prison all about the treatment of Sardar Vallabhbhai Patel, and the Superintendent said that he had no news for them. When asked about interviews and other privileges, the Superintendent said that Sardar Vallabhbhai Patel was entitled to one interview in three months. I do not know what has happened, and what has become of all the beautiful innovations my Honourable friend Mr. K. C. Roy elocutionized about. Perhaps they have been postponed to the Greek Kalends! One interview in three months! Is that the latest improvement? The Superintendent says there might be a change later on. The Superintendent says the Sardar had been given the Ramayana and Gita. Some of these lambardars, convict warders who keep watch over political prisoners, are dacoits and murderers, they also get the Ramayana and the Gita. I say any book that a political prisoner wants, a political prisoner should have, including, if I may say so, works of Mazzini, which I had in prison, and the works of Byron, which I had in prison. When the Superintendent of the prison gave me a volume of Byron, I ask him, "Do you know what it means to give me a volume of Byron? This is the book which was given to Mazzini in a cell and he drew his inspiration from it". He was giving me one of the most objectionable books from the Government point of view and he was giving it to me without awaiting orders from Government.

I think a non-violent political prisoner ought not to be robbed of daily jail interviews. You take the responsibility of putting him in prison; you do not give him any opportunity of expressing any opinion; you just go against the advice given to you by the House of Commons, that there should be no suppression of expression of opinion. That Resolution was passed in December in the House of Commons. It received the support of all parties. It had the approval of Government. You suppress that Resolution. You trample under foot the advice given to you by His Majesty's Government, and you just give Sardar Vallabhbhai Patel one interview in three months and one other interview in place of one letter! I cannot understand this. I do not want the Honourable the Home Member to go and live in a prison to understand the condition of political prisoners occupying the same status that he occupies in this country or in his own country. But I cannot understand this attitude at all. We are going to have a fight, today, tomorrow or the day after. Give us better treatment. We have got a large number of villages in India; buy up a few villages, construct prison houses there, and a big wall, a Chinese wall, round this village of (say) five square miles; give us our servants, give us our comforts

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and give us the life that we used to live. Probably you cannot do that because it is a rather expensive proposition; but make prison life fairly nice and decent for us. Otherwise a good deal of racial feeling will be created. Of course I strongly object to the introduction of any kind of distinction among political prisoners of whatever status.

(At this stage Mr. President resumed the Chair.)

Treat all political prisoners alike. I have no enthusiasm for the so-called alteration of the jail regulations, I am concerned rather with regard to the treatment of the political prisoners. Give them all better treatment, or class them all as ordinary prisoners of the same category. If you class them with ordinary prisoners, you know what the result will be; it will recoil on you as "A devilish engine back recoils" in language Miltonic. But if you mean to treat them well, treat them as gentlemen, although they are deprived of their liberty.

Sir Darcy Lindsay (Bengal: European): Sir, it is a great pleasure to me to welcome back to the House my Honourable friend Mr. Ranga Iyer. His sojourn in Europe has certainly not deprived him of the great eloquence that he has always treated us to. But I cannot help thinking that his speech is an electioneering one, and I do not think that he really believes all that he said. He has referred to the information which the *Times* of London gave him in regard to the new regulations that have been issued. I cannot answer for what the *Times* of London said, but I can assure my Honourable friend that, so far as concerns political prisoners as such, the jail regulations made no reference to them whatsoever. The jail regulations have brought about, in my opinion, a very great improvement in the position of all prisoners. They have divided prisoners into three classes, according to the social position they were occupying in the country. The rules have removed all racial distinction, they have given no special benefits to any class on account of race. They have provided a special class for prisoners not convicted of offences of moral turpitude, and I should imagine that, in that class many of my Honourable friend's friends, the political prisoners, will be classified. But when he asks that all political prisoners should be treated as one, I wonder whether he wishes to deprive himself, and persons in his station of life, of the special privileges which these rules provide for; because surely he does not wish that a political prisoner or any other in a low walk of life shall be given a treatment totally different from the class of living the man has all along received in his own home. That is what would come about if my Honourable friend's views were brought into operation. The jail rules have provided that the Courts and not Government shall decide the allocation of prisoners to particular classes, the idea being that the Courts, with all the papers before them, could best judge as to the class to which the convicted prisoner should be allocated. I am afraid there has been a good deal of misunderstanding on the part of some Honourable Members as to what the real effects of these rules are. There is also a misunderstanding in the mind of the last speaker that the rules were brought in with the particular object of meeting a particular happening that might occur. I can assure my Honourable friend that there was no thought of that in the minds of the authorities who started the amendment of the jail regulations. It was due to the fact that certain hardships had been brought to their attention, and they have done the best they could to put these right. As a member of the Committee that assisted the Honourable the Home Member in formulating the regulations, I

can assure the House that there was great unanimity of opinion on the main subjects that were under discussion, and I do feel that I for one, at least, have done a service to India in assisting the Committee in the way I did.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, on a very similar occasion, on the 26th January 1926, speaking on a Resolution about political prisoners moved then also by my Honourable friend, Maulvi Mohammad Shafee, I ventured to make an appeal to this House, which same appeal I shall venture to make today, that the House shall have to look upon the question not with the policeman's eye or with the jail warder's eye, but that the House, and those sitting on the Treasury Benches particularly, will have to look upon this question with what I may call the statesman's eye. I am glad that, today, nobody has challenged either my friend or anybody else on this side to define what "political prisoner" means. All the same, I would say that I was sorry to have noted—I noted it only three or four days ago, while looking up some of the old volumes of the proceedings of this House—I noted that on the 24th September, 1928, in reply to a very simple question put by my Honourable friend, Kumar Rananjaya Singh, as to the total number of political prisoners in India, my Honourable friend, Sir James Crerar, did a very great injustice to himself. His reply—rather his attempt at not replying—was to say, "If the Honourable Member explains what he means by political prisoners, I will say whether the information can be collected". I hope, Sir, he will not ask that question today, for indeed several times, in this House, Resolutions have been moved, and discussed on political prisoners. Several questions had been asked before September, 1928, and answered about political prisoners. It was too late in the day for the Honourable Sir James Crerar to have asked my friend Kumar Rananjaya Singh as to what he meant by political prisoners. It would have been more honourable to Sir James to have said that he was not prepared to give an answer to my friend's question. Let that pass. I wish to appeal today to all my colleagues here to look at the question before us from what I would call the humanitarian view, the higher human standpoint. I would appeal to my Honourable friends even on the Treasury Benches; because, although my friend on my right has stated that they have no heart, I still feel that I cannot deny what God has granted to them, namely, a warm or unwarm heart beating somewhere in their bodies. I shall therefore presume that they have a heart, and I will remind them of what the poet has said:

"Hearts are not steel and steel is bent,
Hearts are not flint and flint is rent."

But how long, oh, how long are your hearts going to remain unmoved?

Verily, as my friend has said, we are passing through stormy times. Any reference to what technical rules have been applied in other countries will not do us any good today, when the air is surcharged with dynamic currents of thought and feeling. Now if you want to be a Government, if you want to retain your prestige as a Government—you have already lost a good deal—but if you want anything like the prestige of a good Government, I say, rise to the occasion, realise the seriousness of the times through which we are moving, and try to set an example to the world, which others may follow in similar conditions. I am very sorry for my friend up there Mr. K. C. Roy, who finds that England has not got a classification, that France has not got a classification called political prisoners; and how

[Mr. M. K. Acharya.]

can we have? Sir, England is not an example, France cannot be an example to us. If England and France have not, how does it follow that we too should not have such a classification? I really cannot understand the slave mentality, which, with respect to every institution, will ask if England has got it or not. The English people are the best judges of the conditions there. I know the circumstances of India better; and now, in these exceptionally strenuous times, in view of the anticipated mass movement in this country in which so many people will be quite ready to go to jail, now if Government will take good heed of the times, it is necessary that they must have a classification, a special classification in India called political prisoners. That is my first quarrel with the recommendations of the Jails Committee. It is not the matter under dispute, whether they have recommended this privilege or that additional privilege, that is not the question today. Shall we or shall we not recognise that, in the present special conditions of India, those who, for the ashes of their fathers and the temples of their gods, are ready to become political prisoners and who are sent to jail as such political prisoners, that these do deserve to be classified as a special class and be given a special treatment? Not that they want it by any means; but is it not wise, is it not humane to give these a treatment of which we may not be ashamed ourselves? That is the real question, Sir.

Who are these political prisoners, is today an idle question, and I hope every one will feel it as such even when we want a special class of prisoners called political prisoners. This is not, I repeat, the time to indulge in all kinds of verbal tiltings, in academical dialectics, in arm chair platitudes and things of that kind. "Who are political prisoners?" If there be any still who want to be enlightened on this, I will try to enlighten them by what we, in the educational world, call the inductive method, that is by setting before them a few concrete examples. "Who are political prisoners indeed?" Well, the latest, only three days ago, Sardar Vallabhbhai Patel became a political prisoner; and very probably, within the next three days, Mahatma Gandhi will be a political prisoner. Does any still ask, "Who are the class of political prisoners to whom you are referring?" I am referring to people like Bipin Chandra Pal, Maulana Mohammed Ali and to him, who was my great hero, my ideal, C. R. Das. My friend, Mr. Ranga Iyer, my friend, Maulvi Mohammad Shafee—both these were political prisoners. Why do these and others of the same heroic mould become political prisoners? Because they want to bear the cross for the benefit of others. I am glad to see my Honourable friend, Revd. Mr. Chatterjee, in the House. I hope he knows his Bible well. Let me tell him that these want to bear the cross. (Interruption.) Yes, I am a great student of the Bible.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): You are quoting scripture.

Mr. M. K. Acharya: But I am not the Devil yet!—I repeat, Sir, that these want to bear the cross in order to make this bad world a better world for others to live in. Do they want, do they ask for better treatment? They do not ask for better treatment. I know what is in their mind. (Interruption.) It is true I have not had the privilege of being a political prisoner. Perhaps I shall be one, one of these days, very soon, when I may be forced to disobey law which I consider a lawless law. (Hear,

hear.) When I disobey the law which was passed in September last, or any orders in connection with it. I call it a lawless law because it was introduced, not in response to any large public opinion, but in response to a demand made by half a dozen people, who would call themselves social reformers. It is a lawless law because it was passed not by a majority of elected votes in this House, but by a majority composed mainly of the official block and European Group, who morally ought not to have voted on it at all. It is a lawless law passed by 27 elected Members only voting for, while there were really 30 elected Members against it, 14 who actually registered their votes against it and the 16 Muhammadan Members who had walked out to make their emphatic protest against the official interference. Such is the lawless law that was in September last declared to have been passed, and which is going to come into force from the 1st April. It is a lawless law, not in my opinion only but in the opinion of an eminent lawyer, of one who was till recently the Law Member to the Government of Madras, who has put his opinion in writing and signed and sealed and delivered it to the electors of Tanjore and Trichinopoly, by whom he is going to be returned to this House very soon.

All this however by the way. Now any lawless law the Satyagrahi may decide to violate,—not for the pleasure of it, but in order to claim for his country the freedom that he so ardently desires, in order to claim for his people the liberty to live what religious life they choose, in order to deny to this House and to this Government the right to interfere in such matters. Not that I am in favour of child marriages, not that I want no sane reforms, but that I deny the right of this heterogeneous House to interfere in matters in which all are not equally concerned. Therefore, Sir, whatever the law is he may choose to disobey, whether it is section 144 of the Criminal Procedure Code, or the so-called Sarda Act, or anything else, we are determined to give non-violent battle to those who deny our birthright, to those by whom we are not allowed to live as we think we ought to live with regard to our political rights or our religious rites and usages. Now, Sir, these are to be the kinds of political prisoners with whom the Government of India will have to deal. Have not they to be classified separately? When in England, in recent times, I ask Mr. K. C. Roy, have the circumstances been the same? I ask him when in the history of England or in the history of France, or that of any other European country, there have arisen circumstances like unto those in modern India, where in recent times has appeared another Das, another Vallabhbhai, another Gandhi? Where indeed anyone like the late Andhra-ratna Gopalakrishnah—scholar, poet, musician, above all a patriot of patriots and true God-lover, who died a political prisoner, who sacrificed his life for his motherland, a typical non-violent Satyagrahi, who could bless those that cursed him, even while his life was ebbing out. Is there one such man anywhere else today, any one in Mr. Roy's England or France, who like Mahatma Gandhi or Sardar Vallabhbhai Patel or Maulana Mohammad Ali,—who indeed like the late C. R. Das or Gopalakrishnah is prepared to bear the cross and to say, "Father, forgive the sins of my enemies, for they do that which they know not"? Such is the spirit of the political prisoners of India, of hundreds of them; do they not deserve special classification?

Now, as Mr. Ranga Iyer has beautifully suggested, if these men are so dangerous to you, you have got the power in your hands to put them beyond danger. Put them in groups in isolated places, give them what

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physical food or clothing you choose, but give them plenty of intellectual and spiritual exercise. Ask them to write poetry, to read history, give them plenty of books. Don't say that you will allow them only a single visitor every month, or at the most two visitors. These are not privileges which you are to give or take away; these are rights which you ought to allow to them, because they are human rights. To Government and to people like Sir Darcy Lindsay, it may be a great concession, a great privilege to allow Sirdar Patel one visitor every three months. Is this Sir Darcy Lindsay's love of liberty? Sir, the golden rule is "Do unto others as you would be done by", will my Honourable friend Sir Darcy regard this as a great concession if he should ever have the privilege of becoming a political prisoner?

Therefore, Sir, if today I plead against the jail regulations, if today I condemn them, and if I want better treatment for political prisoners, it is not primarily in their interest; it is in the interests of this Government, and because we on this side happen to be for the time being in some small measure part of this Government. In the interests of this very Government, therefore, I say before the high Powers Above, fall down on your knees, retrieve, repent, change heart. These are special times through which we are passing. Don't cite examples from England or France, America or Australia; conditions are different there; we know better the conditions here, and out of love we, from this side, tell you, out of goodwill we tell you in all brotherly love, do not think that these are trivial matters. These are matters which inflame the populace, and you cannot, you dare not, inflame the passions of the masses over whom you are set to rule. Therefore, Sir, if I support this motion, it is not because I am anxious for Mahatma Gandhi. I know Mahatma Gandhi will say, "Give me the worst treatment you can". Yes to him, as one day perchance to me:

"Stone walls do not a prison make,
Nor iron bars a cage."

Therefore, Sir, if there should be any peace in this country, if we are going to set an example to the world,—and I contend that India has really a great message to give to the whole world—do not look at this question from the policeman's standpoint; do not look at this question from the jailor's standpoint, look at it from the higher human standpoint, from the true Christian standpoint, which is also the true Hindu, the true Mussalman standpoint. Once more I plead, Sir, let us not be misled from the real point at issue. Let the European prisoner have a little more of this wordly something, or the Anglo-Indian prisoner a little more of that; I do not mind all that; that is not the point at issue today. Sir, the point really is, are or are not conditions in India today such as to demand a special classification of political prisoners? My answer is emphatically in the affirmative. My answer is emphatically in the affirmative to the question whether conditions in India are such as to demand that these political prisoners should be given a treatment altogether different from that given to those who, for vile deeds of brutal greed or passion, are incarcerated in the jails of my country. Are not political prisoners of nobler cast? Do they not observe all the higher privileges of humanity? This, Sir, is the whole question; and I am sorry that we should be drawn sideways into what this committee or that committee has said. Therefore, Sir, I hope the Honourable the Home Member will not raise any technical difficulty in regard to the special classification of political prisoner, that he will not

trot out dialectically his difficulty of defining a political prisoner. We all know what the term political prisoner means. We demand from Government that these men, whom we know well, should be classified separately. Men like C. R. Das, men like the late A. Gopalakrishnayya, who died in jail with blessings and prayers, not curses on his lips; these men are the salt of the earth. To these men we owe a duty even when they are gone, and that duty demands that we should press for the special treatment of all political prisoners. There is only one more word that I have to say. Don't trot out the bogey of law and order; do not be obscured with your great responsibility for the preservation of law and order. We know what it is. I am not at all insensible to your difficulties; and yet in all frankness let me tell you this. Not all your resources for preserving law and order, not all your colossal brute force, will stand before the dynamic force of suffering and of love. That is going to be the great lesson which the rest of the world will have to learn from India, from Mahatma Gandhi, from me and other Indians, that soul force is mightier far than brute force. Don't completely rely upon brute force. Recognise in time the strength of soul force and pay homage unto it. Regard those who are trying to create and to spread soul force all over country, and indeed all over the world in due time, as the greatest and truest of your friends. They are going to be honoured all over the world in future; will you alone dishonour them now, and bound them as felons? Let Government beware not only what verdict is going to be passed upon them in the future; let them beware what immediately is going to happen to them; and in time let them retrace their hasty steps for their own good, no less than for the good of the country at large. Therefore, I say, this motion ought to be supported by everybody; it is the duty of one and all, of even those who are sitting on the Benches there. Yes; I tell the Government in all friendliness, "You must begin to cultivate a change of heart." By all means have your jail rules, modify them as you please; the *atma-shakti*, soul force, of political prisoners is quite indifferent to your rules. But in your own best interests, I tell you in all sincerity that you must meet the new situation in the country in quite a new manner which will recognise the true strength of those who are ranged against you, in a manner which will be worthy of yourselves as a civilised Government.

Mr. M. S. Aney (Berar Representative): Sir, in supporting the motion before us, I wish to emphasise only one or two points and not make a long speech. The question which the Committee that was appointed a few days ago had set before itself to solve was prominently brought to the notice of the Government on account of certain events that took place in Lahore jail in the Punjab. We must recall to our minds the tragic circumstances under which Government had to take up this question for consideration, and in giving our verdict on the rules promulgated by the Government on the basis of the Report of that Committee, we must try to see how far those rules can meet the points that were prominently raised on that occasion. It was known that a hunger strike had occurred in Lahore jail as a protest against the treatment given to political prisoners, and one of the points that was made at that time was this, that the political prisoners in jail were not getting the treatment to which even a European prisoner guilty of the worst possible offence is entitled. That was the main point emphasised very prominently in the debate that took place in this House, and it was expected that, when the new rules were promulgated, they would at least be of such a nature as would eliminate the

[Mr. M. S. Aney.]

possibility of a distinction like that once and for ever. It is from this point of view that we have to look at these new rules and see whether they do really eliminate the possibility of distinction on which so much stress was then laid. I am sorry I have to differ on this point from my Honourable friend Mr. K. C. Roy, who is one of the Honourable Members that have certainly done their best to produce the present rules, and who have claimed that they have done everything they could possibly do to remove this invidious distinction. The system of classification which they have adopted is based, as has been very ably and aptly pointed out by the Honourable Member who moved this motion, and those who supported him, not on the nature of the offences for which the convicts are undergoing the imprisonment, but on the social status and habits of life of those who are convicted as offenders. In this classification one point appears to me to be perfectly clear, namely, that either on account of his social status, or on account of his habits of life, the European prisoner will be entitled to the privileges which he is getting today, whatever the nature of the offence, but a political prisoner, as such, may not be entitled to those privileges notwithstanding the fact that the offence which he has committed is entirely of a different nature, and not at all of a kind involving moral turpitude or any violence. This was the distinction which was regarded by those noble souls in Lahore jail, who went on hunger strike, as most galling, and as one for which they thought they should lay down their lives rather than submit to the wrong. That was the real grievance. Do these present rules eliminate the possibility of a thing like that? They do not, and in so far as they do not, I make bold to assert that the Government have failed to achieve the real result which it was their duty to bring about.

That is the one great failure of that Committee. It has been stated that it is impossible to define a political prisoner. We are told that they would have endeavoured to remove the distinction had it been possible for them to define a political prisoner. 'I want to know the precise nature of the difficulty which the Committee felt in defining a political prisoner. Is it because they do not find a definition of political prisoner anywhere else in the code of any civilized country? Or does the difficulty arise on account of the inconvenience which the authorities might experience in recognising the political prisoner as a distinct class for special and better treatment? I feel that the difficulty is more of the second category than of the first category. You can easily imagine why and when a prisoner should be called a political prisoner; a man is tried in court; the motive for which he has committed the offence is laid threadbare during the trial and the trying Magistrate can know at once whether the man has committed the offence with a selfish purpose or with a sordid motive, and whether he wanted to advance any personal ends of his own by the perpetration of the offence, or whether he had a higher motive in his mind in committing the offence. If you find he committed the offence with a political motive, that is for the purpose of gaining a political advantage for the nation, then he is certainly a political prisoner, notwithstanding the gravity of the offence that he may have committed. There is no difficulty about it; and therefore it would not have been very difficult for the Government to have recognised that class in my opinion; and in so far as they do not recognise that class, I do not think that the present Committee has done adequate justice to the

demands of the suffering people. On the other hand, I feel that Government of India have lost a very golden opportunity in not recognising this class and giving the political prisoners the concessions which they are prepared to extend in the case of the A and B class prisoners. They should have said that these political prisoners should be usually treated as A or B class prisoners; the Government could have certainly said that; it would have settled the question once for all and thus prevented it being brought up at any future time on the floor of this House. If they had done that, it would have been taken as a gesture of friendship on the part of the authorities, indicating that they really intend to create atmosphere in this country for the consideration of the bigger political issues on which the Government profess that their hearts are set. On the other hand, by not recognising political prisoners for better treatment owing to their very status as political prisoners, they are virtually saying, "I am not going to treat any man as a prisoner of a higher status or class because he has committed a political offence". So far as political offenders are concerned, the attitude of the Government is one of contempt and indifference. They do not want to make any change in that attitude at all. If they get a political prisoner occupying a very high status in society and if they have reasonable grounds to apprehend that a wrong treatment of him might create a row all over the country, then they have now provided themselves with certain powers to get themselves out of the difficulty. Their present system of classification of prisoners is nothing more than that so far as political prisoners are concerned. They do not recognise that men who are committing offences out of their convictions are for that reason entitled to special treatment, and the reason is this; they are not sufficiently imbued with the spirit of toleration; they are not sufficiently imbued with that magnanimity which apart from its apparent illegality, pays its tribute to one who suffers for freedom of expression and freedom of action according to his convictions. Unless they are imbued with that spirit, it would be impossible for the Government of India to recognise political prisoners as a class by themselves, entitled to certain privileges, privileges to which the prisoners under the higher classes under the proposed classification, are entitled. Government must treat them as men swayed and influenced by their moral convictions and not men who are merely moved by sordid impulses. In India we do not respect any body merely for his social status or the money he has in his pocket. India is a country in which the moral fibre of the man is the only criterion for him to be entitled to the respect of the people, notwithstanding the fact that he has not got a pie in his pocket; India is a country which recognises the class of *Sannyasis* as the highest class which requires to be honoured, a class of *fakirs*, with not a shilling or penny in their pockets—as the one class to be honoured by the entire community, and to occupy the most exalted position in society. In a country like that, Sir, a distinction based on social status and habits of living cannot appeal to the people; and if the Government have made these rules with a view to indicate to the world that this is a further proof of a change of heart in them and that the Government of India is thus creating an atmosphere for a better consideration of higher problems, they are sadly mistaken in that. I definitely tell the Government that these rules, though they may have improved the position a little bit over the previous position, have made no advance whatever so far as political prisoners are concerned.

There is only one more point to which I would like to refer. It was very rightly pointed out by Sir Darcy Lindsay that the proposed rules have

[Sir James Crerar.]

is the elimination of those grounds of suspicion that there is an element of racial discrimination in the existing jail regulations

Dr. A. Suhrawardy: The Chinese and Japanese were given special treatment as Europeans. Has that distinction ceased to exist now?

The Honourable Sir James Crerar: The basis for classification is now entirely, so far as A Class is concerned, the character of the offence and the antecedents and previous standard of life of the prisoner, as regards B Class, the second criterion alone; and the basis of classification now eliminates all questions of race.

Now, the third criticism of substance which has been brought against the rules was the classifying authority. As Honourable Members are aware, the principle which has been adopted is that classification should ordinarily be made, in the first instance, by the Court originally trying the offence, and it is subject to confirmation and revision by the Local Government. That principle has been criticised, but the ground for it has, I think, ample justification. A very large number of Courts of different grades and of varying degrees of experience will be called up to deal with what is in point of fact an administrative act. It is important, especially when a new system is being initiated, that a reasonable degree of uniformity should be imported into the matter, and that was the reason indeed why the Government of India came to the conclusion that the classification made by the Court originally trying the offence should be subject to confirmation and revision by the Local Government.

My time is very short, Sir, and I do not wish to encroach upon other matters which will shortly be coming before the House, but I do trust the House will recognise that a very complicated and a very difficult task, which was presented by this revision of the jail rules, has been carried through in a really sympathetic, careful and attentive spirit, and that the conclusions which have now been reached mark a very definite improvement on the conditions previously existing.

Mr. President: The question is:

"That the Demand under the head 'Home Department' be reduced by Rs. 100."

The Assembly divided:

AYES—39.

Abdoolah Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Abdullah Haji Kasim, Khan Bahadur Haji.
Acharya, Mr. M. K.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chaman Lall, Diwan.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Farookhi, Mr. Abdul Latif Saheb.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Ismail Khan, Mr. Muhammad.
Javakar, Mr. M. R.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.

Lal, Mr. Hari Prashad.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.
Malaviya, Pandit Madan Mohan.
Moonje, Dr. B. S.
Munshi, Mr. Jehangir K.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Rahimtulla, Mr. Fazal Ibrahim.
Rang Behari Lal, Lala.
Ranga Iyer, Mr. C. S.
Rao, Mr. G. Sarvotham.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Shafee Daoodi, Maulvi Mohammad.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gaya Prasad.
Sitaramaraju, Mr. B.
Talatuley, Mr. S. D.
Ziauddin Ahmad, Dr.

NOES—52.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Coatman, Mr. J.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur Sardar.
Jehangir, Sir Cowasji.
Kikabhai Premchand, Mr.
Lamb, Mr. W. S.

Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Patil, Rao Bahadur B. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan Bahadur.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Shah Nawaz, Mian Mohammad.
Slater, Mr. S. H.
Suhrawardy, Dr. A.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Zulfikar Ali Khan, Sir

The motion was negatived.

Mr. President: The question is:

"That a sum not exceeding Rs. 7,11,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of the 'Home Department'."

The motion was adopted.

DEMAND No. 36—FINANCE DEPARTMENT.

The Honourable Sir George Schuster: I beg to move:

"That a sum not exceeding Rs. 11,50,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of the 'Finance Department'."

Retrenchment throughout the Administration.

Sir Hugh Cocke (Bombay: European): Sir, I beg to move:

"That the Demand under the head 'Finance Department' be reduced by Rs. 100."

From the storm of political prisoners we come to the calm of dull finance. The convention under which various subjects are taken up by different parties is, I think, an excellent one, but I am not sure that the selection ought not to be made by drawing numbers from a hat instead of each party selecting its own. The more spicy items have already been dealt with, but as the Finance Department controls the finances of all Departments, I presume, I am entitled to move my cut and refer to any expenditure which the Finance Department controls. Therefore, this opens up a very wide discussion. Sir, we often hear retrenchment being

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LEGISLATIVE ASSEMBLY.

[10TH MAR. 1930.]

[Sir Hugh Cocke.]

discussed in very wide and general terms and my desire today is that we should get much more into details. I do not intend to take more than ten minutes myself, and if the Honourable the Finance Member can limit his reply to 20 minutes, we should be left with 90 minutes in which, I suggest, possibly 45 Members might make two minutes speeches and tell us on what particular items, they suggest retrenchment and economy could be effected, because it is constructive suggestions which will be useful, and it is for that reason mainly that we decided on this particular item. If we can arrange for 45 speeches, and if we can get four suggestions of Rs. 10,000 from each speaker, the amount will come to 18 lakhs of rupees, which will be very good work for two hours. And if we go on as successfully as that, possibly other parties might like to withdraw their cuts and we could carry on the retrenchment campaign tomorrow and get to a much larger figure. Sir, as I said, I am anxious that the Members of this House should really direct their minds in particular channels in which definite savings can be effected. I may say at once that I have nothing very stirring to suggest in that direction, but I have one or two suggestions.

With regard to the Army expenditure generally, I quite agree with a good deal of the criticism which has been offered by the other side during the last few years in connection with the reductions which have been made in comparison to the reductions which the Inchcape Committee foresaw. I should like to see another *ad hoc* committee appointed at no very distant date to deal with the Army expenditure, with the idea of putting before this House a constructive programme of decreasing expenditure over a period of, say, five years. I cannot help feeling that we are rather in a maze at the present moment. We have been told that the Army have had additional expenditure thrust upon them in connection with the customs duty and postal duties. On the other hand, they have saved money on account of exchange and on account of the reduced price of materials. But we do not know the cumulative effect of these various differences and what proportion it bears on the figures of 55 and 50 crores mentioned in the Inchcape Committee's Report. I think if we can have another small expert committee—I do not mean an expert committee consisting of only soldiers; that will not be desirable—a small business committee, to consider this question and try to put up a programme for expenditure of the next five years, it might be fruitful of very good results.

Colonel Crawford, the other day, expressed a note of anxiety about mechanisation developments and he spoke of the bill we were going to have to meet for renewals. I heard of a staff car the other day which was practically out of action after two years use, due to thoroughly bad driving and cheap oil. That is an example of an item which this Committee might go into, whether the officers should have staff cars in peace time or whether it would not be better to use their own cars and get an allowance. From my own experience of offices, I can say that the cost of running motor cars by the firm is about double what it is when you give an allowance to individuals, for the simple reason that cars get proper attention when they are under the control of their owners, and they do not get proper attention when they belong to a big concern like the Government or a Company. Therefore, I suggest that, in the matter of staff cars, there is a definite possibility of some small reduction, and in connection

with the mechanisation there is a particular item which this Committee will go into, having regard to the possibility of renewal expenditure in years to come.

As regards the expenditure which Mr. Jukes is going to review, I cannot help feeling that his review would have carried more weight with this House and with the country generally had two non-official expert business men been associated with him. We all know Mr. Jukes is an expert in Government finance and he is a man who knows where to look for the particular items which should not be there or which could be reduced. But I think outside opinion would have been helpful, and possibly it is not too late even now to consider the addition of two or three names to Mr. Jukes' investigations.

On the question of interest which is an item of expenditure, I was very much struck with the paragraph which I read in the leading article of the *Daily Chronicle* yesterday. It runs as follows:

"Some time ago an examination was undertaken of the budgets of some 2,500 families whose average monthly income was shown to amount to about Rs. 52. Approximately 47 per cent. of these were indebted to the extent of an equivalent of two and half months' earnings. The usual interest paid was at the rate of one anna in the rupee per month. In other words, these unfortunate beings were paying to *banias* an average interest of 75 per cent. a year, and as often as not this 75 per cent. was compound interest. A little simple arithmetic will show that these families were indebted on an average to the extent of Rs. 130 on which they paid in simple interest Rs. 97-8-0 a year.

If people who declaim so vociferously on the burden of a tax (they are referring to the Salt Tax) 'amounting to annas three per head per annum' would take steps to reduce a system of iniquitous usury which is one of India's greatest handicaps, they would be doing something of real value to the country."

Well, Sir, we all know that we have got the Banking Inquiry Committee and that is one of the problems they are facing. But it struck me, in connection with the reduction of expenditure, that if the Government could lend money to the people at 10 or 15 per cent. instead of allowing the people to borrow at 75 per cent. from the *banias*, provided they avoided heavy bad debts, they would be doing good business. Although, of course, the expense of the Department to be detailed to do this work would be heavy, one cannot help referring to an earlier paragraph in this leading article dealing with the salt tax, where it is pointed out that the present burden of the salt tax is reckoned at 3 annas per head. You could put on another 3 annas on the people to enable you to pay for this organisation and you will then confer a very substantial benefit on the masses.

There is one other direction which I think is worthy of investigation and that is the post offices. I got by the mail yesterday the *Times*, Special India Number, and in it there is an article by Sir Geoffrey Clarke dealing with the postal development in India in the last 50 years. He points out that the number of new rural post offices, which, of course, we all know, has been increased very materially. In 1927-28 no less than 748 post offices were opened. I quite agree that this is excellent from the point of view of spreading education, but it is expensive. Sir Geoffrey Clarke remarks that they do not yet pay their way. They may not pay their way for years, and the question arises whether a certain amount of retrenchment ought not to be effected in that direction, having particular regard to the fact that the Post Office is drawing heavily upon the Central revenues at the present time.

One other matter, and that is the general question of pay. I only said the other day that this House was very sympathetic towards increasing the

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pay of grades of staff, and that sympathy had been reflected in very heavy expenditure in the last few years. It occurs to me to suggest that the time may come, and perhaps ought to come even now, when some sort of move in the other direction is necessary, because, as we all know, and I think it was stated in this House the other day, that the British soldier's pay has been cut down as the result of living expenses going down. Railway employees at home have had to take reduced wages from top to bottom on that account. Taking the Bombay figures of cost of living, which have been quoted often in this House, Honourable Members may remember that, from 1923 to 1927, there was practically no change, the average figures of percentage over July 1914, for those five years, being 54, 57, 55, 55 and 54. But in 1928-29, we dropped to 47 per cent. above July 1914 and a slight rise took place in 1929 to 49 per cent. In the first month of 1930, the figure is again 47 per cent. I suggest that there is a possible ground for some retrenchment in pay.

Sir, I am not going to occupy the time of the House any longer because I am anxious that we shall hear as many of these two minute speeches as possible, and I hope Honourable Members sitting behind Government, who have great knowledge of the country, will take part in this discussion.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

Sir Hari Singh Gour (Central Provinces Hindi Divisions; Non-Muhammadan): Sir, in supporting Sir Hugh Cocke, I wish to make my own position clear. I have always insisted, and I insist once more, that the question of the reduction of Army expenditure does not depend upon the lines suggested by the Honourable the Mover of this motion, but upon a change of policy. It is the change of policy for which we have been fighting, struggling and agitating during the last ten years. As Honourable Members of this House may not be aware of the history of this agitation, I may, in a few sentences, explain to them what we have been fighting for. Ever since the close of the war, the point of view of the British war policy was that the Army in India should be regarded as part of the Imperial forces, and with that object in view, a Committee was appointed presided over by Lord Esher, in which it was expressly laid down that the Army in India must be regarded as a wing of the Imperial forces. We immediately protested against it, and we appointed a Committee of our own, with the consent of the Government of India, and unanimously passed a Resolution to the effect that the primary and sole purposes of the Army in India was the defence of India, and that its equipment must therefore be strictly in accordance with the requirements of India's needs. That policy is one which, as I have said, was accepted by the Government of India for the time being. But that policy, I am afraid, has been overruled by the Home authorities, with the result that, for the last ten years, the Indian Army has been regarded as a part of the Imperial forces. I have already read to you a passage from a leading article in an English newspaper, and I could read to you much more from the newspapers and from the pronouncements of responsible persons at Home to the effect

that the Army in India is treated as a part of the Imperial Reserve, and it is with that object in view that the mechanisation and the re-equipment of the Indian Army is ordered in this country. My Honourable friend, Colonel Crawford, the other day said, "You are provided with a different equipment; if you are to take part in a world war what will be the result? Look at the result you had in 1917; your men went there armed with inferior weapons and when they landed at Marseilles these weapons had to be changed." But we are not concerned here with a world war. We are here concerned with the defence of our country and the army which India claims to keep is only an army which is necessary for the defence of the country. If this policy is once accepted, we shall have an immediate reduction, not to the tune of one or two crores, but I venture to submit, something like 20 crores, in the gross expenditure upon the Army in this country. Look at the map of the world; think of England's possessions, East of Suez. You have South Africa, you have Australia, you have Ceylon, and you have the Malaya Peninsula and Hong-Kong and places like that. Do they keep any armies at all? They do not, because they know that the Indian Army is a stand-by, and that in case of necessity they can call upon the Army in India to come to their defence. As the British Navy is presumed to protect the outlying possessions of Great Britain, so the Indian Army is maintained for the purpose of safeguarding the integrity of the Eastern possessions of England. But not one penny is contributed by these possessions to the Indian exchequer for the maintenance of the Indian Army. Imperial Conferences have been held, and we are told that an Imperial Conference will be held in September or October this year. I ask the Government of India, in all seriousness, to instruct their delegates that they should raise this question before the Imperial Conference, that India is not in a position to pay for and maintain an Imperial force stationed in India, and unless that policy is altered India will not be happy, and will keep on insisting upon the Government of India the desirability and necessity of fulfilling their own promise, that the Army in India is intended for the defence of India. That, Sir, is the main point. A small *ad hoc* committee can do no good. I strongly oppose the appointment of an *ad hoc* committee, that will decide the policy of a few rupees' cut here and a few rupees' cut there. When the Inchcape Committee was appointed—let me remind Honourable Members that I was the author of the Resolution which forced upon Government the necessity of appointing that Committee—I then pointed out that, what we really wanted was a complete change of policy regarding the military and civil expenditure of the Government of India. The other day I pointed out to this House that all the provinces are crying and the province of Burma is blatant, that the expenditure of the Central Government is so high that they are not in a position to bear their proportion of it, and Burma is regarding that as one of the chief grounds for demanding separation; and the nation-building departments in all the other provinces are being starved because the overhead expenditure of the Central Government is very excessive, and out of all proportion to the burden that they can legitimately call upon the taxpayers of this country to bear. The provinces are in united revolt against the Central Government. I wish therefore to ask this House whether it can tolerate a policy which has been going on for the last 20 years or more, that India is being bled for Imperial purposes, and we are required to keep an Army the strength of which bears no relation to the requirements of this country. The equipment of it is ordered by a body overseas, with strict reference not to the Indian requirements, but

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the Imperial commitments. It is that which we wish to stop; it is against that that we wish to protest. It was asked the other day in connection with the military cut by the Honourable Mr. Jinnah, "Why do you want any reduction of British troops, because that is not possible? How shall we replace them?" And therefore we were told that what we require is the fulfillment of all the recommendations of the Skeen Committee. With due respect to him, I submit that, what we require is the immediate reduction of the British troops in India, (Hear, hear) because the British troops in India are not kept for the purpose of the defence of this country. I venture to submit that one-third at least of the British troops in India can be immediately sent away, and I say to the Government of India that, if they are so inclined, they should immediately give notice—a year's notice—for the reduction of one-third of the British Army in India. That, I submit, would relieve the taxpayer of a large burden which he has to bear. I ask the Honourable the Finance Member to support us in this motion for this reason. You know, Sir, that the more you give the people, the less tax you impose upon them, the greater is their purchasing power, and we know we have been told by the Empire Crusaders that one-fifth of the British trade is with India, and therefore we say to those Empire Crusaders that, if the people of India have more money to spend, they will buy more British goods, and therefore it is in the economic interest of Great Britain herself that the people of India should not be bled to the bone, as they have been bled all these years, for the maintenance of their bloated armaments in this country. We have cases after cases, whenever there is an overseas war, whether it is in Iraq or in Mesopotamia or Egypt or Palestine or China, the Indian reserve are called upon to serve overseas, and we are told that the British Exchequer is extremely fair, in that, for the time being, when these troops are overseas, their expenditure is borne by the British Exchequer, forgetting altogether the capitation charges that India has to pay for the troops which are only lent to us and a part of the British Army stationed in India for only a short period. But what becomes of the training and why should not India similarly levy capitation charges from England in respect of the troops which are kept here for Imperial purposes? Sir, it is a long story. The time at my disposal is short; but I feel very strongly on this subject and I therefore feel that, if the Government of India wish to appoint a committee—and I do want that the Government of India should appoint a committee—it should not be an *ad hoc* committee. It should be a committee which should carry out to the letter and to the spirit the Resolutions which this House has passed with the concurrence of India, that the primary duty and the sole duty of the Army in India is the defence of India. That is my first point.

As regards the civil expenditure, Sir, I find from the explanation given here in this book that the civil expenditure has been rising and rising partially because of the commitments consequent upon the recommendations of the Lee Commission. Now, the Government of India must remember that, under the Preamble to the Government of India Act, the progressive Indianisation of all services is the accepted policy of the Government. Now I wish to ask, where is the progressive realisation if you do not reduce the expenditure by Indianising the service. What Indianisation of the services has been made since 1919, or since 1921, when this Legislative Assembly first took office? I wish to ask the Honourable the Finance Member to make a statement, or if he is not prepared to make a statement, to prepare a statement and lay it on the table of the House,

to what extent Indianisation has been brought about in consequence of the changed angle of vision which is said to have been brought about by the Imperial declaration of 1917. That is my second point.

My third and last point is this, Sir. Whatever the Government of India may do, the Government of India may feel strongly with you and me, and in many cases they do, but so long as they remain a subordinate of a Government 6,000 miles away, their position is almost as deplorable—or I may say as pitiable—as ours. They can only beg and plead and occasionally send a deputation of the Finance Member to go and try to convince the authorities at Home as to the impecunious condition of the people of India. But so long as the fulcrum of power is in Whitehall, and that power is used primarily for the purpose of safeguarding and upholding Imperial interests, we shall have no relief in this country. Whatever the Government of India may do, so long as we do not make the Government of India independent of Whitehall, and responsible to this House in the truest and fullest sense, we shall never be able to get any real reforms or any real retrenchment. The Honourable Mr. Kelkar brought forward a Resolution that the Government of India are not responsible in their nature to this House. How can the Government of India be responsible to you? Under the Statute, the Government of India are responsible to the Secretary of State and the Secretary of State is a Member of the British Cabinet. I can well understand occasionally a Member of the British Cabinet saying that this does not suit the Government of India or the people of India. But after all, you must remember you have all done team work, and the Secretary of State has to do team work too. He is only one Member of the British Cabinet. When he finds that he has to carry out the policy of the Cabinet, is he to look at you or at the British Cabinet of which he is a Member? This places the Secretary of State in an awkward position. Look at the illogical and absurd position in which the Secretary of State is placed. He represents a British constituency, whose interests are his first obligation. He is under the disciplinary control of the British Cabinet. The Prime Minister has to formulate the policy. The other Members of the Cabinet have conjointly to decide upon a line of policy. Can you expect that a Member of the British Cabinet can go, time after time, against the joint wishes of the Cabinet and say that he shall not do this or that? Do you think that such a Secretary of State is likely to remain a Member of the Cabinet for long? And look at the question from your own standpoint. If you had in your cabinet a man who always disagreed with you and with the policy of his own electors, would you not say, this a quarrelsome fellow, and he does not understand team work; he is a most ill-disciplined fellow; he does not understand that the Cabinet has decided on a line of action; well, we will appoint him Lord of the Admiralty and somebody else as the Secretary of State for India. You should understand a man, however, strong or however conscientious he may be, in the position in which he is placed. That once more raises the main question, namely, that if you are to remain as a part of the great machine of Imperialism, your interests will always be subordinated to those of Great Britain, and naturally, Great Britain has got her own commitments, and so long as those commitments have to be adhered to, India has not got the first place, but has got the second place there, and it makes all the difference in the world whether India has the first place or the second place in the determination of Imperial policy.

Nawab Sir Sahibzada Abdul Qaiyum (North West Frontier Province: Nominated Non-Official): What about your Central Committee's Report?

Sir Hari Singh Gour: My friend, Sir Abdul Qaiyum, asks me what about my Central Committee's Report. I am paraphrasing it. I am paraphrasing the main recommendations of the Central Committee, and my friend is welcome to read the Report *in extenso*, the line of arguments which we have pursued and the recommendations which we have made. I, therefore, strongly support this Resolution, but not on the grounds on which the Honourable the Mover has placed it.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, as a new arrival in this House, you will allow me to make a complaint. Sir, we have been discussing the Demands for two whole days and a part of today, and yet I have not had an opportunity of learning anything about the Budget, either from Honourable Members on this side or from Honourable Members on the Treasury Benches. I congratulate my friend, the Finance Member, on the comparatively light time he has in this House. He has practically had to answer no question, give no explanations, has not been held responsible for a single item in the Budget for the last two and a half days. The whole of the first day

Mr. President: Order, order. The Honourable Member must speak on the motion.

Sir Cowasji Jehangir: I am explaining that we have done nothing to retrench during the last two and a half days that we have been discussing the Budget. My Honourable friend, Sir Hugh Cocke, now wants us to come back to the Budget and speak about retrenchment, but we have been talking high politics for the last two days. I cannot understand how it is possible to make suggestions for retrenchment and to ask for retrenchment when, out of the five days allotted, two and a half days have gone. Tomorrow will be the same, and only the last day is available for making practical suggestions. That is my complaint, Mr. President. I do not understand the practice of this Honourable House, but I only throw this out as a suggestion.

Today Sir, we have been extending yesterday's debate on the Army. On the first day we enunciated a great principle. I was quite prepared to agree to the enunciation of that principle, namely, the irresponsibility of the present Government. On Saturday we discussed the Army Budget and protested that Indianisation has not been effected by Government. I was quite prepared to support that protest. Today I find the same thing is going on again, and the Army is being discussed. But since I am given an opportunity of saying a word or two, I will only draw the attention of this Honourable House to one point. We hear a good deal about retrenchment in the Army. I am all for making a cut in the Rs. 54 crores which the Army requires. But, Mr. President, I would remind those who are so anxious to reduce the numbers, that, so long as they reduce the force in other parts of India and leave my Presidency alone, I can have no objection. Sir, my Presidency makes no small contribution to the Government of India which helps them to pay for this Army. On some occasions Bombay has had to make use of a very small, infinitesimally small, portion of that Army for internal peace. Now, Sir, if a reduction takes place, and knowing as I do the importance of the North West Frontier, I have no doubt that the Army will be concentrated somewhere in that direction, and that, when we do want the assistance of the military as a little return for the money we give to the Government of India, we shall be told that there are no troops to spare. The result will be that we shall have to increase our police, and therefore,

while the Government of India will reduce their expenditure, the Provincial Governments will have to increase it. I do not think that is at all fair. If a reduction in the Army is to take place, then, Sir, some of the expenditure should come back to the Provincial Governments. We should not be called upon to make the contributions that we are now making, and I think Provincial Governments will then be prepared to spend a part of that money in increasing their police force.

Sir, I would revert for just one minute to the question of retrenchment as a whole. I will just tell you what the position has been in my part of the world on more than one occasion. The analogy may not be quite correct, the Opposition in the Provinces being in a stronger position than the Opposition on these Benches. There is a greater sense of responsibility in Provincial Legislatures than there is here, because there are transferred subjects and there are Ministers, and on those subjects we never hear of certification; we cannot. And let me further add, that I am proud to say that, as far as my province is concerned, never once has an item been certified. On an occasion or two, when the Opposition Benches felt very strongly that retrenchment was necessary, they effected that retrenchment by taking advantage of the time given to the House to go into the Budget. They said to Government, "We refuse the Finance Bill, we want retrenchment". They frankly admitted that they were unable to point out, or put their finger on, the exact items which could be retrenched. They hadn't the knowledge, and as a little knowledge is a dangerous thing, they might do a great deal of harm in retrenching items which might be really most useful to the country and the people. Therefore, they put the responsibility on Government. They said, "You are the people who know where you can cut with the least amount of damage; all we know is that we are not going to supply you with the money. If you are prepared to make a retrenchment of X lakhs of rupees in your Budget, we will pass your Finance Bill; if not, we shall not". Well, the Government had to think; they could not pass over a threat of this sort unnoticed, and on more than one occasion they have agreed to make the cut demanded.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): You once cut down Rs. 50 lakhs.

Sir Cowasji Jehangir: Yes. I am not now going into details. Now, Sir, I would suggest to my Honourable friend, Sir Hugh Cocke, that he might take up the same attitude. He might fix a figure which he thinks can be retrenched, and tell Government "Retrench in any direction you like, you are the best judges; we have not the information; we haven't the knowledge; we do not wish to do any damage; but retrench you must to this extent; and if you do not, we do not pass your Finance Bill". I know the answer will be "Government will resort to certification". But believe me, I do realise that these demands for retrenchment have an effect on the Treasury Benches. I am not speaking from experience of this Honourable House. I am only speaking from experience in another House. My experience is that the speeches are taken note of, and that cuts do have their effect, if not immediately, some time afterwards. It may not be apparent to non-officials; it is very apparent to the official, and therefore when we do effect these cuts, or make criticisms, it does have an effect on the opposite Benches. But we must have time to do so. The complaint may be that the time for general discussion is not enough, that it should be extended from two to four days. It will have

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to be extended from two to six days if the present state of affairs is to continue. Let there be cuts on policy for a day or so. Now we have been discussing policy yesterday and the day before, but let us now get on to the Budget, and force the Government to retrench. No conscientious Member of this Honourable House can go into the lobby and vote against the Finance Bill when he has not made any attempt to force the Government to retrench.

I am in an atmosphere of unreality; the system forces me to a position of unreality. It is my humble opinion—with due respect to the many Honourable Members I see round me with much greater experience than myself—that we are making the position worse. Therefore, Sir, irresponsible Member as I am, and the position being as unreal as it is, I will probably walk into the lobby and vote against further taxation. But I feel that I have not had an opportunity—perhaps members with much greater experience will take the opportunity later—of pointing out to the Government that retrenchment in such and such directions is possible and if you do not retrench you will have to use your powers of certification. I have nothing more to say, Mr. President.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I have a considerable amount of sympathy with Sir Cowasji Jehangir, in his complaint that we in this House have not been very business like in disposing of these Demands for Grants for these two and a half days; and I would remind him that we, who have worked in the first Assembly—I mean the Assembly that sat from 1921 to 1923—were as a matter of fact faced with similar circumstances; and on one occasion we made all round cuts of five per cent. from the various Departments. In those days, however, there were no party organisations on the lines on which we find them today in the House; but still we could arrive at a sufficient amount of understanding between the different sections of the House to be able to accomplish this; and, by this method, we were enabled to effect considerable reductions in the Budget. It must not be forgotten, however, that in those days the Railway Budget also formed part of the General Budget, and for that reason it was possible for this House to effect a very large cut in the Railway Budget itself. Now the Railway Budget is sacrosanct; we cannot touch it—we have already disposed of it. Whatever that may be, it is possible even now for this House to effect a sort of five per cent. reduction under all the various heads that are to be voted by us. I understand Sir Hari Singh Gour has given notice of motions for the reduction of all the various demands by 5 per cent. I do not know whether it will be possible for this House to reach those particular heads after we have disposed of the general sort of discussion that we at the present moment are having. But I would remind Sir Cowasji Jehangir, with reference to what he said about the incongruity of the position of a non-official Member who votes against the Finance Bill, and who at the same time has not been able to effect any saving in the Budget while there was time for it, that the analogy of the provincial budget does not hold good here. Because my Honourable friend will remember that here, apart from the general division of voted and non-voted expenditure, we have the entire Military Department removed from the vote of this House. I therefore think that, even if we fail to achieve any retrenchment by our own action in regard to the various votable items of expenditure that are before us just now, there would be ample justification for us to vote against the Finance Bill when that comes up.

Now, Sir, in 1921—the Honourable the Finance Member will bear me out—the British Treasury sent out a circular to all the spending Departments of the Government, asking them to effect drastic reductions in expenditure, and I have a recollection that the *Times*, in an appreciative article, stated that this meant the recognition of a sound economic principle, namely, that the policy of the Government should not determine expenditure, but that, on the other hand, the policy itself should be determined by the nation's capacity to pay. Sir, I want my Honourable friend to say that he recognises this principle today. That is exactly what Sir Hari Singh Gour has been pleading for, and what everybody on this side of the House has been pleading for. It is no use trying to tinker with this Budget, either on the civil or military side. Unless there is some substantial change in the policy itself, we cannot hope for any remarkable reduction in expenditure. My Honourable friend, Sir Hugh Cocke, is not quite satisfied that the duty of retrenching expenditure should be left to an individual officer. He said that, so far as the Army Department was concerned—I hope I am correctly interpreting what he said—he might be associated with two other non-official experts.

Sir Hugh Cocke: I said that Mr. Jukes should be associated with two other non-official business men. So far, I do not think that Mr. Jukes is dealing with Army expenditure at all; he is dealing with only civil expenditure.

Mr. K. C. Neogy: These are matters of detail, which will not help us very much. The Government themselves can come to a determination that they are going to retrench expenditure, and that they are going to adopt a different policy, which will enable them to carry on the administration at a cheaper cost. It is only in that case that any effective retrenchment can be carried out. It is no use sending away a few *chaprassies* here, or a few typists and clerks there, at the same time maintaining a highly paid superior staff. I know the Finance Member suggested the other day that, so far as the staff was concerned, the increase in expenditure had been caused, not so much by what the higher paid staff got, but by the revision of salaries of the lower-paid staff. I agree with him there, but, Sir, so far as the lower-paid staff are concerned, it must be admitted by the Honourable Member in charge that, in their case, the relief was in very many cases mostly overdue and that the scales of salary which are at present admissible to the lower-paid staff cannot be considered to be excessive in any sense of the word. Sir Hugh Cocke also referred to this point; he said that, now that prices have fallen, an attempt might be made by Government to reduce the increments that had been granted. I do not know—he was not quite clear—as to whether he included the superior services too in this particular recommendation. But, Sir, I want to remind the House of the circumstances in which the Lee Commission recommendations were made. I do not want to read out any extracts from the Lee Commission's Report, but it is well known that their recommendations were based on circumstances which no longer exist today. Furthermore I want to point out that, while the Lee Commission were considering the cases of certain superior services, the relief that has been given on the lines of their recommendations has been extended to very many other people subsequent to their Report.

Mr. B. Das (Orissa Division: Non-Muhammadan): Even to Anglo-Indians.

Mr. K. C. Neogy: My friend, Mr. Das, says, even those who want to be classed as statutory Indians, have in many cases been given the benefit of those recommendations on the plea of a non-Asiatic Domicile. I appeal to my Honourable friend, the Finance Member to go into this question very carefully, and find out as to how far exactly the original scope of the Lee Commission recommendations has been extended by analogy to people belonging to other grades and other services.

There is one other point. Along with these Lee Commission concessions, there have been revised rules regarding pensions and commutation of pensions and things of that kind. These rules also, I think, should be looked into very carefully in the light of the present circumstances. I do not know whether my friend, Sir Hugh Cocke, will support me in this demand, but I think he did not intend to exclude any class of public servants when he said that the question of reduction of salaries should be gone into. I find that he nods assent, and I am very glad to see that he is in agreement with this side of the House on this particular point.

Sir Darcy Lindsay: Sir, I am very glad that my Honourable friend, Sir Hugh Cocke, has brought forward this cut, as it brings before the House a very important subject, and that is, to see if it is at all possible to bring about any further retrenchment on the lines of the Inchcape Commission. Personally, I would like to see a committee from India set up on the lines of the Inchcape Commission. Any attempt on the part of Departments to effect real retrenchment is met with grave difficulties in the Departments themselves, whereas an independent committee can probe far more deeply into things than the officials of the Departments are altogether able to do. That is why I should like to see an independent committee set up from India.

My Honourable friend, Mr. Neogy, referred to the 5 per cent. cut. It was effected, I think, in 1922, and was a very excellent piece of work. The Departments groaned and groaned; they said it was quite impossible to carry on, it could not be done and so on; but when they got back to their offices and faced this all round cut of 5 per cent. and looked into things, they found there were possibilities, and I think I am correct in saying that, when the Simla Sessions came round, there were only something like half a dozen supplementary grants to restore the cuts. In each case the Departments had to put their shoulders to the wheel and make up the 5 per cent. cut. Any such drastic measure as that I do not advocate, because I do not think there is room for it in the present expenditure, but that does not get away from my suggestion for the appointment of an independent committee from India.

Now, Sir, my Honourable friend, Sir Hari Singh Gour, dealt mainly with the expenditure on the Army. I sympathise with him in some degree when he refers to the protection that the Army in India gives to other dependencies in the East, and I think he advocated that there should be a contribution from these dependencies, and also, I think, from Great Britain. Now, Sir, as I say, I sympathise with that view, but I do not think my friend took into account the protection that India gets from the Navy, and pays practically nothing for it.

Mr. B. Das: What about the Colonies?

Sir Darcy Lindsay: So, Sir, if we are to collect a contribution, and very rightly so, for the protection that the Army that we pay for gives

to the other parts of the Empire, it is not unreasonable that we should be charged with a bigger contribution towards the Navy. Whether one will balance the other, I cannot say; but I should imagine that the benefit would be with us, that is, India.

Now, my Honourable friend, Sir Hugh Cocke, asked that Members, in their two minute speeches, should put forward certain concrete suggestions, and the one that I have to make, Sir, is this. In certain papers that were sent to me by the Finance Member, as a member of the Standing Finance Committee, giving details of the increase of expenditure in various Departments during the past few years, it was very illuminating to find that the main source of the increase has been on the establishments. Very rightly so. I do not grudge any clerk his natural increase in his pay; but, Sir, I think there should be a corresponding increase in the work that that clerk gives, and here I would like to allude to what I have always considered a somewhat extraordinary position, that is the hours of work. I understand,—I may be wrong,—that the regulation is from half-past ten in the morning to half-past four in the afternoon. I quite admit that, in a great many instances, certain of those clerks work a good deal longer owing to particular pressure at a particular time in the year, but in the generality of cases you see them streaming out of office at half past four. If you go to Calcutta, or any other big business centre, you will find that the clerks are in office from half-past nine to ten o'clock in the morning and it is not before five o'clock in the afternoon that they leave

Sir Hugh Cocke: Not before six o'clock.

Sir Darcy Lindsay: Not before 6 o'clock, my friend says. I am giving what I consider to be the earliest. If in commerce our 3 P.M. clerks work for such length of time, say from 10 in the morning to 5 in the evening, why can we not get the same service from clerks in all Government offices? And there, Sir, I consider, is a very fruitful source of retrenchment. Give the clerks their increase of pay, give them their increments by all means, but get the work out of them that we are paying them for.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Sir, I do not agree with those of my predecessors who have regretted the time we have so far spent in discussing the votes relating to the Executive Council and the Army Department. We have known, Sir, by our experience of the last three or four years, that, whenever any important question either in regard to expenditure or to any other subject has cropped up, we have been met by the reply that the issues that we have raised relate to matters of policy which cannot be discussed by the Government of India on the spur of the moment.

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

The other day during the general discussion of the Budget, when questions relating to the Army were put forward, my Honourable friend the Finance Member gave us a similar reply. We shall deal with his argument when the Finance Bill comes up. I will only say for the present that it would be dangerous, on the part of any Member of the

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Government of India, to assume that the function of this Assembly is not to get questions of policy discussed, but to vote money quietly to satisfy the needs of the Government. Sir, questions of policy arise not merely with regard to the Military Budget, but also with regard to the civil departments. I have had some experience of a Provincial Government. Some years ago I was a member of an Economy Committee, appointed by the United Provinces Government to reduce expenditure at a time when practically every Government was faced with a deficit. The Committee probably worked harder than any committee ever appointed by the United Provinces Government, but so far as I know, the principal result of our recommendations was a reduction in the number of peons and *duftaries* and low paid subordinates. We made recommendations with regard to a reduction in the number of Commissioners of Divisions, in the higher grades of the Public Works Department and in regard to the superior staff of many other Departments. Most of our recommendations were rejected by the United Provinces Government, either because they did not think that questions of policy could be discussed when we were concerned merely with matters of retrenchment or economy or because they thought that our recommendations raised issues which concerned more than one province. If today we appoint a committee of the kind recommended by my Honourable friend, Sir Hugh Cocke, what assurance have we that a similar result will not come about? My Honourable friends, Mr. Neogy and Sir Hari Singh Gour, referred to what the Assembly did in 1922. It effected a 5 per cent. reduction in the budget of every Department, but I should like to know whether that 5 per cent. reduction led to any decrease in the superior staff in any Department, or whether the brunt of the reduction fell on *chaprasis* and *duftaries* and other low paid employees

Sir Hari Singh Gour: May I explain? It led to a reduction of about 10 crores, and the appointment of the Inchcape Committee, which recommended the reduction of a large number of members of the superior staff, some of whom were sent away but have been re-employed. Some of those appointments have been recreated.

Pandit Hirday Nath Kunzru: My friend referred to the 5 per cent. cut effected in the various Departments. In replying to my question, however, he referred to the Report of the Inchcape Committee, which is a very different matter altogether. My point is not that this Assembly should be debarred from making concrete suggestions for reductions but that we must make the Government of India realise that we shall not be satisfied with any policy which depends for effecting economies entirely on a reduction in the subordinate staff. My Honourable friend, Sir Cowasji Jehangir, complained that the Assembly had not concerned itself with making concrete suggestions. He knows perfectly well,—he was in the House when the General Budget was discussed,—that several concrete proposals were put forward with regard to the Army Budget. What reply did the Army Secretary, or the Honourable the Finance Member make to those suggestions? Their short and sharp reply was that our suggestions related to questions of policy which could not be considered at the moment

The Honourable Sir George Schuster: May I correct my Honourable friend? What I did say was that, at the present stage, when we are just

on the eve of considering constitutional reforms, it is extremely difficult to deal with questions of policy. That was my point.

Sir Hari Singh Gour: And my point was that, ten years ago, they should have reconsidered the question of policy to which they stood committed, in agreement with the Legislative Assembly, and that had nothing whatever to do with the constitutional changes now pending.

Pandit Hirday Nath Kunzru: I do not think that I misrepresented my Honourable friend, the Finance Member, in what I said, but perhaps he has put his own case better. My point is that the suggestions that we put forward did not relate to questions of policy. They related to matters which were brought under review either by the Welby Commission, years and years ago, or by the Inchcape Committee. Those matters can be decided independently of any constitutional considerations. Why the Honourable Member did not take up those questions in connection with this Budget, or why the Government of India as a whole did not think that the time was opportune for taking up those questions now, I really fail to understand. If we had put forward a demand for the reduction of the British Army, or for its removal and replacement by the Indian Army, I could have understood the force of the contention of my Honourable friend, the Finance Member, but our suggestions related to administrative questions, which have been discussed more than once by various committees, and which have, in the main, been accepted by the Government of India themselves. It is unreasonable, therefore, to ask us to keep quiet on this point. On the other hand, the Government ought to be grateful to us for raising these questions and strengthening their hands in their negotiations with His Majesty's Government. My Honourable friend, Sir Cowasji Jehangir, suggested to us that instead of asking for the appointment of a committee we should tell the Government of India plainly that we are in no mood to vote any expenditure and enhance the burden of taxation and that they must cut their coat according to their cloth. I am entirely in favour of that policy. I trust that my Honourable friend, the Finance Member, or the Government of India, will not think that we are blameworthy if we adopt such an attitude in connection with the Finance Bill. Just one word more, Sir, and I have done.

My Honourable friend, Sir Hugh Cocke, suggested that the Retrenchment Officer should consider the question of reducing either the salaries of the subordinate staff or its strength.

Mr. K. C. Neogy: He corrected himself later on.

Pandit Hirday Nath Kunzru: The Honourable Member is in this House and he can correct me if he chooses.

Sir Hugh Cocke: I included all staff. I did not limit it to any particular branch.

Pandit Hirday Nath Kunzru: I accept his explanation, whether it be in elucidation of what he said before or by way of addition to it. In so far as the Government of India adopt the policy of reducing all branches of their staff, no reasonable objection can be taken to a reduction in the number of the subordinate staff or in their salaries, but I should like them to bear one special consideration in mind, even when they deal with their superior staff in the manner this House has suggested. There is no doubt that, even with the increase that has been made in the salaries of the low paid employees since 1920, their standard of living is not what might be

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expected of any decent man. If the needs of the State are urgent, every man must be called upon to make his own contribution. But I do hope that the axe will not fall lightly on these low paid subordinates because, in spite of the increase made in their salaries, their position is a difficult one. We have to think of these low paid subordinates, not in the light of the enhancement made in their salaries in the past, but with reference to some standard of living which we ought to have in our minds. I am certain that their present salaries do not enable them to live in accordance with any decent standard of human comfort.

Colonel J. D. Crawford (Bengal: European): Is there any competition for the Government posts?

Pandit Hirday Nath Kunzru: Does the Honourable Member imagine that, if the salaries of the superior staff were reduced, there would be no competition for those posts? Has there ever been a time when there was no competition for those posts? Besides, when Government deal with a question of such importance, we hope, they will not take advantage of the immediate necessities of the people, but will see that they set a standard by which the commercial firms and other private concerns might be guided. You may, if you like, reduce the salaries of your subordinates and employ a low paid staff, but in that case you must be prepared for the difficulties that have arisen in many Departments, and notably in connection with the Railway Department. Is it any advantage to you to engage your low paid staff on initially low salaries and then face strikes outside and debates in this House? I think, on the whole, it would be wise for you to recognise the existing facts and not to believe unduly in pure competition but to take account of all human factors that enter into the consideration of these subjects and try to treat your staff in a just and humane way.

I have no doubt that if you proceed with a drastic curtailment with regard to the strength or salaries of the superior staff, the subordinate staff will not complain of any hardship that it might have to suffer. But the House ought to realise that the demand for higher salaries from the provincial and the subordinate services began in 1920, partly because of the rise in the necessities of life, and partly of the example set by the higher services. When the Financial Relations Committee reported, it was expected that every Local Government would have a decent surplus available for being spent on beneficial objects when the reformed Councils came into existence, but it was found in 1921 that these surpluses were imaginary. They had been eaten up by the increases in salaries. Then came the Lee Commission, whose recommendations increased the charges owing to the pay and allowances of the superior civil staff in the Provincial and Central Governments by about a crore and a quarter. Further charges were incurred because of the revision in the pay of and the grant of free passage allowances to Army officers on the analogy of the concessions made to the civil officers. These concessions cost us an additional 50 lakhs. Unless you bear the history of this question in mind, and keep these figures prominently before yourself, it is not possible to consider the question of the subordinate staff in its proper perspective.

Sir, I do not wish to lengthen this debate any more. It is not in our power to make detailed suggestions, but I will once more say that I am in hearty agreement with the suggestion made by my Honourable friend.

Sir Cowasji Jehangir, that our only business is to tell Government that the limits of further taxation have been reached; that they must manage its expenditure within the existing limits, and that they must find out where they can make retrenchments and economies. But if they do not pursue the course that we have suggested, they must be prepared to expect trouble when the Finance Bill is discussed. I am glad that my Honourable friend, Sir Cowasji Jehangir, has promised us his support in this connection. (Laughter.) I am sure the House will be only too glad to follow his lead in this matter.

Mr. Deputy President: The Honourable Member (Lieut.-Colonel H. A. J. Gidney) will remember that we have got to discuss the adjournment motion at 4 o'clock. Therefore, I hope he will try to be as brief as possible so as to give the Honourable the Finance Member a chance to reply.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): I shall be very brief, Sir. I rise to support the remarks made by my Honourable friend, Sir Cowasji Jehangir. He has brought before the House an aspect of the budget discussion which is, I think, new, and which omission, I hope will not be repeated. We have not been allowed any opportunity of suggesting to Government practical measures of retrenchment to any of the Demands for Grants. We have upto now in this discussion indulged in what one might call aerial or high class politics relating to certain policies initiated by Government which should be discussed by means of Resolutions and not on cuts for Demands for Grants. Sir, I came to this House, as I am sure my friend, Mr. Neogy, and others did, prepared with many points which I intended to present to the heads of various Departments as their Demands for Grants were presented. But the arrangements come to by the Parties have denied us this opportunity. I protest against this, but anyhow I seize even this indirect opportunity to bring to the notice of the Finance Member certain concrete means by which retrenchment can be effected.

I am a supporter of retrenchment, but that retrenchment must go hand in hand with efficiency. As a rule retrenchment and efficiency are generally incompatible factors if carried to extremes. But, if you can retain efficiency with retrenchment, then I am in sympathy with this motion. Let me take the Army estimates which we discussed the other day. We have concrete instances where retrenchment can be effected in the Army and without loss of efficiency. I have, on the floor of this House for the last five or six years, been trying to din into the ears of the Army Secretary a practical and a concrete measure of real economy, but the Army Department has turned a deaf ear to it. I have proved to the Army Department that it can save lakhs and lakhs of rupees by administering their medical services in a manner different to what is being done today. What is the Indian taxpayer asked to pay for the administration of the Army Medical Department which today costs $1\frac{1}{2}$ crores or about 1/30th of the total Army estimate? He is asked to pay for the maintenance of two Departments, the Indian Medical Service and the Royal Army Medical Corps, the majority of whose officers consist of senior Majors. Indeed, nearly two-thirds of the Royal Army Medical Corps officers, and about half of the Indian Medical Service officers consist of senior officers, such as, Majors, drawing salaries from Rs. 1,200 upwards, and who are performing the hospital duties of junior officers such as Captains and Lieutenants. The Army Department have said that this position is inevitable as they cannot get junior medical

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officers, because they will not come to this country. Sir, is it right to ask the Indian taxpayer to pay for the inability of the Army Department to get junior Captains and Lieutenants to come out to India especially if we have a remedy at hand? We have a means of retrenchment here. It is this: Return the Senior Majors to England and use the 70 odd Indian Medical Department officers who possess British qualifications, to perform these duties. In short do the same as is being done in the provincial medical services. If the Royal Army Medical Corps apply this retrenchment it will effect economy to the extent of many lakhs of rupees. The same criticism applies to nurses attached to the British military hospitals. These nurses are engaged in our British military hospitals in India—very estimable ladies—who do good work but are paid salaries ranging from Rs. 400 a month upwards, inclusive, more than a superior Service Assistant Engineer gets on the railways. Why should these nurses be imported from England when we have in India hundreds of fully qualified efficient European, domiciled European and Anglo-Indian nurses waiting for such employment? Then, we have a class of servants, called the India Unattached List—ancillary branches of the Army in India. Here we find a Sergeant coming straight from the regiment to the India Unattached List on a salary of Rs. 300 a month inclusive, rising to Rs. 1,200 per month, the same initial pay of an Assistant Engineer in the superior railway service, but with better prospects. These are in my opinion concrete cases in which the Finance Member can effect retrenchment without reducing efficiency. Again, I ask, why does the Army Department turn a deaf ear to this? They have never been able to answer this question except that for the first time this year the Army Secretary says that birds of one feather flock together. (Hear, hear.) But at the time of the war, there were many birds of many feathers in your regiments and ancillary branches, and who are not wanted today.

Mr. B. Das: Why do you flock to them again and again?

Lieut.-Colonel H. A. J. Gidney: You keep quiet, Mr. Das.

Mr. B. Das: Can the Honourable Member use personal slang to me, Sir?

Lieut.-Colonel H. A. J. Gidney: Don't interrupt me! There is another aspect of the question which my Honourable friend, Sir Darcy Lindsay, introduced

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): The Honourable Member addressed personally my Honourable friend, Mr. Das, and said, "You keep quiet". Is he in order?

Lieut.-Colonel H. A. J. Gidney: I want to bring out another aspect of the question.

Mr. M. S. Aney: My Honourable friend, Pandit Nilakantha Das, raised a point of order and it has not been decided.

Mr. Deputy President: There is no point of order.

Lieut.-Colonel H. A. J. Gidney: I want to refer to another matter. My Honourable friend, Sir Darcy Lindsay, struck a true note when he said that clerks in the Army Headquarters offices get away from their work at

4-30 O'clock. I want to know at what time do Army officers get away from their offices?—earlier than 4-30 or later. Introduce the Geneva and Washington Conventions into the Army Headquarters offices and Department and the staff could be easily reduced by one-third. Let both officers and subordinates give eight hours work in the Army Headquarters and Department and I am sure the Finance Member would be able to effect considerable retrenchment without effecting efficiency. Will he try this simple remedy?

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): They will die, I suppose, if required to work so hard.

Lieut.-Colonel H. A. J. Gidney: There is another point. My Honourable friend, Pandit Hirday Nath Kunzru, very truly referred to retrenchment on the railways. I can give the House an instance of retrenchment—a most unjust one—in which the Railway Board although the difference in cost of living between 1926 and 1928 was only 5 per cent. made a very drastic retrenchment in the salaries of subordinates of the East Indian Railway of amounts from 10 to 50 per cent. to be able to pay an extra allowance to the menials. In short, it has dissatisfied one staff of servants to satisfy another, the object being to satisfy the Labour Commission at present in the country, and yet not a penny has been cut from the railway officials' pay. Sir, in my opinion, railway officials can easily do with a wholesale cut of 5 to 10 per cent. of their pay, which is far too high for the work they perform today—efficiency would not be decreased if this were done. It is ridiculous for any one to say that, because there are many applicants for appointments, for that reason alone you should not improve the menials' wage. Sir, I have been with the Labour Commission for the last four and a half months, and my chief conviction amongst many others, is this, that there is no class of labourer who is so underfed, who is so under-paid, who is so under-clothed and who is so under-housed as the Indian unskilled labourer on railways. I think that, if retrenchment is made anywhere, it should be done primarily with the idea of improving the lot of menial servants on railways and other departments (Hear, hear). The Honourable the Finance Member, in his speech, made reference to one of his difficulties in connection with future, increased expenditure on services and said it was due to the time-scale promotion that had been introduced in previous years in grading the scales of pay in various Departments. I am sure that the Actuary who decided those time-scale rates of pay did not realise that the time would come when this would create an increasingly heavy financial burden on the State. As a remedial measure, might I suggest, for his consideration, that the new pension rules of these various Departments be more liberally framed so that senior employees would be able to go on pension or take leave preparatory to retirement at an earlier age than at present, i.e., those who enjoy the higher time-scale rates of pay will have the advantage, both in their interests and that of the State, of going on leave or retiring at an earlier age.

Sir, my Honourable friend, Sir Purshotamdas Thakurdas, made a statement the other day about the Lee Commission concessions. I was very glad to hear him make that statement. It has been frequently referred to in the House today. The Lee concessions have certainly been a very severe drain on the finances of India. One cannot complain of them at this

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distant date, but I agree with my Honourable friends on the opposite side in their complaint that these concessions should not be extended and should be confined to the departments they were originally intended to include. I understand these concessions are being extended. I believe that new rules have been issued which give these concessions to upper subordinates in the military and civil services, also railways. I am sorry to admit that there are many members of my community who have disowned their domicile, and by doing so, have been able to obtain the Lee concessions. Sir Purshotamdas Thakurdas was quite right in exposing this matter. Sir, if there is any means by which this dishonourable practice can be stopped, I would ask the Honourable the Finance Member to do so and to give his serious attention to the matter and to stop this additional drain on the revenues of India.

I now come to my last point—the suggestion of my Honourable friend, Sir Hugh Cocke, about the appointment of a committee to enquire into retrenchment. In my opinion this is an excellent idea, but my experience of such committees in this House is that a committee is the quickest way of taking a subject to *post mortem* room. Result *nil*. Such Committees generally talk a lot, discuss many matters but do very little. We have had experience in such Committees, *e.g.*, in 1922 when the Military Requirements Committee sat, witnesses from all parts of India gave evidence before that Committee, and I have yet to know what retrenchments were made as a result of the recommendations of that Committee. I remember that Committee took evidence on the Military Stores Department, but the condition today is as it was then and we still have the Supply and Transport Department in which young inexperienced officers gain their experience at the expense of the Indian taxpayer. If there is to be a committee, I agree with my Honourable friends on the opposite side, let that committee not consist of any Member belonging to this Assembly or to the Government. Let it be an independent committee charged with the serious desire of reducing expenditure, and I am confident that its labours will result in considerable economies being effected in the same manner as has been achieved in both the British Army and Navy in England and I would add at a critical time in the history of England (Hear hear, and applause).

(Sir Purshotamdas Thakurdas rose to speak.)

Mr. Deputy President: Sir George Schuster.

The Honourable Sir George Schuster: Sir, I bow to your ruling, but I shall be very glad to hear from Sir Purshotamdas Thakurdas what he has got to say.

Mr. Deputy President: We have got only 25 minutes more.

The Honourable Sir George Schuster: I suggest that two minutes from Sir Purshotamdas Thakurdas might be worth more than five minutes from me.

Mr. Deputy President: If you are so anxious, I would call on Sir Purshotamdas Thakurdas to speak. Sir Purshotamdas Thakurdas.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I have to be very brief on this occasion after the speeches we have heard. I wish to say a few words on the discussion on this motion. The discussion has revealed the difficulty of effecting any substantial retrenchment which can come up to the expectation of this House.

(At this stage Mr. President resumed the Chair.)

What appears to be essential is a substantial change in the policy of the Government of India which has obtained till now. Take the instance, two or three items indicated by my Honourable friend, Colonel Gidney, namely, regarding the Royal Army Medical Service, recruitment of nurses and two more items. How is this going to be effected, I ask Colonel Gidney? By a senior officer of the Government of India being appointed to go into the likely heads of retrenchment, or by a committee either of Members of the Legislature or outsiders? Is it not a question of State policy, and if that be so how is it going to be of any practical use recommending the Government of India to appoint a committee, whether from here or from outside? I have come to this conclusion after my experience on the Retrenchment Committee of 1922-23, that, in order that any retrenchment which can come up to the expectation of this House, as I know it, may be attained, we want not a committee which will go into the heads of expenditure and reduce expenditure only, but a substantial change at the very root of the policy by which we are governed. Let us examine the military expenditure. Honourable Members, who remember the few words that I said on the general debate, will bear me out when I say that I am most anxious that there should be substantial retrenchment and curtailment of expenditure there. But no committee appointed to examine the Army expenditure, not even the committee indicated by my Honourable friend from Bombay, can do anything effective, because I have an idea in my mind that, at the moment, the War Office in England has a very substantial voice regarding military expenditure. That is my impression: I will be very glad to hear from the opposite Benches that it is not so. But my impression is that the British War Office has a very substantial voice in the expenditure on our Military Department, and if that be so, what is the good of wasting the time of any committee or of any officer on going into the expenditure on the Military Department? I therefore am inclined to agree with what the Finance Member said in his reply on the general debate that, in view of the change in the constitution within the next year or so, the appointment of a committee at present will bear no fruit.

One word more regarding what has been said about the civil Departments. I personally believe that, after the end of next month, the Government of India will be very busy giving expression to their opinion on the Simon Commission's Report, and I feel that, if anything, they will fully require all the assistance they can get from their various heads of Departments in order to be able to deal with the Report as expeditiously as possible. At that juncture, can we usefully suggest a committee going into the expenditure of the various Departments, with the experience that my Honourable friend, Pandit Hirday Nath Kunzru, mentioned about the Retrenchment Committee they had in the United Provinces, namely, chopping off a few *auftries* and a few *chaprasies*? I suggest that we should not unduly press that question today, bearing in mind all the time the main thing which I said at the start, that we really want a substantial change of policy and not mere playing with reports and statements from the various Departments. I therefore feel that we had better leave the Finance Member to do his best through the officer whose appointment he indicated, and, I hope that within the next six months at the most he will be able to put before us a report of what can be done. What we want is a change of policy which will satisfy us. What we want is at least rupees two or three crores when we ask for retrenchment.

The Honourable Sir George Schuster: Sir, my time for reply is very short, but I feel that that is perhaps no disadvantage, because I have come really rather as a listener than a speaker to this debate. Sir, in a debate of this kind I find myself in a rather peculiar position. I must oppose the motion because it takes the form of a vote of something like censure on my Department; but in the course of the debate I find myself listening to a great many arguments which I myself very often use, and I should be the last person to resist the expression of a desire for economy and retrenchment from this House. The Honourable the Mover of this motion suggested that the debate should take the form of two minutes' speeches containing practical proposals. From the nature of that suggestion I suppose he had in mind rather the suggestion of proposals for economy in detail. I would remind Honourable Members that, in replying to the general discussion on the Budget, I took the line that one must distinguish between economy in detail and major economies, which involve large changes of policy. I take it that it was this kind of economy in detail that my Honourable friend had in mind. As regards that I think that the steps which I have initiated do offer the most satisfactory way of pursuing the search for economy. But I will return to this subject again before I have done. As regards economy in principle, economy on a large scale which involves questions of policy, it is quite clear that the main subject which interests Honourable Members in this connection, the subject that has received the most general attention, is the question of the Army and of military expenditure; and therefore I should like to clear up certain misunderstandings which I think exist in the minds of Honourable Members, partly as to the actual situation and partly as regards what I myself have said on this subject.

As regards economy in detail, as applied to the Army, I would remind Honourable Members that there is being pursued now within the Army a domestic inquiry, an economy campaign, on very energetic lines. I am satisfied myself from what I have seen that they are working energetically in this direction. It is quite possible that there may be measures such as have been suggested by my Honourable friend, Colonel Gidney; there may be measures which they might take and which, for reasons of policy, they are not at present taking. I can only say now that I shall take note of all that has been said, and take the earliest opportunity of discussing it with the Army authorities. But I would ask Honourable Members to appreciate this—that at the Army Headquarters, since the introduction of this stabilised budget scheme, which I explained very fully in my budget speech last year, there has been carried out a really genuine and whole-hearted attempt to eliminate waste in every department of the Army. Now there is no apparent result from that, and why? Because, under the arrangement that we have introduced, the Army is left to effect such economies as it can within the stabilised budget figure, and it is left to apply the balance for carrying out the scheme of re-equipment and mechanisation which has very often been explained to the House. The full fruits of what is being done now in the way of elimination of waste will be apparent when that re-equipment programme is completed, and I hope then that, quite apart from any changes of policy, there will be a very substantial reduction in Army expenditure.

Now as regards the other heading, the heading of policy as applied to the Army, I do still maintain the position that I took up, namely, that at the present moment, on the eve of constitutional reforms, on the eve of the publication of the Statutory Commission's Report, which will probably deal at quite considerable length with questions of military policy and the

relations between India and His Majesty's Government in that connection, I say that, on the eve of the publication of this Report and the consideration of the questions that will arise out of it, it is impossible, as a practical proposition, for Government to tackle questions of changes in Army policy. And therefore I adhere to the position that I took up that we cannot tackle these major questions of economy in connection with the Army today. Now, Sir, a considerable number of suggestions were made to me by various speakers. It will be impossible for me, in the course of the time at my disposal, to reply fully in regard to all those suggestions. I can only say that I will go into all of them with great care.

My Honourable friend, Sir Cowasji Jehangir, referred, in the course of his remarks, to what had been done in Bombay as regards effecting substantial cuts. Now, as this raises a question of principle, I just want to take up his point in that connection. I would say this; the possibilities of economy at any particular moment depend very largely on the situation in which you find yourself. If you have behind you a long record of extravagance or, at any rate, looseness of control in public expenditure, you will be in the position of having a swollen Budget, with plenty of "meat on the bone" which you can cut off. Now I make no charges against Bombay, but I do say that, several years ago, Bombay did embark on very ambitious programmes (Hear, hear) of public expenditure, and I am not going to be impressed by the arguments that, because Bombay at a particular moment found that it could cut off 60 lakhs of expenditure

Sir Cowasji Jehangir: I did not refer to capital expenditure; I referred to revenue expenditure.

The Honourable Sir George Schuster: I have no doubt that my friend referred to revenue expenditure, and that was precisely what was in my mind when I was speaking. I would refer my Honourable friend to the sort of comparison which he could make between the scale of expenditure in Bombay and the rates of salaries paid in Bombay, and the scale of expenditure prevailing in other provinces. I will not specify the provinces; that might be invidious. But I think my Honourable friend will find, and I have no doubt the subject will be dealt with in the financial sections of the Statutory Commission's Report, some evidence to support my contention that there was room for economy in Bombay. I am not going to be impressed, as I was pointing out, by the argument that, because at a particular moment Bombay found that 60 lakhs could be cut off, at this moment the Central Government have an equal margin for economy. I did not intend to bring this point up with any idea of criticising the record of Bombay, but I did intend to make the point to meet any attempt to draw a comparison between the situation in which we find ourselves today and the situation which existed when the last all-round 5 per cent. cut was made just prior to the appointment of the Incheape Committee. I feel that the circumstances are entirely different, and that if this House were to adopt today such a course of indiscriminate restriction in expenditure, they might do a very grievous injury to the public service. That, Sir, brings me to a few remarks which I should like to make on the subject of retrenchment in general.

If retrenchment is to be of any value, it must be carried out with determination and with intelligence. It is no use having indiscriminate operations. In that way you will cut off good wood together with dead wood, and very likely, in the end you will find yourself landed not only in great waste as a result of the operation, but with an irresistible demand for restoring expenditure, which will come up with such a strong case that

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a good many wasteful items will creep in again with the necessary items. For a proper and effective retrenchment campaign, a long preparation is necessary. Before the Incheape Committee was actually appointed, I believe that three senior officers of the Government of India were occupied for nine months in preparing the ground. Now, I should like to say that I am very grateful to my Honourable friend, Sir Purshotamdas Thakurdas, for giving the House the benefit of his experience in connection with that Incheape Committee's inquiry, and I should like to say this—it is indeed a point which he touched on, but I should like to emphasise it still further—that the conduct of retrenchment inquiry, when it is carried out as it was by the Incheape Committee, by an outside unofficial committee, is a tremendously disturbing factor in the conduct of Government business. It means—I have instituted inquiries of that kind myself in other countries—it means that, for a long time, the whole of your administrative staff is engaged in preparing memoranda and investigating questions for the retrenchment committee. I do not say that that is not work which ought to be done; but I would ask you to look at the realities of the case, because it was looking at the realities of the case, that induced me to take the line of action that I have taken. Look at the realities of the case and ask yourselves whether at this moment, when all Government officials are going to be very fully occupied with considering the constitutional reforms, it is the time to launch a large scale economy campaign. I feel quite certain myself that it is not.

Then, as regards expenditure and as regards the part that this House can play in dealing with the purpose of retrenchment—and I might almost say in strengthening the hands of the Finance Member in doing what he conceives to be his public duty—I can appreciate the point which was made by my Honourable friend, Pandit Hirday Nath Kunzru, that there are times when this House must discuss questions of policy in connection with the Budget. But I equally appreciate—in fact he took the words out of my own mouth—what was said previously by my Honourable friend, Sir Cowasji Jehangir, about the way in which the time of this House seems to be allocated when it comes to a discussion of the Budget. I was going to say myself that, in answering my Honourable friend's motion, I found myself with surprise, in the time allotted to the discussion of grants, actually called upon to deal with the Budget. Of course I appreciate the two and a half days' rest which I have had very much; but, as I have always been one who has been anxious to get public opinion properly and intelligently expressed on these matters, I should be prepared to take a much greater share in the debates, and I should welcome intelligent criticism and intelligent examination of the demands which are put before you. Now I should like to refer specially to the way in which I presented the budget proposals of this year, because I did so with the definite purpose of making it easy for this House to consider exactly where we were in our financial position. I was at great pains to show the House exactly what new items of expenditure we were asking them to approve this year. I have given a list of them, and there they are. If you want to stop the growth of expenditure this year, you know exactly where to put your finger on the spot and cut out the items. I did hope to accompany my budget papers with a full analytical report of the growth of expenditure in the last five years, so that you would not only have been able to see exactly what new expenditure was coming on this year, but exactly where the growth had come in the preceding five years. I am very sorry that, although much material was ready,

it was not possible for me to present a report in a form which I felt satisfied to make public. I did take the opportunity to circulate to members of the Standing Finance Committee those departmental reports which my Honourable friend, Sir Darcy Lindsay, has mentioned in his speech. I think that the Standing Finance Committee cannot complain that they have been kept without full knowledge of the Government's financial position, and I look to my colleagues on the Standing Finance Committee to make intelligent interventions in the debate. To take certain particular items now out of that list of new expenditure, I have heard it said, merely by way of reference, by certain speakers in the course of the general discussion on the Budget, the country is too poor to afford expenditure on items like civil aviation and broadcasting. Well, if that is the sense of public opinion, surely it can be expressed in this Assembly. Those are questions on which the Government certainly have views, but undoubtedly also they are questions on which public opinion should decide. Let me take as an example, the question of broadcasting. I was myself criticised for having admitted an item of that kind. But in that particular case I said to my Honourable colleague, "At this time I cannot find money for this kind of expenditure unless you can convince me that there is an overwhelming demand from the public that the service ought not to be allowed to die out". What did he do? He approached the Leaders of the various Parties and presented me with a letter signed by all Party Leaders, and I said, "I must admit that you have proved to me, in the only way in which you can prove it, that there is a united feeling in this House that we ought to go on with that project".

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): May I ask the Honourable the Finance Member whether any suggestion was made by any Leader that further taxation should be resorted to in order to provide money for broadcasting, or was it mentioned to them that this could only be done at the risk of new taxation?

The Honourable Sir George Schuster: I am not aware exactly what took place between my Honourable colleague and the Leader of the Opposition.

Pandit Madan Mohan Malaviya: We signed it in the belief that, if there was money available, this was a matter to be considered. We never imagined that taxation would be resorted to in order to provide money for it.

The Honourable Sir George Schuster: Well, Sir, in every case the expenditure of public money involves either the maintenance or the imposition of taxation. I think that any one who had followed the course of affairs must have known—certainly any one who read the intelligent anticipations in the Press—must have known that there was at least an extreme probability that new taxation would be imposed this year, and if it was only on one condition my Honourable friend expressed his view, I think it was open to him to express that condition in clear terms.

Pandit Madan Mohan Malaviya: We shall be more careful in dealing with Government Members in future. But I withdraw my support to that proposition.

Dr. A. Suhrawardy: The Government should be more careful in consulting the Leaders.

The Honourable Sir George Schuster: I would suggest that that taunt is not well-merited. As a matter of fact, it makes absolutely no difference

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to my point. My point refers not so much to the past as to the future. The money has not yet been voted. Honourable Members have still their opportunity. Now they have a full and complete knowledge of the facts to express their views to the Government and to say that this particular item must be cut out.

There is another point that I want to make. Here we are and we put our proposals before you. We have put them before you as clearly as possible, and if Honourable Members do not take the opportunity to criticise particular items, then I maintain they cannot blame the Government if those are included and if money has to be provided. But, Sir, I do not want to close with any sort of controversial note in this matter, because through the whole of this debate, I have been trying to consider with myself how far I can go to meet Honourable Members. I would suggest to the Honourable Member, the Mover of this Resolution, that the appointment of any committee now would be inappropriate and badly timed. I will do my best to see that the report which I have in mind is ready to be distributed to the Members of this House at the time of the Simla Session. If it is not ready by then, it will be distributed very soon thereafter

Mr. President: Order, order. The House will now proceed to discuss the motion for adjournment of the House in order to draw 4 P.M. attention to a definite matter of urgent public importance, namely, the imprisonment of Sardar Vallabhbhai Patel.

MOTION FOR ADJOURNMENT.

ARREST AND CONVICTION OF SARDAR VALLABHBHAI PATEL.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I wish to draw the attention of the House to the arrest and imprisonment of Sardar Vallabhbhai Patel, and to ask the Government to consider and declare the policy which they are going to pursue in relation to the movement with which it is related. It is important, Sir, to remember that Mr. Gandhi's movement represents the cry of India, at least of a very large section of the people, for self-government. Mr. Gandhi has resorted to this after a long period during which that cry has been before the Government. I do not wish to weary the House with the history of the reform movement. It is sufficient to say that when, during the period of the war, in 1918, the Government of India, on the suggestion of the Prime Minister of England, called a war conference, Mr. Gandhi was present at the conference and offered his whole-hearted support to the Government. It is hardly necessary to remind the House that, during the entire period of the war, Mr. Gandhi actually served the British Government. When the war broke out, Mr. Gandhi went about asking for recruits for the war. When Mr. Gandhi found, after the war, that the hopes which had been created during the war were not realised, he had recourse to the non-co-operation movement. Since that time, the Congress and the country have made it clear that they are dissatisfied with the reforms which have been introduced, and the first Assembly, which met in this very hall, passed a Resolution declaring that it was dissatisfied with the reforms, and making recommendations for a fresh and satisfactory advance. During the last ten years this Assembly has many times

expressed its opinion as to the urgent necessity for further reforms and for the establishment of Dominion Status. During this period there is no important political association in the country which has not declared itself in favour of the establishment of Dominion Status. When the Simon Commission was appointed, it came as a shock to the country, and this Assembly knows how it was boycotted by all parties in the country. After the boycott had proved to be successful, His Excellency the Viceroy, showing great statesmanship and courage, during his visit to England, persuaded the Prime Minister and the Cabinet of England and leaders of important parties also to agree to an announcement being made holding out the hope that Dominion Status would be established at the next revision of the statute. His Excellency's announcement was so carefully couched that it created the hope that Dominion Status was in sight. It was so read by leaders of all parties who met at the Delhi Conference; it was so read by Lord Reading, by Mr. Lloyd George, and by Lord Birkenhead, who complained that it justifiably gave rise to that hope. Everybody knows what an excellent situation was created at that time. Mr. Gandhi and the leaders of most of the parties who assembled at Delhi, put forward certain conditions. But, after mentioning what was necessary to create an atmosphere favourable for the Conference, they said they assumed that Dominion Status was agreed upon, and that they were to agree at the Conference to the principles of the constitution to give effect to that idea. We assumed it, because we all felt that that was what the statement meant. We remember also the great speech which shortly afterwards Mr. Wedgewood Benn made in the House of Commons. That speech was one of the best we have ever been fortunate enough to read on the subject of India's relations with England. It was the speech of a man who wanted to stand by what he said, and who wanted not to disappoint the hopes which he created. It was the speech of an honest, earnest friend who wanted not to disappoint the hopes which the announcement of the Viceroy had created. He was much heckled; many efforts were made to make him draw away from the position he had taken up; but he stood to his guns and firmly adhered to the announcement, and that fact gave great satisfaction here. But subsequently Mr. Gandhi felt that, by reason of the discussions which took place in England and particularly the speeches of Mr. Lloyd George, Lord Birkenhead and Lord Reading, and also the comments of the English Press, it was not possible any longer for practical statesmen to assume that Dominion Status was virtually agreed upon, and he therefore felt it his duty, a week before the Congress, to meet His Excellency the Viceroy and ask for a definite assurance that Dominion Status was agreed upon. We know what answer His Excellency the Viceroy gave; he could not, speaking as the Viceroy, say anything more than he had said in his speech. No one could have found fault with that if the matter had stood there; but unfortunately, subsequently, Earl Russell, holding the high position which he does in the Labour Party, made a speech in which he clearly said, what Mr. Wedgewood Benn had stoutly refused to say, in spite of the invitation of Mr. Lloyd George, Lord Reading and others; and he repeated what others before him had said, that progress towards responsible government was to be made by stages. That created a great deal of dissatisfaction in this country, and I ventured to cable to the Prime Minister and to the Secretary of State to point out what effect it had produced and to urge that the speech should be authoritatively contradicted—otherwise it would create a disastrous effect. I had hoped that Earl Russell's speech would be contradicted; but it has not been

[Pandit Madan Mohan Malaviya.]

contradicted! On the other hand, very unfortunately, in his last speech on the subject, His Excellency the Viceroy modified the position which he had taken up in the announcement. I do not wish to read what he said—it will be in the recollection of Honourable Members. The general effect of His Excellency's statement was to create an impression that Dominion Status was a distant goal for India and had to be reached after a long journey. That was the situation created by the speech of His Excellency.

Now, Sir, after that, reading the comments of the English Press, Mahatma Gandhi felt that the hope of Dominion Status being established in India was really very far remote, and he therefore wrote a letter to His Excellency the Viceroy to express his pain of heart that this should be so, and still to emphasise the urgent necessity of Dominion Status being agreed to. It is true that he had, at the Congress, adopted the resolution of Independence; but he had made it clear, in more than one place in his subsequent writings, that if full Dominion Status was agreed upon, the Congress would surrender and would accept that status. He has repeated it in his last letter. That shows, Sir, what an honest and honourable position Mahatma Gandhi has taken up. Now, we know His Excellency's reply—I am not blaming His Excellency for the reply, though I wish that it was a little less curt than it was; but the deplorable fact remains that Mahatma Gandhi has found that there is no hope of Dominion Status being agreed upon by the British Government. It is in this situation that he is launching his new movement in order to draw the attention of the British public and of the civilised world to the state of affairs in which India finds herself. It is not a movement of an ordinary character; it is not a movement for violating laws in the ordinary sense and acceptance of the word: it is a movement of civil disobedience—non-violent civil disobedience, a movement which is perfectly justifiable by law and to which no constitutionalist can take exception, a movement by which a person invites suffering on himself in order that attention may be drawn to what he considers an evil, a movement in which he who joins it pledges himself, takes the vow that he shall not use any violence in revenge, but that he will patiently suffer whatever punishment may be inflicted on him for disobeying the law. I do not know, Sir, that there is any other movement, short of open rebellion, which a nation placed as India is can in the last resort have recourse to. Some of us may not agree that this movement should have been started. I personally wish that it had not been started, at present, I wish a longer period had been allowed for negotiations and settlement. But I have drawn attention to the facts which I have mentioned to show that there is room enough, justification enough, in any impartial view, for Mahatma Gandhi and those who think with him, for believing that they have no hope of getting Dominion Status from the British Government; and if that is the conviction that has dawned upon Mahatma Gandhi, I ask every Member of the Assembly to say whether, having regard to the enormous importance of the early establishment of self-government in India, having regard to the vast interests which are at stake, Mahatma Gandhi was not justified in adopting what, according to his conscience and his light, was the only method of inviting the attention of Great Britain and of all the civilised world to the position in which India finds herself today. It is a movement of a very high scale; it is not a movement of the ordinary type. It is a movement with which even those who wish that it had not been started can sympathise and appreciate the motives of those who have joined it.

That, Sir, is the position. In the pursuit of this movement, Mahatma Gandhi has selected the much-hated Salt Act as the one he is going to disobey: he is going to advise the people to disobey the rule prohibiting the manufacture of salt. Sardar Vallabhbhai Patel is his first and best lieutenant. Mahatma Gandhi has made no secret of his propaganda; he has given Government every information which courtesy and expediency demanded, and Government are aware of what he intends to do. The Government have started by taking action in the matter. Sardar Vallabhbhai Patel was going to address a meeting at Ras, and the Government, without waiting to see what address he would deliver, issued a notice on him under section 42 of the Bombay District Police Act. That section runs like this:

"The Magistrate of the district, or in his absence and subject to his order, the Magistrate of the first class having jurisdiction in any town or village and present therein or in the neighbourhood thereof, may, whenever and for such time as it shall appear necessary, by a notification publicly promulgated or addressed to individuals, prohibit in such town or village or the vicinity thereof the carrying of arms, cudgels or other weapons, the carrying, collection and preparation of stones or other missiles or instruments or means of casting or impelling missiles, the exhibition of persons or of corpses or figures thereof, the public utterance of cries, singing of songs, playing of music, delivery of harangues and use of gestures or mimetic representations and the preparation, exhibition or dissemination of pictures, symbols, placards or of any other object or thing, which may be of a nature to outrage morality or decency or, in the opinion of such Magistrate, may probably inflame religious animosity or hostility between different classes or incite to the commission of an offence, to a disturbance of the public peace or to resistance to or contempt of the law or of a lawful authority."

Mr. Vallabhbhai Patel told the Magistrate he was going to disregard the notice, and before he had made his speech, he was arrested, tried and imprisoned.

Now, Sir, I ask the Government to pause and consider what this movement is and what it is likely to be. I can say that so far as my information goes, not less than 50,000 persons have already pledged themselves to go to jail, following in the wake of Mahatma Gandhi, and my own estimate is that, not less than a lakh of people will go to jail in pursuance of the preaching of Mahatma Gandhi. Of course he will start with a small number. But the numbers will grow to swell. What is to be the policy of Government? What are you going to do? I have been asked, "Should not the law be enforced? Should not a man who disobeys the law be punished?" Yes, by all means; but tell me, is that the policy with which you are going to deal with this movement? Is this a movement of the ordinary type? Is it an ordinary incitement to an offence? Do you think you can deal with this movement as you will deal with one of the ordinary crimes mentioned in section 42 of the Police Act? Can you forget that this is a movement of non-violence, a fight for a principle—that the Government of India should be a government of the people, by the people and for the people? Can you omit to consider that the object of the movement is to establish the principle, the great principle, that you cannot continue to rule India without the consent of the people? That is the point which has been raised, and I ask the Government to say whether they can, merely by prosecuting some people and putting them into jails, defeat this movement or make it subside? I submit that it will be an utterly vain thought to think that this movement can be dealt with in that fashion. The people who are joining it join it with deliberation; they are prepared

[Sir James Crerar.]

was extremely active. It was a district which had a bitter experience of that after-math of tragedy and terror from which many parts of India at that time and subsequently suffered. An important element in the population is the tribe of Dharalas, a notoriously turbulent tribe. I have a very clear recollection of the period immediately succeeding the non-co-operation times in 1921 and 1922, and of the consequences of that movement, which inspired, particularly in this element of the population to which I have referred, an habitual disrespect for the law. There resulted an epidemic of dacoities and murders, and it took the Bombay Government two years before peace was restored. Now, Sir, if the local Magistrates, realising the inflammable character of the material to which incitement of the kind I have mentioned had been made or were likely to be made, realising the probable consequences to the safety of the district and the public peace, had not taken action, I submit that they would have been guilty of a very grave dereliction of duty. I commend the courage and the resolution and the promptitude with which the local officers took action. Those are the facts. But the Honourable and learned Pandit has asked me to pronounce on the general policy of the Government with regard to the movement in which this may be treated as an incident. I do not propose to take it upon myself here and now to do so in my own words, but I venture to remind the House of the solemn words of admonition and counsel which were recently delivered in this House by His Excellency the Viceroy, in which he announced, in perfectly clear and unmistakable terms, what was the policy of the Government of India and of Government in India in this respect. I will take the liberty of reading a passage from that speech:

"It has, however, recently been announced that the immediate goal of some who claim to represent India is repudiation of the allegiance to the British Crown. It has further been made clear that those who desire to achieve that goal contemplate resort to the unconstitutional and unlawful methods of civil disobedience, and with reckless disregard of consequences, public profession has been made of the intention to refuse recognition of India's financial obligations, to which her credit has been pledged. I am confident that the great preponderance of Indian opinion, which is both loyal and sane, will, when it understands its implications, condemn decisively a programme, which could only be accomplished through the subversion of the Government by law established, and which would strike a fatal blow at India's economic life. It is evident that there are already some who regard violence, whether of individuals or of mobs, as the speediest and most effective solvent of political problems. Between such persons and all who believe in ordered society based upon the sanctity of life and respect for property and other lawful rights and interests, there can be no composition and no truce. And although the very authors of the present policy deprecate, some on grounds of principle and some on grounds of expediency, resort to violence, they can hardly be so lacking in either imagination or recollection of past events in India as not to be able to picture the results in this direction which must follow, as they have always followed, from the adoption of the policy they recommend. It remains my firm desire, as it is that of His Majesty's Government, following the recently professed wish of the British House of Commons, to do everything that is possible for conciliation in order that Great Britain and India may collaborate together in finding the solution of our present difficulties. But it is no less incumbent upon me to make it plain that I shall discharge to the full the responsibility resting upon myself and upon my Government for the effective maintenance of the law's authority and for the preservation of peace and order. And in the fulfilment of this duty, I do not doubt that I should have the full support of all sober citizens."

That, Sir, is a statement of policy on the particular issues raised by the Honourable and learned Pandit which I shall not myself presume to endeavour to improve. When I spoke of the maintenance of law and order the other day I was reproached by one or two Honourable Members opposite for not having regard to other considerations which must be borne in mind

at the same time. I thought I had made it plain, if not at great length yet quite specifically and clearly, that the Government of India had those considerations in mind. I cannot pronounce on the specific issues which the Honourable and learned Pandit has invited me to pronounce upon, but I do say, this, that it is the desire of the Government of India to do all in its power to preserve all the conditions that are necessary to enable the policy which has been announced to be pursued, a policy which will, I trust, in the near future be developed, to preserve all the conditions which are necessary for the fruition of that policy. But, Sir, I cannot myself believe that breaches of the law, with whatever motive committed, that a course of action which is likely to inspire a general contempt for the authority of the law, is one which can possibly do good either to the political or to the economic or to any other interest of India. I cannot believe that. Another and a better way has been offered, and I trust that that other and better way will be followed. I repeat that nothing in the way of progress towards that goal will ever be contributed by breaches of the law and by the propagation of a contempt for law. If the Government and its servants in this particular instance have been compelled to take action, they have done so under the compulsion of a public duty any dereliction in which would have been open to the gravest condemnation. Sir, I oppose the motion.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): Sir, the Honourable the Leader of the House enlightened this House, and through this House the country at large, of what he was pleased to describe as the "broad issue" by quoting a part of a speech of His Excellency the Viceroy, and spoke of "the other and the better way." Sir, His Excellency the Viceroy not having, I believe, the constitutional powers of the Czar of Russia, is responsible to a higher authority, who is also responsible to a still higher authority, who is also responsible to the highest authority; the Viceroy's higher authority being the Secretary of State for India, his higher authority being the Cabinet, its higher authority being Parliament and the highest of all, the British people. We do not at present possess the view of the last authority, the British people, a referendum not having been taken on the Indian question. We are not admitted into the secret of what is going on in the Cabinet itself. Therefore we do not exactly know the conspiracies of Cabinet Ministers. (Laughter.) But we are in possession of the policy emanating from a higher authority than the Viceroy, namely, the Secretary of State and a still higher authority, namely, the British Parliament.

Now, Sardar Vallabhbhai Patel, who has now been arrested, is an old friend of mine. He was my leader when I was a No-changer. He appointed me as the spokesman of the No-change Party to reply to Pandit Motilal Nehru, the Pro-change Leader. My following staunchly his leadership brought on my head a vote of censure nine years ago in the All-India Congress Committee from none other than his intransigent elder brother, who sits today in the presidential Chair of this House. The censure motion could not be passed. The Mover withdrew it himself after discussion. His younger brother who stood by me had an overwhelming majority in the House. Sir, I am today dealing with a matter which is certainly one of deep personal feeling to me. I am certainly very much affected by it, but that apart, putting my feelings aside, I shall deal with the points of the

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Honourable the Leader of the House—that “broad issue” and “the other and the better way.”

In opposition to the speech of His Excellency the Viceroy, which the Home Member quoted, I shall quote from a speech of a higher authority, the Secretary of State, who spoke on the 7th November, in the House of Commons. I was listening to it from my place in the Dominions Gallery. Here in this speech the Secretary of State says: “There has been a change.” And what is that change? “We have got rid of the Birkenhead tone.” And then he endorsed Mr. George Lansbury’s thrilling message of love to India in these words:

“I will say love, that is, goodwill is the keynote of British policy. There has been an effort to make the Indian people realise the position which they occupy in the British Commonwealth, to give them an assurance of equality.”

Sir, there is no love in the treatment accorded to Sardar Vallabhbhai Patel (Hear, hear.) and in the speech of the Viceroy on the broad issue, which really contradicts the speech of the Secretary of State on the still broader issue of love which Lord Birkenhead ridiculed. I can only say that I reject the authority of His Excellency the Viceroy and accept the authority of the Secretary of State. But above that authority is a higher authority, whose authority has been trampled under foot by the manner of procedure against Sardar Vallabhbhai Patel, by suppressing his right to express an opinion, by setting in motion the powers under the Police Act to deny him the right of expressing his opinion.

What did Parliament say? Parliament passed the following Resolution in December, with the approbation of all parties in the House, and this also happens to be the cardinal policy of the House of Commons to-day:

“That this House welcomes the evidence of the co-operation of Indian representatives in the settlement of the constitutional question and relies upon the Government of India to encourage goodwill by the sympathetic conduct of its administrative and executive functions, particularly in relation to the expression of political opinion.”

Sir, I do not know whether the Honourable the Leader of the House has served the cause of co-operation or non-co-operation by imprisoning Sardar Vallabhbhai Patel. That is a matter on which the future, and not I, will give an answer. I am at present concerned with what Parliament calls “particularly in relation to the expression of political opinion”. I have listened to the speech of the Honourable the Leader of the House giving us the reason why Sardar Vallabhbhai Patel was asked by the Police to “desist” from expressing his political opinion. There are methods other than procedure of desistance emanating from a police authority, but here is the suppression of the right of what Parliament calls the “expression of political opinion”. Therefore, today the Bureaucracy in New Delhi has trampled over not only Whitehall but Westminster. Whether the Indian nation will triumph over both is a matter, as I said, for the future. But, Sir, here is a first class constitutional issue raised today on the floor of the House by the great Pandit Madan Mohan Malaviya, to whom we are very grateful, namely, whether the Government of India, with the Viceroy as its head, is the Supreme Government, or whether, under the constitution, the British Parliament is Supreme. I am afraid it is the man on the spot who is all-powerful now. Realising this I think they were no fools who said that there is no use going to the Round Table Conference, which

is going to be held in London. But the Honourable Pandit Malaviya, perhaps wisely, thinks that Whitehall is not New Delhi! Be that as it may . . .

Pandit Madan Mohan Malaviya: Who will go to the Round Table Conference with Mahatma Gandhi in jail, or with Sardar Vallabhbhai Patel in jail?

Mr. C. S. Ranga Iyer: I do not think any Indian with a spark of patriotism in him will go to the Round Table Conference with Mahatma Gandhi in jail. (Hear, hear and Nationalist Cheers.) They have today not only imprisoned Sardar Vallabhbhai Patel, but they have imprisoned the idea of co-operation. Mahatma Gandhi will welcome it and Sardar Vallabhbhai Patel will welcome it. As for myself, in times of their prosperity, the leaders quarrelled with me, but in times of their adversity, I do not propose to desert them, but personal issues apart, I must say that the Government of India have, by arresting Sardar Vallabhbhai Patel in the manner in which they have arrested him, rejected the advice of the House of Commons, and have set up a higher authority in its place. Therefore, it is a first class constitutional issue. Why did you not proceed against Sardar Vallabhbhai Patel under section 124-A? That is what I want to know. Say that he preached violence and racial hatred and give him two years or three years, but why do you suppress the expression of political opinion? Surely, Sardar Vallabhbhai Patel has not set all the rivers and mountains of Gujrat on fire yet? (Laughter.) He had only begun his pilgrimage, and you have suppressed the right of the expression of opinion, although you were definitely told by the House of Commons not to do so. What you have been told in private by the Secretary of State, I do not know, but you have been definitely advised by the Secretary of State publicly to adhere to a policy of love, and you have rejected it, taking advantage of the fact that the Government in England is a minority Government. That is, Sir, what the Government of India have done. They have taken advantage of the fact that the Socialist Government is a minority Government and being a minority Government, it is not prepared to go to the country on the question of Indian Dominion Status straightaway. Though it is a very clever manoeuvre, still it is a manoeuvre which is not constitutional. The exhibition of such ugly tactics, at any rate, in the arrest of Sardar Vallabhbhai Patel should be condemned by every gentleman in this House who holds constitution dear. (Applause.)

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, the times are out of joint. The Honourable Pandit Madan Mohan Malaviya, in his motion for adjournment, has raised a question which has not been answered at all by the Honourable the Home Member. He asked the Honourable the Home Member to stay his hands and not to allow the Provincial Government, or the subordinate executive under them to take any drastic step and thereby undermine the constitution as they did unfortunately some 25 years ago. If the Government have not taken a lesson from the dark pages of their annals in the rule of Bengal, they are not likely to take any lesson from the present political situation. What was it for which the Honourable the Pandit asked for an adjournment of the House? It was not on the issue of imprisonment of a particular individual, but

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with regard to the circumstances that brought about the imprisonment of that particular individual. Unfortunately, the Honourable the Home Member has avoided that question altogether. He has given a reply which every student of law can easily answer. He has quoted certain sections of the Bombay Police Act. He evidently has never been in a Law College, as suggested by my Honourable friend over there. I do not know whether he was in any of the Inns of Court. Be that as it may, he has commended the action of the executive in putting Sardar Vallabhbhai Patel into jail, and what are his offences? Non-payment of taxes, boycott of Government servants and breach of law. Breach of what law? The Honourable Member has only pointed out certain sections in the Bombay Police Act. I am not familiar with the Bombay Police Act. But let us concede, for the sake of argument, that there is a provision in the Bombay Police Act, as stated by the Honourable the Home Member, but what of that? I ask him, in all seriousness, to say whether boycott of Government servants is an offence under any law of the country. As a lawyer of some standing, and perhaps not altogether inapt, I have some acquaintance with the penal laws of this country. I have not been able to come across any provision in any Act which says that boycott of Sir James Crerar, or for the matter of that, boycott of Sir Bhupendra Nath Mitra, or Sir Brojendra Lal Mitter, is an offence. In fact you will not be surprised to learn, Sir, that many of the orthodox Hindus have boycotted these two Mitras.

The Honourable Sir Brojendra Mitter (Law Member): Not you!

Mr. Amar Nath Dutt: I have not boycotted the two Mitras, because I happen to be a Hindu of advanced views. I am speaking of the orthodox community, which would not have any social intercourse with these two Kayastha Members. Is that an offence? Can the Honourable the Law Member himself, who adorned the office of Advocate General of Bengal, find out any section from the law of this country under which boycotting him is an offence? Then, as for non-payment of taxes, I also do not see any provision of law anywhere that non-payment of taxes is an offence under any law. For non-payment of taxes and for non-payment of revenues, you have remedies and summary procedures, which are not available to others. In spite of that, the Bombay Government took it into their heads to think that these are offences and, therefore, before he commits these offences, they wanted him to be put into jail. Perhaps there is some provision in the Bombay Police Act which enables the Government to put Sardar Vallabhbhai Patel into jail.

The Honourable the Home Member has said that he knew the district in the first years of non-co-operation, and wants to profit by his experience of those days. It recalls to my mind that during the Sepoy War there were massacres at Cawnpore and there was retaliation more ferocious, more savage and more brutal by the Britishers in those days. You remember, in the streets of Delhi, one of the descendants of the Great Moghal, was shot down by Captain Hodson himself, because the Indian soldiers would not shoot him then and there. Am I to understand that they are going to repeat those barbarities in the religious war which is going to be waged by the saint of Sabarmati? Rebellion, there is going to be, but who is responsible for this rebellion? Your dilatoriness in considering the case for India. That is the main point which our revered leader, Pandit Madan Mohan Malaviya, has placed before the Government. He wanted to warn you that you cannot imprison a whole population. You cannot

crush the movement. You can put some people into jail. But you cannot imprison truth. It gets an electric elasticity within the dungeon walls, and shakes the whole world when it comes out. What is it for which Mahatma Gandhi and Sardar Patel are fighting? Some of us may differ from them, but I may be permitted to point out that the circumstances have been such, that the conduct of the Bureaucracy has been such, that they have been goaded to take the stand they have taken. It was in the power of the Government to prevent all these drastic steps, it was within your power to prevent the great body of political workers from taking the step which they took in Lahore last December, if you had only been a little in time and your time-table had not been a little too late. You came in with certain proposals too late, and what are those proposals? They are so vague that we cannot make anything out of them. You have been harping about them. When are you going to have the Round Table Conference? Do you want to expedite it or not? You cannot give us any assurance. You cannot say whether you are going to hold it in the near future. The other day we heard from the Honourable the Finance Member that we are going to have it within the next few months. Such vague expressions as "few months" are not going to satisfy us. Times are such that we cannot afford to lose time. If the Government are really serious, if the Government do not want to drive the people to rebellion—because I read in the papers that more than a lakh of people are willing to follow Mahatma Gandhi instantly, and if that be so, is it not in the interests of the people whom you rule, for whom you profess so much love and sympathy and whose trustee you proclaim yourself before the world, to be—what sort of trustee I do not know, but it was characterised some years ago by my Honourable friend, Diwan Chaman Lall, as a fraudulent trust and whether it was a fraudulent trust or honest trust, it does not matter—is it not in the interests of all that we should put our heads together and evolve a solution? In all seriousness, let us put our heads together and say, these things cease from today, let Indians and the British Government put their heads together immediately and find out a solution for this difficulty. First of all, release those men who are kept in jail. For what are they kept in jail? For the offence of loving their motherland. You may not approve of their action, but you cannot deny that they are actuated by the best of motives and that motive is nothing more than the liberation of their motherland from her thralldom. It may not be pleasing to you, but you ought to appreciate it as men who wrung from the unwilling hands of King John a Charter in the fields of Runnymede in 1215 and up till now, for the past seven centuries, the history of your country has taught us all these things. If I have read your country's history well, I think we ought to have had some respect for the great English race, which liberated the slaves and carried the flag of liberty everywhere, save and except to this unfortunate land of ours. What glory would have been ours and what glory would be yours still if you unfurl the flag of liberty and take the unhappy children of this ancient and sacred land and march them on towards freedom. This is what our venerable leader, Pandit Madan Mohan Malaviya, asks you today; but you have not replied to that. You said that they had broken the law. Who does not know that? There may be certain provisions in your Acts which they have violated. But was that necessary? He wanted to draw your attention to the serious state of things which have resulted because you have not devised remedial measures. My Honourable friend Mr. Ranga Iyer has been

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even after normal conditions were restored, and the number of crimes that used to take place there before and at the time of the non-co-operation movement. Had these facts been placed before us, I should have considered whether there was any foundation for the allegation. In the absence of these facts, I say, with due deference to the Honourable the Leader of the House, that it is blasphemous to assert that this was the result of the non-co-operation movement. It may be the result of many other intrigues which might have been deliberately used by the authorities to subvert the non-co-operation movement, and of many other diabolical movements, of which the enemies of non-co-operation wished to take advantage, and having worked for some time with the connivance of officials against the non-co-operation movement, they might have gone beyond control, and it took Government two years to check them. A position like that is quite possible in my opinion. It is no use making a dogmatic assertion that this was the result of non-co-operation. I repudiate that assertion with all the earnestness and emphasis I can command.

Then, Sir, there is a third point. After all what are these sections of the Police Act meant for? These sections and the discretionary power which is vested in the Magistrate under them are intended to be used only with a view to prevent crime. I ask the Honourable Members on the Treasury Benches whether they honestly believe that the step which the District Magistrate has taken is going to prevent the agitation that is going to be launched? Is it going to bring about the prevention of the crime of law-breaking? These sections are intended with a view to prevent crime. I ask the Government whether, with all their power of circumspection and their reason, they really think that the action taken by the District Magistrate of Ahmedabad is going to prevent the occurrence or prevent the starting of the great movement against which you now seem to have definitely ranged yourself? Would it prevent it or would it accelerate it? What will be the result at the end of it? Are you really conversant with the history of the non-co-operation movement during the year 1922 and 1923? What is the lesson you have learnt? Was it that, by action of this nature, the movement could be stopped? You have, on the other hand, in my opinion, accelerated the date of the no-tax campaign and have appealed strongly to those forces which will go to strengthen that movement and to give an impetus to the people to rally round the standard of Mahatma Gandhi with a greater earnestness, determination and vigour than what would have been the case in the absence of any action like this. That is the position. So it is not going to prove a preventive measure. From that point of view also it is a wrong policy to pursue in a matter of this nature.

For these reasons, Sir, leaving aside the question of broad policy, the issue which the Honourable the Leader of the House has carefully refrained from answering, and about which he quoted and acted on certain passages from the speech of His Excellency the Viceroy, leaving aside those broad issues for the time being, I confine myself to the arguments on which the Leader of the House sought to justify the action of the Magistrate. I hope I have shown that these are not the arguments by which he can successfully make out a case in justification of the step taken against Sardar Vallabhbhai Patel. These weapons are not going to help you in suppressing a great movement in the midst of which you and your adminis-

trative machinery in that district are likely to be swept away and washed out for sometime at least. Leave these methods of repression, be careful to reconcile public opinion and great leaders like Mahatma Gandhi; try to accelerate those political reforms by virtue of which you can solve these problems. Be careful about that, and not rely upon these rickety, and rotten weapons in your armoury for suppressing the great movement of Mahatma Gandhi. You must courageously but sympathetically face the situation, and if you want public opinion to stand by you, give in on those demands for which people have been clamouring. It is no use giving them stones when they are asking for bread. You are giving them stones and no bread. For these reasons, Sir, I strongly support the motion for adjournment.

Colonel J. D. Crawford (Bengal: European): Sir, I would like to place a somewhat different issue arising out of the matter which we are discussing before the House. There can be no one of us who is not absolutely and thoroughly alive to the aspirations of India, or to the knowledge that she desires to reach that goal as speedily as possible. The choice which we have to make in this House today is whether we get to that goal most speedily by constitutional means or by unconstitutional means. It seems to me, from what I have read in the papers, that there is a grave danger, if, unconstitutional means are followed, of a recrudescence of serious communal trouble. It is possible

Mr. C. S. Ranga Iyer: Is that danger really there or only in your imagination?

Colonel J. D. Crawford: I do not want to be interrupted. Many Members have recently returned to this House on what I can only interpret as a determination to work constitutionally. In the new circumstances thus created the leaders have been able to create an atmosphere in which there is hope of reaching that agreement amongst ourselves, the absence of which is really the obstacle to our setting up our own constitution in this country. The success of our efforts to win Dominion Status, I am convinced, depends upon the employment of constitutional means and on those lines my Group are thoroughly prepared to work with you.

Mr. M. S. Aney: Then why didn't you vote with us on the Executive Council issue?

Colonel J. D. Crawford: That is the issue. Do we believe in bringing pressure to bear by constitutional means? If we are agreed on that point, we must stand by Government in saying that those who seek to do it by unconstitutional means are wrong. (Interruption.) There are few who can fail to remember the very serious trouble that followed a similar movement some years ago. There are few of us who can fail to realize that it is the evil elements in society who take the opportunity of such movements and it is the poor ryots who suffer. I would therefore beg the House to consider that point and to come down on the side of real constitutional pressure.

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, I am not in agreement with the policy laid down by the Congress at Lahore. I am against this movement for independence. I view with grave apprehension the campaign of civil disobedience started by Mahatma Gandhi. But these, Sir, are my own personal views. I claim the right to entertain my own views. I claim the unfettered right to express my views. At the same time

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I do insist that the fullest liberty of speech should be allowed to Mahatma Gandhi, Sardar Vallabhbhai Patel or any other man belonging to that other school of political thought; and I do maintain that, in depriving Sardar Vallabhbhai Patel of the elementary right of free speech, the Government of India have acted unconstitutionally. (Applause.)

Sir, I do not know to what constitution my Honourable and gallant friend Colonel Crawford referred when he sought to draw a distinction between constitutional methods and unconstitutional methods. Is Colonel Crawford for denying us Indians the right to express our views in this country? Are we not to have, in British India, the same liberty to express our views on matters of public importance as the people enjoy in England? If that is the constitution which Colonel Crawford is laying down for us, then I am afraid we must resort to unconstitutional methods. (Hear, hear.) But I do not accept Colonel Crawford's conception of the British constitution. We have a constitution which, if worked and administered in the manner promised by Mr. Wedgwood Benn recently in the House of Commons, should give us the fullest liberty to express our opinions and views and to discuss our programme, so long as—I am trying to reproduce his words from memory—so long as there is no commission of acts of violence or incitement to commit acts of violence. We were anxious to hear from the Honourable the Leader of the House whether the speech delivered by Sardar Vallabhbhai Patel incited any body to commit acts of violence, but we listened in vain.

Sir, only a few days ago the Secretary of State for India claimed on the floor of the House of Commons that there was "Dominion Status in action" in India. Now let us examine the Government of India's conception of "Dominion Status in action" as illustrated by the prosecution and imprisonment of Sardar Vallabhbhai Patel. Mahatma Gandhi and Sardar Vallabhbhai Patel had given warning days ago to the Government of India that they were starting this campaign of civil disobedience. The Government of India must have realized that, in the course of this campaign, speeches must necessarily be delivered. Having received this warning did not the Government of India apply themselves to this problem? Have they or have they not thought out what they were going to do when the emergency did arise? Were they, or were they not, in communication, with the Government of Bombay? Have the Government of Bombay communicated any views to the Government of India on this subject? Have the Government of India issued any instructions to the Government of Bombay? On these important points Sir James Crerar was studiously, amazingly silent. All that we are told is that Sardar Vallabhbhai Patel addressed a meeting; he had not completed his speech. The Honourable the Home Member has characterised that partly delivered speech as being an "inflammatory" speech. Now what does that signify? What does the Honourable the Home Member mean by an "inflammatory" speech? Has not the Honourable the Home Member sat here day after day listening to and replying to "inflammatory" speeches on the floor of this House? The real question is this. Did Sardar Vallabhbhai Patel preach violence? Did his speech incite the audience to commit acts of violence? That is the test which the Secretary of State for India has laid down; that is the only test that the Government of India can apply. (Hear, hear.)

But, Sir, what do we find from the reply given by the Honourable the

Home Member? We are told that a local petty Magistrate, without any authority either from the Government of Bombay or from the Government of India, makes up his mind on the spot, after hearing a partly delivered speech, and serves on Sardar Vallabhbhai Patel an order under the Bombay District Police Act. Sardar Vallabhbhai quite rightly refused to obey the order; and he was arrested. The Honourable the Home Member has told us triumphantly that Sardar Vallabhbhai Patel pleaded guilty. Guilty of what? Guilty of disobeying that most unconstitutional order (Hear, hear.)

Now, Sir, I do ask the Government of India whether they can justify their attitude of treating a question of all-India importance, as a purely local matter. Is this movement, which, as I have said, is causing anxiety to a great many members of the Opposition in this House, to be treated in this manner by the Government of India? Should a petty local Magistrate be left to decide whether the leader of a great movement should or should not be arrested? Is this the Government of India's idea of "Dominion Status in action?"

Sir, my Honourable and gallant friend Colonel Crawford has offered sage advice to the Opposition Benches in this House to follow constitutional methods. I am one of those who stand by the Constitution, the British Constitution, as it is understood in the House of Commons and by the public in England, but certainly not the novel constitution which Colonel Crawford is trying to evolve for our benefit. (Hear, hear.)

Sir, the important issue, which the Honourable the Home Member has deliberately evaded, is this. Are the Government of India going to prosecute and imprison persons for expressing opinions or for preaching propaganda even though they do not commit and do not invite anybody to commit acts of violence? That is the principal question before this House; and to that question we are entitled to receive a clear and unequivocal answer from the Government of India. Are the Government of India going to prosecute Mahatma Gandhi and his followers in spite of their doctrine and methods of non-violence? If the Government of India prosecute and imprison them, then they themselves will be responsible for removing the dividing line between violence and non-violence and, by doing that, the Government of India will practically tell the school of political thought which is out for violence that there is no distinction between violence and non-violence, and the Government of India will be giving an impetus to the movement for violence which I am sure this House condemns. (Hear, hear.) Sir, the Government of India had three days to get the necessary materials to be placed before this House; and all that we have heard today is this fragmentary, evasive and unsatisfactory statement from the Honourable the Home Member. I feel, Sir, that the Government of India, either consciously or unconsciously, are treating this House with contemptuous indifference. Certain sections of the British Press have praised the action of the Government of India in arresting Sardar Vallabhbhai Patel. Naturally they assumed that, before such an important step was taken, the Government of Bombay consulted the Government of India and that with the approval of the Government of India, Sardar Vallabhbhai Patel was arrested on a broad question of policy; they never dreamt that the Government of India could allow this important question to be dealt with by a petty local Magistrate on his own authority and initiative. I wonder what the British Press would feel about our position in this country when an all-India

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movement of this type is allowed—if we are to accept the statement of Sir James Crerar *in toto*—to be dealt with locally by a petty judicial and executive officer. The issue before the House, Sir, is clear and specific: Is this House going to arm the Government of India with authority to arrest and imprison Indians if they deliver speeches which are unacceptable to the Government of India, regardless of the test laid down by the Secretary of State for India and in spite of the absence of violence or incitement to violence? Are we going to arm the Government of India with authority to refuse Indians the right of delivering speeches? If we extend our approval to this action of the Government, we shall express our approval of the policy of ruthless repression. We are not at the present moment concerned with the questions of non-co-operation or civil disobedience. We shall be voting for or against liberty of speech; we shall be voting for or against ruthless repression. (Applause.)

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muzaffarnagar Rural): Sir, the motion before the House, as has been said, involves two issues. One is the personal issue, that is the arrest and imprisonment of Sardar Vallabhbhai Patel. The other is the issue of the broad policy to which reference was made by the Honourable the Mover of the motion, and also the Honourable the Leader of the House. Now, Sir, as regards the first issue, whether the arrest and imprisonment of Sardar Vallabhbhai Patel was justified under the law or not, I would only submit, Sir, that the Honourable the Mover of the motion himself did not seriously contend and did not seriously argue, that the action which was taken by the authorities on the spot was quite illegal and contrary to law. The burden of the speeches of the Honourable Members in this House has been that the Sardar was arrested and imprisoned before he had made any speech, that the right of public speech was taken away, and therefore the action of the authorities was unjustified. But if we carefully read the section under which the action was taken, we find that the next section shows that it is not the actual commitment of the offence by which a man makes himself liable to the penalty imposed thereunder, but also if a man is about to commit a particular offence, that is incitement for the breach of law, the man renders himself liable to the punishment. Now, Sir, it is clear, and I say it without imputing any motives to the action which was taken by Sardar Vallabhbhai Patel, and we know it very well that not only in this speech but in other speeches he was delivering, the Sardar was carrying on a strong propaganda, and that he was not only favouring but was actively prosecuting, a policy which involved a breach of law, and actually at the time of arrest, when a notice was served upon him, that very meeting which he wanted to address was for the purpose of inciting people to a breach of law, and therefore the action which was taken by the authorities at that time was perfectly within the boundaries of law and cannot be said to be in any way unjustifiable.

Now, Sir, as regards the broader issue of policy, I would submit that, as the Honourable the Mover of the motion has himself said, we are confronted with a serious situation in the country; there can be no doubt about it; we have seen that the Congress at Lahore has passed a resolution of independence. We know that strong propaganda is being carried on in the country, and people are incited to commit disobedience of laws, and peasants are asked not to pay taxes. People are asked not to take

money in the form of currency notes; people are asked to manufacture salt and disobey the law. The Honourable the Mover of the motion says that the cry of independence is the cry of the country. What does it mean? It means nothing but anarchy, disobedience of law and nothing but chaos in the country. Now, Sir, while I agree with the Mover that there is a large section of the people who support this cry of independence, I do not agree with him that it is the cry of the country. We have seen that, even very strong supporters of the Congress, have resigned from the Congress on this very issue, that they did not subscribe to the cry of independence

Pandit Madan Mohan Malaviya: I said cry of self-government.

Maulvi Muhammad Yakub: No, no; but I say that many staunch members of the Congress have resigned the Congress because this resolution of independence was passed. Moreover my friend the Mover of the motion himself says that personally he does not agree with the programme which Mahatma Gandhi has launched; he says that he would have preferred that this programme should not have been taken up at this juncture. So, if this is the state in the country, if the state of the country is such that one lakh of young men are ready to disobey the law and to go to jail, I ask the Honourable the Mover, through you, Sir, whether Government ought to take any action under these circumstances or they should not, whether Government are responsible for keeping order in the country or whether they are not. I ask him through you, Sir, if the peasantry of this country, which number crores and crores, refuse to pay taxes to the zemindars, what would be the result? They talk of non-violence. It is preposterous. I do not know what the word non-violence means. I mean to say that violence does not simply mean any active commission of violence, striking a man with a *lathi* or shooting a man with a gun; I submit that at the very moment a man refuses to obey the law, or refuses to discharge a liability for which he is liable, he commits an act of violence. Violence does not mean merely physical violence; it means doing anything which is contrary to the law, or refusing to respond to a liability for which a man is responsible. It is rot to talk of non-violence. We know that the scheme of non-co-operation was launched a few years ago—it was also then said that it was a programme of non-violence—but we all know what was the result of that non-violence and—how much violence it created in the country. So, if the Government are not to sit with folded hands, they are bound to take some action. What action can they take? They can only take such action as the law authorises them to take. They can only ask the people to obey the laws of the country, and I think the Government would be guilty of a grave dereliction of duty if they did not take definite, strong and consolidated action for securing peace in the country.

Of course there is one thing, and I would like to warn the Government against committing that mistake; and it is this: that the programme of Mahatma Gandhi and his whole scheme is that they want to court arrest; they know that their scheme cannot succeed; they are in the wilderness, but they want to incite the people, and if Government starts a policy of ruthless repression, then certainly they would be playing into the hands of those who want to foment agitation in the country and they would be serving their purpose. What the Government ought to do, in my opinion, is that they should adopt a definite policy, a precise policy, a

[Maulvi Muhammad Yakub.]

policy which should run from one part of the country to another. They should give up the shilly-shallying policy and the slippery policy which they have been following for some time past. The state in which we find the country is the result, probably, of that policy which the Government have been pursuing. So I say, do not adopt ruthless methods of repression and thereby play into the hands of those who want to rouse the country against an orderly state by courting arrest, but adopt a definite and strong policy of maintaining order and law in the country. (*An Honourable Member: "How?"*)

As regards the motion before the House, as I have just submitted, a vote cannot be taken on general policy. Under the Standing Orders, we are bound to give our vote on the terms of the motion before the House, and the terms of the motion are clearly there, whether the Government of India have done anything in bringing about the arrest and conviction of Sardar Vallabhbhai Patel, for which they are liable to be censured or not. I have not yet heard an argument from any Honourable Member in the House that this action, which was taken by the Government of Bombay, is such as to make the Government of India liable to be censured. (*Cheers from the Government Benches.*) Of course there is one aspect of the question more, and it is this, that these gentlemen who have taken up this policy of courting arrest, when any of them is arrested, congratulatory meetings are held and votes of congratulation are passed and the arrested people are garlanded when they go to jail. So it looks as if these people get what they want when they are arrested, and I do not see how we are logical in censuring the Government for doing a thing for which these people themselves are craving in their heart of hearts.

One point was made by the Honourable the Mover when he said, "Why do not the Government say that they are ready to give us responsible government in India immediately and then the whole thing will be settled?" I say, Sir, have we settled our own disputes? Have we decided among ourselves what should be the form of responsible government which India wants? (*"Hear, hear" from the Government Benches.*) We were holding a meeting of the leaders of the country, in order to arrive at a settlement among ourselves, the other day here in Delhi, and what did we hear in that meeting? We heard the people saying "This is not the time when we should arrive at a settlement; this is not the time when we should hold a conference to come to a reconciliation among ourselves." If that is the state of affairs among ourselves, if we do not know ourselves what form of self-government the country wants and what form of self-government will be suitable and proper for India, then how can we blame the Government that they do not make an announcement straightaway that they are ready to give us responsible government? I say, the key to the Indian problem is not civil disobedience or non-co-operation, or breaking of laws. The key of the problem is in the unity of the Hindus and Mussalmans; the salvation lies in bringing about a settlement between these two communities, and in settling the share which each of them will have when responsible government comes in India; and until and unless we have decided the question among ourselves, unless we have come to a settlement on this point, I do not think that Government are justified in making an announcement that we will straightaway be given responsible government. For these reasons, Sir, I oppose the motion.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, it seems to me that there is a vast conflict in the opinions that have been expressed by speakers who have preceded me. It seems to me, Sir, that there is a very simple issue and one issue only with which we are concerned. The Honourable the Home Member said that, according to section 42 of the Bombay District Police Act, an order was issued, prohibiting Sardar Vallabhbhai Patel from speaking for one month at public meetings and that order was disobeyed and hence followed the arrest, prosecution and conviction. Sir, I want the Honourable the Home Member to follow me for a minute if he will. It is very elementary that in every Code of penal laws, you have got two kinds of laws, one is preventive and the other is punitive. Now, the section with which we are concerned for the moment is section 42 of the Bombay District Police Act. It is a preventive provision, and I think the Honourable the Home Member will not dispute that proposition. Sir, in ordinary times, in normal circumstances, if the Magistrate in a district felt that there was some unexpected, some unknown emergency which had arisen, and if he resorted to a provision of this character on the spot, and if that was disobeyed and the authorities said, "Well, we must prosecute you and convict you", I could understand it. But is that the issue before us now?

Sir, the movement with which we are concerned this evening is a very well known movement. Here you have an organized movement of civil disobedience, which is going to be resorted to by a certain section of my countrymen. Now, the question before the House is not whether you agree with it or not. Sir, I, standing on the floor of this House, say emphatically that I do not agree with it. I want to make no secret of it. I will go further and say that I do not want to use this movement as a sort of threat or coercion so far as the Government are concerned. But, Sir, there is this movement in the country. Now, I want an answer to one question from the Government of India. The Government of India do not like it, I do not like it; your reasons may be different from my reasons; but we agree, I do not like it; and you do not like it. Now the question that I want to put you is this. Are you going to deal with this movement with the responsibility of the Government of India, or are you going to leave this movement to be dealt with by petty Magistrates in such manner as they may consider proper?

The Honourable Sir James Crerar: Certainly, Sir. I shall give the Honourable Member an immediate answer. The general direction of the policy is necessarily with the Government of India and it will remain with the Government of India, but to deal with an emergent situation which requires emergent action must necessarily be left to the responsible authorities on the spot.

Mr. M. A. Jinnah: Sir, I am very pleased to hear the first part of the statement. I am very glad that the Government of India realise that they must themselves, as the Government of India, as a Central Government, be responsible for direction of policy to maintain law and order, and I have no hesitation in stating here that I want you to maintain law and order. But are the policy and the reins of this policy to remain under you or in the hands of any petty Magistrate in a district? That is the question I want to ask, and I have got the answer.

[Mr. M. A. Jinnah.]

Then the Honourable the Home Member, in the second part of his statement, said that, in case of emergency, the question must be left to the officer on the spot to deal with. Sir, that statement is very easily made and it is difficult to challenge it. But now let us examine what was the emergency which justified this officer in passing this order? What was the emergency, I want to ask, Sir, to pass this order? According to the statement of the Honourable the Home Member, Sardar Vallabhbhai Patel had made several speeches before. Were those speeches against the law? Did he transgress the limits of law or did he not? I have no information. If he was going to make a speech or speeches of the kind which he had already made in regard to which he had already transgressed the limits of law, and if he had already committed offences or infringed the law, then, Sir, your proper course, the proper course on the part of the authorities in that district should have been that Sardar Vallabhbhai Patel ought to have been prosecuted long ago for an offence, but an order should not be passed which goes to the root of the principle of liberty of speech. Sir, the precedent that the Government of India are creating,—this is what I am afraid of and that is where the danger lies—the precedent they are creating is a dangerous precedent, and I want this House to understand that this is a very important issue. Do not let us be carried away for the moment with other side issues and various other arguments that have been advanced. What is the real issue before the House? Sir, I will read in the language, which is certainly much better than I can command, a small passage to the House, and I think any one who is a student of history and of political movements in other countries will appreciate this passage and will see the point that I am trying to impress upon the Government. "Liberty of opinion of course is open to abuse.".

Sir Hugh Cocke: What is that book please?

Mr. M. A. Jinnah: It is called "American Government and Politics" by Beard, 4th Edition, Library Edition. It is not mine. It is the Library Edition of the House. Therefore, I think my Honourable friend Sir Hugh Cocke is now thoroughly satisfied.

Sir Hugh Cocke: Quite.

Mr. M. A. Jinnah:

"Liberty of opinion, of course, is open to abuse; it is constantly abused; but far more open to abuse is the right to suppress opinion and far more often, in the long history of humanity, has it been abused. Still all matters of sentiment may be put on one side. It is a hard, cold proposition: by what process are we most likely to secure orderly and intelligent government, by the process of censorship or that of freedom? On this question a comparison of English and Russian history is illuminating."

Do you want to follow the Russian history or the English history?

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Russia is the ideal now.

Mr. M. A. Jinnah: I think my Honourable friend is rather backward in his history. Russian history is not the modern history which he is talking of now. . . .

Dr. A. Suhrawardy: I am not.

Mr. M. A. Jinnah: I was not talking of India; I was talking of Russia.

Dr. A. Suhrawardy: I say that in India Russian history is the ideal.

Mr. M. A. Jinnah: I am very glad to hear it. But do the Government admit that?

Dr. A. Suhrawardy: I am not concerned with the Government.

Mr. M. A. Jinnah: I am not concerned with you then. I am concerned with the Government at the moment. I am sure the Government will not admit that, nor do they mean to follow that. When my friend is on the Treasury Benches, we may expect the Russian methods then. Sir, I shall continue to read the passage now:

"Again and again those who have attempted to stop the progress of opinion by the gallows and prison have merely hastened their own destruction by violence."

I therefore ask the Government not to allow, in the first instance, their policy and their programme to deal with this serious situation to be deflected in the slightest degree by the whimsical or fanciful action of a district officer about whom the Honourable the Home Member said that, if he had done anything else, he would have been guilty of a dereliction of duty. The Honourable the Home Member may stand there and support that officer, but let us remember that the Home Member did not know anything about it. He had no idea. I have not heard that the Bombay Government have been consulted. Therefore it comes to this—that there was no emergency and I maintain most emphatically that there was no emergency. Vallabhbhai Patel had made no speech or speeches which came within the purview of the Penal Code. My proposition before the House is that he ought to have been arrested long ago and convicted in due course, if he had and if that had been done, I should be the last person to stand up and complain against that. But the order under discussion was not warranted.

Mr. President: The question is that the House do now adjourn.

The Assembly divided:

AYES—30.

Acharya, Mr. M. K.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chaman Lall, Diwan.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Jayakar, Mr. M. R.
Kelkar, Mr. N. C.

Kunzru, Pandit Hriday Nath.
Lal, Mr. Hari Prashad.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.
Malaviya, Pandit Madan Mohan.
Moonje, Dr. B. S.
Munshi, Mr. Jehangir K.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Rang Behari Lal, Lala.
Ranga Iyer, Mr. C. S.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Singh, Mr. Gaya Prasad.
Talatluley, Mr. S. D.

NOES—53.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Alexander, Mr. W.
 Anwar-ul-Azim, Mr.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Chatterjee, The Revd. J. C.
 Coatman, Mr. J.
 Cocke, Sir Hugh.
 Cosgrave, Mr. W. A.
 Crawford, Colonel J. D.
 Crerar, The Honourable Sir James.
 Crosthwaite, Mr. H. S.
 Dalal, Dr. R. D.
 Ferrers, Mr. V. M.
 French, Mr. J. O.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. L. B.
 Heathcote, Mr. L. V.
 Hira Singh Brar, Sardar Bahadur,
 Honorary Captain.
 Howell, Mr. E. B.
 Jawahar Singh, Sardar Bahadur
 Sardar.
 Jehangir, Sir Cowasji.
 Kikabhai Premchand, Mr.
 Lamb, Mr. W. S.

Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mitter, The Honourable Sir Brojendra.
 Monteath, Mr. J.
 Moore, Mr. Arthur.
 Mukherjee, Rai Bahadur S. C.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rau, Mr. H. Shankar.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Schuster, The Honourable Sir George.
 Scott, Mr. J. Ramsay.
 Shah Nawaz, Mian Mohammad.
 Slater, Mr. S. H.
 Suhrawardy, Dr. A.
 Tin Tut, Mr.
 Tirloki Nath, Lala.
 Yakub, Maulvi Muhammad.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Sir.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 11th March, 1930.



LEGISLATIVE ASSEMBLY.

Tuesday, 11th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MESSAGES FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following two Messages have been received from the Secretary of the Council of State:

"I am directed to inform you that the Bill further to amend the Indian Income-tax Act (Amendment of sections 2, 23, etc.), 1922, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 6th February, 1930, was passed by the Council of State at its meeting held on the 10th March, 1930, with the following amendment, namely:

'For clause 11 of the Bill the following clause was substituted, namely:

"11. In sub-section (2) of section 66 of the said Act:

(a) after the word and figures 'section 32' the words and figures 'or of a decision by a Board of Referees under section 33A' shall be inserted; and

(b) after the word 'order' in the second and third places where it occurs, the words 'or decision' shall be inserted."

The Council of State requests the concurrence of the Legislative Assembly in the amendment."

The second Message runs as follows:

"I am directed to inform you that the Bill further to amend the Indian Income-tax Act (Amendment of sections 14, 25A, etc.), 1922, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 20th February, 1930, was passed by the Council of State, at its meeting held on the 10th March, 1930, with the following amendment, namely:

'In clause 1 for the brackets and word "(Amendment)" the brackets and words "(Second Amendment)" were substituted.'

The Council of State requests the concurrence of the Legislative Assembly in the amendment."

Sir, I lay on the table the Bills, as amended by the Council of State.

THE GENERAL BUDGET—LIST OF DEMANDS—contd.

DEMAND NO. 36 —FINANCE DEPARTMENT—contd.

Retrenchment throughout the Administration.

The Honourable Sir George Schuster (Finance Member): Sir, when the hour struck yesterday afternoon, I was just on the point of concluding my remarks. In order to make clear what I had intended to say in conclusion, I would repeat what I had just begun to say. I was taking the point

[Sir George Schuster.]

that, although I welcomed the expression of a desire on the part of this House for active steps towards retrenchment, I thought that the appointment of a committee, an unofficial committee, just at this time would not serve any useful purpose, and I asked this House to accept the action which I myself was taking as sufficient and as the most appropriate form of action at the present stage. I told the House that I hoped to have a full analytical report showing exactly the nature of the growth of expenditure and the causes of that growth during the last five years and I hoped to have such a report completed in time for the Simla Session, and I hoped then to place in the hands of all Honourable Members that report. But I also made it clear that I could not absolutely promise that such a report would be ready, but that I would do my best to see it was ready. I think that, if that action is taken, such a report will serve to show what particular items do require special attention, and I believe that, with that report in their hands, Honourable Members could consider what further action they would desire to recommend to the Government with greater intelligence and with greater value to the public than would be possible at present. I am quite prepared to discuss the matter further with leaders of the various parties outside this House, but I submit that this, in all the circumstances, will be the most useful course. It would be very difficult to get any committee, such as has been suggested, going at present, and with all the interruptions of business caused by the move between Delhi and Simla, I doubt if much useful work could be carried out before the time of the next Simla Session. I put these views before the House, Sir, and leave Honourable Members to form their own opinions on it.

Before I conclude, I should just like to make one reference to a particular item which is mentioned in the later portion of my remarks. I made some reference to the undertaking of new expenditure in connection with broadcasting. I should like to make clear on behalf of my Honourable colleague, the Member for Industries and Labour that, in stating that he himself had approached the leaders of various parties to obtain an expression of opinion, I was making a statement which was not quite correct. He himself did not make first move in the matter. He was actually approached by the unofficial leaders, and that in a sense strengthens what I had to say yesterday. But in connection with that incident, as I have had to mention it again, I should like to make clear to this House exactly what was in my mind. I had no purpose then of arousing a controversy or making any sort of counter attack. I had only this in mind. In a recent debate, the question was raised of the irresponsibility of the present Government, and that of course led to remarks as to the unsatisfactory nature of the present constitution. We all feel that the present constitution is not entirely satisfactory. I perhaps feel on my side sometimes—and that was what I was trying to express—that the irresponsibility or the irremovability of the present Government sometimes leads to a certain amount of irresponsibility on the part of the Opposition. Whatever the circumstances and conditions under which we have to work now, we have however to face realities, and we have to make the best of things as they are, and I, for one, have always tried to take advantage of the machinery which is available at present to obtain the fullest views from unofficial Members as to their opinion on matters of finance. For

that purpose, I have myself found the Public Accounts Committee and the Standing Finance Committee of the greatest possible value and I have thought it one of the most important of my duties to use the occasions provided by the meetings of those Committees to give to representatives of the unofficial parties the fullest opportunity to gain knowledge of the public finances and to instruct themselves in the handling of public finances. What I had in mind when I referred to those particular items was that I had hoped that, with those opportunities, we should get intelligent criticism of particular items when it came to the discussion of the Budget on the floor of this House, and sometimes one does feel, and I felt it last year, that a great deal of time is given up to other matters and that the constitution could be worked more effectively—certainly from the point of view of financial control—if more time were taken for the examination of particular items during the budget debates. It was simply an expression of my desire to make the fullest use of the present constitution that I had in mind when I made those remarks. I hope, Sir, that I have made my position clear, and I hope that I have also made it clear that it is our desire to meet the wishes which have been expressed as regards the critical examination of Government expenditure and as regards the exercise of the most rigid control of expenditure. I trust that whatever I have said as the procedure which we had in mind will satisfy Honourable Members on this question.

Mr. President: Does the Honourable Member wish to press it to a division?

Sir Hugh Cocke (Bombay: European): Yes, Sir.

Mr. President: The question is:

“That the Demand under the head ‘Finance Department’ be reduced by Rs. 100.”

The Assembly divided:

AYES—45.

Abdoola Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Abdullah Haji Kasim, Khan Bahadur
Haji.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Birla, Mr. Ghanshyam Das.
Chetty, Mr. R. K. Shanmukham.
Cocke, Sir Hugh.
Crawford, Colonel J. D.
Dutta, Rai Bahadur S. C.
Ghazanfar Ali Khan, Raja.
Ghuznavi, Mr. A. H.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Heathcote, Mr. L. V.
Jehangir, Sir Cowasji.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.
Lalchand Navalrai, Mr.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Malaviya, Pandit Krishna Kant.
Malaviya, Pandit Madan Mohan.

Mody, Mr. H. P.
Moonje, Dr. B. S.
Moore, Mr. Arthur.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Neogy, Mr. K. C.
Patil, Rao Bahadur B. L.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rajan Bakhsh Shah, Khan Bahadur
Makhdam Syed.
Rao, Mr. G. Sarvotham.
Reddi, Mr. T. N. Ramakrishna.
Scott, Mr. J. Ramsay.
Shafee Daoodi, Maulvi Mohammad.
Shah Nawaz, Mian Mohammad.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gaya Prasad.
Sinha, Mr. Ravi Varanjan Prasad.
Suhrawardy, Dr. A.
Talatnlev, Mr. S. D.
Yakub, Maulvi Muhammad.
Ziauddin Ahmad, Dr.
Zulfiqar Ali Khan, Sir.

NOES—34.

Abdul Aziz, Khan Bahadur Mian.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Coatman, Mr. J.
Cosgrave, Mr. W. A.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Mitra, The Honourable Sir Bhupendra
Nath.

Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan
Bahadur.
Schuster, The Honourable Sir George.
Slater, Mr. S. H.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was adopted.

Mr. President: The question is:

"That a reduced sum not exceeding Rs. 11,49,900 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Finance Department'."

The motion was adopted.

DEMAND NO. 77—NORTH WEST FRONTIER PROVINCE.

Mr. President: The House will now proceed to consider the Demand for Grant under the head, "North West Frontier Province". I understand the Central Muslim Party wants to raise a question on that Demand. This will take us up to the recess hour. In the afternoon we shall have to take up the grants in the order in which they appear on the Agenda. I had promised to give two hours to unattached Members, but I have not so far been satisfied that there is any agreement amongst them, and therefore we shall proceed with the order on the paper.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): With regard to the unattached Members, we did not give up the right, but we thought that, in the natural order of things, the very first motion of Sir Hari Singh Gour meets our point and therefore we did not think that any special time was necessary for us.

Mr. President: That is the Honourable Member's view. But Sir Hari Singh Gour said that there was some other cut in his name which he was going to move. I asked him to satisfy the Chair that there was general agreement; but as he could not do so, I thought I had better give it up.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): On behalf of the unattached Members, I may be permitted to say that we held several meetings and we came to the conclusion that it would serve the best purpose of the Assembly if we moved a few of the five per cent. cuts.

Mr. President: Very well. Why did the Honourable Member say that he would like to move some other cut?

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): He was unauthorised to do that.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 1,06,35,000 be granted to the Governor General in Council to defray the charges that will come in course of payment during the year ending 31st of March 1931, in respect of the 'North West Frontier Province'."

Introduction of Reforms in the North West Frontier Province on the lines of the Major Provinces of India.

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): Sir, I beg to move:

"That the Demand under the head 'North West Frontier Province' be reduced by Rs. 100."

The subject matter of my cut is the introduction of the reforms in the North West Frontier Province, subject of course to the safeguards, rights and interests of the minorities. Sir, the famous declaration of 20th August, 1917, promised constitutional reforms to all India. It made no invidious distinction between province and province. It made no unfair discrimination between the North West Frontier Province and the rest of India. We understand that a solemn pledge of the British people that India will, as quickly as possible, achieve the status of a Dominion holds good. That solemn pledge can never be recalled.

(At this stage Mr. President vacated the Chair which was occupied by Sir Zulfiqar Ali Khan.)

It therefore follows that nobody has got the right to deprive any part of India of the reforms which were given to the other provinces. If the Government were honest in their intention to concede the legitimate rights and aspirations of the Frontier people they should have introduced the reforms into the North West Frontier Province forthwith. If it is true—and there is no doubt that it is true—that the contentment and well-being of the North West Frontier Province depends on the attitude of the people of that province, then I submit that there should be no hesitation to extend the reforms to that province. However, the authors of the Montagu-Chelmsford Report thought fit, for reasons known to themselves, to exclude the North West Frontier Province and Burma from the operation of the Act of 1919. The Burmese, realising the gravity of the situation, set up a very violent agitation, as a result of which they were given a full-fledged constitution without further delay. Calm was restored in that province. But the people of the North West Frontier Province, living as they are under the iron heel of the Frontier Crime Regulation, were helpless. They have no freedom of speech and action. Hence the situation created by the Government is one of desperation. It has given rise to great dissatisfaction amongst the people of the North West Frontier Province. It has created great bitterness, and will probably lead to great agitation. The consequences of withholding the reforms from the North West Frontier Province are fraught with danger, and if there is any movement of civil disobedience in that part of the country, I say without hesitation that the fault will lie with the Government and not with the inhabitants of the North West Frontier Province.

Now, Sir, so far as this House is concerned, its verdict has been unanimous and emphatic on the question of the introduction of the reforms in that province. In 1921, Sir P. S. Sivaswami Aiyer moved a Resolution

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recommending to the Government to appoint a committee to inquire into the question of reforms in the North West Frontier Province. In pursuance of that Resolution, a committee called the "Bray Committee" was appointed. It was presided over by our most popular and esteemed friend, Sir Denys Bray, whose absence we feel very much. The Committee thoroughly investigated the matter. It came to the conclusion that reforms must be introduced in the Frontier Province. It recommended that a Legislative Council, with an elected majority, should be given to that province. The Committee also came to the conclusion that the virile and manly people of the North West Frontier Province were as intelligent as the inhabitants of the other provinces, and they were not in any way inferior to the people in the rest of India. They arrived at the conclusion that the expenditure of the reformed Council would come to Rs. 42,000 and that this was quite a paltry sum. They, therefore, strongly recommended to the Government to introduce an elective system of government in that province without further delay. But I regret to say that Government have taken no action so far on the recommendations of that Committee. I say that Government have gone to sleep over the matter. Again, in 1926, my esteemed friend Syed Murtuza Saheb moved a Resolution to the effect that a dyarchical system of government should be introduced in the North West Frontier Province on the lines of the other provinces. The Resolution was adopted. In 1928 my Honourable friend Khan Bahadur Sarfaraz Hussain Khan moved a Resolution asking the Government that the Resolution of 1926 should be given effect to. The Resolution was carried. The debate that followed was very momentous. During the course of the debate, Lala Lajpat Rai, a towering personality, whose untimely and sudden demise was mourned throughout the length and breadth of India, made a sensational speech. He was then the Leader of the Nationalist Party. He advised the Hindus not to oppose the extension of the reforms in the North West Frontier Province. He further said that, if the Government were sheltering under the idea that the Hindus were opposed to the extension of the reforms in the North West Frontier Province, the Government were very much mistaken. He, however, prophesied that, even if the attitude of the Hindus was quite clear in favour of the extension of the reforms, the Government would still delay the reforms. Well, Sir, the prophesy of that Honourable gentleman, whose death we all mourn, has come out to be true. Last year a token cut censuring the Government for delaying reforms in the North West Frontier Province was carried. It was supported by all parties. I ask the Government how long are you going to delay the reforms in the North West Frontier Province? After all it is admitted on all hands that the people of that province are quite intelligent and clever enough to manage their own affairs. I say it is immoral on the part of Government to withhold reforms from that province. The Government are obstinate, and it is terrible when obstinacy spurs on.

Now, Sir, it may be said that there may be some financial difficulty. As I have already said, the Bray Committee recommended that the expenses of a Council, a Minister and an Executive Councillor would not exceed Rs. 42,000. Sir, if you will look into the budget figures of the North West Frontier Province, you will see that there is not much difficulty in the way of the extension of reforms to that province from the financial point

of view. The North West Frontier Province, Sir, can be divided into two parts, namely, the five settled districts and the five unsettled agencies. If you were to demarcate the money between the two areas, you would find that, in the North West Frontier Province there is ample money for the expenses of the reforms in the five settled districts. We are not concerned with the five unsettled agencies, and nobody wants the introduction of the reforms in that tract. Further I submit that the Government have no business at all to charge the province with the civil expenditure in respect of the Border Militia and the Constabulary which is kept in the five settled districts for Imperial purposes. On this point, Sir, I take the liberty of citing a passage from the Report of the Bray Committee, which should be conclusive. This is what the Bray Committee said:

"But more than half the expenditure is incurred not only on civil administration proper, but in connection with the tribal tracts and border defence. The revenue of the tribal tracts is insignificant and expenditure on border defence yields no return in revenue. It is obvious therefore that if the expenditure of districts and tracts is taken as a whole, the expenditure in a time of rising prices must outrun the revenue. The largest increases since the formation of the province appear under the head Political (28 lakhs) and Police (40 lakhs). These large increases are partly due to the larger forces of Border Militia and Frontier Constabulary now found necessary to counter the vast improvement in the armament of the tribes, and partly to the enhanced rate of pay of all ranks which have had to be advanced *pari passu* with the increase in the pay of the Indian Army. Thus, the principal rise in expenditure has been incurred for the protection of India's land frontier, and for that it is clear that India as a whole must pay. It is out of the question for the frontier districts to bear the charge. It was not borne in the old days by the Punjab, for the Political head was always Imperial."

It therefore follows that, if the financial system of the province is overhauled in the manner I have suggested, the finances of the province will be quite adequate to bear the costs of reforms. Sir, I beg leave to say that the Frontier Province should have been given the reforms on the lines of the other provinces. This legitimate demand is overdue. The Government should also bear in mind that a full-fledged constitution on the lines of the major provinces should also be given in future, whatever that future constitution may be. The inhabitants of the Frontier Province are entitled to it in equity, in justice, and in logic. Nobody can deny the right of reforms to the Frontier Province, which is a part and parcel of India. Honourable Members are aware that the North West Frontier Province was a part of the Punjab. It was separated from the Punjab in the teeth of opposition. The province is the creation of the Government; it is not the creation of the people. Had it been part of the Punjab, it is quite clear that the province would have enjoyed the full-fledged constitution of the Punjab. There is no reason why it should not be given reforms on the lines of the major provinces. Government, I think, should not be slow in this matter. They must not play delaying tactics. I request them not to sit tight, not to allow things to drift; serious consequences will follow if reforms are not given without further delay. We cannot wait for the new constitution, which may take two years or more to come into force.

Sir, no one can deny the right of people of the North West Frontier Province to reforms. It is an all-India demand. It is a unanimous demand both of the Hindus and the Muslims. It must be granted forthwith. Sir, I move my cut.

Maulvi Mohammad Shafee Daoodi (Tirhut Division: Muhammadan): Sir, the cut moved by my Honourable friend, Mian Shah Nawaz, relates to a very simple matter. It has been, as he has said, repeated from

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time to time. Government have been, on their part, always giving us hopes that the matter is being considered, carefully and anxiously considered, but we do not understand why the delay has been so long. On the other hand, we find that the recent action taken by Government in regard to the North West Frontier Province relates to municipal election of the city of Peshawar. We had many communications in regard to that sent to us. The people of Peshawar complain that, even this little thing, does not come up to the mark. Election in the municipality of Peshawar has been introduced in a very half-hearted manner. They tell us that half the seats have been kept reserved for nomination by the Government, and only one half has been open to election, and that election proceeding also is not based on any sound principle. They do first of all fix a ratio of representation of the different communities inhabiting the town, and having fixed that, they manipulated the franchise in the city in a manner which might give the same result. Sir, that is the information which we are getting from the people of that city. Government seem to be reticent on these points. I tried to know on what basis this little thing had been introduced in that province, but I have not been able to get to the bottom of it. However, it appears that the Government want to be very very slow in giving the birthright of the people of that province, and it is for that reason that our friend, Mian Shah Nawaz, wanted to repeat his cut of last year. He said, as we have just now heard, that that towering personality, the late Lala Lajpat Rai, whose memory is so fresh in our minds, supported the measure whole-heartedly and he pleaded on behalf of the majority community in the Frontier Province, and asked his fellow Hindus in that province not to have any suspicions against the majority community, and to be prepared to fight for the reforms in that province. It had its effect, I know, because the Mussalmans of that province, who have met us since then, have been assuring us of the good feeling prevailing all through the province. The Muslims had the wisdom to satisfy the aspirations of the minority community in that province; they have been giving them all proofs of their goodwill all the time.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): But they are not satisfied.

Maulvi Mohammad Shafee Daoodi: I am told they are not satisfied by my Honourable friend, Mr. Gaya Prasad Singh. But I do not think his information is first hand; he might have read some of those papers which are engaged upon something in the name of nationalism, which is really the bitterest of communalism. I think his information is derived from some such paper; otherwise those who are living in that province and those who have their interests at stake in that province have given me information—I have got it personally—that they are satisfied with the assurances and with the dealings of the majority community in that province. I think Government can have no more excuse on that account.

But it appears to me, Sir, that there is something else behind it. It is not the Hindu-Muslim question or the majority and minority question in that province that keeps the province away from the ordinary reforms that we have here. It is something political, something of military strategy that prevents the people of the province from enjoying even that much of reform which we are enjoying in the other provinces. It is therefore necessary that the non-official Members here should lend their support, so that the Government's hands might be forced, and Government must understand that considerations other than those which are internal cannot

weigh with the people any longer. The political considerations, if the Government have any, must be placed before the House; they were certainly placed before the Bray Committee which was appointed for the specific purpose of finding out all the truth about it, and they were examined at that time at great length, and our old friend, Sir Denys Bray, whose memory we will always cherish in this House, dealt with the whole thing in a very equitable manner and came to the conclusion that the Frontier was the one province in India which must enjoy a far higher standard of administration than it was doing at that time. The military or political considerations which the Government have in their minds are their own creation. It is not for me to dwell upon those points here. Our learned friend, Nawab Sir Abdul Qaiyum, is sitting to represent the views of the Frontier Province, and he might enlighten us on that point if the Government are not going to disclose their cards on this point to the House. We have been pressing all the time for these reforms for no other reason than this, that the people there have been deprived of those little things which have been enjoyed by the most backward tracts in other parts of India. That is the sole reason why we have been pressing this point from time to time. Of course we have got to wait now and see what the reasons are which the Government put forward on this occasion for the delay that we have experienced, even in the introduction of elections in municipalities, and things like district boards in that province. We have got to wait and see what the Government have got to say on this point.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the present question is practically between the Central Muslim Party and the Government (*Mr. Fazal Ibrahim Rahimtulla*: "Question.") and I would be very much interested to hear the reply of the Government on this particular question. If the reply is not assuring, then I would like the Central Muslim Party to consider whether the attitude which they have taken up uniformly in this Assembly should or should not be revised. (Hear, hear.) As far as the other parties are concerned, they will have sympathy for them. . . .

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): What party is the Honourable Member speaking for? I thought he belonged to the Independent Party, but is he independent even of the Independent Party?

Dr. Ziauddin Ahmad: Sir, I have been connected for a very long time with generations of students from the Frontier Province, and I can say from personal knowledge that they are second to none in intellect and capacity for administration. They are as competent to carry on the affairs of their province as the people of any other province. I had, as I just said, opportunity to talk to the students of the Frontier Province year after year, and until two years ago, they had a tacit faith in the tact, common sense and the influence which my Honourable friend Nawab Sir Abdul Qaiyum exercises on the Treasury Benches, but recently I have noticed they are losing faith.

(At this stage Mr. President resumed the Chair.)

They are feeling convinced that the tact, good sense and moderation of my friend, Sir Abdul Qaiyum, does not pay them. One of the students went even so far as to remind me of the speech which Sir Bampfylde Fuller once delivered in Aligarh in 1911, soon after the annulment of the partition of Bengal, when he said that the loyalty of the Muhammadans did not pay

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so much as the bombs of the Bengalis. The student added that the revolutionary methods which they were contemplating would pay better than the moderation of the older generation. Sir, these are very important points, and I am convinced that, if these reforms are delayed for a very long time, the young men will get out of hand and to achieve the same form of Government which other provinces are enjoying they will use every method which young men all over the world are accustomed to adopt when they get desperate.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I rise to support whole-heartedly the motion of my friend Mr. Shah Nawaz. Eight or nine years ago this question was discussed. A committee was subsequently appointed under the Chairmanship of Sir Denys Bray. This Committee went over the province and made a thorough inquiry and collected a large amount of evidence. Now, I want to know if any result has come out of all that. Again, Sir, ten years ago, my friend Sir Sivaswamy Aiyer raised this question in the first Assembly, and then after that, cut after cut was moved in the House every year. I remember one of those cuts was moved by my friend, Sayyid Murtuza Sahab Bahadur, and I also had the honour of moving a cut, but up to this time, nothing has been done. I do not know what is in the mind of the Government. People of other provinces all testify to the fact that the inhabitants of the North West Frontier Province are as capable and as intelligent as the people of any other province in India. So, taking all these things into consideration, I do not understand why, when every other province in India has been given the right to manage its own affairs, the North West Frontier Province is deprived of that privilege. In these circumstances, Sir, I whole-heartedly support the motion moved by my friend Mr. Shah Nawaz.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, with reference to the question of reforms for the North West Frontier Province, as it has been raised by the Central Muslim Group, I am desired by my party to say that we have been meeting in a conference to try to settle our political and communal differences. Some Members of the Central Muslim Group and some Members of other Groups of this House are Members of this Conference and have been taking part in its deliberations. The question of reforms for the North West Frontier Province is included in the 14 points comprising the Muslim demands, which have been placed before the conference by my Honourable friend Mr. Jinnah on behalf of the Muslim community, and are under discussion at the conference. It seems to us very desirable that in the interests of a settlement which should be acceptable to all parties concerned, we should not commit ourselves to any opinions on this question today. Individuals hold different opinions. My party, therefore, after mature deliberation, has come to the conclusion that, in the circumstances of the case, Members of the party should not take part in this debate and that the party should abstain from voting. We have decided upon this course so that, from our side at least, nothing should be said or done which may hamper or perhaps have a prejudicial effect on our deliberations at the conference.

Maulvi Abdul Matin Chaudhury (Assam: Muhammadan): Does it mean that you are to go back upon what you said last year?

Pandit Madan Mohan Malaviya: We have not said a word to justify that view.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): Sir, another year has passed, and we have to repeat the old story of the reforms for the North West Frontier Province. But today I do not find the same enthusiasm on the part of Members of this House to speak on this subject as they had before. Is it because their request, repeated time after time, has not been attended to by Government, and they have become so thoroughly disappointed and disgusted that they would not like to waste more time, or whether, as my friend Mr. Abdul Matin Chaudhury asked, some Members of this House, or a certain section of the House, had changed their minds and were going back upon an opinion which they had expressed before? Well, Sir, I do not think the latter is the case. I do not believe that they are likely to change an opinion which they had arrived at after mature consideration, after prolonged debates and after a very careful study of the whole case. I therefore conclude that they do not really see any advantage in passing Resolutions after Resolutions, which can produce no effect upon the Government. Perhaps, they think that it is not a question of Hindu-Muslim differences, that it is not a question of financial difficulty, that it is not a question of the will and wish of the people of that province for an advance that hinders their progress but that there is some other secret unknown to us in this House which deters Government from arriving at an early conclusion on this burning question of the day. It is just possible that Honourable Members do not want to stir up matters by making long long speeches, with the possibility of getting into difficulties over the details of the question of the protection of the rights of the minorities or some such thing.

Sir, I am quite aware, as the Honourable Pandit Malaviya has just pointed out, that there is a conference going on for the settlement of differences and disputes between the various communities in India. Not only that, Sir, but that the Report of the Simon Commission is also expected shortly, and nobody can anticipate what the position of the North West Frontier Province will be in that Report. Well, if the Honourable Pandit means that no advance, whether for the North West Frontier Province or for the whole of India, should be made until we come to some sort of settlement of the various questions engaging our attention, I am in full support of that view and feel sympathy for him—no further advance, not an inch of advance beyond what we have already got should be made until we have patched up our differences and disputes. Sir, I am referring to the further advance and say that there should be no Dominion Status or Independence, until we have settled our differences. That is quite a different point and it does not apply to the North West Frontier Province alone or to the delay in the extension of the present reforms to that province. We do not ask for anything further for the present. All that we ask is what has been decided upon for the rest of India and which the rest of India has been enjoying for a decade now. Our plea is that we are part and parcel of India and that we are fit for the exercise of those rights and privileges. Well, even, there I am prepared to meet the wishes of the Pandit Sahib if the present reforms are kept in abeyance, until we come to some decision among ourselves, whether through the All-Parties Conference or by some other means. But if the other provinces are going on with their reforms and deriving whatever benefits there are—I myself don't believe there is very much in them—I must repeat it once more, why should I be kept back from those advantages?

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A certain goal has been fixed for us, to be reached by certain methods, and the road to that goal has been chalked out for us. Unless we follow that route, we can never hope to reach the goal. We are in the first primary class. There were others too with us in that class. Somebody, by the stroke of a pen as the result of some whim or imagination, thought that there should be a separation between us and the rest of the good old Punjab. Ever since the separation, the Punjabis have been passing from class to class, and they are about to pass the primary examination, while we are still in the infant class. Is it going to be for ever? If that is the case, and if we are to be kept where we are, then I will have . . .

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): No option except civil disobedience?

Nawab Sir Sahibzada Abdul Qaiyum: No option but to curse my stars and abide by what the decision has been, but I must be told that there is no advance for me. If the idea is that we should go back to some old system that existed in India or in our borderland, even that should be announced to us, and I personally shall not be sorry if we are allowed to go back to the old feudal system. Perhaps there will be a better chance for me there, but we are dead tired of this stationary condition—neither going forward, nor allowed to go back, and practically kept in a kind of mental jail for such a long time. That is the position. The signs are that there is an idea of our being sent back to the old position. What are the signs? The signs are that, while we were in the full exercise of all the rights and privileges of Indian citizenship ever since the annexation of the Punjab, and were rather better off in many respects, as compared with the rest of the Punjab, or as a matter of fact we had some superiority over them in education and in other capacities for Government services, we are now said to be backward, and the stigma of incapacity is attached to us. While the old Frontier Crimes Regulation could not inflict more than a fine of a thousand rupees in order to compensate a complaint, the Frontier Crimes Regulation can now inflict a sentence of 14 years and replaces the ordinary criminal laws of the country in many respects. It is a very simple procedure. You have not to face the bar, the ever increasing bar. All that you have to say is that judicial proof is not enough and that you would rather like the case to be sent before a Council of Elders, a people whom you consider unfit for opening a new road or a new school. You refer the case to them after the trained police have failed to trace the guilty, after a Magistrate, with his judicial knowledge and long experience, helped by high class barristers and pleaders, has failed to come to a conclusion whether a certain person is innocent or guilty. Then you say: Let the Council of Elders give a verdict as to whether a person is guilty or innocent, and on that verdict you sentence him to 14 years' imprisonment if declared guilty by that body—the same body which you cannot trust with the repairs of a road here or of a school there!

Sir, we are either fit or unfit. If we are unfit, then you should not pass such heavy punishments on our verdict, especially when others, more experienced than ourselves, have failed to come to a definite conclusion, people who, having heard the evidence and having inspected those parts, are unable to form a correct judgment. Well, Sir, I do not believe that we are unfit, because some of our people, even though they may be

illiterate, exercise fairly high judicial powers as Honorary Magistrates and Munsiffs. Does anybody mean to say that they have been given those powers without due regard to their fitness or to the fact that they will exercise them in the right way? Surely, the authorities who have invested them with those powers know something about their capacity for judgment and various other qualifications which are necessary for the discharge of magisterial duties. I am not convinced, therefore, that I am inferior in any respect to any other citizen of India, intellectually, physically or patriotically. I have been linked up with India, not only since the advent of British rule, but I had been a part and parcel of the Punjab even during the Sikh and the Durrani regimes, and God alone knows since when I have been linked up with this country! My association with India has been so long that I have adopted Urdu as my *lingua franca* in preference to my own mother tongue, Pushtu. All our official records and speeches, and even the elementary and primary education, are prepared and carried on in that language. Nor is this the only sacrifice that we have made for being called Indians; we have sacrificed at the altar of this country our culture, our ways of thinking, our manners and customs, and even our dress. Sir, if we are really part and parcel of India and have been so for ages and centuries, and if there is nothing so far to show that we are incapable of exercising our rights educationally, then I see no reason why we should be deprived of our privileges. My friend Dr. Ziauddin Ahmad has just now said that he gets hundreds and hundreds of students from my part of the country and he has found them to be much above the average, so much so that the much coveted office of the Vice-President of the Union of the Aligarh University has been captured three times by our students during the last three or four years. My friend Mr. Jinnah can also testify to their merits, because once he was the Umpire of a very great all-India competition in speech making, when the first prize was won by a Frontier student. All this, Sir, is with regard to my intellectual capacity.

As regards the expense, my friend, the Mover, has explained the situation very well. Only Rs. 43,000 will be the extra amount that will be required for the introduction of the reforms. There is the salary of a Minister at Rs. 2,000 per month. Let there be no paid Minister. Let somebody come forward as an honorary worker. Let even that Minister be some official. All that we want is the liberty of speech for ventilating our grievances. What makes us all the more despondent is that, even what there is in the Government of India Act for us, for instance, the Advisory Council, we have been deprived of. You take our advice at present about the guilt of a person, but you are not prepared to take our advice about the spending of a small sum of money under the head Education or Sanitation or Medicine or some other things of the sort. Why cannot you take our advice under these heads? The advice will not be binding on you, just as the advice of the Honourable Members of this Assembly is not binding on you. Where is the harm?

Then, Sir, when we were part of the Punjab, certain rules and regulations under the District Boards and the Municipal Acts were applicable to us, and we did fairly well under those laws. Now, when the changes have been made in those Acts and elective systems have been started in various places, we find that we have been deprived even of those privileges. I notice, Sir, that there is an idea prevailing all over the country that we are going to have something like the Morley-Minto Reforms. My

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friend Dr. Gour is perhaps one of those who are of that opinion. Does he mean to say that, when we have not started with the alphabets of these Reforms, we shall get the Morley-Minto Reforms even if we were prepared to accept them? So far as my limited knowledge of these things go, I am of opinion that, unless you start some sort of elective system in the district boards and municipalities at once, you will not be able even to efficiently form your Morley-Minto Councils. Have you done that? Is there much difficulty about the introduction of the elective system in our district boards and municipalities? A step was taken to introduce this elective system in the Peshawar Municipality; and what was the result? The result was very satisfactory. No heads were broken, as was apprehended, and there was no stoning, etc. In fact, we even scored over Lahore and Delhi and many other places, in that we elected from all the five constituencies five graduates, who were young men with legal qualifications, unlike Lahore, Delhi, etc., where at one time barbers and sweet-sellers and even sweepers were elected. If we were unfit for the elective system, we might have proved ourselves unworthy of the recent elections. Of course, it is possible that some people might not have been satisfied with the result of the election, because all oldish people like myself, were out of it. I am no longer a municipal commissioner. I was there quite recently and if I do not find my place there, that is quite natural. One of the places has been filled in by the same young man who won a prize at Aligarh—I mean Mr. Ataulla Jan, and several others of that class have won the elective seats. Surely that is not a bad result. As I say, there was no head-breaking at all, so why should that process be stopped from extension in other municipalities? Sir, there is a Persian proverb which says that a love story is always very long and very hard to repeat at length, I must therefore finish my story of reforms for the North West Frontier Province.

Sir, there is another objection, which I occasionally small from certain quarters, that is, that the society there is based on certain tribal organisations and systems and institutions of that sort, and that, if you introduce the elective system there, you will be breaking the very fabric of society existing there! That is a thing which can better be seen on the spot than described on the floor of this House. You go to the North West Frontier Province and see whether there is any tribal organisation left after the destructive acts that have been applied to it during the last century. This process of destruction has been going on for the last 80 or 100 years and the result is that it has totally dismantled all the old organisations and there is scarcely anything left of it. Sir, I submit that the Pathans are very democratic by nature and are jealous of their birthright, as you find them in the tribal area, much more than the people of British India. Tons and tons of literature are crossing the Indus every morning, and I honestly tell you that the digestion of newspapers in that country is much larger than in many of the big towns in India. What movement has there been in India which has not crossed the Indus and reached the North West Frontier Province? The movements of 1919, 1921 and 1922, and even the recent movement started from Lahore, have all crossed the Indus and have found their way to the frontier.

Well, Sir, I am one of those who ought to be brief and I shall be brief on this occasion too. I will say once more, so as not be contradicting myself, that I am not a great believer in the present day reforms.

They will not lead us to anything very definite. But we have to follow the course chalked out for us and we do not want to be left behind in the march of progress for a degree examination, after passing which I shall be a full-fledged graduate and a full citizen of India. But if that is not possible for any reasons unknown to me, then I am as willing, if not more willing, to go back to the good old system and progress there. But I am voicing the views of my countrymen the younger generation of educated classes in the North West Frontier Province when I say that they are not happy in their present stationary position and that is all that I have to say.

Colonel J. D. Crawford (Bengal: European): Sir, my Honourable friend, Mian Mohammad Shah Nawaz, who moved this motion, has asked me to reaffirm the attitude which this Group took up last year regarding this particular problem. Throughout I hold that this Group has been entirely consistent in pressing for a measure of reforms for the North West Frontier Province. We are not unaware of the various difficulties that lie in the way, but they are not to our mind difficulties which cannot be overcome. I personally have the very utmost sympathy with my Honourable friend, Sir Abdul Qaiyum, who comes here not as an elected Member but as a nominated Member. He feels that his position in this House is weak, that his arguments on behalf of his own province are not so clear or strong as they would be were he here as an elected Member of that province. No one who has been in the North West Frontier Province can deny the character, the ability and the capacity of the virile population of those districts (Hear, hear.), and there is no reason why they should be denied some measure of an elective principle in their districts. I cannot believe that the justice of a demand of this nature should be made a pawn in any communal game. People of the North West Frontier Province are fit, and with the other provinces they should be given as big a measure of responsibility as has been granted to other provinces, subject possibly to certain restrictions necessitated by the defence of the frontier, and the Agency tracts for which they do not at the moment plead. This is the position which this Group takes up in this House, and if the cut goes to a division today, this Group will support my Muhammadan friends. (Applause.)

Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): Sir, this subject has become so threadbare that there is hardly anything new to say. But as it concerns the liberties of a whole people, I think my silence on this occasion may be misconstrued. At the very outset I would like to say that I very much deprecate the position taken up by the Leader of the Opposition. I should like to know from him whether he and his followers exist in the world to harness the liberties of the people, or whether they exist in the world to widen the boundaries of freedom. What attitude are they taking up in connection with these two questions? If they stand in the way of the liberties of a province which forms an integral part of India, would they not be tightening the bonds of their own slavery? Would they not show to the world that, while they want freedom for themselves, they are not helping other people to gain freedom for themselves? Sir, I hope that the Leader of the Opposition and his party Members will reconsider their position and come forward honestly to say that the liberties of others are as dear to them as their own liberties. Sir, knowing from the talks of the people in the North West Frontier Province, and the impressions

[Sir Zulfiqar Ali Khan.]

I gained when I visited that province last year, I can say with firm conviction that those people are bent upon gaining as much liberty as any other people in India. They have come to the conclusion that British justice is a mythical thing, which exists only perhaps in the graves of those who built up this Empire. Sir, if the British Government will still follow the Fabian policy in connection with reforms in the North West Frontier Province, I think they will soon see the manifestation of the same spirit that you see in India. In the world there are only two forces, the sword and the spirit. The sword is finding expression, and I think may find expression very soon, but the spirit has declared itself earlier in India. The struggle is going to be very keen, and even the gods themselves may descend from heaven to watch the struggle. But, Sir, history shows that, in the long run, it is the spirit which conquers the sword.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): Why did this not dawn upon the Honourable Member yesterday?

Mian Mohammad Shah Nawaz: Is it the wish of the Honourable Member to upset law and order?

Mr. Vidya Sagar Pandya: Yesterday we talked about the spirit of non-co-operation and the Honourable Member did not vote with us. It was a question of the spirit not being subdued by the British Government by coercive methods.

Sir Zulfiqar Ali Khan: It is for you to co-operate.

Mr. M. S. Aney (Berar Representative): He stands for the spirit, not for the sword.

Nawab Sir Sahibzada Abdul Qaiyum: Then you had better set a better example.

Mian Mohammad Shah Nawaz: Then start civil disobedience in Madras, where you have now settled.

Dr. A. Suhrawardy: He does not come from Madras; he comes from the Punjab.

Sir Zulfiqar Ali Khan: The previous speakers have shown to the fullest extent that the North West Frontier Province is as worthy, as fit and as enterprising as the people of India, if not more. Their brethren beyond the frontier, in Afghanistan, have shown that they are capable of undertaking enterprises and of resenting a form of Government which they do not like, and that they are capable of upsetting that Government and establishing their own Government. These people, if they are long denied the liberty which belongs to them, and the constitution which they rightly claim, will I think create trouble for the rulers, and it is for the British Government to consider the point before deciding whether they want trouble or tranquillity in that country. Human beings, I may say, are always ruled through the imagination. Let the British Government touch the hearts of the people and stir enthusiasm in them. Have they done this so far? On the contrary they have shown to the people here that, if possible, they will try to deny what is their due. Under these circumstances, I think the only course left open to the people is to show to the world that they are capable of asserting their rights. I have still some remnant of confidence left in the wisdom of Government and hope that they will not entirely dethrone their reason and will come to the help of the province

which so keenly desires the reforms; and I think I may make it clear at this juncture that the measure of reforms to be granted to them should be as much as is to be given to the rest of India.

Sir, we see that the British Government occupied the different countries of the world with their armies. They have occupied the Frontier Province also with their Army. May I ask them to occupy that country with their gifts? Let their gifts also occupy the country, and if these gifts come, the Army can be withdrawn because there will be no need for the Army.

Sir, I need not go beyond what I have said, and I will appeal to Government that, on this occasion, they should commit themselves and declare, not only to this Assembly but to the world outside, that they are a liberty-loving, constitution-loving and a freedom-loving people.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, when Dr. Ziauddin Ahmad began to speak, he did not make the position of our Party clear. What he really meant was that he wanted that the Government should define their attitude towards the cut which the Central Muslim Party have made, before the Independent Party took part in the discussion. But that did not mean that the Independent Party is not wholeheartedly for this motion. Sir, I deplore very much the attitude of the Nationalist Party on this question. I do not know whether they realise that, by this statement which they have made on the floor of the House, they have made the success of the All-Parties Conference extremely difficult. I therefore join with my friend, Sir Zulfiqar Ali Khan, in asking that Party to reconsider their decision in this matter. All along we were under the impression that this was a question of Indians *versus* Government. Indians were all for reforms for the North West Frontier Province, and it was the attitude of Government which was open to criticism. The statement is most deplorable in these circumstances. We want to know what exactly the attitude of Government is on this question. Before asking Government to define their position, it is necessary to state before the House the actual position of the Mussalmans regarding the reforms in the North West Frontier Province. In the All-India Muslim Conference held in Delhi under the Presidentship of His Highness the Aga Khan, before a most representative Muslim gathering, they passed this Resolution regarding the North West Frontier Province:

"Whereas the introduction of constitutional reforms in the North West Frontier Province and Baluchistan along such lines as may be adopted in other provinces of India is essential not only in the interest of those provinces, but also of the constitutional advance of India as a whole, the Hindu minorities in those provinces being given adequate and effective representation in excess of their proportion in population, as is given to the Muslim community in provinces in which it constitutes a minority of the population. . . ."

This is exactly the attitude of the Muslims for the protection of the minorities in the North West Frontier Province. If the Leader of the Opposition had said that there should be no further reforms granted to India unless and until the question of Hindu-Muslim differences is settled by the All-Parties Conference, which is going to hold its sitting on the 6th April, I could understand the logic of that argument. But only yesterday he was telling Government that, if they want Mahatma Gandhi not to launch civil disobedience, they should at once declare that they will give Dominion Status to India. Today he has selected one particular province

[Mr. Fazal Ibrahim Rahimtulla.]

out of this Dominion which he wants, and says that no further reforms should be given to the North West Frontier Province unless the Hindu-Muslim question is settled in the All-Parties Conference.

Pandit Madan Mohan Malaviya: I have said nothing of the kind. I have not said a word to show that we are opposed to reforms in the North West Frontier Province.

Nawab Sir Sahibzada Abdul Qaiyum: Are you prepared to see Dominion Status extended to the North West Frontier Province or not?

Pandit Madan Mohan Malaviya: I said that we shall sit down and settle at the Conference. This is not to be done as an individual item. We have to sit down and settle it as a national programme.

Nawab Sir Sahibzada Abdul Qaiyum: I mean that, if India gets Dominion Status, then you will not grudge its extension to the North West Frontier Province too?

Mr. Fazal Ibrahim Rahimtulla: Sir, it is one thing to say that there is no opposition to the reforms in the North West Frontier Province, and it is another thing to declare openly that they are in favour of the reforms there. It is no use saying this when we see the attitude of the Leader of this very Party two years ago. In 1928 what was the position of the Leader of the Nationalist Party? He was finding fault with Sir Denys Bray, the then Foreign Secretary, and he said, "Our quarrels are due to the uncertainty of Government accepting our position." Therefore the fight is between Indians and Government, and not between Hindus and Muhammadans especially in regard to the reforms in the North West Frontier Province. Again he says:

"Will you give us an assurance that you will accept any decision which the All-India Muhammadan and Hindu Associations arrive at, and carry it through?"

This is still the decision on behalf of Indians, and what was the reply of Sir Denys Bray? He preceded the late Lala Lajpat Rai, and his reply was that the Government attitude could be summed up in these words:

"The question what and in what direction constitutional advance can be given in the North West Frontier Province has been and is under the consideration of Government. No definite decision on that point has been arrived at and no definite decision on that point will be arrived at or announced till Government are satisfied that they have come to a right conclusion and that the moment for its announcement is ripe."

The question is, are Government in a position to tell us that the time has now come for them to declare their policy towards the North West Frontier Province reforms? Sir, in the Bray Report, if I may be permitted to read a little paragraph, it is quite clear what the authors think will be the result if no reforms are granted to the North West Frontier Province:

"We ourselves have a more robust faith in India's power of giving scope for the self-development of the Pathan as of her other peoples within her all-embracing nationality. And surely with good reason. Did the Frontier Province fail India in the stress of the Great War, which she felt in a way that the rest of India did not, or in the storm of the Afghan War, which spent itself on the frontier and left the rest of India unscathed? India has cause indeed to be thankful that it is a race as manly and as staunch as the Pathan that holds the ramparts for her on this historically vulnerable frontier. In the face of the record of the Frontier Province, tried in the supreme tests of 1914 to 1919, the fears of our Hindu colleagues are indeed idle. And if self-determination is to be allowed any play at all in India, it should surely be

allowed to the Pathan race whom Providence has interposed between India and foreign aggression. The danger from outside is there, as all past history shows; the mere administrative division of the warlike Pathan race—were this practicable—would not eliminate or even diminish it."

And mark these words, Sir:

"Indeed the reverse is the more likely. For mistrust breeds mistrust." (Hear, hear.) "The Pathan of the districts is now keenly alive to the issues before us, and if mistrust of the Pathan is to override the Pathan's self-determination for self-development in a separate province, the danger of his turning westwards may become real."

I wish Government would take serious note of what the feeling amongst the Pathans is and was even when the Bray Committee was in session. Now, if I may anticipate the reply from the Government, it may be that the Simon Commission Report is still awaited and that the Government have asked the representatives of India to meet in a Round Table Conference, and therefore it is for them to have their battle at the Round Table Conference in London. I hope I am right in anticipating that reply of the Foreign Secretary. But may I say, Sir, that whilst these two issues are still involved, it is but fair at this juncture to know what the Government attitude exactly is, because I am informed that, after the publication of the Simon Commission's Report, the Government of India will be busy preparing their own case on the Simon Commission Report, and it would be necessary, Sir, to know what their attitude is at this juncture. I may also at once say that the Muhammadans are not prepared to accept the recommendations of the Nair Committee. Let that be understood once for all, that we are not prepared to agree that the North West Frontier Province should be treated differently from other provinces in India, and after making that position clear, I would like Government to pause and reflect as to what they are doing. If they have seen the present position in the North West Frontier Province, if they have seen the enthusiasm of the young students for the movement of Independence when the Congress was held at Lahore, they will reflect that, whilst the Mussalmans are for the maintenance of law and order in India and they yield to none in that aspect, yet let the Government not believe that they will be able to control these young students unless their just aspirations are met by the Government of India.

Mr. E. B. Howell (Foreign Secretary): Sir, I should like to begin by thanking my friend, the Honourable Mian Shah Nawaz Khan, and the other speakers who followed him, for two things; first, for the tone in which they spoke, and second, for the tributes which so many of them paid—I think I may say the very well deserved tributes that they paid—to my distinguished predecessor. Sir, nobody deplores more sincerely than I do Sir Denys Bray's absence today. But since he is absent, there is one thing that I can do, which he perhaps, if he were here, could not well do for himself. I can proclaim that he really was a man whose ability and whose integrity the House did well to recognise, and as I read the reports of the ancient debates, I see that everybody who spoke then recognised how much they owed to Sir Denys Bray. Why was it, Sir, that they continually charged him especially with trickery, with evasion, with having done nothing and putting the thing off till now and generally playing with it for all these years, which lasted until this question was last in issue this time last year? Sir Denys Bray gave his own explanation. He said that there were real difficulties in the way of introducing the recommendations,

[Mr. E. B. Howell.]

a year ago. Honourable Members, who have supported this motion this morning, have said that something should have been done in the interval since this motion, or one very nearly resembling it, was last discussed. I do not think they really meant that.

An Honourable Member: We certainly meant it.

Mr. E. B. Howell: To say that Government should have done something, or could do anything at all, after the Simon Commission had visited Peshawar, and before its Report could be published, I submit with due deference, Sir, is sheer lunacy and not statesmanship at all. However, Sir, I have no wish to indulge in recrimination. On the whole, in the face of very long delay, if I may say so, I think the House has exhibited remarkable patience and forbearance, for reasons which they apparently could not always understand, but which I believe I may say the Nawab Sahib himself and his supporters do recognise to be real.

May I add one word more, Sir, and in this I am speaking, not as Foreign Secretary, but simply as an Englishman, and as an Englishman, I must say that we have a natural sympathy for a people so like ourselves in our early stages of development as are the people of the North-West Frontier. We have a very strong desire to gratify the aspirations of such people. After all, Sir, though you may not believe it, as my Honourable friend, Mr. Amar Nath Dutt, reminded the House yesterday, the cause of liberty throughout the world owes a great deal to Englishmen. We, Sir, are the countrymen of Pym, and Hampden, and if my Scotch and Irish friends will pardon a slight extension, of Mill and Burke. But, Sir, whatever sympathy we may have for this movement, I think the House can hardly expect me at this stage, within a few weeks of the day on which the Simon Commission's Report is to be published, to make any definite statement. I do not know what the Simon Commission is going to recommend, and even if I did know, I could not divulge it. I do not know what action the Government are going to take on the recommendation of the Simon Commission, and even if I did know, I think you will agree that my lips would still have to be locked. But, Sir, I can promise one thing, and I am authorised to do so on behalf of Government, and that is, that Government are pledged to give their most serious, most earnest, and most sympathetic consideration to the question that is now before the House. The House may rest assured that, when the time for action comes, which is now near at hand, Government will not delay to take whatever action they think proper, and that there will be no more of that delay of which it has been complaining so long.

Raja Ghazanfar Ali Khan (North Punjab: Muhammadan): Sir, I rise to participate in this debate for the chief reason that I want to offer my heartiest congratulations to the Leader of the Opposition Party for adopting the attitude which the Party have adopted on this question. I also want to congratulate the Leader of the Central Muslim Party for the improvement which he seems to have made during the past few months. The reason for my congratulating the Leader of the Opposition Party is that, when a debate on this question took place in 1926, he was definitely opposed to any reforms being given to the Frontier Province, and now . .

Pandit Madan Mohan Malaviya: I was not opposed to any reforms being given to the Frontier Province then, and I was never opposed to it at any time in my life.

Raja Ghazanfar Ali Khan: At least he then expressed such a strong opinion against reforms being extended to the North-West Frontier, and his speech then, which I would not like to quote, even a part of it, was extremely disappointing. But he has improved a good deal by making such a short and sweet statement today and saying that his party will remain neutral. On the last occasion the Swaraj Party was charged with a conspiracy of silence by Sir Denys Bray. Now that party have passed a Resolution and expressed the definite opinion that they are in favour of reforms being given to the Frontier Province. Today it is the Nationalist Party which may be charged with a conspiracy of silence. I am not very much disappointed, Sir, because I did not expect anything better, and it is merely a chance that the position or the attitude which this party may adopt is to be considered the attitude of the Opposition Party. Sir, I congratulate the Leader of the Muslim Party because I find that, in his minute of dissent, which he wrote when he was appointed on the Central Committee, he said that the reforms to be given to the North-West Frontier Province should be different from what should be given to the other provinces. But now I understand the Nawab Sahib is definitely

of opinion that the North-West Frontier Province should get
1 P.M. just the same reforms as any other province in India. I hope I am right, and I shall feel obliged if the Leader of the Central Muslim Party will tell me if I am right.

Sir Zulfiqar Ali Khan: You are perfectly right.

Raja Ghazanfar Ali Khan: Thank you. Now, turning to the Government, I do not find anything which I can take exception to in the Foreign Secretary's speech, particularly when he has tried to bring in the name of Nawab Sir Abdul Qaiyum whenever he talked of any difficulty. I wish the Nawab Sahib had more courage to get up and say that this is entirely wrong, and that there are no difficulties which can possibly stand in the way of the North-West Frontier Province getting the same reforms as any other province. The Frontier Province unfortunately seems to be associated so very closely with the appointment of committees, that as long as this system of appointment of committees exists in this world, I do not think there is any chance for that province to get any reforms. In 1917 the question was considered by the Montagu-Chelmsford Committee; after that, when they said "Yes, every province in India can get the reforms", the Bray Committee was appointed specially for the North-West Frontier Province. They recommended that reforms should be extended to the province at once. Then difficulties arose. I thought, Sir, that committees were only appointed when there were certain difficulties existing so that they could find out and suggest some means of overcoming them. I want to know from the Foreign Secretary whether the difficulties which he has enumerated today existed before the appointment of the Bray Committee or not. Did those difficulties exist then? Was the size of the Frontier Province larger than it is at present? Was the financial position of the province better than it is at present? Then, Sir, what happened? The Bray Committee recommended that the reforms should be extended to the North-West Frontier Province in spite of those difficulties.

Mr. M. A. Jinnah: That was in 1922.

Raja Ghazanfar Ali Khan: As is pointed out by my Leader, that was in 1922—eight years back; but then probably the Government thought that, “According to the Preamble to the Government of India Act, another committee has to be appointed at the end of ten years; so let us wait till then.” And then, when some one raised this question, they could say, “Our difficulty is that a committee has already been appointed; how can we be expected to make a statement when the matter is already under the consideration of another committee?” So, Sir, really speaking, all these excuses which are enumerated by the Foreign Secretary, are absolutely groundless—without the slightest justification whatever; and I can assure you, Sir, that, in spite of the fact that the Nationalist Party unfortunately have decided not to express their opinion, every one of them feels at least this much, irrespective of the fact whether the reforms should be given to that province or not, that the reasons advanced by the Foreign Secretary are entirely ridiculous, if I may be excused from saying so. He says there are the difficulties of elections, and that the Frontier Province had never had elections before. Now, Sir, this difficulty is bound to continue, unless you introduce the system of elections there. How can you blame the people of the province for not having experience of elections, when you have not introduced elections there? As far as the Assembly is concerned, they have already passed without division a Resolution that the Frontier Province should get reforms. So the Government cannot say that the opinion of all-India leaders is opposed to the extension of reforms. At present, there is not a single Hindu in the Frontier Province who is opposed to the reforms being given to that province. The Muhammadans, on the other hand, are willing to give such safeguards as are necessary for the safeguard of the minorities interest. We do not want an All-Parties Conference for that; or any other organisation. The Hindus are 7 per cent., but we say, take 10 per cent., take 15 per cent., or 20 per cent.—even 30 per cent.; you get whatever safeguards you want to be provided in the constitution; we are willing to accept that. Why do you want any committee to be appointed, and why do you wait to see what the All-Parties Conference is going to decide?

Dr. A. Suhrawardy: They are waiting for the Simon Commission Report.

Mr. M. S. Aney: We were waiting for some time for the Central Committee's Report.

Raja Ghazanfar Ali Khan: And now they are waiting for the Simon Commission Report; and then there will be the Round Table Conference, and after that the matter will go to Parliament, and then probably the Government of India may have to appoint a small committee to go into the details, and then it will take another two years, and who knows, after that, another Howell Committee may not be appointed to inquire into the question whether the frontier should get reforms or not? I honestly feel, Sir, that something has gone wrong with the statesmanship of the Government. They know what the situation is in the country, and they are devising such means as will help them in the maintenance of law and order, by taking legal action against those who break the laws. But are they doing anything which would encourage those people who are willing to lend their co-operation to them? Is it too much to expect from the Government to make an announcement tomorrow morning that they are going to introduce the elective system throughout the Frontier Province in the District Boards and Municipal Bodies? It will take at least two or three, or even four, years till the new constitution is brought into force in India;

and for these three years the Government could give them the Minto-Morley Reforms or the Montagu-Chelmsford Reforms, or even Sir Denys Bray's scheme or by whatever other name they may call it; but give them some scheme. Is there anything to stop you from doing it? Will that be going against the Parliament Act if they announced tomorrow, “Let the Frontier Province get the Minto-Morley Reforms for three years; they will gain some experience thereby and they will be more suitable for the coming reforms than they would be otherwise”? What is there to prevent the Government from making that announcement? Do Government realise that, by making this one announcement, they will at least win over the good will of every single Muhammadan in India? Is the cost too much? (*An Honourable Member:* “They will secure the ill-will of others”.)

This is one point. Take another question. For the last three months Government have been absolutely sleeping, and they have not done one single act which would please the public. Their reply on the Skeen Committee debate was extremely disappointing, and was responsible for such strong criticism coming even from such a moderate leader as Mr. Jinnah. And this is the attitude which they are now taking towards the question of the Frontier Province. Now, Sir, when you tell us that, because there is a certain party in the country which is opposed to this, and it is because of the opposition of the Hindu Mahasabha or the Nationalist Party, who have abstained from supporting this motion, that the Government will be reluctant in giving the reforms, I want to ask Government whether their policy is being governed by the Governor General in Council or by any outside communal organisation. (*Mr. Gaya Prasad Singh:* “Any communal organisation—quite right.”) Such replies from the Government are sure to be understood by fair-minded people to mean that the only object is to keep the communal question alive between these two communities. What do they care whether the Hindus and Mussalmans agree on this point whether the reforms are necessary for the North-West Frontier Province or not. They always act according to their own decisions. If that is not the case, why should the Government bring forward an excuse like that? Now, here is the European Party. As my friend, Colonel Crawford, has said, they are going to walk into the same lobby with us on this motion, and so what is the objection which Government can possibly advance now? Even this party which is regarded as representing the community which has got the largest stake in the country is not afraid of reforms being extended to the North-West Frontier Province. Whether this motion is carried in this House or lost, is absolutely immaterial. The fact remains that, if the Government of India move immediately, may be on a very small scale, without waiting for the Simon Commission's Report, and do something for the Frontier Province so as to convince us that, after these Commissions have reported, they really mean to do something for the people of the Frontier Province to satisfy them, it will be so much the better; otherwise our grievance on this point will remain as strong as ever.

(*Maulvi Sayyid Murtuza Saheb Bahadur rose in his seat to speak on the motion.*)

Mr. President: Honourable Members have had their two hours. If the Honourable Member will finish in five minutes I will allow him.

Maulvi Sayyid Murtuza Saheb Bahadur: Sir, but for the astonishing statement made by my Honourable friend, Pandit Malaviya, and also the disappointing reply given by the Foreign Secretary, I would not have spoken

[Maulvi Sayyid Murtuza Saheb Bahadur.]

at all; I would have been satisfied with recording my silent vote on this motion.

Sir, in the last portion of his statement, Panditji has said that he does not want his party to participate in this discussion or rather that his party should not commit itself in any way on this question. May I ask him, through you, Sir, what about the commitment already made by the then leader of the party, I mean our much-lamented friend Lala Lajpat Rai? Is not the party and the leader of that party bound by the sympathetic attitude shown by Lala Lajpat Rai and the decision which was arrived at by him on behalf of his party on the question? Sir, when I moved the Resolution regarding the introduction of reforms in the North-West Frontier Province, my Honourable friend, the Panditji, opposed it tooth and nail. Afterwards he realised that he was in the wrong. Then his attitude was changed. Now I do not see any reason as to why he has adopted this oscillating policy. At any rate, Sir, I must tell the Government that the people of the North-West Frontier Province rely mostly, as every Mussalman ought to, on God, and thereafter they rely on their own strength. They do not care even for the support of the Mussalmans of other parts of India, much less for that of other communities. They will win their cause sooner or later. If Government proceed at this rate, they will win the day sooner than later.

As for the disappointing reply given by the Foreign Secretary, I have to invite his attention to the fact that the question of area arises here, when poor and helpless Mussalmans are concerned. So far as Coorg is concerned, which is probably one-fifth of the size of the North-West Frontier Province, it has got its own Legislative Council, because that province consists mainly of European planters. Is this the justice which the Government pride themselves on? How long can they go on like this? As acknowledged by the Government, the people of the Frontier Province are the gatekeepers of India. Do not the Government realise, if the Pathans, who are the gatekeepers of India, feel dissatisfied what the outcome thereof will be?

Now, Sir, the Honourable the Foreign Secretary said that this question would be considered very sympathetically. We know what kind of sympathy our poor North-West Frontier people can expect at the hands of Government. There is a saying in Persian, Sir, which says:

Chamcha Zadee Chamcha Zadee, Halwa Ko?

It means this, "you have applied your spoon so often, but where is the halwa (sweet)?" Similarly, Sir, Government cannot go on deluding us for ever, much less the people of the North-West Frontier Province, by holding out false hopes. They should realise the real situation and do the needful as quickly as they can. They should not any longer delay the giving of reforms to the North-West Frontier Province. With these words, Sir, I support the motion.

Mr. President: The question is:

"That the Demand under the head 'North-West Frontier Province' be reduced by Rs. 100."

The motion was adopted.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

Mr. President: The question is:

"That a reduced sum not exceeding Rs. 1,06,34,900 be granted to the Governor General in Council to defray the charges, which will come in course of payment during the year ending the 31st day of March, 1931, in respect of the 'North-West Frontier Province'."

The motion was adopted.

DEMAND No. 16.—CUSTOMS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a sum not exceeding Rs. 77,57,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Customs'."

Cutting down a Lump Sum of 5 per cent to balance the Budget.

Sir Hari Singh Gour: I beg to move:

"That the Demand under the head 'Customs' be reduced by five per cent."

Honourable Members have already been told by the Honourable Mr. Neogy that similar notices of amendments of 5 per cent. cuts have been given under each grant. Some of these grants have already been disposed of. The remaining grants will remain, and I ask the House to cut down all the other grants one by one by 5 per cent. as they come up . . .

Mr. Lalchand Navalrai: Also my cut of 70 lakhs under Income-tax.

Sir Hari Singh Gour: . . . so as to balance the Budget. The reasons why I ask the House to concur in this cut are these. The whole of the Budget has not been placed before the House. The bulk of it comprises military expenditure. Sir George Schuster told us yesterday that the larger question of policy cannot now be considered pending the report of the Royal Statutory Commission, and as further reforms are on the horizon, it would not be right for the Government of India now to formulate a new policy regarding the curtailment of military expenditure. He said more or less the same thing in connection with civil administration. Those, I submit, are the very reasons why the Government of India should not embark on further taxation. The policy which will be laid down hereafter will, we hope, necessarily lead to retrenchment, and the deficit that we find in the Budget, as Honourable Members are aware, is not a recurring deficit. The Finance Member has pointed out that some of the items of the deficit are due to world causes. Now these are adventitious and accidental causes which are not likely to repeat themselves year after year, the causes being therefore more or less temporary and a passing phase of the current year's Budget. I do not see why the House should saddle the country with additional taxation as a permanent measure. Honourable Members are further aware

[Sir George Schuster.]

that, in the budget estimates for this year, we have actually shown a reduction of Rs. 1,68,000 from the budget estimates of 1929-30. That means that the margin of increase, if I had worked all this year's budget figures, would have been far smaller than what I have given to the House. Now, Sir, I think that this is a very interesting example, and I feel sure that these reports which I have prepared would repay the careful study of all Members of this House who are interested in this question of public economy. They will find no doubt certain items or certain Departments in which the expenditure has grown in a way which makes out a *prima facie* case for inquiry, but what I do say is that the matter must be studied in detail, and that it is useless for the House to proceed in this wholesale way of asking for a 5 per cent. cut all round. As a matter of fact, the 5 per cent. cut on the Customs Department, as it stands at present, would be quite impossible without both doing grave injustice to a large number of employees and also gravely endangering the efficient conduct of public business. Apart from this, I am at a loss to understand what is the policy underlying my Honourable friend's motion. He has stated his case in this way. He says that, according to my own statements, the difficulties in which we find ourselves this year, or rather the need for increased revenue with which we find ourselves faced this year, is due to temporary causes. Well, if it is due to temporary causes—and that, of course, I do not admit because I think I have made out a very good case for some permanent increase in our revenue—but if it were due to temporary causes, would this be the proper way of dealing with it, to say that this year we should cut down the whole of our staff by 5 per cent. and that then, in due course, if revenue increases as my Honourable friend expects it will next year, we should engage all these people again? I ask Honourable Members to consider whether this is a business-like way of approaching what I admit is a very difficult situation. I have already made it clear that I intend to work steadily, continuously and with determination at the search for waste or unnecessary expenditure in every branch of the public service. But I maintain that that work must be done with intelligence and with discrimination and that action of the kind foreshadowed by this motion will gravely endanger the efficiency of the public service. (Applause.)

Sir Hugh Cocke: Sir, I entirely agree that the method proposed by my Honourable friend behind me is not a business-like way of dealing with retrenchment, and I think the Honourable Member has shown very clearly from the figures that a 5 per cent. reduction under Customs is entirely unpracticable. It would result, if it were persisted in, in the staff being discharged and in the goods being held up for long periods, I imagine, at the Customs House. The enormous increase in the bills of entry in the last five or six years shows to what extent the work of the Customs House has gone up. It also, I think, shows that, in view of the fact that the increase in expenditure has been comparatively small, there may have been considerable room for retrenchment five or six years ago. It seems to me that, if this large volume of work could be handled by the Customs officials at almost the same cost as before, there must have been room for cutting the staff five or six years ago. But I am perfectly satisfied from the figures that have been given, that it is not practicable to cut five per cent. from the Customs vote, and I do not think the House will be wise to adopt this procedure.

Mr. President: The question is:

"That the Demand under the head 'Customs' be reduced by five per cent."

The Assembly divided:

AYES—32.

Abdoola Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Aney, Mr. M. S.
Bhargava, Pandit Thakur Das.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Gour, Sir Hari Singh.
Haji, Mr. Sarabhai Nemchand.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.
Lal, Mr. Hari Prashad.
Lalchand Navalrai, Mr.
Malaviya, Pandit Madan Mohan.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.

Munshi, Mr. Jehangir K.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Neogy, Mr. K. C.
Patil, Rao Bahadur B. L.
Rajan Bakshi, Shah, Khan Bahadur Makhdum Syed.
Rang Behari Lal, Lala.
Reddi, Mr. T. N. Ramakrishna.
Shafee Daoodi, Maulvi Mohammad.
Shah Nawaz, Mian Mohammad.
Siddiqi, Mr. Abdul Qadir.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Suhrawardy, Dr. A.
Talatuley, Mr. S. D.
Zulfiqar Ali Khan, Sir.

NOES—47.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Coatman, Mr. J.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Hyder, Dr. L. K.
Jawahar Singh, Sardar Bahadur Sardar.

Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Rov, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan Bahadur.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Tin Tut, Mr.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Inadequate representation of Muslims in the Customs Service.

Mr. Anwar-ul-Azim: Sir, I beg to move that the Demand under the head 'Customs' be reduced by Rs. 100, the reason being the 3 P.M. inadequate and ineffective representation of the Muslims in the Customs Service generally, more especially amongst the ranks of Preventive Officers, Appraisers and clerks. It will be within your recollection, Sir, that motions of this kind have got two other precedents in this House.

[Mr. Anwar-ul-Azim.]

Once it was debated on the 9th March, 1926, and again on the 12th March, 1928. On the first occasion it was moved by Mr. Ahmad Ali Khan, who represented Assam here then, and that was withdrawn with the leave of the House on a guarantee being given on behalf of Government by Sir Basil Blackett and the representative of the Board of Central Revenue, Mr. Lloyd, the guarantee being that they would not overlook the Muslim view point in that connection. Two years after, on the 12th March, it was again debated on the floor of this House, and on that occasion too, the Government spokesman was the late Finance Member, and some of the reasons that he put forward then for the consideration of this House were, that people belonging to our community came rather late into the field, and as such their condition was bad, and secondly, he made a point of the fact that I did not furnish him with any figures. You know, Sir, how difficult it is for Back Benchers like ourselves to get these figures and I do not think Front Benchers too do any better. I addressed almost all Departments of Government here in Delhi for the purpose of obtaining figures and,—I imagine it must be due to something palpably wrong inside,—they made a hundred and one excuses and did not give me the figures. If those figures were available to me, I am sure this motion would have been absolutely unnecessary. But as a result of great trouble, I have gathered a few figures only with regard to Bengal. On a reference to the Bengal Civil List of 30th January, 1930, you will find that, in the superior classes of the Calcutta Customs, the table runs thus. There are 13 Inspectors, among whom there is no Mussalman; there are 20 Superintendents, of whom only one is a Mussalman, and that post carries a salary of Rs. 500—575; there are 50 Appraisers, and there our share is about 3. I cannot give, at this stage, as I have said, the figures among the ranks of clerks, but though, in the province of Bengal, we form about 55 per cent. of the total population, our representation does not come even to 5 per cent.

On the first debate which was initiated by Mr. Ahmad Ali Khan, the whole of the time was spent between Mr. Lloyd on the one side and our esteemed friend, Mr. Kabecruddin Ahmed, on the other, and the House could not come to any decision; but on an undertaking being given by Sir Basil Blackett, on behalf of Government, that motion was withdrawn. On the second occasion the motion was pressed to a division, and of course Government accepted the decision of the House, and it is a story of two years ago. If Government have not got any cogent reply and any sufficient reason for not taking this thing seriously, I do not know whom we shall look to. It will be within your recollection, Sir, that on the 10th March, 1923, a Resolution was also adopted by this Assembly to the effect that no province, or for the matter of that no class of people, should have any preponderance at least in those services which are within the control of the Central Government—and of course 1923 is gone and it is now 1930. But what do we find now, and specially in those places which are really of any worth? There is undoubtedly not only a preponderance but a super-preponderance, and with what justification? I should very much like to know really whether it is the wish of Government to give something a bad name and hang it at the same time. Perhaps the Honourable Member in charge will come out with this plea, that on the 5th February, 1926, some directions were given to the various Departments of the Government of India for their guidance in the matter of recruitment; and he will perhaps also refer me to an old list compiled some years ago, just to show that

perhaps Mussalman representation has gone up by .001 per cent. If the Government of India are responsible to people of all classes, to all people, irrespective of caste, creed or sex, to dispense justice and to uphold that justice with even hand, then may I not ask them, Sir, how is it that this deplorable state of affairs is evident by their own compilations? It has not been possible for me to get any figures, Sir, either with regard to Bombay or Madras, where the number of Mussalmans is small. They are beyond my reach.

Last of all, there is one matter about which I can speak with some authority, that is with regard to the representation of my people in the Chittagong Customs. In the seaport town from where I come, you have got a cadre of about 11 or 17 Preventive Officers. There the number of Mussalmans is about 82 per cent. of the total population. It cannot be said that the people are backward there, for it will be apparent from the facts that I stated that, out of a total number of 300 members of the Bar—no less than 150 are Mussalmans. That is an indication that really that part of the country is not backward, and if the local authorities, either at Calcutta or at Chittagong, care for the appointment of Mussalmans in the cadre of Preventive Officers, they could get very good men. But I do not know what policy is standing in the way of our being taken even in that locality. For, after everything is said and done, you should recognise the purpose for which I am moving my motion. If Government really feel that they have been doing scant justice to us and our people, I think they should recognise that the time has come when they must look around. One of my friends a little while ago, was suggesting to me why I should have moved this motion as we had a very full-dress debate the other day and we had all the illuminating replies from Mr. Hayman during the course of the debate on Railways. My answer is this, Sir. Unless we are definitely told by the Government that they are willing—not to speak of showing any favour—to do bare justice to our people, it will be very hard really for even a man like myself to keep quiet who on important occasions has helped Government, with the hope that they would not forsake the Muslims, when the next instalment of reform was introduced in this country. Government must know our demands are right, and they should not any longer play into the hands of the avowed enemies of Islam, who are now bidding for a goal whose consequences one can't see. With these few words, I commend my motion for the consideration of this House.

The Honourable Sir George Schuster: Sir, I think the general policy of the Government of India in this matter of distribution of vacancies, or reservation of vacancies, for minority communities is well known. The policy is to reserve one-third of vacancies for the purpose of regulating recruitment, so as to prevent any one community from having an undue preponderance in the service. The Muslim community, though the largest minority community, is not of course the only one that has to be considered in applying this rule. The effects of this policy must show themselves gradually, as the policy can only be applied to recruitment for vacancies as they occur. It would not have been either reasonable or possible to attempt to accelerate the rectification of existing inequalities by confining recruitment after the present policy was adopted to members of any community that had previously been inadequately represented. I think the justice of that must be acknowledged. I have certain statistics, showing the percentage of Muhammadans in the various grades of Customs Officers under the Imperial Customs Services, and showing how those percentages

[Sir George Schuster.]

have altered between the 1st of January, 1925 and the 1st of January, 1930. The figures are as follows:

	1925.	1930.
Appraisers	1 per cent.	6 per cent.
Examining Officers	9 „	9 „

Maulvi Muhammad Yakub: Very great improvement!

The Honourable Sir George Schuster: I am not claiming anything. I am simply giving you facts. I do not say that it is a great improvement.

	1925.	1930.
Preventive Officers (Superior Grades)	4 per cent.	7 per cent.
Preventive Officers (Lower Grades)	15 „	15 „
Clerks	9 „	8 „

(Laughter.)

It must be admitted—and I frankly admit it—that these figures are not, from the point of view of the Mover of this motion, entirely satisfactory (Hear, hear); but I would say this, on behalf of the Central Board of Revenue, which is responsible for this Department, that they constantly study the returns, and wherever these suggest that the general instructions of the Government are not being followed in the letter and in spirit, they draw the special attention of the Heads of Departments to the matter.

Maulvi Muhammad Yakub: With what result?

The Honourable Sir George Schuster: At the same time, it must be remembered that these people are recruited locally, and that in ports in Burma and Madras, it is inevitable that Muhammadans should not be given preference to the same extent as they might expect in other parts of India.

Maulvi Muhammad Yakub: What about the North-West Frontier Province where they are treated as a minority?

The Honourable Sir George Schuster: There are no Customs Officers there.

Maulvi Muhammad Yakub: Government service, I mean.

The Honourable Sir George Schuster: Moreover, even in a province like Sind, there is considerable difficulty, so I am informed, in securing an adequate number of candidates from this particular community, who satisfy the minimum educational requirements.

Haji Abdoola Haroon (Sind: Muhammadan Rural): I sent some men to the Customs Collector at Karachi. There are plenty of men in Karachi qualified for these posts.

Sir George Schuster: I am giving my Honourable friend the results of the evidence which has been placed before me on this matter.

Mr. Fazal Ibrahim Rahimtulla: I think it would help the House if the Honourable Member were to tell us, during these five years about which he has given figures, how many vacancies occurred in the Departments mentioned.

The Honourable Sir George Schuster: I am afraid that I have not got those figures at present available, but if any Honourable Member, who is interested in this question, will let me have any particular aspects of the statistics which he wants studied and presented to this House, I shall be very pleased to get them. I will repeat though, that according to the information which I have got, there is considerable difficulty in securing an adequate number of candidates who satisfy the minimum educational requirements. If there is any evidence to the contrary, I should be very glad to have it. I am simply giving you the evidence as it has been put before me. Now, it is no part of the Government's policy to insist on a lowering of standards, provided these are not fixed unreasonably high, in order to secure candidates. The standards are not fixed unreasonably high, and that is illustrated by the fact that, of three Muslim clerks appointed in a recent period of fourteen months at the Calcutta Custom House, none was a graduate, although a large proportion of the Hindus appointed in the same period were graduates. This Custom House has also suffered seriously from the competition for well qualified Muslims which the present policy has created. The best of the Muslim clerks secured tend to move on to better paid occupations elsewhere. I think, Sir, that that represents some of the information which I have before me. If there are any statements that I have made which are not accepted by any Honourable Member here, I repeat that I shall be only too glad to receive the contrary evidence. It is our desire to carry out the policy which has been laid down by the Government, and if there is any suggestion that that policy is not being carried out and I can be convinced that it is not being carried out, I shall be the first to take the necessary action.

Nawab Sir Sahibzada Abdul Qaiyum: Sir, I should like to say just a few words in order to get some definite information on the points that still puzzle and confuse me.

Mr. President: In that case the Honourable Member should have preceded the Honourable the Finance Member.

Nawab Sir Sahibzada Abdul Qaiyum: Sir, what is not clear to me, and perhaps to many others, is as to how these safeguards for the rights of the minority communities are put in practice. It is often said that these reservations are for all the minority communities. We know that the announcement of the Government is to that effect. But how are these posts reserved for the minority communities distributed over these communities and what are their respective shares? What I particularly want to find out is whether certain minority communities included in the majority community get a share of these posts reserved for the minorities. For instance, take the case of my Sikh brethren. In the ordinary division of communities, the Sikhs form part of the major community. Even the Burmans come under the category of Hindus. Various other small communities also form part of the majority community. Has any distinction been made in this respect and do these small communities get a share in the posts reserved for the minority community? Then are these posts distributed according to the numerical strength of these minority communities, or at the free will of the distributor of those posts? That is my first point. The second point is whether, in the case of first recruitment a larger share is given to these people to make up the deficiency of the minority communities in due course in the higher grades, that is whether in making the first appointments a higher percentage of appointments is given to a community which is not fully represented in that

[Nawab Sir Sahibzada Abdul Qaiyum.]

particular service, or whether these appointments are given according to the ordinary rules of one-third minorities and two-thirds majority. For unless something is reserved in the first recruitment for these people and a larger number of people are recruited in order to make up the deficiency later on, no improvement can be expected. Another difficulty, Sir, is that in provinces where a sufficient number of suitable candidates is not forthcoming, whether it is the local people who must produce the proper candidates for those appointments, or whether you treat the case as one coming under the control of the Central Government and disregarding the shortness of the local supply, you could import men of that particular standard available from other provinces. If you are going to secure the position of Moslems in this respect, I believe Moslems will have no objection to the importation of Moslems from the Punjab into Sind; for example, if Sind cannot provide the proper number of recruits. But I am one of those, Sir, who do not believe that suitable Moslems, fully qualified Moslems, are not available for your services in any part of India. I do not believe that. On the other hand, my impression is, Sir, that they do not get the necessary facilities for knowing about the vacancies, for applying for them, and are not given proper encouragement by those who are controlling your Departments. Do I understand that, in the whole of Bengal, only three people were out for employment and that none of them was a graduate?

Mr. Anwar-ul-Azim: Moslem graduates in Bengal are as plenty as black berries.

Nawab Sir Sahibzada Abdul Qaiyum: I thought that they were as many as locusts, and that any number with higher qualifications than the ordinary B. A. was available there. But they cannot have access to the authorities who select these candidates. I, living though I do on the extreme corner of India, can undertake this honorary job of supplying recruits to every Department throughout India. I shall pay the postage, I shall meet all expenses of sending candidates down to Tuticorin from Peshawar, if necessary, provided one has a chance of securing an appointment there. I can take up that work, Sir, and I am also prepared to supply candidates with B. A. degrees for ordinary clerk's posts, if you fix the minimum qualification for a thirty rupees post as a graduate or even higher, Sir, nothing of this sort will convince people of the paucity of Muslim candidates in the year 1930. Nothing will convince the Muslims that, in the present state of unemployment in the country, and with so much advance in education and with hundreds and thousands of Muslims graduating every year and in the hard times they are passing through and with the difficulties of earning their living, enough Muslims cannot be found or will not come forward to take up even the smallest job—not to speak of the good jobs just mentioned by the Honourable the Finance Member. These, Sir, are the observations I have to make.

Maulvi Muhammad Yakub: Sir, the question of the paucity of Mussalmans in the different branches of Government service has become something more than a hardy annual of the budget debates in the Assembly; and not only in the budget debates, but on other occasions too questions are put and information is asked for showing the number of Muslims in the different Departments of the Government services; and every effort is made by the Muslims to impress upon the Government the injustice which is done to them in securing their proper share in Government services. But, Sir, what is the result? The result is the statement which the Honourable

the Finance Member has just placed before the House. Now, Sir, we have only got to question our friends as to what is the reason for this attitude of the Government. Why is it that our entreaties, our questions and our speeches, and the statistics supplied to the House, do not help us in getting justice done to our community? The answer is plain and simple. My friend, Mr. Abdul Matin Chaudhury, enunciated the other day the character of the British nation in two words—kissing and kicking; and this phenomenon of kissing and kicking cannot be observed more vividly than in this House. The Government know that the loyalty of the Mussalmans is very cheap; Government know that they do not require anything to help them to secure their support. On all the important questions in the Assembly we know that the success of the Government depends upon your votes, the votes of the Central Muslim Party.

Nawab Sir Sahibzada Abdul Qaiyum: That is according to our convictions.

Maulvi Muhammad Yakub: So I say; and it is on account of this conviction of yours that your community is being convicted; and as long as this conviction of yours remains, as long as this mentality of yours continues, as long as the Muslims do not stand upon their own legs and as long as this phenomenon of kissing and kicking goes on, I tell you that these questions and Resolutions and figures will not help you at all and your community will go down from bad to worse every day.

Mr. Lalchand Navalrai: Promise not to help the Government then.

Mr. President: The question is:

“That the Demand under the head ‘Customs’ be reduced by Rs. 100.”

Mr. Anwar-ul-Azim: Sir, I think my friends on this side . . .

Maulvi Muhammad Yakub: He is satisfied, Sir, with the figures supplied by the Finance Member.

Mr. President: Does the Honourable Member wish to withdraw his motion?

Mr. Anwar-ul-Azim: No, Sir. I want to test my Hindu brethren on this subject.

Mr. President: The question is:

“That the Demand under the head ‘Customs’ be reduced by Rs. 100.”

The Assembly divided:

AYES—21.

Abdoolah Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Abdul Qaiyum, Nawab Sir Sahibzada.
Abdullah Haji Kasim, Khan Bahadur
Haji.
Anwar-ul-Azim, Mr.
Cocke, Sir Hugh.
Crawford, Colonel J. D.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut.-Colonel H. A. J.
Moore, Mr. Arthur.
Patil, Rao Bahadur B. L.

Rahimtulla, Mr. Fazal Ibrahim.
Rajah, Rao Bahadur M. C.
Rajan Bakhsh Shah, Khan Bahadur
Makhdum Syed.
Reddi, Mr. T. N. Ramakrishna.
Shafee Daoodi, Maulvi Mohammad.
Shah Nawaz, Mian Mohammad.
Suhrawardy, Dr. A.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Zulfiqar Ali Khan, Sir.

NOES—42.

Abdul Aziz, Khan Bahadur Mian.
 Alexander, Mr. W.
 Ayyangar, Mr. K. V. Rangaswami.
 Banarji, Mr. Rajnarayan.
 Baum, Mr. E. F.
 Coatman, Mr. J.
 Cosgrave, Mr. W. A.
 Crerar, The Honourable Sir James.
 Crosthwaite, Mr. H. S.
 Dalal, Dr. R. D.
 Das, Mr. B.
 Dutt, Mr. Amar Nath.
 Dutta, Rai Bahadur S. C.
 Fellers, Mr. V. M.
 French, Mr. J. C.
 Gwynne, Mr. C. W.
 Hamilton, Mr. K. L. B.
 Heathcote, Mr. L. V.
 Hira Singh Brar, Sardar Bahadur,
 Honorary Captain.
 Howell, Mr. E. B.
 Jawahar Singh, Sardar Bahadur
 Sardar.

Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mitter, The Honourable Sir Brojendra.
 Monteath, Mr. J.
 Mukherjee, Rai Bahadur S. C.
 Mukhtar Singh, Mr.
 Noyce, Sir Frank.
 Pai, Mr. A. Upendra.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rau, Mr. H. Shankar.
 Sahi, Mr. Ram Prashad Narayan.
 Sams, Mr. H. A.
 Schuster, The Honourable Sir George.
 Scott, Mr. J. Ramsay.
 Singh, Mr. Gaya Prasad.
 Slater, Mr. S. H.
 Taiatuley, Mr. S. D.
 Tin Tut, Mr.
 Young, Mr. G. M.

The motion was negatived.

Mr. B. Das (Orissa Division: Non-Muhammadan): I do not move, Sir.*

Importation of Adulterated Articles for Human Consumption.

Khan Bahadur Sarfaraz Hussain Khan: Sir, the motion that stands in my name reads:

"That the Demand under the head 'Customs' be reduced by Rs. 100."

I do not think, Sir, I need dwell on this question, because everybody knows very well that nothing is more injurious to the human body than adulterated articles. My chief object in making this motion is to draw attention to the increasing evil of adulterating ghee with all sorts of articles. Perhaps rich men may not feel the difficulty so much in this matter, but in the mofussil towns the poor people, about 60 per cent. of the population, suffer from bodily ailments chiefly on account of this evil of adulteration. This is not a communal question. It is a question based purely and solely on humanitarian considerations. I do not think, Sir, I need dwell on this subject at great length, because as I have already said about 60 to 75 per cent. of the people in the mofussil towns chiefly suffer on account of adulteration

The Honourable Sir George Rainy: If the Honourable Member could speak a little louder I should be better able to hear him. I find great difficulty in hearing him.

Mr. M. S. Aney: He is 80 years old. (*Some Honourable Members:* "Please speak a little louder.")

*"That the Demand under the head 'Customs' be reduced by Rs. 100. (Hardship to hand-loom industry owing to cotton yarn tariff.)"

Khan Bahadur Sarfaraz Hussain Khan: Sir, I have not much to say. This is a very simple matter, because everybody knows that the adulteration of ghee predisposes the body to consumption. This is not a communal question; this is purely a humanitarian question. Anybody who has got sympathy for human suffering will support me. I therefore hope that Government will put some check on the importation of adulterated articles for human consumption, and that is the reason why I am making this motion.

The Honourable Sir George Rainy (Member for Commerce and Railways): I must confess, Sir, that I found considerable difficulty in hearing what the Honourable the Mover of this cut was saying, and if I do not accurately represent his argument I trust to be excused. I gathered that he wished to move this cut in order to draw attention to the adulteration of ghee with vegetable ghee, and to suggest that the Government should take steps to check the importation of vegetable ghee either by absolute prohibition or I suppose, by imposing a very high duty. What I should like to say about that, Sir, is that it would not be right for Government to take action of that nature unless they were satisfied that the vegetable ghee was in itself a harmful substance dangerous to human health. Now, we have consulted the Local Governments on the subject

Mr. Gaya Prasad Singh: Is that the opinion of doctors that vegetable ghee is not injurious to human health? I brought that question up before in this House.

The Honourable Sir George Rainy: We have obtained the opinions of all Local Governments, and with one exception, they have said that, although the vegetable ghee is deficient in certain vitamins, it is not injurious to health. Also there is this further point to be considered, that if we were to prohibit the importation of vegetable ghee, it is not as if the ghee thereafter would be sold pure. On the contrary, I am afraid the adulteration would be as great as ever, and even more harmful adulterants would be used. But there is evidence that the adulteration has been going on for a long time. In Burma for instance now-a-days it is said that there is an increasing use of a mineral oil, known as white oil, for that purpose, and if you read books like "Watt's Economic Products", you will find that, 40 or 50 years ago, adulteration with all sorts of substances, some of them highly objectionable, was being freely resorted to. At the same time, the Government of India quite recognise that it is desirable that, when a purchaser wishes to buy pure ghee, he should have some security that he will get it; he should not be exposed to the danger of having to buy an adulterated product when he is paying what he believes to be the price of a pure product. But the Government of India also feel that the way to attain that result must, under the present constitution, be by provincial legislation, providing for strict control over the sale of foodstuffs. A Bill of that kind has recently been passed in the Punjab, called the Pure Food Act, which contains pretty stringent provisions about not selling real ghee and vegetable ghee in the same shop and other provisions of a like character. In that way I have no doubt it will be possible to bring under control any adulteration that is now going on. But if you go beyond that and say that vegetable ghee must not be sold at all, that is a length to which the Government of India are not prepared to go.

Another suggestion made was that a law might be passed, requiring that vegetable ghee, at the time of importation, should be coloured, so

[Sir George Rainy.]

that it might be easily distinguishable. That again is a matter on which we have obtained the opinions of Local Governments, but I do not think it has commended itself to many of them. There is indeed a general consensus of opinion against it. The colouring substances sometimes used for such purposes may themselves be harmful, and I think there is a growing opinion amongst experts that the use of colouring substances in order to distinguish various kinds of food is not desirable. I do not think that that is an expedient which would lead to any good result, and as I have said I think we must look to the passing of stringent provincial legislation, and its enforcement, in order to secure what the consumer is entitled to, namely, that, when he wishes to get pure ghee, he should get pure ghee and should not be put off with something else.

Mr. M. S. Aney: The Honourable Member for Commerce has told us that one of the difficulties he feels in accepting this motion is that there is not sufficiently strong opinion with him to hold that this adulterated ghee is injurious to human health, and for that purpose he has relied upon the opinions of Local Governments. I think the Local Governments are also such bodies as the Government of India is composed of. They are not a body of experts who can really pronounce any opinion upon the chemical ingredients of adulterated ghee and their effect upon human health. I would have been convinced had the Honourable the Commerce Member given us the benefit of any opinions he has collected from competent doctors who are in a position to pronounce opinions upon subjects of this character. If I remember aright, I believe some time ago my Honourable friend, Mr. Gaya Prasad Singh, put certain questions pointedly drawing the attention of the Government of India to the opinions of certain competent authorities as regards the injurious effect of adulterated ghee upon human health. At least the Government of India should have promised us to go into the question just to find out from competent men whether the complaints raised in this motion have any foundation or not. Instead of that, the question has been disposed of by him in a slipshod manner.

The other remedy which has been suggested as practicable by the Honourable the Commerce Member stands in my opinion on an entirely different footing. My Honourable friend, Khan Bahadur Sarfaraz Hussain Khan, by moving this cut, wanted the Customs Department to exercise some check upon the importation of this ghee. That is purely a matter which is within the competence of the Government of India. The Government of India say, "Do not raise this question here. We do not think we can do anything at all in this matter. You had better go to the Provincial Governments and try to do something with a view to seeing that the customer is not deceived. The customer who wants pure ghee should not be deceived by the shop-keeper by passing on to him adulterated ghee and for that you can have some sort of registration." That is a remedy which the Local Governments or the local bodies might pursue if they think proper, and I know that, in certain municipalities, attempts are being made with a view to check that thing. The present motion is not for that purpose at all. We want to see whether the Government of India are willing to help us by allowing their customs officers to exercise a greater check upon the importation of this kind of thing. The Government of India have got many experts under their employ and they can

get their opinions and find out whether the adulterated ghee contains any ingredients which are deleterious to human health or not. That is the first thing that they can do, and the second thing is to ask the customs officers to exercise some check on the importation of the adulterated ghee. Ghee is one of the most important articles in the dietary of the Indians, who are mainly vegetarians. I have said so in connection with a different Resolution to which I do not want to refer now. It is one of the most nutritive articles, and it is necessary for the Government, which cares for the health of the subjects whom it wants to rule, to see that questions affecting the health of the Indians ought not to be brushed aside by the Government in this slipshod manner.

The third remedy that was suggested was that adulterated ghee should not be allowed to be imported unless it is coloured. I do not say anything upon that point. It is too much for me to understand, and I cannot say what the effect of the colouring would be on the health of the consumer. That is a matter of detail. The main thing is that Government should carefully consider whether there is any foundation for the general complaint that it has got a deleterious influence on the health of those who take that sort of ghee. The Government should satisfy themselves on that point, and if the question is raised again, they should be able to tell us definitely that they have made some endeavour, and that they have come to some conclusions. Once they come to a conclusion, their duty is very clear. I believe the Government of India are sufficiently resourceful. Particularly at the present time they have got, at the head of the Customs Department, a very competent officer who is very resourceful, and he may certainly suggest some remedies to customs officers to have a check upon the importation of this thing. With these remarks, I support the motion.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): I wish to say a few words on this occasion.

Mr. President: I hope they will be only few.

Mr. Mukhtar Singh: I shall be as brief as possible. I shall not take more than a few minutes. I sent in a Bill against the adulteration of food articles, but unfortunately His Excellency the Viceroy did not allow its introduction. The question that is before us now is not the prohibition of ghee as such. May I ask the Government of India, "Are they fair, are they honest in calling it ghee and allowing the customs officers to have this article imported into this country under the name of ghee?" Is there any other country in which it can be called butter? Is it not a fact that the thing which is called vegetable ghee is nothing else but oil? Why do not the Government force these people to name it as vegetable oil or hydrogenated oil? It is only in this country, Sir, that the Government allow an article to pass under a false name.

[Mr. Mukhtar Singh.]

selling it as ghee in this country? If I remember aright, India is selling milk at the highest rates and is selling ghee at the cheapest rates. But the Government of India, by allowing the competition of a false article with a genuine one, has tried to stifle the dairy industry. The Royal Commission on Agriculture also invited the attention of the Government of India to this fact, but they have not done anything in the matter. The Honourable the Commerce Member has said that it is for the Provincial Governments or the Municipal Boards to pass such legislation. But I know that, in Meerut, they decided to put a very high duty upon the import of this vegetable ghee. The matter was referred to the Local Government, and they said the Municipal Boards were not competent to do it because it was an article which could not be prohibited or taxed when the Government of India had allowed its import into this country. Sir, it comes to this, that when we go to the Government of India they say, "Go to the Local Governments"; and when we go to the Local Government, they say, "It is not our province". If this is the method by which articles of foreign manufacture are to be advertised in this country, and especially those articles which tell against human health, with what face can the Government of India say, "We look after the physique and health of this country"?

The question of vegetable ghee has been brought several times before the Assembly, and I do not know whether the matter has ever been referred to the medical experts. I know that, even so far, there is no test which can be applied to vegetable ghee being mixed with butter, and by which test it can be known whether it contains any vegetable ghee or not. Even research on that point has not taken place. That clearly shows that the Government of India, because of the numerous questions in this House and because of a Resolution passed in the Council of State, wanted, as a matter of course, to oblige this Assembly by referring the matter to the Provincial Governments and there is the end of the matter. Is it or is it not a fact that vegetable ghee is a competitor against the genuine ghee? Is it or is it not necessary that the dairy industry should be helped, if not by improving it, which the Government of India will never do, at least by not putting a competitor in its way? This is the least the Assembly should require, and I consider that it will not do simply to refer the matter to the Local Governments. With these words I support the motion.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, as Secretary of the Department which deals with questions of health, there is one point which has been raised by the Honourable Members opposite on which I am perhaps in a position to enlighten the House. The accusation has been brought against the Government that they have not consulted medical experts in regard to the value of vegetable ghee as an article of food. That, Sir, is not the case. The Government have obtained various opinions on this point from medical officers of health and from public analysts. As is so often the case with experts, their opinions are not altogether in agreement, but there is a general consensus of opinion that vegetable ghee is in no way deleterious to public health.

Maulvi Muhammad Yakub: And what is the opinion of the minority?

Sir Frank Noyce: I have not the opinions with me, but I shall be glad to go through them again and give the Honourable Member a summary of them. I can however assure the House that there is very general agreement on the point that vegetable ghee is in no way deleterious to health.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadian): Is it deficient in vitamins?

Sir Frank Noyce: I was coming to that point. It is undoubtedly deficient in certain vitamins of value, but I am not an expert on that point. My Honourable friend, Colonel Gidney, will perhaps be able to enlighten the House in regard to it. But, as I said, there is this opinion that vegetable ghee is deficient in certain vitamins which are to be obtained from milk, vegetables and some other foodstuffs. So, if people are not able to get milk and vegetables, obviously they cannot get those vitamins by using vegetable ghee. But the experiments of the experts have also shown—and it is an interesting fact—that even pure ghee may be deficient in the same vitamins, as they can be destroyed in the process of cooking. Therefore, Sir, from the point of view of public health there is no objection to the use of vegetable ghee as a substitute for the pure article.

The Honourable the Commerce Member has pointed out that this question, in the main, is one for Local Governments and that it is for them to pass Pure Food Acts on the same lines as that which is in force in the Punjab, which prevents the use of the term "ghee" for anything except the pure ghee. I am authorised by him to say that he is prepared to consider the question of legislation to supplement the enactments of Provincial Governments and to make it impossible to import the vegetable product under the name of ghee. I trust that this assurance will satisfy the House.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Sir, I shall be very brief in my remarks. The Honourable Member (Sir Frank Noyce) has referred to me for a medical opinion. I have not specialised myself in the analytical differences between pure ghee *versus* vegetable ghee. But, speaking as a professional man, there is not the least doubt

Maulvi Muhammad Yakub: What is your profession?

Lieut.-Colonel H. A. J. Gidney: And what is yours? Speaking as a medical man (I hope the Honourable the Deputy President understands me now), I say without any hesitation that animal ghee possesses more nutrition than vegetable ghee, and I do think that the promiscuous introduction into this country and the "palming off" of a ghee cheaper both in nutritive qualities and in price does place animal ghee in this country at a great disadvantage and a discount, and I think the suggestion put forward from the other side that there should be some very marked distinguishing or differentiating feature, say, colouring vegetable ghee or some such indicator as is demanded from chemists to distinguish poisonous from non-poisonous lotions, is a good one and will go a long way to satisfying the opposite Benches and letting the public know which was which.

Mr. President: The question is:

"That the Demand under the head 'Customs' be reduced by Rs. 100."

The Assembly divided:

AYES—37.

Abdoola Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Ghazanfar Ali Khan, Raja.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Jayakar, Mr. M. R.
Jehangir, Sir Cowasji.
Kelkar, Mr. N. C.
Kunzru, Pandit Hriday Nath.
Lalchand Navalrai, Mr.
Malaviya, Pandit Madan Mohan.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.

Munshi, Mr. Jehangir K.
Neogy, Mr. K. C.
Patil, Rao Bahadur B. L.
Purshotamdas Thakurdas, Sir.
Rajan Bakhsh Shah, Khan Bahadur
Makhdum Syed.
Rang Behari Lal, Lala.
Rao, Mr. G. Sarvotham.
Sarda, Rai Sahib Harbilas.
Sarfaraz Hussain Khan, Khan
Bahadur.
Shafee Daoodi, Maulvi Mohammad.
Shah Nawaz, Mian Mohammad.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gaya Prasad.
Sinha, Mr. Rajivaranjan Prasad.
Talatuley, Mr. S. D.
Yakub, Maulvi Muhammad.
Ziauddin Ahmad, Dr.

NOES—43.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Anwar-ul-Azim, Mr.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Coatman, Mr. J.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gidney, Lieut. Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Heathcote, Mr. L. V.
Hira Singh, Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.

Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. O.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rai, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. President: Perhaps this will be a convenient stage to adjourn if Honourable Members have no objection.

The Honourable Sir George Schuster: Sir, the original Demand has still to be put.

Mr. President: There is one motion in the name of Haji Abdoola Haroon.

Haji Abdoola Haroon: I do not want to move it.*

Mr. President: The question is:

"That a sum not exceeding Rs. 77,57,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Customs'."

The motion was adopted.

Mr. President: I do not think Honourable Members are anxious to sit longer. The House stands adjourned till to-morrow morning, at Eleven o'clock.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 12th March, 1930.

*"That the Demand under the head 'Customs' be reduced by Rs. 100 (Increase in sugar duty)."



LEGISLATIVE ASSEMBLY.

Wednesday, 12th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Mr. P. T. Kumaraswamy Chettiyar, M.L.A. (Madras City: Non-Muhammadan Urban).

QUESTIONS AND ANSWERS.

SELECTION OF CANDIDATES FOR THE INDIAN MEDICAL SERVICE.

501. *Sardar Gulab Singh: (a) Will Government please state in continuation to my unstarred question No. 93 of the 20th January, 1930:

- (i) the total number of Indian candidates who applied for permanent commissions in the Indian Medical Service in July 1929 only; and
- (ii) the number of Indian candidates who applied, through the India Office, while residing in England, for consideration by the Selection Board in India in July 1929 only?

(b) Will Government please state:

- (i) if the India Office had had any preliminary selection of such candidates; and
- (ii) if so, the number and qualifications of the candidates, marked definitely unsuitable by the India Office?

(c) Will Government be pleased to state:

- (i) the number and qualifications of the candidates from England as placed into the three different categories "suitable", "possible" and "definitely unsuitable" by the Selection Board in India in the selection of July 1929 only;
- (ii) the number and qualifications of candidates from India, who applied for the July 1929 selection only, arranged into the three different groups of "suitable", "possible" and "definitely unsuitable"; and
- (iii) the number and qualifications of candidates marked "suitable" from both India and England who have been finally approved by the India Office for permanent commissions in the Indian Medical Service for the July 1929 selection only?

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- (iii) the number and qualifications of candidates marked "suitable" from both India and England who have been finally approved by the India Office for permanent commissions in the Indian Medical Service for the July 1929 selection only?

(d) Will Government please state if all the candidates marked "definitely unsuitable" were passed fit by the Medical Board held either in India or England?

(e) Will Government please state:

(i) if it is a fact that there are a good number of Indian candidates, who have been marked "definitely unsuitable" and debarred from appearing before any subsequent selection by the Selection Board in India, and who have neither held any temporary commission nor had any bad remarks in their service records; and

(ii) What action do Government propose to take, so as to give them all (candidates from India and England) an equal chance till some other amendments for the methods of recruitment to permanent commissions of the Indian Medical Service are put into force?

Mr. G. M. Young: (a) (i) and (ii). The numbers that were considered by the Board in July, 1929, are, respectively, 80 and 12. They applied at various times.

(b) (i) At the request of the Government of India, the India Office interviewed certain candidates who were in England at the time.

(ii) A statement showing the qualifications is placed on the table.

(c) (i) 3 were considered suitable.

6 were considered possible.

3 were considered definitely unsuitable.

(ii) 20 were considered suitable.

26 were considered possible.

22 were considered definitely unsuitable.

(iii) 23.

A statement showing the qualifications is placed on the table.

(d) In India, yes. No report has been received about the 3 candidates rejected in England.

(e) (i) Yes, Sir.

(ii) All candidates have an equal chance under the present system.

STATEMENT I.

Qualifications of candidates considered suitable and selected (23).

From England (3).

M.B.B.S. (Madras), F.R.F.P. and S. (Glas.), L.M. (Dub.), M.M. and P. (Lond.), Primary F.R.C.S. (I), preparing for final F.R.C.S. (I), M.R.C.P.

M.B. (Cal.), M.R.C.S. (Eng.), L.R.C.P. (Lond.), F.R.C.S. (Eng.), preparing for B.Sc. (Honours), and D.O.M.S. (Lond.).

M.B.Ch.B. (Edin.), D.T.M. (Liverpool), M.D. (Edin.), Clinical.

From India (20).

M.B.B.S. (Punjab), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.O.M.S. (Lond.), D.L.O. (Lond.).

M.B.B.S. (Allahabad).

M.R.C.S. (Eng.), L.R.C.P. (Lond.), L.M.S.S.A. (Lond.).

M.B.B.S. (Punjab), L.M. (Dublin), D.T.M. (Liverpool), D.P.H. (Lond.).

M.B.B.S. (Bombay), L.R.C.P. (Lond.), M.R.C.S. (Eng.), passed Primary F.R.C.S.I.

M.R.C.S. (Eng.), L.R.C.P. (Lond.).

M.B.B.S. (Bombay), M.R.C.S. (Eng.), L.R.C.P. (Lond.), studying for F.R.C.S.,

M.B. (Cal.), M.R.C.S. (Eng.), L.R.C.P. (Lond.), F.R.C.S. (Eng.).

M.B.B.S. (Bombay), D.P.H. (Camb.), D.T.M. and H. (Camb.), L.R.C.P. (Lond.), Preparing for M.R.C.S. (Eng.).

M.B.B.S. (Aberdeen).

B.Sc. (Punjab), M.B.Ch.B. (Edin.).

M.B.Ch.B. (Edin.).

M.B.Ch.B. (Edin.).

M.D. (Harvard, U. S. A.), M.R.C.S. (Eng.), L.R.C.P. (Lond.), L.M.S.S.A. (Lond.), L.M. (Dublin).

B.A. (Punjab), M.B.Ch.B. (St. And.), D.T.M. and H. (Lond.).

M.B.B.S. (Punjab), L.R.C.P. (Lond.), M.R.C.S. (Eng.), D.T.M. and H. (Lond.).

M.B.B.S. (Punjab), F.R.C.S. (Edin.).

M.B.Ch.B. (Edin.), D.T.M. (Liverpool), M.D. (Edin.), Clinical.

M.B.Ch.B. (St. And.), L.D.S. (St. And.).

M.B.B.S. (Bombay), M.R.C.P. (Edin.), D.T.M. (Liverpool), T.D.D. (Wales).

STATEMENT II.

Qualifications of candidates considered suitable but not selected (32).

From England (6).

L.R.C.P. (Lond.), M.R.C.S. (Eng.), Primary F.R.C.S. (Eng.), preparing for final F.R.C.S. (Eng.).

M.B.B.S. (Madras), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.O.M.S. (Lond.).

M.B.B.S. (Bombay), D.P.H. (Lond.), D.O.M.S. (Lond.).

M.R.C.S. (Eng.), L.R.C.P. (Lond.).

M.B.B.S. (Punjab), D.T.M. and H. (Lond.).

M.B.B.S. (Madras), L.R.C.P. (Lond.), M.R.C.S. (Eng.), Primary F.R.C.S. (Eng.).

From India (26).

M.B.B.S. (Punjab), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.P.H. (Lond.), D.T.M. (Liverpool).

L.R.C.P. and S. (Edin.), L.R.F.P. and S. (Glas.).

L.R.C.P. (Lond.), M.R.C.S. (Eng.).

M.B.B.S. (Punjab), D.T.M. (Liverpool), D.P.H. (Lond.).

M.B.B.S. (Bombay), M.R.C.S. (Eng.), L.R.C.P. (Lond.).

M.B.B.S. (Lucknow).

(d) Will Government please state if all the candidates marked "definitely unsuitable" were passed fit by the Medical Board held either in India or England?

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From India (20).

M.B.B.S. (Punjab), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.O.M.S. (Lond.), D.L.O. (Lond.).

M.B.B.S. (Allahabad).

M.R.C.S. (Eng.), L.R.C.P. (Lond.), L.M.S.S.A. (Lond.).

M.B.B.S. (Punjab), L.M. (Dublin), D.T.M. (Liverpool), D.P.H. (Lond.).

M.B.B.S. (Bombay), L.R.C.P. (Lond.), M.R.C.S. (Eng.), passed Primary F.R.C.S.I.

M.R.C.S. (Eng.), L.R.C.P. (Lond.).

M.B.B.S. (Bombay), M.R.C.S. (Eng.), L.R.C.P. (Lond.), studying for F.R.C.S.,

M.B. (Cal.), M.R.C.S. (Eng.), L.R.C.P. (Lond.), F.R.C.S. (Eng.).

M.B.B.S. (Bombay), D.P.H. (Camb.), D.T.M. and H. (Camb.), L.R.C.P. (Lond.). Preparing for M.R.C.S. (Eng.).

M.B.B.S. (Aberdeen).

B.Sc. (Punjab), M.B.Ch.B. (Edin.).

M.B.Ch.B. (Edin.).

M.B.Ch.B. (Edin.).

M.D. (Harvard, U. S. A.), M.R.C.S. (Eng.), L.R.C.P. (Lond.), L.M.S.S.A. (Lond.), L.M. (Dublin).

B.A. (Punjab), M.B.Ch.B. (St. And.), D.T.M. and H. (Lond.).

M.B.B.S. (Punjab), L.R.C.P. (Lond.), M.R.C.S. (Eng.), D.T.M. and H. (Lond.).

M.B.B.S. (Punjab), F.R.C.S. (Edin.).

M.B.Ch.B. (Edin.), D.T.M. (Liverpool), M.D. (Edin.), Clinical.

M.B.Ch.B. (St. And.), L.D.S. (St. And.).

M.B.B.S. (Bombay), M.R.C.P. (Edin.), D.T.M. (Liverpool), T.D.D. (Wales).

STATEMENT II.

Qualifications of candidates considered suitable but not selected (32).

From England (6).

L.R.C.P. (Lond.), M.R.C.S. (Eng.), Primary F.R.C.S. (Eng.), preparing for final F.R.C.S. (Eng.).

M.B.B.S. (Madras), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.O.M.S. (Lond.).

M.B.B.S. (Bombay), D.P.H. (Lond.), D.O.M.S. (Lond.).

M.R.C.S. (Eng.), L.R.C.P. (Lond.).

M.B.B.S. (Punjab), D.T.M. and H. (Lond.).

M.B.B.S. (Madras), L.R.C.P. (Lond.), M.R.C.S. (Eng.), Primary F.R.C.S. (Eng.).

From India (26).

M.B.B.S. (Punjab), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.P.H. (Lond.), D.T.M. (Liverpool).

L.R.C.P. and S. (Edin.), L.R.F.P. and S. (Glas.).

L.R.C.P. (Lond.), M.R.C.S. (Eng.).

M.B.B.S. (Punjab), D.T.M. (Liverpool), D.P.H. (Lond.).

M.B.B.S. (Bombay), M.R.C.S. (Eng.), L.R.C.P. (Lond.).

M.B.B.S. (Lucknow).

M.B.B.S. (Bombay), L.R.C.P. (Lond.), M.R.C.S. (Eng.).
 M.B.B.S. (Bombay), L.R.C.P. (Lond.), M.R.C.S. (Eng.), L.M. (Dublin), D.T.M. (Liverpool), D.P.H. (Lond.).
 M.B.B.S. (Bombay).
 M.Sc. (Cal.), M.B. Ch.B. (Edin.).
 B.A. (Bombay), M.B.B.S. (Bombay), D.T.M. and H. (Lond.), L.R.C.P. (Lond.), M.R.C.S. (Eng.).
 M.B.B.S. (Bombay), L.M. (Dublin).
 M.B.Ch.B. (Liverpool), M.R.C.S. (Eng.), L.R.C.P. (Lond.).
 M.B.Ch.B. (St. And.), L.M.S.S.A. (Lond.), L.D.S.R.F.P.S. (Glas.), L.M. (Dublin).
 M.R.C.P. (Edin.), M.R.C.P. (Ireland), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.T.M. and H. (Lond.).
 M.B.B.S. (Punjab), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.P.H. (Lond.), D.T.M. (Liverpool).
 M.B.B.S. (Bombay).
 M.B.Ch.B. (Edin.), L.M. (Dublin).
 M.B.Ch.B. (Edin.).
 M.B.Ch.B. (Edin.).
 M.B.B.S. (Bombay), F.R.C.S. (Edin.), D.L.O. (R.C.S. Eng.).
 M.B.B.S. (Madras).
 B.A. (Allahabad), M.B.B.S. (Bombay).
 M.B.B.S. (Punjab).
 M.B.B.S. (Bombay).
 M.B.Ch.B. (Edin.).

STATEMENT III.

Qualifications of candidates considered definitely unsuitable (25).

From England (3).

L.R.C.P. and S. (Lond.), L.R.F.P. and S. (Glas.), studying for M.R.C.P. (Edin.).
 M.B. (Cal.), L.R.C.P. and S. (Edin.), L.R.F.P. and S. (Glas.), M.R.C.P. (Edin.).
 F.R.C.S. (Edin.), M.R.C.S. (Eng.), L.R.C.P. (Lond.), D.O.M.S. (Lond.), D.O. (Oxon.).

From India (22).

M.B.B.S. (Punjab).
 M.B.B.S. (Madras).
 M.B.Ch.B. (Leeds).
 M.B.B.S. (Allahabad), D.P.H. (Lond.).
 M.B.B.S. (Bombay), D.P.H. (Lond.), D.T.M. and H. (Lond.).
 M.B.B.S. (Lond.), M.R.C.S. (Eng.), L.R.C.P. (Lond.).
 L.R.C.P. and S. (Edin.), L.R.F.P. and S. (Glas.), D.T.M. (Liverpool), L.M. (Dublin).
 M.R.C.S. (Eng.), L.R.C.P. (Lond.).
 M.B.B.S. (Madras), B.Sc. (Madras).
 M.B. (Cal.), B.Sc. (Cal.).
 L.M. (Dublin), L.R.C.P. and S. (Edin.), L.R.F.P. and S. (Glas.).
 M.B.B.S. (Punjab), D.P.H. (Lond.), D.T.M. and H. (Lond.).
 M.B.B.S. (Madras), D.O.M.S. (Lond.), F.R.C.S. (Edin.).

L.R.C.P. and S. (Edin.), L.R.F.P. and S. (Glas.).
 M.R.C.P. (Edin.), L.R.C.P. and S. (Edin.), L.R.F.P. and S. (Glas.), D.T.M. (Liverpool), L.M. (Dublin), D.T.M. and H. (Camb. Pt. 1).
 M.B.B.S. (Punjab), D.P.H. (Lond.), D.T.H. and H. (Lond.), L.M. (Dublin).
 M.B.B.S. (Punjab), D.P.H. (Lond.), D.T.M. (Liverpool).
 F.R.C.S. (Edin.), L.R.C.P. and S. (Edin.), L.R.F.P. and S. (Glas.).
 M.B.B.S. (Punjab), D.O.M.S. (Lond.), D.P.H. (Lond.), L.M. (Dublin).
 M.B.B.S. (Punjab), L.R.C.P. (Lond.), D.P.H. (Lond.), D.T.M. (Liverpool).
 L.R.C.P. and S. (Edin.), L.R.F.P. and S. (Glas.).
 M.B.B.S. (Punjab), D.T.M. (Liverpool), D.P.H. (Lond.), L.M. (Dublin).

IMPORT DUTY ON CIGARETTES.

502. *Mr. G. Sarvotham Rao: (a) Will Government be pleased to state whether it is a fact that, till 1925, the import duty on cigarettes was on an *ad valorem* basis and that, since 1925, it has been changed into a specific duty?

(b) If so, will Government state the reasons which induced them to make the change?

(c) Are Government aware that the result of this change has been the elimination of cheaper brands of cigarettes from the import trade?

(d) Are Government also aware that it is in the cheaper classes of cigarettes that the demand in the country is growing apace?

(e) Are Government also aware that the consumption of the cheaper brands of cigarettes has gone up by 75 per cent. since 1925?

(f) Is it a fact that, though cheaper cigarettes have come to be manufactured within India, this has not appreciably increased the Government's revenue?

(g) Do Government propose to consider the advisability of taking early steps in the matter?

The Honourable Sir George Rainy: (a) Yes. The specific rates of duty came into force on the 30th March, 1925.

(b) The Honourable Member is referred to the Statement of Objects and Reasons appended to the Indian Tariff (Amendment) Bill, 1925, which is available in the Library.

(c) No.

(d) and (e). Government have no reason to doubt that this is the case.

(f) The answer is in the affirmative in so far as customs revenue alone is concerned. But the Honourable Member will no doubt realise that Government probably do stand to gain something by way of income-tax, for example, though it is not possible to estimate the amount so gained.

(g) Government do not propose to make any change at present.

Mr. W. S. Lamb: Is it not a fact that certain importers were invoicing cigarettes for customs purposes at very low rates whilst selling them at the full prices charged by their indigenous competitors?

The Honourable Sir George Rainy: I must ask for notice of that question.

Mr. Gaya Prasad Singh: Are Government aware that cigarettes are very injurious to health and it is desirable to discourage their use by imposing heavy import duties?

The Honourable Sir George Rainy: That is a point of view which I have no doubt Government would take into consideration if it were pressed upon them by the Benches opposite.

Mr. W. S. Lamb: With regard to answer (f), is it not a fact that, since 1925, the receipts from the import duty on cigarettes have increased by 54 per cent. and on unmanufactured tobacco by 47 per cent.?

The Honourable Sir George Rainy: I am quite willing to take these figures from my Honourable friend.

CONSTRUCTION OF A BRIDGE OVER THE GANGES AT MOKAMEH GHAT.

503. ***Mr. Adit Prasad Singh:** (a) Will Government be pleased to state what steps, if any, are in contemplation or being taken for the construction of a bridge over the Ganges at Mokameh Ghat?

(b) If so, when is it expected to be taken up?

(c) Are Government aware of the fact that due to the silting up of the Ganges at Mokameh Ghat passengers are put to endless trouble due to the shifting of the ferry ghats every year?

(d) Are Government aware of the fact that the number of the travelling public has almost doubled in the course of few years and the carrying capacity of the train and steamer being as before, great hardship and trouble is felt by the public at this place, and the Bengal and North Western Railway has no regard for the convenience and ease of the passengers?

(e) Are Government also aware of the fact that Mokameh Ghat is one of the biggest transshipment stations in India, and that bridges have been constructed at places of lesser importance (*vide* Railway Commission Report and Railway Police Commission Report)?

Mr. A. A. L. Parsons: Government are aware that Mokameh Ghat is an important transshipment station, and that the construction of a bridge over the Ganges there would be a convenience to the public. But on an estimate made in 1923 the cost of a bridge to carry a metre gauge line is likely to be nearly 2 crores, and at this figure it would not at present be a paying proposition. The Railway Board cannot therefore hold out any hope that the bridge will be taken up in the near future.

NAUTICAL TRAINING IN ENGLAND AND IN INDIA.

504. ***Dr. B. S. Moonje:** (a) Will Government please state:

(i) How many preparatory nautical schools there are in England;

(ii) How many students there are in all who receive training in these schools;

(iii) What subjects, scholastic and technical, are taught to students;

(iv) The duration of the course of training; and

(v) At what ages boys are admitted into the schools?

(b) What arrangements are made in India, in view of the Government proposals for the expansion of the Indian marine and for establishing a Royal Indian Navy for similar training of Indian boys?

(c) How many Indian boys, if any, are under similar training at present in India?

(d) Besides the ordinary book education, what other technical subjects are taught to Indian boys under training on the "Dufferin" ship to give a speciality of its own to it?

Mr. G. M. Young: (a) (i), (iii) and (iv). Government have no precise information.

(a) (ii), (v), (b), (c) and (d). The attention of the Honourable Member is invited to the answer I gave about a week ago to his starred question No. 419 which was couched in almost identical terms.

COMPULSORY PHYSICAL TRAINING, ETC., FOR INDIAN BOYS.

505. ***Dr. B. S. Moonje:** With respect to my question No. 557, asked on the 17th September, 1929, regarding a Bill to provide for compulsory physical training, military drill and rifle practice for Indian boys, and the several supplementary questions thereon and the answers given by the Honourable Sir B. L. Mitter, the Honourable Sir Frank Noyce and the Honourable Sir James Crerar, and particularly with respect to the answer given by the Honourable the Home Member that, "The matter is one which requires very careful consideration and the Government of India have not yet finally arrived at a conclusion as to the terms in which the Local Governments should be addressed", and that "We are considering the terms in which the Local Governments could be addressed in a manner which will cover the whole question adequately", will Government please state:

(a) If they have come to any decision in the matter, and

(b) If the Government are now prepared to recommend the grant of the necessary sanction to the Bill of Mr. V. V. Kaliker, M.L.C., of which he has given notice in the Legislative Council of the Central Provinces and Berar to provide for compulsory physical training, military drill and rifle practice for Indian boys?

The Honourable Sir James Crerar: (a) Local Governments were addressed in September last on the question of providing compulsory physical training, games and drill for Indian boys between the ages of 12 and 20 attending schools. They were addressed in January last on the possibility of encouraging the use of miniature rifle ranges in schools and colleges. A number of replies are still awaited.

(b) The matter is still under consideration.

RECRUITMENT FOR THE IMPERIAL FOREST SERVICE OF INDIA.

506. ***Dr. B. S. Moonje:** (a) Will Government please state if there are two systems of recruitment to the Imperial Forest Service of India—one of direct recruitment from the schools, colleges and universities of England by selection or nomination and the other of open competitive examination?

(b) If so, will Government please state:

- (i) If any of the Indian educational institutions or colleges or Universities have been given the privilege of nominating candidates or offering candidates for selection;
- (ii) If Indians are also eligible for such nomination or selection from British educational institutions; and
- (iii) If Indians with British or foreign or Indian degrees in science and forestry are eligible for direct recruitment?

(c) If not, will Government please state the reasons therefor?

(d) Is the open competitive examination held both in England and in India?

(e) If so, is there any proportion fixed between British and Indian candidates in the matter of recruitment to the Imperial Forest Service of India?

(f) What are the subjects fixed for the competitive examination?

(g) What are the subjects for the B.Sc. (Forestry) and B.Sc. (Pure Science) degrees of British Universities?

(h) Are British candidates of B.Sc. (Pure Science) degrees eligible for direct recruitment to the Imperial Forest Service?

(i) Are they without having any training in forestry science subjects, preferred to Indians with forestry science degrees? If so, why?

(j) Is it not a fact that graduates in pure science will have to spend some time in learning forestry, whereas graduates in B.Sc. (Forestry) have not to?

Sir Frank Noyce: (a) The various methods of making appointments to the Indian Forest Service are set out in Rule 2 of the Indian Forest Service (Recruitment) Rules, 1928, which were published in the Gazette of India, dated the 22nd February, 1930, under notification No. 232-F. The Honourable Member's attention is invited to this notification. Recruitment of British candidates in England is effected by nomination, but candidates are not selected from schools and colleges. They are men who have obtained theoretical and practical training in forestry generally in some University.

(b) The reply to parts (i) and (ii) of part (b) is in the negative. As regards part (iii), I would invite the Honourable Member's attention to rule 10 of the rules in part III of the notification already mentioned by me. In exceptional cases the Public Service Commission may treat a candidate possessing non-Indian qualifications of a standard equivalent to recognised Indian standards as qualifying for admission to the competitive examination in India, provided that the other conditions included in part III of that notification are satisfied. I should, however, add that there are no Indian degrees in Forestry.

(c) The main reason for not resorting to nomination of Indian candidates, except in so far as this may be necessary to redress communal inequalities, is that none of the Universities in India impart instruction in Forestry. Such training has to be given at the Forestry College, Dehra Dun, and the best means of securing candidates for it is by means of a preliminary competitive examination designed to test the general intelligence, the scientific

aptitude and the physical fitness of those desirous of entering the Indian Forest Service.

(d) The open competitive examination is held in India only.

(e) In accordance with the recommendation made by the Lee Commission, the percentage of European and Indian recruits was fixed at 25 and 75, respectively, with effect from the 1st April, 1924, in those provinces in which Forest administration is at present a reserved subject.

(f) The Honourable Member's attention is invited to regulation 8 of the regulations for admission to the competitive examination, 1930, published in the issue of the Gazette of India already mentioned by me.

(g) It is regretted that the information required is not readily available.

(h) I have attempted to answer this part of the question in my reply to part (a).

(i) No. The second part does not arise.

(j) Yes.

Dr. B. S. Moonje: Is it a fact that British boys with purely Science B.Sc. degrees are preferred to Indian boys with Science and Forestry degrees?

Sir Frank Noyce: No, Sir; as I have already explained to the Honourable Member, the British candidates are candidates who have obtained theoretical and practical training in Forestry.

Pandit Hirday Nath Kunzru: With reference to the answer to part (e) of the question, is the Honourable Member aware that the Public Service Commission of 1912 recommended, in their Report, that recruitment to the Forest Service should, as early as possible, be made in India only?

Sir Frank Noyce: I think the recommendation of that Commission has been superseded by the recommendation of a later Commission.

Pandit Hirday Nath Kunzru: On what grounds has that recommendation been superseded by that of the Lee Commission?

Sir Frank Noyce: Because the latter Commission came later.

Pandit Hirday Nath Kunzru: Did the latter Commission at all consider the question of recruitment to the technical services in the way in which the Islington Commission did?

Sir Frank Noyce: I must ask for notice of that question.

APPOINTMENT OF A MUHAMMADAN TO A SENIOR RAILWAY ACCOUNTS POST.

507. ***Mauvi Abdul Matin Chaudhury** (on behalf of Mr. Muhammad Ismail Khan): (a) Is it a fact that the posts of Deputy Director, Finance, Railway Board, Deputy Controller of Railway Accounts and Accounts Officer, Class I in the office of the Controller of Railway Accounts fell vacant recently or are likely to fall vacant shortly?

(b) Is it a fact that there is only one Muhammadan Gazetted officer in the office of the Financial Commissioner, Railways, and none in that of the Controller of Railway Accounts?

(c) If the replies to parts (a) and (b) are in the affirmative, are Government prepared to consider the desirability of appointing a Muhammadan officer to one of the senior appointments at the time of filling the above posts?

Mr. A. A. L. Parsons: (a) and (c). A vacancy recently occurred in the post of Deputy Controller of Railway Accounts, owing to the transfer of an officer of the Indian Audit and Accounts Service to Foreign service, and has been filled by another officer of that service lent by the Auditor General.

A vacancy of Accounts Officer, Grade I, in the Controller of Railway Accounts Office is likely to occur shortly, when an officer of the Indian Audit and Accounts Service now filling that post goes on leave. The vacancy, when it occurs, will be filled by an officer lent by the Auditor General from the Indian Audit and Accounts Service.

(b) Yes.

Maulvi Abdul Matin Chaudhury: With regard to the appointment that is going to fall vacant, do Government propose to suggest, or have they already suggested, any name to the Auditor General?

Mr. A. A. L. Parsons: Under the arrangements at present in force there is no question of the Railway Board or of the Financial Commissioner of Railways suggesting any name to the Auditor General. Nor could I give any undertaking that appointments of this description in the ordinary line will be filled by members of any particular community. I believe, however, that in this particular instance, the post will happen to be filled by a Muhammadan.

APPOINTMENT OF A MUHAMMADAN TO A SENIOR OFFICER'S POST IN THE FINANCE DEPARTMENT.

508. ***Maulvi Abdul Matin Chaudhury** (on behalf of Mr. Muhammad Ismail Khan): (a) Will Government be pleased to lay on the table a statement showing the names and religion of the Indian officers holding Gazetted appointments above the rank of Superintendent in the Secretariat under the control of the Honourable Member, Finance?

(b) In view of the great paucity of Muslims in these posts, are Government prepared to consider the advisability of appointing a suitable Muhammadan officer to one of the senior posts at an early date?

The Honourable Sir George Schuster: (a) A statement is laid on the table.

(b) Of the nine officers included in the statement, four belong to the Indian Audit and Accounts Service, and, as explained in reply to part (a) of Nawab Sir Zulfiqar Ali Khan's unstarred question No. 238 on the 7th March, 1928, officers of this Service are liable to transfer all over India, and communal considerations are not taken into account in distributing them over individual offices. The rest of the officers have been promoted from the rank of Superintendent; and, as the Honourable Member is no doubt aware, in these cases of departmental promotions also, which must be governed by considerations of seniority and merit, communal considerations are not allowed to operate. I may add that one of the officers is a Muhammadan, one a Christian and one a Sikh; in other words, minority communities hold one-third of the nine posts held by Indian officers.

Statement showing the names and religion of the Indian Officers holding Gazetted appointments above the rank of Superintendent in the Finance Department Secretariat.

Name.	Designation.	Religion.
Finance Department—		
Mr. H. Shankar Rau, B. A.	Budget Officer	Hindu.
Sardar Bahadur Sital Singh, M.A.	Under Secretary	Sikh.
Mr. J. Santos, B. A.	Assistant Secretary	Christian.
Mr. K. Sanjiva Row, M.A.	Ditto	Hindu.
Khan Sahib Shah Mohammed, M.A.	Ditto	Muhammadan.
Military Finance—		
Rai Bahadur K. C. Maulik, B.A.	Assistant Financial Adviser . .	Hindu.
Rai Sahib H. D. Banerji . .	Ditto	Hindu.
Mr. Gaya Pershad	Ditto	Hindu.
Mr. Amar Nath	Offg. Assistant Financial Adviser	Hindu.

GRANTS SANCTIONED FOR LOCAL BODIES IN DELHI.

509. ***Rai Sahib Harbilas Sarda:** Will Government kindly state what grants have been sanctioned to be given from Central Revenues, both recurring and non-recurring, during the years 1926-27, 1927-28, 1928-29 and 1929-30 to—

- (a) The Delhi Municipal Committee,
- (b) The Delhi District Board,
- (c) The Delhi Administration for all other purposes?

The Honourable Sir James Crerar: The information is being collected and will be supplied to the Honourable Member.

UNDUE PROPORTION OF CIVILIAN JUDGES IN THE PATNA HIGH COURT.

510. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that at present there are eleven Judges in the Patna High Court, nine of whom are permanent, and two additional?

(b) Is it a fact that out of these eleven Judges, as many as six were members of the Indian Civil Service, and only five were lawyers?

(c) Is there any other High Court in India in which the number of Civilian Judges exceeds the number of judges drawn from the legal profession?

(d) Do Government propose to make a more equitable proportion either by reducing the number of Civilian Judges, or by increasing the number of lawyer Judges at the next opportunity?

The Honourable Sir James Crerar: (a) The permanent strength of this High Court is nine and there are two additional Judges.

(b) The fact is as stated. It is due to the appointment of a civilian to officiate in the vacancy caused by the resignation of Mr. Justice Das, pending the appointment of a permanent successor. The proportions prescribed by section 101 (4) of the Government of India Act have reference to permanent judges only and not to officiating and temporary additional judges. Of the 8 permanent judges now present, 5 are lawyer judges.

(c) Not at present.

(d) The statutory proportion of civilian judges is the number required under the Government of India Act for the permanent judgeships. As regards other vacancies or appointments I am unable at present to say what proposals will be made when the occasion arises.

Mr. Gaya Prasad Singh: Sir, is it a fact that Mr. Justice Macpherson and Mr. Justice Sir Jwala Parshad are shortly going on long leave, and that it is contemplated that two members of the Civil Service, Mr. Rowland and Mr. Luby, are to officiate for them?

The Honourable Sir James Crerar: I am afraid I must ask the Honourable Member notice of that question.

Mr. B. Das: Is the Honourable Member aware that, since the establishment of the Patna High Court, no Oriya High Court Judge has been appointed, and will the Government consider, when the next vacancy arises, the appointment of an Oriya gentleman to the Patna High Court?

The Honourable Sir James Crerar: I have no doubt that, when the occasion arises, the claims of every eligible candidate will be most carefully considered, including any eligible candidate from the Honourable Member's community.

Mr. Gaya Prasad Singh: Including an Oriya engineer. (Laughter.)

UNRELIABILITY OF VOTERS' REGISTERS FOR THE PESHAWAR MUNICIPALITY.

511. ***Maulvi Muhammad Yakub:** (a) Will Government be pleased to state if it is a fact:

- (i) that municipal election was introduced in the City of Peshawar for the first time in 1929;
- (ii) that an inexperienced young Pathan official belonging to a village and absolutely ignorant of Peshawar City was deputed for the preparation of voters' registers;
- (iii) that the officer refrained from exercising due supervision of the important registers, and the work was left entirely in the hands of the inexperienced and raw youths employed as Munshis;
- (iv) that both Hindus and Muslims complained of the voters' registers being unreliable, incomplete, and worthless on the ground

that many educated and respectable people had been omitted, and men of straw and minors who were eligible were enfranchised;

- (v) that the officer mentioned in part (ii) who was appointed as a presiding Magistrate, sanctioned numerous applications for correction of wrong entries in the registers presented in the course of voting proceedings and that the anomalous proceeding was ordered by the Deputy Commissioner to be cancelled?

(b) If answers to the above questions be in the affirmative, will Government be pleased to state if:

- (i) the District Authority has inquired into the reliability or otherwise of the registers; if not, why not?
- (ii) the Local Government has caused inquiries to be made into the conduct of the official under reference; if not, why not; and
- (iii) Government propose to have the registers mentioned above, now in existence, corrected? If not, why not?

Sir Frank Noyce: Information is being obtained and will be supplied to the Honourable Member on receipt.

Maulvi Muhammad Yakub: Will the information be laid on the table of the House?

Sir Frank Noyce: Certainly.

BAD CONDITION OF ROADS IN THE CITY OF PESHAWAR.

512. ***Maulvi Muhammad Yakub:** (a) Will Government be pleased to state if it is a fact that the residents of certain mohallas of the city of Peshawar have submitted recently a representation to the Honourable the Chief Commissioner, North-West Frontier Province, and other officers concerned regarding the greatest inconvenience involved to them, on account of accumulation of mud on all the roads inside the town, which are rendered impassable after rain, and that no such trouble exists in the mohallas and bazaars in the Cantonment?

(b) If answers to the above questions be in the affirmative, do Government propose to cause inquiries to be made regarding the present condition of the roads and the reasons for the inconvenience caused; and have the old and constant complaints of the residents of the town removed as soon as practicable by having the roads properly remodelled?

Sir Frank Noyce: (a) Yes.

(b) The present unsatisfactory condition of the roads in the city of Peshawar is due partly to congestion and partly to the inadequate resources of the Municipal Committee. The congestion in the city will be remedied to some extent when the City Extension Scheme is completed. As regards municipal finances, it is for the Local Body to discover other sources of income and to effect the necessary improvements in the condition of roads.

Maulvi Muhammad Yakub: Has the attention of the Army Secretary been drawn to this question, who has already introduced a Bill in the Assembly on this matter?

Sir Frank Noyce: I am sorry I did not quite catch the Honourable Member.

Maulvi Muhammad Yakub: My question was addressed to the Army Secretary and I asked him whether his attention was drawn to this matter as he has already introduced a Bill on this subject?

Mr. G. M. Young: I can hardly introduce a Bill in the Assembly on a subject to which my attention has not been drawn.

Maulvi Muhammad Yakub: I am asking him about this particular question which is now put, whether his attention has been drawn to this question or not?

Mr. G. M. Young: Yes, Sir.

Maulvi Muhammad Yakub: What does he think of it?

(No answer.)

Maulvi Muhammad Yakub: Does he know what is my question?

Mr. G. M. Young: That sounds like a demand for an expression of my opinion on a matter with which my Department does not deal.

CHANGE FOR WATER METERS IN PESHAWAR CANTONMENT.

513. ***Maulvi Muhammad Yakub:** (a) Will Government be pleased to state if it is a fact that house-owners in the Cantonment of Peshawar have now been warned, under the orders of the Northern Command, to pay for the water connection meters, or their connections will be cut off?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state if water connections have been given to house-owners in the City of Peshawar without meters?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state the special reasons which necessitate the house-owners in the cantonment paying for the meters and not those who live in the city?

(d) Will Government be pleased to state whether water connection meters have been provided at the cost of Government or house-owners in other cantonments and towns in India and why uniformity of system is not adopted when connections are given?

Mr. G. M. Young: I am making enquiries and will let the Honourable Member know the result in due course.

ENHANCEMENT OF LAND REVENUE IN THE CHARSADDA TAHSIL.

514. ***Maulvi Muhammad Yakub:** (a) Will Government be pleased to state if it is a fact that, against the enhancement of revenue assessed lately by the Settlement Officer, Peshawar District, the Landlords of the Charsadda Tahsil submitted a written protest to that officer for the consideration of the Local Government giving reasons against the enhancement of the existing amount of the revenue of the Tahsil?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the brief purport of the objections raised; and whether the Local Government considered the representation and furnished the applicants with a reply?

(c) If the answer to the latter part of (b) be in the negative, will Government be pleased to state why the Local Government gave no reply at all?

Sir Frank Noyce: (a) Yes.

(b) and (c). The objection raised were briefly as follows:

- (1) That effect should not be given to the new assessment in the Charsadda tahsil earlier than in the Nowshera and Peshawar Tahsils.
- (2) That the estimates of agricultural income framed in the settlement were fallacious.
- (3) That land revenue should not be fixed at higher than one-fifth the net assets.
- (4) That water rates should not be revised except at Settlement.
- (5) That certain specified roads should be metalled and that Canal roads should be opened for use to the public.
- (6) That drainage was urgently required to prevent water logging.
- (7) That no new water mills on Canal Channels should be erected.
- (8) That leniency should be shown in the assessment of revenue on water mills.
- (9) That the enhancement on the tahsil revenue should not exceed the 29 per cent. sanctioned at the last Settlement.
- (10) That statistics of sales and mortgages showed the financial weakness of land owners.
- (11) That the rate of remuneration fixed for village headmen should be increased.
- (12) That in view of the geographical position of the district, frontier remissions and *Inams* should be generously given.

No formal reply was given to the petitioners but the points raised were carefully considered in detail by the Chief Commissioner in consultation with the Revenue Commissioner and Settlement Officer and the orders passed in so far as they related to assessment were embodied in the Revenue Secretary's letter No. 1252-R., dated the 17th September, 1926, to the Revenue Commissioner which was published with the Assessment report of the Charsadda Tahsil.

COMPLAINTS AGAINST CERTAIN FOREST OFFICERS IN THE NORTH-WEST FRONTIER PROVINCE.

515. ***Maulvi Muhammad Yakub:** (a) Will Government be pleased to state if it is a fact that, last year, the public of Saran Division had submitted a statement of grievances to the Honourable the Chief Commissioner, North-West Frontier Province, against the Forest Extra Assistant Conservator of the Division, who is said to have held charge of the same for the last seven years, and that a deputation of the district had waited upon the Honourable the Chief Commissioner about it?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state if action was taken by the Local Government and, if so, with what result?

(c) Will Government please state whether as a result of complaints made by the zamindars against the Forest Ranger in charge of Donga Gali range, who is said to have held charge of the *Ilaga* for the last eight years, the Deputy Commissioner of the district or the Deputy Conservator had appointed a *Jirga* to give a finding about his conduct, and that the Ranger was reported to be guilty of the offence or the offences brought to notice?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state what action was taken in the matter?

Sir Frank Noyce: (a) Yes. Eighteen petitions dealing with Forest matters were presented to the Chief Commissioner, North-West Frontier Province in the year 1928. The complaints contained in them were not directed against the Extra Assistant Conservator of Forests personally but against the Forest Department Officials generally.

The petitions were enquired into separately by the Deputy Commissioner, Hazara, and were found to be in general baseless.

(b) The question does not arise.

(c) and (d). No complaints were made against the conduct of the Forest Ranger referred to. In September, 1928, a charge of petty extortion was brought against a forest guard and an assistant supervisor. The charge was investigated by a *Jirga* and was found not proved. The *Jirga*, however, reported that these men habitually took "faslana". The forest guard and assistant supervisor were punished departmentally.

APPEARANCE OF COUNSEL IN REVENUE COMMISSIONERS' COURTS IN THE NORTH-WEST FRONTIER PROVINCE.

516. ***Maulvi Muhammad Yakub:** (a) Will Government be pleased to state if it is a fact that the former Revenue Commissioners in the North-West Frontier Province, were in the habit of freely granting permission to counsel to appear in their courts for the benefit of parties concerned in cases relating to *Lambardari*, partition of lands and other similar cases, and are Government aware that, recently, the permission is being refused involving considerable dissatisfaction and inconvenience to the public of the Province?

(b) If answer to part (a) be in the affirmative, will Government please state:

- (i) the number of cases in which permission had been sought by parties concerned, and refused by the Revenue Commissioner during the last three years,
- (ii) the legal grounds on which the grant of permission had formerly been based, and
- (iii) the valid reasons necessitating the deviation now being made?

(c) Do Government propose to have the practice now enforced in the North-West Frontier Province, cancelled as soon as possible?

Sir Frank Noyce: The information is being obtained and will be supplied to the Honourable Member on receipt.

Maulvi Muhammad Yakub: The information will be placed on the table of this House, I presume?

Sir Frank Noyce: Yes, Sir.

LAND ATTACHED TO THE KACHERI MASJID IN PESHAWAR.

517. ***Maulvi Muhammad Yakub:** (a) Are Government aware that with the permission of the Cantonment authority at Peshawar a *mali's* hut had been constructed in the compound of the mosque known as Old Kacheri Masjid, and that a part of the same mosque was used for dumping of manure for gardening purposes?

(b) Do Government know that, on questions asked in this House by Khan Bahadur Haji Wajih-ud-Din Khan in 1926, the hut was removed, and, as suggested by a special Sub-Committee appointed by the Cantonment Board for inquiry and report in the matter, the Government had decided to have the mosque land, as verified by the Sub-Committee, cleared, planted with grass, and leased to the Muslims in perpetuity without rent for religious purposes?

(c) Do Government know that the District Headquarters took possession of the land by force and included the same in the garden attached to that office giving cause for complaint to the Muslim public in respect of their religious land?

(d) Do Government know that on the representation of the Waqf Committee of Peshawar, the Government of India, Army Department, had called for a report from the General Officer Commanding-in-Chief, Northern Command, after consulting with the local civil authority, as to whether the land should be given over to that institution?

(e) If the answers to parts (a) to (d) be in the affirmative, will Government be pleased to—

- (i) place on the table a copy of the report mentioned in part (d) and of the orders passed thereon by the Government; and
- (ii) also state if the land had since been leased to the Committee as originally decided by Government? If not, why not?

Mr. G. M. Young: The Honourable Member's questions were fully answered by my reply to Haji Chaudhury Mohammad Ismail Khan's starred question No. 282 on the 30th January, 1929.

THE LAW OF REVISION IN THE NORTH-WEST FRONTIER PROVINCE.

518. ***Maulvi Muhammad Yakub:** (a) Will Government please state if it is a fact:

- (i) that the law of revision in the North-West Frontier Province is more restricted than that in force in the High Courts;
- (ii) that the North-West Frontier Province Law and Justice Regulation is now being amended;
- (iii) that in the High Courts the stamp on a petition for revision is Rs. 2; and
- (iv) that in the North-West Frontier Province the stamp charged on revisions is required to be *ad valorem* on the value?

(b) If the answers to the above are in the affirmative, will Government please state the reasons why the people of that Province should be treated differently from what is being done in other Provinces of India by charging them *ad valorem*?

The Honourable Sir James Crerar: (a) (i) The relevant law is contained on the one hand in section 84 of the North-West Frontier Province Law and Justice Regulation, 1901, and on the other hand in section 115 of the Code of Civil Procedure. If the Honourable Member will undertake a comparative study of these sections, he will, I think, agree that the answer to this part of his question is in the negative.

(ii) The question of revising the Regulation is under consideration.

(iii) Item 1(d) in Schedule II to the Court Fees Act, 1870, which the Honourable Member presumably has in mind has been amended by provincial legislation in all the major provinces except the United Provinces. The court fees now chargeable vary from province to province and in several provinces they are now chargeable at an *ad valorem* rate on the value of the suit.

(iv) Yes.

(b) This does not arise.

IMPROVEMENT OF THE INDUSTRIES OF THE NORTH-WEST FRONTIER PROVINCE.

519. ***Maulvi Muhammad Yakub:** (a) Is it a fact that the North-West Frontier Province Government some time ago obtained the services of an experienced officer of the Department of Industry of the Punjab to investigate, and submit a detailed report regarding the best means of effecting improvement of the existing local industries in the province?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state:

(i) if the report has been received, and

(ii) if so, has the same been published for the information of the Muslim public of the Province, and opinion of the Press? If not, why not?

(c) Will Government be pleased to state if they propose to improve the existing local industries in the North-West Frontier Province?

The Honourable Sir Bhupendra Nath Mitra: The attention of the Honourable Member is invited to the reply given in this House on the 11th September, 1929, to a somewhat similar question (No. 420) asked by Mr. Abdul Haye. The Chief Commissioner, North-West Frontier Province, has since reported that the report prepared by the Industrial Investigator on industrial possibilities in the North-West Frontier Province is still under his consideration in consultation with various officers.

Government are fully alive to the importance of improving local industries in the North-West Frontier Province and they will be glad to give due consideration to any recommendations to this end which the Chief Commissioner may put forward.

EXAMINATION AND PAY OF CERTAIN CLASSES OF CLERKS.

520. ***Maulvi Muhammad Yakub:** Will Government please state whether:

(i) before the creation of the third division in the ministerial staff of the Government of India Secretariat, there were different test standards for the typists of the Secretariat and attached offices;

(ii) in the notification giving particulars of examinations held prior to 1923 by the Staff Selection Board, the scale of pay for the typists was shown as Rs. 100—8—300? If so, are the clerks, who passed under the conditions laid down in the Board's notification now eligible for the scale referred to?

(iii) such clerks as were fixed in the Army Headquarters have been confirmed in the second division up to the end of 1928;

(iv) such clerks of the third division have not even been allowed to sit in the recent qualifying examination owing to the educational restrictions imposed; and

(v) the routine clerks of the attached offices were allowed to sit in the examination, irrespective of their educational qualifications?

The Honourable Sir James Crerar: (i) Yes.

(ii) The reply to the first part of the question is in the affirmative. All those who were holding permanent posts in the lower division when the third division was created in June, 1924, are eligible for the scale referred to subject to the provision that they are not allowed to cross the efficiency bar unless they have proved their fitness for the performance of duties other than routine.

(iii) Yes.

(iv) Only such third division clerks in the Secretariat as had passed the Intermediate examination and were below the age of 35 years were eligible to appear for the qualifying examination held by the Public Service Commission last November.

(v) Yes, when specially recommended by the head of the office.

THE APPOINTMENT OF JOINT SECRETARY IN THE INDUSTRIES AND LABOUR DEPARTMENT.

521. ***Maulvi Muhammad Yakub:** Will Government be pleased to refer to the reply to starred question No. 248, dated the 9th September, 1929, and state:

(i) whether there was a Joint Secretary in the Industries and Labour Department when Sir Atul Chatterjee was Member-in-charge;

(ii) whether the temporary post of Joint Secretary has since been abolished;

(iii) if the reply to part (ii) above be in the negative, whether the temporary post of Joint Secretary has been extended with a view to assist the present Member-in-charge of the Industries and Labour Department till the term of his office expires; and

- (iv) whether there is *any* proposal before Government to abolish the post of Joint Secretary and to make provision for Mr. T. Ryan in the Posts and Telegraph Department after the present Member-in-charge of the Industries and Labour Department vacates his office, and if so, what post will he hold there?

The Honourable Sir Bhupendra Nath Mitra: (i) and (ii). The replies are in the negative.

(iii) No. The post of Joint Secretary was sanctioned as a temporary measure for a period of three years from the 1st April, 1928, which has not yet expired.

(iv) No such proposal is before Government.

CONCESSIONS UNDER THE SIMLA ALLOWANCES CODE.

522. ***Maulvi Muhammad Yakub:** Will Government be pleased to refer to the reply to starred question No. 245, dated the 9th September, 1929, and state whether the ministerial staff of the offices referred to at (1) to (4) of the reply are in receipt of *all* the concessions of the Simla Allowances Code which are admissible to the ministerial staff of the office mentioned at (5)? If not why not? Will Government kindly state why such offices have been treated like the Wireless Branch and state reasons for such treatment?

The Honourable Sir Bhupendra Nath Mitra: The information is being collected and will be supplied to the Honourable Member in due course.

Mr. Lalchand Navalrai: Will the Honourable the Home Member kindly state whether, whenever any information is promised to be given to the Members, such information will always be placed on the table of the House, since, if it is not placed on the table of the House it is not printed in the debates and the attention of the Members of the House is not called to such information?

The Honourable Sir James Crerar: This question is rather frequently asked. Whether or not the information will be placed on the table of the House depends a great deal both on its volume and the contents. I cannot possibly undertake that, in all cases, information which is of an extremely bulky character will be laid on the table of the House, as it would involve very heavy printing expenditure and the inclusion of matter which may not be of permanent value in the records of the House.

Mr. Lalchand Navalrai: But it may be done when it is not very lengthy?

The Honourable Sir James Crerar: As I say, that is a matter for consideration on the merits of each particular case.

PAY OF LADY CLERKS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

523. ***Maulvi Muhammad Yakub:** Will Government be pleased to refer to parts (a) and (d) of starred question No. 134 answered on the 4th September, 1929, and starred question No. 341, answered on the 10th September, 1929, and state:

- (a) Whether in the office of the Director General, Posts and Telegraph a lady clerk in the grade of Rs. 55—155 can reach the

maximum of the grade within seven years and has to cross no efficiency bar, whereas, on the other hand, a male clerk will have to linger for at least 20 years, provided he is favoured to cross two efficiency bars at the stages of Rs. 80 and Rs. 115? If so, will Government be pleased to state the reasons for this difference?

- (b) Whether the pay of lady typists and stenographers in that office is consolidated? If so, why their Simla local allowance, etc., is not stopped? Is it a fact that no allowance for such employees is at all admissible under the Simla Allowances Code quoted?
- (c) Is it a fact that the pay of these lady employees is graded pay in the scales of Rs. 55—155 and 100—300, respectively, but that they are immediately brought to the Rs. 120 point? If so, why are their annual increments not withheld till they reach the point of Rs. 120 after 13 years and 4 years, respectively, by absorbing their annual increments?

The Honourable Sir Bhupendra Nath Mitra: (a) The reply to the first part is in the affirmative. As regards the second part, a higher minimum pay has been fixed by the Government of India for women clerks in the Director General's office with reference to the special economics conditions of this class of labour.

(b) The reply to the first part is in the negative and the second part does not arise. The reply to the last part is in the negative.

(c) The Honourable Member is referred to the reply already given to part (a) of this question.

I may, however, add that the question of the remuneration of lady clerks in the office of the Director General of Posts and Telegraphs will be further examined by Government.

LACK OF ACCOMMODATION FOR A LADY TYPIST IN NEW DELHI.

524. ***Maulvi Muhammad Yakub:** Will Government be pleased to refer to starred question No. 255, answered on the 9th September, 1929, and state how and why it was considered that it would be easier for a male clerk than for a lady typist to find accommodation in New Delhi?

Mr. H. A. Sams: A man can usually more easily find accommodation in a Mess or with friends than a woman can.

EXPENDITURE FOR THE MIGRATION TO DELHI OF A PORTION OF THE WIRELESS BRANCH OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

525. ***Maulvi Muhammad Yakub:** (a) Will Government be pleased to refer to answers to paragraphs (b) to (d) of starred question No. 251, dated the 9th September, 1929, and state:

- (i) how Government arrived at the decision of quoting the *additional* expenditure of Rs. 2,100 for the migration of the *remaining* staff of the Wireless Branch, and
- (ii) why the additional expenditure will not be either *nil* or a nominal sum of Rs. 100, at the most, if the remaining staff of the Wireless Branch also migrates to Delhi?

(b) Will Government be pleased to look at the following calculations carefully and state whether they are correct, and if so, whether the amount shown at (a) (i) above is correctly quoted?—

(i) Expenditure.		(ii) Savings.	
	Rs.		Rs.
On account of railway fares, etc., from and to Simla for two officers	750	On account of travelling allowance and halting, etc., for one officer who is usually required to go to Delhi at least twice during each winter	250
On account of railway fares, etc., from and to Simla for nine clerks	1,450	On account of Winter Allowance of Wireless Branch staff for five months	1,800
On account of railway fares, etc., from and to Simla for six peons	150	On account of coal and electric consumption, etc., for five months	150
On account of coolie hire for carriage of records containing at the most 200 bags to Simla and Delhi Post Offices only	50	On account of pay of sweeper for five months, because an entirely separate sweeper will not be required at Delhi for Wireless Branch	100
On account of carriage of records which are carried on Postal Service in the Postal Mail Van	Nil		
Total	2,400	Total	2,300

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). I am unable to trace now the precise details of the figure of Rs. 2,100 previously given to the Honourable Member, but it seems to have been a gross figure corresponding to the Honourable Member's figure of 2,400.

The Honourable Member's calculation appears to be approximately correct, so far as it goes, but it takes no account of the cost of office accommodation in New Delhi debitable to the Posts and Telegraphs Department. The Wireless Branch is located in Simla in the Telegraph Office which is a building of the Department and for which the Department as a whole has not to pay rent though inter-branch adjustments are made in the accounts. If the Wireless Branch is stationed at Delhi for the whole year or a part of the year, it will have to be located in a building other than that of the Posts and Telegraphs Department and the Department will have to pay rent for the accommodation which is calculated to amount to above Rs. 4,500 a year.

DUTIES IN DELHI OF THE SUPERINTENDENT OF THE WIRELESS OFFICE.

526. ***Maulvi Muhammad Yakub:** Will Government be pleased to refer to the reply to starred question No. 247, dated the 9th September, 1929, and state:

- (i) what are the details of daily duties performed by the Superintendent, Wireless Branch, during winter months while in Delhi;
- (ii) what are the details of daily duties of *special nature* performed by the Superintendent, Wireless Branch, in Delhi, during the absence of Director of Wireless on tour;

- (iii) whether the Superintendent, Wireless Branch, while in Delhi *ever* deals with any files of the branch which are of a technical nature and submits draft letters or notes, etc., if so, the number thereof per day;
- (iv) whether the Director-General has decided on the retention of non-Anglo-Indian Superintendents only at the headquarters of the branches concerned; and
- (v) whether the Superintendent, Wireless Branch, is exempted in any way from the operation of the Director-General's orders referred to at (iv) above, only because this Superintendent is an Ang'o-Indian?

Mr. H. A. Sams: (1) The Superintendent scrutinises all cases before they are submitted to the head of the branch. He notes on certain cases, and checks the correctness and completeness of references, supplements the notes and amends drafts, etc., in others, as may be necessary. He also arranges for the disposal of all correspondence for and from the head of the branch and sees to the proper disposal of work sent out by him.

(2) In the absence of the Director Wireless on tour the Superintendent in addition to carrying out the foregoing duties, in correspondence with the Director, deals as far as possible in cases of non-technical matters or, at his discretion submits these for orders to such other officers of the Directorate as can best deal with them. He also furnishes other officers in Delhi with such information and assistance relating to the affairs of the Wireless Branch as may be available and is required by them.

(3) The Superintendent handles both technical and non-technical cases as explained in reply to (1) dealing with an average of about 12 to 14 files daily. The files connected even with technical matters require attention from a non-technical point of view as regards referencing, recording and other detail of office procedure.

(4) No.

(5) Does not arise.

LOCATION OF THE WIRELESS OFFICE.

527. ***Maulvi Muhammad Yakub:** Will Government be pleased to refer to the replies to starred question No. 481, dated the 19th March, 1928, unstarred question No. 439, dated the 21st March, 1928, starred questions Nos. 226 and 227, dated the 8th September, 1928, and Nos. 243, 244, 246, and 251, dated the 9th September, 1929, and state:

- (i) in detail the intention of Government about (1) the transfer of the headquarters of the Wireless Branch, from Simla to Delhi, (2) the migration of the Wireless Branch, and (3) the location of the Wireless Branch in "Kennedy House" so long as the Branch is required to remain in Simla either in its entirety or as a camp office?
- (ii) whether any decision in the matter referred to at (e) of answer to question No. 439, quoted above has since been arrived at? If not, how long it will take more?

- (iii) whether any decision on the modification to give effect to the Wireless Branch also as referred to at (e) of answer to question No. 243, quoted above, has since been arrived at? If not, how long it will take more?
- (iv) what was the decision arrived at on the question of accommodating the Wireless Branch in "Kennedy House" referred to at (a) of answer to question No. 251 quoted above?
- (v) in 1929, before surrendering several rooms in "Kennedy House" whether the Director General (keeping in view the question of location of the Wireless Branch in that building) considered the question of shifting the Wireless Branch from the Central Telegraph Office building to "Kennedy House"? If so, what was the decision? If not, why not, and why was the question overlooked?
- (vi) whether the Estate Officer, New Delhi, has ever been asked for the provision of office and residential accommodation for the Wireless Branch and its small staff at New Delhi? If so, when and what reply was received from that officer? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (i), (ii) and (iii). The question of the location of the headquarters of the Wireless Branch is at present under consideration and it is expected that a final decision in the matter will be reached shortly. As already explained in my reply to the Honourable Member's starred question No. 525, the Branch is at present located in Simla in a building of the Posts and Telegraphs Department and this arrangement is economical to the Department as a whole.

(iv) For reasons already referred to the decision taken at the time was that no change should be made in the arrangements in regard to the Wireless Branch.

(v) The matter had not been overlooked; it was however considered desirable for reasons already given not to alter the existing arrangements of the Branch.

(vi) No, as the question of bringing the Wireless Branch down to New Delhi or otherwise has not yet been finally settled.

PAY AND DUTIES OF CLERKS IN THE SECRETARIAT AND IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

528. ***Maulvi Muhammad Yakub:** Will Government be pleased to refer to the starred question No. 165, answered on the 5th September, 1929, and state, in detail, the difference in the duties and pay between each class of assistants and clerks (including routine clerks) in the Secretariat proper and the office of the Director General, Posts and Telegraphs?

The Honourable Sir Bhupendra Nath Mitra: The scales of pay for assistants and clerks in the Government of India Secretariat and in the office of the Director General, Posts and Telegraphs compare as follows:—

(a) In the Secretariat there are in the First Division two time-scales, the upper being Rs. 375—25—500 and the lower Rs. 200—15—500. In the Second Division the scale is Rs. 100—8—300 with a special grade (for 10 per cent. of the permanent staff in the division) rising to Rs. 350. There is a Third Division of routine clerks and typists on Rs. 90—4—170.

(b) In the Office of the Director General, Posts and Telegraphs, the divisions are at present an upper one on Rs. 100—6—160—10—300 and a lower one on Rs. 55—5—155, and there are two head clerks on Rs. 160—10—200.

Subject to the provision of funds, it is however intended that from the 1st April, 1930, the scales for the Director General's office should be those usual in Attached Offices of the Government of India, being for Assistants Rs. 120—8—160—10—350 and for Clerks Rs. 75—4—115—5—155 with two head clerks on Rs. 160—5—175.

There are of course also Superintendents, stenographers, etc., both in the Secretariat and the Directorate but as regards these, I observe, the Honourable Member does not require information.

The Honourable Member will observe that the classes are not organised in precisely the same way in the Secretariat and in the Directorate. In any case it would be impossible to compare the duties of the several classes in the detail desired by the Honourable Member since the distinction is, as already indicated in the Honourable Sir James Crerar's reply on the 5th September, 1929, a difference of standard or quality of work. The Honourable Member will realise that generally speaking more important and more complicated questions connected with the higher administrative duties of Government have to be dealt with in the Secretariat than those handled in an attached office or subordinate department, and that a higher class of ministerial assistance is required.

The fact that the standards of qualification in the Secretariat and in the Attached Offices are different and that there could be no question of equalisation of pay was recognized by the Llewellyn Smith Committee on Secretariat procedure.

CONCESSIONS TO CLERKS FOR FEMALE DEPENDANTS TRAVELLING WITH THEM.

529. ***Maulvi Muhammad Yakub:** Will Government be pleased to refer to the starred question No. 397 answered on the 11th September, 1929, and state what reasonable objections (keeping in view the strict consideration of sex only) Government may have in extending the concession in question towards the female dependants accompanying clerks on move or transfer in receipt of pay less than Rs. 200 per mensem?

The Honourable Sir James Crerar: Dependants of Government servants derive their right to travelling facilities from officers on whom they are dependent, and Government could not contemplate giving them privileges to which the officers on whom they are dependent are not themselves entitled.

RAILWAY ACCOUNTS EXAMINATIONS.

530. ***Maulvi Muhammad Yakub:** (a) Is it a fact that, in the case of the Subordinate Accounts Service examination held under the control of the Financial Commissioner, Railways, the passing marks are much higher than those of the Subordinate Accounts Service examinations held by the Auditor General, Director of Railway Audit and Military Accounts Departments? If so, why?

(b) Is it a fact that the scale of pay of the railway service is less? If so, why?

(c) If the answers to parts (a) and (b) be in the affirmative, what immediate steps do Government propose to take to remove these anomalies?

Mr. A. A. L. Parsons: (a) Yes. Because the syllabuses are entirely different, the examination for the Railway Subordinate Accounts Service being designed to meet the requirements of Accounts after its separation from audit. The Railway Accounts Examination requires a more intensive study over a smaller field. The rules for the examination were approved by the Standing Finance Committee for Railways.

(b) For some grades in the Railway Subordinate Accounts Service the scale of pay is lower and for some it is higher. The organisation and conditions of service are different in the several departments.

(c) In view of the answer to questions (a) and (b), this question does not arise.

TEST ROOMS IN TELEGRAPH OFFICES.

531. ***Maulvi Muhammad Yakub:** (a) Will Government be pleased to state whether it is a fact that "test rooms" have been introduced in certain telegraph offices in India, and if so, where and when?

(b) What is the individual cost per each such test room installed?

(c) Do the introduction of test rooms involve extra cost of maintenance, if so, how and how much in each case?

(d) How does the additional cost compare in each such case above, with and without the test room?

(e) What is a test room actually? Is it correct to presume, that it indicates really the test or research bureau of a telegraph office in the technological sense?

(f) Has the test room been stabilized or standardised in the department as yet and its construction undertaken by the departmental works at Calcutta, or entrusted entirely to an expert, and if so, who may he be?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. A test room was installed in the Central Telegraph Office, New Delhi, when that office was being fitted for the first time in 1925. A similar test room is now being installed in the Agra Central Telegraph Office.

(b) No additional cost on account of a test room is incurred when a new telegraph office is being first fitted. In the case of the Agra Central Telegraph Office the estimated cost of the work is Rs. 47,940, but this represents largely cost of additional apparatus, like repeater sets, etc., for the more efficient disposal of traffic which, I understand, would have been required in any case later on.

(c) No.

(d) Does not arise.

(e) The term 'Test Room' means that the complicated technical apparatus instead of being spread out on individual tables in the instrument room of a telegraph office is centralised in a separate room and is solely under the supervision of the technical staff. It is not in the nature of a "Test or Research Bureau" of a telegraph office.

(f) The question of standardising the test room system will be examined after experience has been gained of its working in the Delhi and Agra offices.

The departmental works at Calcutta provide the required apparatus which is fitted up locally by the technical staff.

Mr. M. S. Aney: Why is it called the "test room" in view of the definition which the Honourable Member has given?

The Honourable Sir Bhupendra Nath Mitra: That is the name given to it by the technical officers, probably because they test the apparatus from there.

APPOINTMENT OF MEMBERS OF MINORITY COMMUNITIES IN RAILWAY AUDIT OFFICES.

532. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that, out of 871 subordinate staff employed in the various Government Audit Offices on Railways and in the office of the Director of Railway Audit on the 31st December, 1929, 797 are Hindus, 42 Muhammadans, 11 Anglo-Indians, 9 Sikhs, 8 Indian Christians and 4 of other communities?

(b) Will Government be pleased to state what steps the Accountant General, Railways, now the Director of Railway Audit, has taken to recruit the members of minority communities as per instructions of the Government of India promulgated in their Home Department letter No. F.-176/25-Est., dated the 5th February, 1926, and as per instructions issued by the Auditor General in his letter No. 652-NGE/94-E.-28, dated the 25th April, 1928?

(c) Will Government be pleased to state if preference is given to the members of minority communities in making appointments of accountants, senior accountants and Assistant Audit Officers out of qualified persons available? If not, why not?

(d) Will Government be pleased to state how many persons of minority communities have been confirmed as accountants and senior accountants in preference to others in railway audit offices since 1926? If the answer be in the negative, will Government please state reasons for the Government of India's orders not having been followed in railway audit offices?

(e) Will Government be pleased to state how it is proposed to fill up the newly created posts of two Assistant Audit Officers, eight senior accountants, 15 accountants and 63 clerks recently sanctioned in connection with the "extended audit scheme" on Company railways? Will an opportunity be taken to recruit the members of minority communities to increase their percentage representation in railway audit offices? Is it a fact that such percentage at present is 4.87 Muslims, 1.3 per cent. Anglo-Indians, 1 per cent. Sikhs, 0.9 per cent. Christians, and 0.9 other communities, against 91.5 per cent. Hindus.

(f) Will Government be pleased to state how many senior accountants, accountants and clerks qualified as accountants, belonging to the minority communities are employed in the office of the Director of Railway Audit and in the offices subordinate to him and how many of these will be able to get a lift as a matter of course due to their position on

seniority lists, and how many out of turn in view of communal representation, against the posts of two Assistant Audit Officers, eight senior accountants, and 15 accountants recently sanctioned by the Government of India in connection with the "extended audit scheme"?

The Honourable Sir George Schuster: (a) The figures mentioned by the Honourable Member are approximately correct.

(b) Recruitment to clerical grades is made by the heads of the various Railway Audit Offices themselves, who have strict instructions to follow the orders of the Government of India referred to by the Honourable Member. The position in respect of the recruitment of candidates during each calendar year is also reviewed annually both by the Director of Railway Audit and by the Auditor General.

(c) Appointments of senior accountants and Assistant Audit Officers are made by promotion on grounds of seniority and merit from the ranks of accountants and senior accountants, respectively; and no preference is given to the members of any community in respect of such appointments. Appointments to the rank of accountants are made partly by direct recruitment as probationary accountants and partly by promotion of qualified clerks who are already in service, and the orders of the Government of India are always borne in mind when appointing direct recruits.

(d) In view of the answer I have just given to paragraph (c), the question of preference can arise only in respect of direct appointments as probationary accountants. Only 4 such appointments have been made since 1926. Two out of the 4 recruits were members of minority communities appointed on the results of a competitive examination. The question of preference has, therefore, not arisen so far.

(e) The answer to the first question is that the matter is still under consideration, but it is unlikely that the number of new appointments otherwise than by examination will be large. The answer to the second question is that the percentages are likely to be increased, inasmuch as, in making all new appointments, the orders of the Government of India in respect of recruitment of minority communities will be fully borne in mind. The percentages mentioned in the third part of this question are approximately correct.

(f) The numbers of senior accountants, accountants and clerks qualified as accountants belonging to the minority communities and borne on establishments under the control of the Director of Railway Audit are 6, 12 and 5, respectively. In view of the position explained in the answers to questions (c) and (e), it is not possible at present to give any reply to the second part of this question.

APPOINTMENT OF INDIANS AS DIPLOMATIC REPRESENTATIVES.

533. ***Mr. Gaya Prasad Singh:** (a) Will Government be pleased to state if Indians are eligible for appointment as diplomatic representatives in any Asiatic country, or elsewhere?

(b) Is it a fact that rules and regulations in this connection prescribe that candidates for the Diplomatic Service "must be natural-born British subjects, and born within the United Kingdom, or in one of the self-governing Dominions, of parents also born within those territories"? If so, how are Indians excluded from holding such appointments?

(c) Will Government be pleased to state how many diplomatic representatives are at present employed, whose salaries or other expenditure fall on Indian revenues? What is the approximate annual expenditure out of Indian revenues in connection with such appointments, and in what countries are they appointed?

Mr. E. B. Howell: (a) and (b). Indians are not eligible for employment in His Majesty's Diplomatic Service in virtue of the rule quoted by the Honourable Member.

(c) The whole cost of the diplomatic representative in Afghanistan and half the cost of the diplomatic representative in Persia are borne from Indian revenues. A lump sum contribution is paid from Indian revenues towards the cost of diplomatic and Consular representation in China, and of certain Consulates in Siam.

The exact figures are being ascertained and will be communicated to the Honourable Member in due course.

Mr. Gaya Prasad Singh: Are Government aware, that, in the House of Commons, replying to a question of Major Graham Pole, Mr. Arthur Henderson said that the regulations prescribe that candidates for the Diplomatic Service must be natural-born British subjects and born within the United Kingdom, or in one of the self-governing Dominions, of parents also born within those territories? I have got this from a copy of the *Amrita Bazar Patrika* dated the 23rd February, 1930, in my hand.

Mr. E. B. Howell: Sir, that is the same wording as the regulation quoted in the question of the Honourable Member.

Mr. Gaya Prasad Singh: But you said Indians are eligible.

Mr. E. B. Howell: I said they were not.

Mr. Gaya Prasad Singh: I am sorry, I could not hear you properly.

Sir Hari Singh Gour: Will the Government be pleased to state why Indians are not eligible for the Diplomatic Service?

Mr. E. B. Howell: I have no information, Sir, except the rule which has just been quoted.

Sir Hari Singh Gour: When was that rule made?

Mr. E. B. Howell: It is an old rule; I cannot tell you exactly when it was made.

Sir Hari Singh Gour: Have the Government considered the advisability of altering the rule or amending it so as to remove this racial discrimination against Indians?

Mr. E. B. Howell: Might I ask for notice of that question?

Sir Hari Singh Gour: Would the Honourable Member take this question as notice and see that the injustice is redressed as early as possible?

Mr. Arthur Moore: Is it not a fact that, under the operation of the rule, if India became a self-governing Dominion,* Indians would automatically become eligible for such posts?

Mr. E. B. Howell: That would appear to follow, Sir.

Sir Hari Singh Gour: The Honourable Member has not replied to my question.

Mr. E. B. Howell: I do not think a matter of ten days will make any great difference.

Pandit Hirday Nath Kunzru: Have the Government of India made any representations to His Majesty's Government on the subject?

Mr. E. B. Howell: I require notice of that question too.

Mr. M. S. Aney: Have the Government of India ever thought that this meant any injustice to Indians?

Mr. E. B. Howell: What the Government of India think is a matter of opinion.

CONTRIBUTIONS MADE BY INDIA FOR RECRUITMENT AND TRAINING OF
ROYAL AIR FORCE UNITS.

534. ***Mr. Gaya Prasad Singh:** Will Government be pleased to state the total amounts contributed by the Government of India every year during the last five years to the Air Ministry on account of recruitment, and training of personnel of the Royal Air Force, including transport charges, and direct expenditure on pay and maintenance of the Royal Air Force units in India?

Mr. G. M. Young: A statement giving the information is laid on the table.

Statement laid on the table with reference to starred question No. 534.

Year.	Total cost of R. A. F. to Indian Revenues.	Payment to Air Ministry in respect of recruitment and training.	Cost of sea transport.	Charges other than (3) and (4) including pay and maintenance i.e., column (2) minus columns (3) and (4).
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
1925-26	1,87,29,000	10,00,000	1,60,000	1,75,69,000
1926-27	1,79,02,000	10,00,000	2,50,000	1,66,52,000
1927-28	1,85,15,000	10,00,000	2,50,000	1,72,65,000
1928-29	2,26,50,000	13,33,000	4,66,660	2,08,50,340
1929-30	2,38,00,000	14,40,000	3,67,000	2,19,93,000

CONVEYANCE OF MAILS IN CALCUTTA BY GARAGE (CALCUTTA) LTD.

535. ***Mr. S. C. Mitra:** (a) With reference to paragraph 16 of the agreement between the Garage (Calcutta) Ltd., Calcutta and the Director General of Posts and Telegraphs, for the conveyance of mails of the Calcutta General Post Office and the town sub-offices by motor cars, will Government be pleased to state whether any record is kept of the failure on the part of the Company in conveying any mail bag or postal articles in time?

(b) Is it a fact that, during the year 1929, sectional mails had to be detained on many occasions for the failure of the Company to take mail or parcel bags to the railway stations?

(c) Have Government inquired from the Eastern Bengal Railway, Bengal Nagpur Railway and East Indian Railway authorities, on how many days the mail trains had to be detained due to the failure on the part of the said Company to convey the mails in time?

(d) Will Government be pleased to state how many reports were received by the Postmaster General, Bengal and Assam Circle, about the failure of the Company to convey mails, etc., in time or for breakdown for other causes? If so, what action was taken by the Postmaster General? If not, why not?

Mr. H. A. Sams: (a) The answer to the Honourable Member's enquiry is in the affirmative.

(b) and (c). No. Only on two occasions during the last ten months have detentions of a few minutes only taken place.

(d) Reports of the breakdowns mentioned in the reply to part (b) of this question were received by the Postmaster-General. No action was taken against the contractors owing to the very short duration of the detention. Breakdowns of an unimportant nature come under the notice of the Presidency Postmaster, Calcutta, who takes such action as the occasion demands.

APPOINTMENT OF TOWN INSPECTORS OF POST OFFICES IN CALCUTTA.

536. ***Mr. S. C. Mitra:** (a) Is it a fact that five officials of the moffussil, who passed the Inspectorship examination, were appointed as Town Inspectors of Calcutta and afterwards absorbed in the lowest selection grade posts of Calcutta to make room for old Town Inspectors?

(b) Is it a fact that the above selection grade appointments were reserved for the officials of the Calcutta General Post Office and the vacancies in that grade should therefore have been filled up by the senior clerks of the Calcutta General Post Office?

(c) Is it a fact that, as a result of the representation of the Union, one of the five imported passed Inspectors was retransferred to the moffussil?

(d) If the reply to part (c) be in the affirmative, will Government be pleased to state why the other four imported men have not yet been transferred from Calcutta, so as not to block the promotion of senior men?

(e) Will Government be pleased to state, how many vacancies there were in the Bengal and Assam Circle, in the line of Inspectors and Head Clerks to Superintendents during the year 1929-30, and give an idea when these four men will be transferred to the moffussil?

The Honourable Sir Bhupendra Nath Mitra: The information is being collected and will be supplied to the Honourable Member in due course.

APPOINTMENTS IN THE POSTAL DEPARTMENT IN CALCUTTA.

537. ***Mr. S. C. Mitra:** (a) Is it a fact that in spite of several vacancies existing in the lowest selection grade posts in Calcutta, they have not been filled up by the Postmaster General Bengal and Assam Circle?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state why these appointments have not been filled up?

(c) Is it a fact that the Postmaster General has not filled up all vacancies and that he intends to fill up one vacancy of Supervisor of Accounts Department of the Calcutta General Post Office by a man who passed the accountants' examination?

The Honourable Sir Bhupendra Nath Mitra: (a) No. The vacancies have been filled temporarily pending the publication of the results of the selection grade examination held in December last.

(b) Does not arise.

(c) As regards the first part, it will be seen from the reply to part (a) of the question that the reply is in the negative. As regards the second part, the Postmaster-General has recently filled the post of Supervisor of the Accounts Department of the Calcutta General Post Office, the designation of which post has now been changed to "Assistant Accountant", provisionally by an official who has passed the Accountants' examination.

APPOINTMENT OF AN ACCOUNTANT IN THE CALCUTTA GENERAL POST OFFICE.

538. ***Mr. S. C. Mitra:** (a) Is it a fact that Mr. J. N. Gupta, Investigating Inspector of the office of the Postmaster-General, Bengal and Assam Circle, was appointed as Accountant, Calcutta General Post Office, in the grade of Rs. 250—350 in October, 1928, superseding the claims of about 199 officials in the grade of Rs. 160—250 who were senior to him?

(b) Is it a fact, that after representation from the Union, his appointment order has been cancelled, but that he has been allowed to act in that appointment provisionally?

(c) If so, will Government be pleased to state why such special favour has been shown to Mr. Gupta? Is there no senior official in the Calcutta General Post Office who can work as an accountant there?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes, Mr. Gupta was appointed by superseding the claims of 192 not 199 officials.

(b) Yes, but he has been promoted to the post provisionally so long as he works in and is considered suitable for the appointment.

(c) Mr. Gupta was promoted by the Postmaster General, Bengal and Assam Circle, in 1928 in consideration of his special qualifications. On a representation being made by the men who had been superseded, the Postmaster-General's order was modified by the Director-General to the extent that Mr. Gupta's promotion to the post should be provisional, that he should be made permanent in the grade of Rs. 250—20—350 when his

turn comes in the ordinary course and that his seniors in the grade of Rs. 160—10—250 will, on promotion to the grade of Rs. 250—20—350, be placed above him.

GRATUITIES PAID FROM THE INTEREST OF THE POSTAL GUARANTEE FUND.

539. ***Mr. S. C. Mitra:** (a) With reference to the reply to Rai Sahib Harbilas Sarda's starred question No. 607 of the 17th September, 1929, in the Legislative Assembly, will Government be pleased to state why, out of the interest of the guarantee fund, which was built up solely by the contributions of the postal employees, compassionate gratuity was paid to employees other than those of the Postal Department?

(b) Will Government be pleased to state how many applications praying for compassionate gratuity were received by the Director General of Posts and Telegraphs during the period from (i) families of the postal employees (ii) other employees and how many of (i) and (ii) were granted compassionate gratuity?

The Honourable Sir Bhupendra Nath Mitra: (a) The Honourable Member's attention is drawn to the reply given by the Honourable Mr. A. C. McWatters on the 4th September, 1928, in the Legislative Assembly to unstarred question No. 45 by Khan Bahadur Sarfaraz Hussain Khan, and also to the reply given by the Honourable Sir B. N. Mitra on the 17th February, 1930, to starred question No. 353 by Mr. M. Anwar-ul-Azim. Compassionate gratuity is no longer paid out of the interest of the Guarantee Fund. This Fund was abolished with effect from 1st April, 1926, and the balance at its credit was credited in the accounts of the Posts and Telegraphs Department. Since the year 1926-27 a sum of Rs. 20,000 is being provided annually in the budget of the Department for the payment of compassionate gratuity to the dependents of its employees (both Postal and Telegraph), who are left in indigent circumstances. This amount includes a sum of Rs. 18,000 which is approximately equal to the average annual payments of compassionate gratuities to dependents of Postal employees during the last few years of the Post Office Guarantee Fund's existence and a sum of Rs. 2,000 which was formerly provided every year in the budget for gratuities to Telegraph employees or their dependents.

(b) The number of applications received from the beginning of 1926-27, to the end of 1928-29 from families of (i) Postal employees, (ii) other employees, was 790 and 152 respectively, and the number of cases in which compassionate gratuity was granted was 301 and 37 respectively.

TRANSFER OF POSTMASTERS.

540. ***Mr. S. C. Mitra:** (a) Is it a fact that the gazetted Postmasters drawing a pay of Rs. 350 per mensem and upwards and the Superintendents of Post Offices and R. M. S. and Assistant Postmasters General, have got the same administrative powers?

(b) Is it a fact that the Superintendents and Assistant Postmasters-General but not the gazetted Postmasters are transferred after every three years?

(c) If so, will Government be pleased to state why these gazetted Postmasters or gazetted Deputy Postmasters are not transferred after every three years?

Mr. H. A. Sams: (a) The administrative powers of Superintendents of post offices and gazetted Postmasters in charge of first class head offices are almost the same in their respective jurisdictions. Assistant Postmasters-General do not exercise any independent administrative powers.

(b) Superintendents are ordinarily transferred every 3 years and Assistant Postmasters-General every 5 years. No period has been fixed for the transfer of gazetted Postmasters.

(c) The exercise of administrative control has no connection with the periodical transfers of Superintendents and Assistant Postmasters General. There is, therefore, no question of transferring gazetted Postmasters and Deputy Postmasters on the analogy of Superintendents of post offices.

ACCOMMODATION FOR INDIAN APPRENTICES AT THE KHARAGPUR RAILWAY WORKSHOPS.

541. ***Mr. S. C. Mitra:** (a) With reference to their answer to my starred question in the Legislative Assembly No. 491 (a) and (b), dated the 16th September, 1929, will Government please state how the question of accommodating the Indian apprentices in the existing hostel for European and Anglo-Indian apprentices in the Bengal Nagpur Railway Workshops at Kharagpur now stands, and when the decision is expected?

(b) Are Government aware that the Indian apprentices of the Kharagpur Railway Workshops have been without accommodation ever since the system of apprenticeship training for Indians was introduced by the Railway?

(c) Are Government prepared to instruct the Railway to expedite their consideration of this point in particular? If not, why not?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to answer questions Nos. 541, 542 and 546 together. A Report on the matters referred to has been called for from the Agent, Bengal Nagpur Railway and I will send the Honourable Member a reply to his enquiries when it is received.

TRAINING OF INDIAN AND ANGLO-INDIAN AND EUROPEAN APPRENTICES AT THE KHARAGPUR RAILWAY WORKSHOP.

†542. ***Mr. S. C. Mitra:** With reference to their answers to my starred questions in the Legislative Assembly, Nos. 494, 496 (a) and 863 (a) and (b), dated the 16th and 25th September, 1929, respectively, will Government be pleased to state how the proposal for removing all distinctions in theoretical training of the Indian Grade "A" apprentices in the Bengal Nagpur Railway Workshops at Kharagpur, in order to bring them to the level of the training for all purposes with that given to the Anglo-Indian and European apprentices there, now stands, and when the decisions are expected?

INCREMENTS OF PAY OF APPRENTICES AT THE KHARAGPUR WORKSHOPS.

543. ***Mr. S. C. Mitra:** With reference to the Government's answer to my starred question in the Legislative Assembly No. 493, dated the 16th September, 1929, regarding increments to count for *entire* probationary

†For answer to this question, see answer to question No. 541.

period of services of apprentices in the Bengal Nagpur Railway Workshops at Kharagpur, will Government be pleased to reconsider the question once again and give the proper and requisite answer? If not, why not?

Mr. A. A. L. Parsons: I presume that the Honourable Member wishes to know how the period of probation in excess of 6 months which might have been allowed in particular cases has been treated for purposes of reckoning increments.

I have called for a full report from the Agent, Bengal Nagpur Railway on this point and will communicate with the Honourable Member when it is received.

RACIAL DISCRIMINATION IN GRANT OF PROVIDENT FUND TO APPRENTICES OF THE KHARAGPUR WORKSHOPS.

544. ***Mr. S. C. Mitra:** Is it a fact that the European and Anglo-Indian apprentices of the Kharagpur Railway Workshops are eligible, on their confirmation, to join the Railway Provident Fund of the Bengal Nagpur Railway, but that the Indian "A" Grade apprentices are not allowed to do so? If so, will Government be pleased to state what are the reasons of this discrimination?

Mr. A. A. L. Parsons: I am obtaining the required information from the Bengal Nagpur Railway and shall communicate later with the Honourable Member.

GRANT OF A GOOD CONDUCT BONUS TO ANGLO-INDIAN AND EUROPEAN APPRENTICES AT KHARAGPUR.

545. ***Mr. S. C. Mitra:** Is it a fact that, under the rules, a good conduct bonus of Rs. 200, with a further sum of Rs. 100 to their credit in the Provident Fund, is given to the Anglo-Indian and European apprentices in the Bengal Nagpur Railway Workshops at Kharagpur, on satisfactory completion of their terms of apprenticeship? If so, will Government please state whether this concession is also allowed to the Indian "A" Grade apprentices there? If not, why not?

Mr. A. A. L. Parsons: I am obtaining the required information from the Bengal Nagpur Railway and shall communicate later with the Honourable Member.

PROBATIONARY PERIOD FOR INDIAN AND ANGLO-INDIAN AND EUROPEAN APPRENTICES AT KHARAGPUR.

†546. ***Mr. S. C. Mitra:** Is it a fact that, under the rules for recruitment of apprentices in the Kharagpur Railway Workshops, the probationary period of the Indian "A" Grade apprentices has been fixed as six months and in the case of the Anglo-Indian and European apprentices, it is three months? If so, will Government please state the reasons for this differential treatment?

†For answer to this question, see answer to question No. 541.

ACADEMIC QUALIFICATIONS OF SUPERINTENDENTS AND ASSISTANT
SUPERINTENDENTS OF THE ARCHÆOLOGICAL SURVEY OF INDIA.

547. **Sheikh Mushir Husain Kidwai:** (a) Will the Government of India be pleased to state what academic qualifications are considered necessary for the appointments of Superintendents and Assistant Superintendents of the Archæological Survey of India?

(b) Is it a fact that, as in other scientific departments of the Government of India, a high technical knowledge of archæology or any of the branches of study comprising the subject is not considered essential for admission to gazetted posts in this Department?

(c) Are Government aware that the standards of scholarship and learning have lamentably deteriorated of late owing to the appointment of persons not properly qualified?

Sir Frank Noyce: (a) I would invite the Honourable Member's attention to the answer given to part (a) of the Honourable Mr. G. S. Khaparde's question No. 69 on 27th February 1928, in the Council of State. Persons when first appointed to the Archæological Department are expected to have a sound working knowledge of one or more of the following subjects, i.e., Architecture, Indian languages, history, pre-historic antiquities and excavations, etc., according to the branch of the work for which recruitment is made. Fitness for promotion to the superior posts of the Department such as those of Superintendents is acquired by practical experience which in India the Department alone can provide.

(b) As I have already explained to the honourable member in my answer to part (a) of the question, selection for first appointment to the Department is based primarily on the possession by candidates of a foundation of linguistic, historical or architectural knowledge or of proficiency in more than one of these subjects according to the nature of the work for which recruitment is made. The Archæological Department differs from the other Scientific Departments of Government in that, outside it, there exists no agency which provides facilities for specialisation such as are available in respect of the various branches of Physical Science, e.g., Chemistry, Mineralogy, etc.

(c) No.

UNSATISFACTORY ARCHÆOLOGICAL REPORTS.

548. ***Sheikh Mushir Husain Kidwai:** Has the attention of the Government been drawn to the circular No. 333-69, dated 1st July, 1929, issued by the Director General of Archæology in which the officer admits that many of the contributions to the annual reports were lamentably poor, drawn up carelessly and illogically and in such indifferent literary style that it has been necessary to rewrite them?

Sir Frank Noyce: Government's attention was not drawn to the circular referred to by the Honourable Member until receipt of his question. The circular was issued by the Director General of Archæology in India in order to draw attention to the lapses of some members of the Department rather than to reflect upon the capacity of the personnel of the Department as a whole. It was intended to be treated as confidential, and Government would like to know how its contents came to be known to the Honourable Member. Government are assured by the Director General of Archæology that there is no justification whatsoever for thinking

that the efficiency of the Department as a whole is today in any way below the high level which has always been characteristic of the Archæological Survey of India.

STANDARD OF SCHOLARSHIP IN THE ARCHÆOLOGICAL DEPARTMENT.

549. ***Sheikh Mushir Husain Kidwai:** (a) What steps do Government intend to take to raise the standard of scholarship in the Archæological Department?

(b) Do Government intend to thresh out the whole question of appointments in this Department, if necessary, with the help of an expert committee?

Sir Frank Noyce: (a) In view of the answer given by me to question No. 941 Government do not consider that any action is necessary to raise the standard of scholarship in the Archæological Department.

(b) No.

APPOINTMENT OF DIRECTOR GENERAL OF ARCHÆOLOGY.

550. ***Sheikh Mushir Husain Kidwai:** (a) Have Government considered the question of appointing a successor to Sir John Marshall, as Director General of Archæology?

(b) What are the names and qualifications of the officers who have been appointed to act in his place during the last three years?

Sir Frank Noyce: (a) An officer has already been appointed to officiate as Director General of Archæology in place of Sir John Marshall.

(b) A statement giving the information asked for is laid on the table of the House.

Statement.

Year.	Name of officer.	Period for which he officiated as Director-General of Archæology.	Qualifications.
1927	No officiating appointment was made in this year.		Both Messrs. Hargreaves and Blakiston are experienced officers of the Department in which they have been serving since 1909 and 1911 respectively. Mr. Hargreaves did admirable conservation work in the Northern Circle and has also made valuable contributions to archæological research. Mr. Blakiston is a first class architect. Both officers have shown great administrative ability in all the appointments they have held.
1928	Mr. J. F. Blakiston	6th September 1928 to 7th October 1928.	
	Mr. H. Hargreaves	8th October 1928 to date.	
1929	Mr. Hargreaves officiated for Sir John Marshall throughout the year.		

QUALIFICATIONS OF OFFICERS OF THE ARCHÆOLOGICAL DEPARTMENT.

551. ***Sheikh Mushir Husain Kidwai:** (a) Will Government be pleased to state what are the qualifications of the Superintendents and Assistant Superintendents of the Archæological Department?

(b) How many officers in the Archæological Department have passed the age of superannuation?

(c) On what grounds have Government considered it necessary to retain them in service?

(d) Have Government considered the question of filling these appointments by appointment of competent persons?

(e) How many officers of the grade not lower than Superintendents are expected to reach the age of superannuation within the next four years?

(f) Do Government intend to appoint persons in the grade of Assistant Superintendents or to raise fresh incumbents to the post of Superintendents?

(g) How many officers of the general line, i.e., Superintendents and Assistant Superintendents of the Archæological Survey are graduates of Indian or foreign universities?

(h) How many of them are conversant with oriental languages like Sanskrit, Pali and Prakrit, Arabic, Persian, etc.?

(i) Will Government be pleased to state whether it is considered necessary to have a larger proportion of people with linguistic qualifications in the cadre of the Archæological Department? If not, why not?

Sir Frank Noyce: (a) I would invite the Honourable Member's attention to the answer given by me to part (a) of question No. 547.

(b) Two.

(c) In the interests of the public service. Both the officers are engaged upon literary work which cannot be entrusted to others.

(d) Yes.

(e) Seven.

(f) If the Honourable Member wishes to know whether it is intended to appoint men from outside the Archæological Survey to succeed Superintendents now in service, the answer is that Government have no such intention at present, as no difficulty is anticipated in finding from the junior ranks of the Department officers who would be fully qualified to fill vacancies among Superintendents as and when these occur.

(g) 17 out of a total strength of 21 permanent officers.

(h) 19.

(i) No. The existing proportion of officers possessing linguistic qualifications to the total strength is fully adequate.

ARCHÆOLOGICAL PUBLICATIONS.

552. ***Sheikh Mushir Husain Kidwai:** (a) Will Government be pleased to state what steps have been taken to popularise the work of the Archæological Department among the general public?

(b) Is it a fact that the chief provincial publications have been discontinued during the last few years?

(c) Is it a fact that the Director General of Archæology in India has prohibited the publication of any article, even in the vernacular, by the provincial Superintendents or any of their staff?

(d) Does this rule obtain in all the scientific departments of the Government of India or does it apply exclusively to the Archæological Department?

(e) Is it the policy of Government to give every encouragement to the officers and the staff of the Archæological Survey to disseminate knowledge about India's past by all possible means?

Sir Frank Noyce: (a) The work of the Archæological Department is given publicity by means of departmental publications such as Annual and Special Reports, Memoirs and the like. Whenever a new discovery of importance is made, a press communiqué is also issued. The work of the Department is also reviewed annually by the Director of Public Information in his book "India".

(b) Yes; primarily as the result of Archæology having become a central subject under the Reforms.

(c) The contribution of articles, whether in an Indian vernacular or in English is not prohibited. All that is required is that, before such articles appear in publications other than departmental, the approval of the Government of India should be obtained. This condition is necessary in order to ensure that the results of Government Archæological work are made available simultaneously and on equal terms to every one.

(d) I am making inquiries and shall let the Honourable Member know the result in due course.

(e) Yes; Government are not aware that the practice observed by them in this matter in any way conflicts with the objective described by the Honourable Member.

PROMOTION OF ANGLO-INDIAN ACCOUNTS OFFICERS ON THE EAST INDIAN RAILWAY.

553. ***Mr. B. Das:** (a) Will Government be pleased to state if it is a fact that all the six Divisional Accounts Officers on the East Indian Railway are Anglo-Indians?

(b) Is it a fact that a large proportion of these officers were promoted from the Anglo-Indian Inspectors of Station Accounts?

(c) What is the reason for raising the post of the Inspector of Station Accounts to the officers' rank and putting them in the General Branch? Is it only to increase the number of Anglo-Indian element in the higher post?

Mr. A. A. L. Parsons: (a) Three are Anglo-Indians and three are Europeans.

(b) One of the three Anglo-Indians is a promoted Inspector of Station Accounts but he had been promoted by the Auditor General before he was loaned to the Financial Commissioner.

(c) In view of the replies to clauses (a) and (b) the question does not arise.

PROMOTION OF ANGLO-INDIAN ACCOUNTS OFFICERS ON THE
EAST INDIAN RAILWAY.

554. ***Mr. B. Das:** (a) Will Government be pleased to state if it is a fact that six more Divisional Accounts Officers will be required on the East Indian Railway for the six Divisions to introduce the Local Traffic accounts scheme?

(b) Is it a fact that the scheme is now being carried out by an Anglo-Indian officer who was previously the Head Booking Clerk of Delhi?

(c) Is it a fact that all these six officers are being selected from the Anglo-Indians? Is it a fact that two Anglo-Indian Inspectors also are to be given promotion under this scheme?

(d) Are Government aware that invariably the members of this community are monopolising all the higher posts on the East Indian Railway? Why are they getting preference?

(e) Are Government prepared to look into this and put a stop to this preferential treatment to the members of a particular community?

Mr. A. A. L. Parsons: (a) Yes, but only three of the posts are additional, as there will be a reduction of three posts in the head office.

(b) No. The previous Head Booking Clerk of Delhi, who is an Anglo-Indian, is only one of the six District Traffic Accounts Officers.

(c) Only one appointment has been made so far, viz., the promoted Head Booking Clerk of Delhi mentioned in the answer to (b) above. The question of filling the remaining two additional posts has not yet arisen.

(d) and (e). No one is getting any preference in the matter of promotion because he belongs to a particular community. The majority of the upper grade subordinates that have come to the State from the East Indian Railway Company are Anglo-Indians.

Lieut.-Colonel H. A. J. Gidney: Arising out of the Honourable Member's reply to part (d) of this question, will he state whether it is or is not a fact that, during the year 1929, while there was a marked increase of Indians in the upper subordinates grade, the number of Anglo-Indians employed on the East Indian Railway including upper subordinates was reduced by 253, or 10 per cent. of their total number; and if that is a fact, is it preferential (as is stated in part (d) of the question) or differential treatment?

Mr. A. A. L. Parsons: The Honourable Member will not expect me to carry the figures in my head; I am content, if the figures appear in a public Report, to accept them from him.

FACILITIES IN INDIA GRANTED TO THE DUTCH AIR SERVICE.

555. ***Mr. Gaya Prasad Singh:** Is it a fact that the question of giving "further facilities" to the Dutch air flights across India is being considered by Government, and if so, will they be pleased to make a statement on the subject so as to allay any apprehension that the Indian revenues may be charged for providing facilities to a foreign air service, or that a foreign air service may establish itself in India?

The Honourable Sir Bhupendra Nath Mitra: The permission of Government for further trial flights between Holland and the Dutch East Indies has been asked for and the matter is now under consideration by Government. If permission is given, no facilities other than those referred to in the reply given by me in this House on 20th January 1930 to part (c) of the Honourable Member's question No. 19, will be afforded.

Mr. Gaya Prasad Singh: I was then not here as I had resigned; will the Honourable Member kindly repeat that answer?

The Honourable Sir Bhupendra Nath Mitra: I have not got the answer with me at the present moment; but my Honourable friend will find it printed in the reports of the House.

CLASSIFICATION OF COMMUNITIES FOR APPOINTMENT IN THE SERVICE.

556. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state, whether the following Resolution was passed by the Assembly on the 10th of March, 1928?

"That this Assembly recommends to the Governor General in Council that in making new recruitment for the services under the control of the Central Government, steps be taken to secure, that the services are not unduly overweighted with representatives of any one community or province and that as far as possible claims of all communities and provinces are considered."

(b) Has any effect been given to this Resolution as yet?

(c) Does the classification of communities into majority and minority date from the passing of the said Resolution?

(d) Are the depressed classes, the Sikhs, Parsis and Indian Christians counted with the majority community for the purposes of representation in the services of the Crown under this Resolution?

(e) Which are the minority communities contemplated by the Government of India Circular No. F-176/25-Ests., dated the 5th February 1926?

(f) Are not the depressed classes numbered as sixty millions in this country? Are they classed with the minorities?

(g) Who are these "others" mentioned in the Railway Board's Report for 1928-29, who are also considered as belonging to the minority communities?

The Honourable Sir James Crerar: (a) and (b). The reply is in the affirmative.

(c) I would refer the Honourable Member to my reply to his question No. 64, on the 3rd September last.

(d) Sikhs, Parsis, and Indian Christians are among the classes generally recognised as requiring consideration in accordance with the principles of the Resolution.

(e) There has been no precise definition of the term "minority communities".

(f) It was computed at the Census of 1921 that the depressed classes numbered between 55 and 60 millions in India proper. It is understood

that certain castes included under the general description of depressed classes are treated as minority communities by certain local Governments.

(g) The term "other classes" refers to communities not specifically mentioned in the statements included in the report.

Nawab Sir Sahibzada Abdul Qaiyum: Have the Government of India ever considered how the caste Hindus, who appear to have monopolised or captured Government services, compare with Muslims in numbers after excluding the Buddhists, the Sikhs and other smaller communities now forming part of the majority community and whether untouchables, who form a very large part of the Indian population and are classed as Hindus or as part of the majority community, are counted as such in securing services for the Hindus?

The Honourable Sir James Crerar: I think, if the Honourable Member will re-peruse the various debates in this House and the answers that have been given, he will find that these matters have been carefully considered.

As regards the specific question he asked regarding the depressed classes, I have already pointed out that some Local Governments do feel that certain sections included under that general definition are minority communities.

Nawab Sir Sahibzada Abdul Qaiyum: Do Government propose to isolate the Mussalmans from the rest of the population of India for the purposes of services, just as has been done with respect to representation in the Assembly and Local Councils, by declaring certain constituencies as Muhammadan and the rest as Non-Muhammadan? Will Government see the advisability of separating or isolating the Muhammadans altogether from the rest of the Indians and give them a share in the services according to their numbers?

The Honourable Sir James Crerar: I shall examine the suggestion made by the Honourable Member.

Mr. M. S. Aney: Is the Honourable Member aware that, at the All-India Minorities Conference, the covener had also invited the depressed classes to attend it?

The Honourable Sir James Crerar: I am afraid I could not catch the Honourable Member. Will he kindly repeat his question?

Mr. M. S. Aney: Is the Honourable Member aware that at the All-India Minorities Conference the depressed classes were also invited to attend it? Is the Government aware of it?

The Honourable Sir James Crerar: I do not think that arises out of this question.

Mr. Gaya Prasad Singh: Have claims of all the different provinces been taken into account in terms of the Resolution to which reference has been made in the question?

(No answer was given.)

TRAINING OF INDIANS FOR RAILWAY SERVICES.

557. ***Mr. Bhupatiraju Sitaramaraju:** Will Government be pleased to state what progress has been made with regard to the technical training of Indians in the several provinces of India, both for the superior and the subordinate grades of the railway services, and the system of selection and training of the young men appointed probationers in the Traffic Department on Indian Railways, and if so, what is the number that are being trained now, and how many of them are Hindus, how many Mussalmans, and how many Anglo-Indians, and how many Indian Christians?

Mr. A. A. L. Parsons: Information on the subject is not available by Provinces. On the State-managed railways there are 39 special apprentices who are receiving training for the Mechanical Engineering and the Transportation Power branches. The distribution of this number among the communities is as follows:

Hindus	..	..	..	..	..	22
Muhammadans	..	..	..	..	..	9
Anglo-Indians	..	..	..	..	..	5
Indian Christians	..	..	..	..	..	2
Parsee	..	..	..	..	..	1
Total						39

There are also at present 19 probationers of Asiatic domicile in the Superior establishment in the Transportation Traffic and Commercial Branches of State-managed railways. The distribution of this number among the different communities is as follows:

Muslim	..	..	..	..	..	1
Hindus	..	..	..	..	..	16
Indian Christian	..	..	..	..	..	1
Sikh	..	..	..	..	..	1
Total						19

Government are not in possession of information showing the number of apprentices and probationers in the Superior establishments of Company-managed railways.

The regulations for the recruitment of probationers in the Superior Traffic Transportation and Commercial Branches of State-managed railways are in the Library of the House.

Each railway administration has prescribed its own rules for the training of the subordinate establishment, but the question of obtaining some uniformity on State-managed railways is under consideration.

Government are not aware of the number of subordinates who are at present receiving training in the Traffic Department of Indian Railways.

HIGH RATE OF INTEREST FOR RECENT STERLING LOAN.

558. ***Mr. Bhupatiraju Sitaramaraju**: Will Government be pleased to state (i) why the sterling loan was borrowed at six per cent.; (ii) whether the amount could not be raised in India, and (iii) whether the high rate offered had anything to do with the Lahore resolutions?

The Honourable Sir George Schuster: I would invite the Honourable Member's attention to paragraphs 92 and 93 of my budget speech where he will find my answers to his queries.

CONSTRUCTION OF THE VIZAGAPATAM HARBOUR.

559. ***Mr. Bhupatiraju Sitaramaraju**: (a) Will Government be pleased to state when the harbour construction at Vizagapatam is likely to be finished, and what is the amount already spent and what amount is yet to be spent for the purpose?

(b) Will the Vizianagram to Raipur Railway be completed by the time the Vizagapatam Harbour work is completed, and is there any prospect of opening both in 1931, as originally contemplated?

Mr. A. A. L. Parsons: (a) It is hoped that work on the construction of the Vizagapatam Harbour will be sufficiently advanced to allow ships to be berthed in 1932. The amount spent on construction of the Harbour up to the 30th September, 1929, was approximately Rs. 161.93 lakhs. The latest forecast of total expenditure is Rs. 286½ lakhs.

(b) Yes. Portions of the Raipur-Vizianagram Railway between Raipur Jhonk and Parbatipur-Vizianagram have already been opened and the balance of the line is expected to be ready in 1932.

DESTINATION OF THE BUDDHA RELIC FOUND AT PALNAD.

560. ***Mr. Bhupatiraju Sitaramaraju**: Will Government be pleased to state whether they have decided the destination of the real find in Palnad taluk in the Krishna district by Mr. Longhurst of the Indian Archaeological Survey, of Buddha's relic?

Sir Frank Noyce: No. The matter is still under consideration.

CLAIM BY INDIA FOR WAR SERVICES RENDERED TO BRITAIN.

561. ***Mr. Bhupatiraju Sitaramaraju**: Will Government be pleased to state whether India's claim of seventy million sterling in Britain in connection with war services, apart from one hundred million pounds sterling voluntarily given by India, has been settled by the War Office?

The Honourable Sir George Schuster: There has never, so far as I can ascertain, been any question of a claim by India of seventy million sterling in connection with war services. I have ascertained from the Honourable Member that his question refers to the general settlement of war claims and that he wishes to know:

(a) the net amount paid by India over and above the original contribution of one hundred million sterling; and

(b) whether there are any outstanding claims by India against the British Government and *vice versa*.

As to the first point, a further contribution of £15,600,000 was made in accordance with a Resolution passed by the Imperial Legislative Council in September 1918. This payment was made at the time, but still awaits formal ratification by a Resolution of Parliament.

As to the second point, there are certain outstanding claims and counter-claims. These have been the subject of prolonged discussion, and I can indicate that Government expect shortly to be able to announce a final settlement of all war claims.

DETERMINATION OF LAND REVENUE POLICY BY PROVINCIAL LEGISLATURES.

562. ***Mr. Bhupatiraju Sitaramaraju**: (a) Will Government be pleased to state whether the Government of India allow freedom to Local Governments to deal with land revenue policy as they deem best, and if so, have the provincial legislatures any determining voice in the matter?

(b) If so, have such powers so far been exercised by any of the provincial legislatures?

(c) If the provincial legislatures are not given this freedom, do the Government of India propose to take steps to give such freedom to them?

Sir Frank Noyce: (a) Under the Devolution Rules land revenue administration is a provincial subject and Local Governments are free to deal with questions affecting land revenue policy in their respective provinces, subject to the general powers of superintendence, direction and control possessed by the Government of India. The powers of local legislatures are defined in the Government of India Act.

(b) The general principles of land revenue assessment have been embodied in Acts passed by the local legislatures of the United Provinces, Central Provinces and the Punjab. Similar legislation is under consideration in Bombay and Assam and the necessary Bills will be introduced in due course in the local Legislative Councils.

(c) Does not arise.

PERCENTAGE OF VACANCIES IN THE INDIAN FOREST SERVICE FILLED BY PROMOTION OF OFFICERS OF THE PROVINCIAL FOREST SERVICE.

563. ***Mr. S. C. Mitra**: (a) In reply to Mr. K. C. Neogy on the 12th September, 1928, the Government stated "12½ per cent. of the total Indian Forest Service cadre was set apart in 1921 for promotion of Provincial Forest Service Officers as a result of the recommendation of the Islington Commission. This proportion of posts is now held by Provincial Forest Service officers and it is the intention of Government to fill each vacancy in this portion of the cadre by promotion from the Provincial Forest Service. This will give, during the period 1928—34, officers of the Provincial Service 10 vacancies out of 24 or 41.66 per cent. of the total number of vacancies."

Will Government be pleased to state why particularly a period of seven years was taken for the purpose of calculation? Is it that, in that year, the figure for the posts likely to be held by provincial officers is at its highest, or is there any other reason?

(b) Is it not a fact that according to the calculations shown by Government there ought to be 14 vacancies within the period 1928—34 to be

filled up by direct recruits? Is it a fact that already six Indians and four Europeans have been recruited and seven more are undergoing training, four of whom will be appointed in 1930 and three in 1931?

Sir Frank Noyce: No special significance attaches to the period of seven years for which vacancies among promoted Provincial Forest Service officers were calculated in answering the question referred to by the Honourable Member. This period was chosen merely because figures for it happened to be readily available. In calculating vacancies due to superannuation, fairly long periods have to be taken into account; otherwise no clear indication could be obtained of the average rate of retirement. If the period in question had been three years, say to the end of 1931, the share of Provincial Forest Service officers of the total number of vacancies then expected would have come to 40 per cent. or only 1.66 less than the percentage mentioned in the answer given to Mr. Neogy.

(b) The facts are as stated. The increase in the actuals of direct recruitment is explained by the fact that the figure 14 mentioned by the Honourable Member related only to vacancies due to superannuation.

LACK OF LISTED POSTS IN THE FOREST DEPARTMENT.

564. ***Mr. S. C. Mitra:** (a) Is it a fact, that there has been a substantial increase in the number of listed posts in almost all other departments except Forest, subsequent to the Lee Commission?

(b) If the reply to part (a) is in the affirmative, will Government explain if there are any particular reasons for this differential treatment of the provincial officers of this Department?

Sir Frank Noyce: (a) There has been an increase in the number of listed posts in the Indian Civil Service and Indian Police Service.

(b) The main question is one of Indianisation rather than one of the sources from which Indian recruits should be drawn. In the Indian Forest Service the proportion of posts reserved for Indians is higher than in either of the other two all-India Services mentioned in the answer to part (a). In order that Indians should receive higher training in Forestry in India before appointment to the Indian Forest Service, the Government of India expanded the College of Forestry at Dehra Dun at a cost of nearly five lakhs on buildings and equipment and an additional expenditure of approximately Rs. 86,000 on the staff. The number of Indian probationers who have been receiving instruction at the College before appointment to the Indian Forest Service in any one year works out at an average of 4, and the chances are that in the near future it may fall even below this number. The proportion of posts reserved for promoted Provincial Forest Service officers can be increased only at the expense of direct Indian recruits and consequently at the expense of the College of Forestry at Dehra Dun which might as well be closed if the number of direct recruits is to fall well below the small figure of 4 a year. The Government of India, therefore, thought that it would be better to await the Report of the Indian Statutory Commission, when the future of the control of Forests could be clearly visualised, before deciding to vary the existing system of recruitment for the Indian Forest Service. For, if the next step should be assimilation of the position of the Indian Forest Service to that of other all-India Services operating in the transferred field, the question of increasing the proportion of

posts open to promoted officers would become largely one for each Local Government to decide. Government are, however, now considering whether anything can be done in the meantime to increase the proportion of posts open to Provincial Forest Service officers without materially reducing the average number of Indians now annually chosen for training at Dehra Dun and the Honourable Member may rest assured that, if something can be done in this direction, it will be done.

RECRUITMENT IN THE INDIAN FOREST SERVICE.

565. ***Mr. S. C. Mitra:** (a) Is it a fact that the Government of India, in letter No. 1270, dated 12th October, 1922, in reply to the memorials submitted by the Provincial Forest Service officers said "having regard to the similarity in the character of the duties to be performed in the so-called 'major' and 'minor' charges, it may be that we shall propose some increase in the number of posts in the Imperial Service as open to the Provincial Service"?

(b) If the reply to part (a) is in the affirmative, will Government state whether they have come to any decision on this point, within the last seven years?

(c) Is it a fact that four Europeans have been directly recruited in the Indian Forest Service against six Indians within the last two years? Will Government explain how this is consistent with the proportion fixed by the Lee Commission (*i.e.*, 75 per cent. should be Indians and 25 per cent. Europeans)?

Sir Frank Noyce: (a) No.

(b) I have already explained the position in my answer to part (b) of the immediately preceding question.

(c) Four Europeans were appointed to the Indian Forest Service in 1929, but this was not as against six Indians, but in order to make up the European ratio of 1=3 which, but for these four appointments, would have fallen to 3=26.

PROMOTION OF PERMANENT ENGINEERING SUPERVISORS, TELEGRAPHS.

566. ***Mr. Gaya Prasad Singh:** (a) Have the Government of India in the Department of Industries and Labour in their letter No. 107-PTE. dated the 18th April, 1927, sanctioned the withholding of promotions of permanent Engineering Supervisors, Telegraphs (General Branch), appointed according to the old method in force prior to January, 1929, to the grade of Deputy Assistant Engineers, or does this letter only sanction recruitment to the grade of Engineering Supervisors?

(b) How many Engineering Supervisors (recruited according to the old method) have been thus affected by this sanction and debarred from rising above the rank of Supervisors? Is it not a fact that some Supervisors were given only one chance to appear for the examination referred to in part (b) of my unstarred question No. 177 of the 16th September, 1929, regarding the system of recruitment to Telegraph Engineering Branches?

(c) If Government have not sanctioned the withholding of further promotions of Engineering Supervisors (recruited according to the old method) to the grade of Deputy Assistant Engineers, how do Government propose to reconcile their reply to part (b) of my unstarred question No. 177 of the

16th September, 1929? Are Government aware that in answer to the same question Government refused to take five Indians? If so, why then Engineering Supervisors, Messrs. J. E. W. Underwood, W. C. Duncan, T. P. D'Abreu, were sent to the Chief Electrician's Office, Calcutta, for training? What was the object of training these three men in the Chief Electrician's office?

(d) Did the above three Supervisors fail to pass the examination referred to in part (b) of my unstarred question No. 177 of the 16th September, 1929? If so, why were these persons selected for training in the Telegraph Store-yard, Calcutta, in the office of the Chief Electrician?

(e) Is it not a fact that no permanent Indian Engineering Supervisor, Telegraphs, was admitted for training in the Chief Electrician's Office, Calcutta, while 14 Anglo-Indians in 1927, and three more this year have been sent up for subsequent appointments as Deputy Assistant Engineers?

(f) Do Government propose to make inquiries whether this is due to favour shown to a particular community?

The Honourable Sir Bhupendra Nath Mitra: (a) In the letter quoted the Government of India issued orders introducing a revised method of recruitment and training of candidates for the cadre of Engineering Supervisors. Consequent on the issue of these orders, the method of training Engineering Supervisors for subsequent promotion to the cadre of Deputy Assistant Engineers which was previously in force was abolished.

(b) The number is 21. The reply to the second part of the question is in the affirmative.

(c) In view of the reply at (a) above the first part of the question does not arise. The answer to the second part is in the affirmative.

Although Messrs. Underwood, White (not Duncan) and D'Abreu failed in the examination held in 1927, they had passed a previous similar examination in 1926, but owing to being over age they were not permitted to join training class in 1926. On reconsideration it was admitted by the Director-General that, as from the point of view of practical fitness they were thoroughly qualified to perform the duties of Deputy Assistant Engineers and they had passed an examination as already stated they deserved exemption from the age limit. The Government of India therefore permitted them, as a special case, to undergo the same course of training as was prescribed for appointment as Engineering Supervisors, selected under the new method in 1929, for subsequent employment as Deputy Assistant Engineers on successful completion of the course.

(d) The reply to the latter part of (c) covers this part.

(e) Yes—as only one Indian candidate qualified at the admission examination in 1927 and he subsequently failed to pass the examination held at the conclusion of six months' training.

(f) No. Government are satisfied that no favour has been shown to any particular community in this matter.

DISCHARGE OF ONE IMAMUDDIN, A DRIVER IN THE NORTH WESTERN RAILWAY.

567. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government please state the reason or reasons why one Imamuddin, son of Kasam, who was a F. P. driver in the North Western Railway on the Wazirabad-Lahore section, was discharged from service?

(b) Is it a fact that the said Imamuddin was injured, while on duty, twice,—once in 1925, and for the second time in 1927?

(c) If the answer to part (b) be in the affirmative, was any compensation paid to him under the Workmen's Compensation Act? If not, why not?

(d) Has any gratuity been paid to the said Imamuddin? If not, why not?

Mr. A. A. L. Parsons: I have asked the Agent, North Western Railway, for a report, and will communicate with the Honourable Member on its receipt.

UNDERWRITING COMMISSION PAID FOR FLOATATION OF THE RECENT STERLING LOAN.

568. ***Mr. Ghanshyam Das Birla:** (a) Will Government be pleased to state the amount of underwriting commission, if any, paid in connection with the floatation of the recent Sterling Loan of £6 millions?

(b) What is the figure to which the rate of interest works out taking into consideration the discount, interest, premium, underwriting commission, and other charges, if any?

The Honourable Sir George Schuster: (a) Underwriting commission paid was at the usual rate of $1\frac{1}{4}$ per cent.

(b) Taking into account all charges, the rate of interest works out to £7-5-8 per cent. if the loan is repaid in 1932 and £7-8-9 per cent. if repaid in 1933. It is of course obvious that in the case of a short loan like the present one the underwriting and other charges on issue if calculated in the form of an annual percentage work out at a comparatively high figure. These charges are the normal expenses on issues payable by all borrowers in London and do not reflect in any way on the credit of the borrower.

FALL IN THE PRICE OF SILVER.

569. ***Mr. Ghanshyam Das Birla:** (a) Has the attention of Government been drawn to the following Reuter's message, dated London, the 17th February, appearing in the newspapers of February 19th, 1930?

"Mr. Li Ming, Chairman of the Bank of China, has issued a statement that 'the present low value of silver is entirely due to the Indo-China change to the gold standard, combined with indiscriminate selling of surplus of silver by the Indian Treasury.'"

"Shanghai stocks", he says, "are not too large because the bulk are reserves against notes in circulation." Mr. Li Ming anticipates an increased need for silver in China, and adds that the adoption of a gold standard by China is impossible in the near future. If, and when it is adopted, no gold coins are contemplated and therefore China must continue to be a large buyer of silver for coinage purposes."

(b) Is the Honourable the Finance Member prepared to modify the statement made by him while replying to Sir Purshotamdas Thakurdas in the Legislative Assembly on the 4th February, 1930, when, as reported in the papers, he said, among other things that "it was not primarily the action of the Government of India which brought about the fall in silver prices" and that "the depreciation had been caused by the fact that China, Indo-China were selling silver"?

The Honourable Sir George Schuster: (a) Yes.

(b) I maintain that the reply which I gave to Sir Purshotamdas Thakurdas was substantially correct. I cannot agree with the statement quoted by the Honourable Member to the effect that the selling by the Government of India has been 'indiscriminate' and the chief factor in the recent fall. According to my information, the chief factors in the fall in the last three months (during which the Government of India have made no sales in the London market) have been sales of 50 million ounces from Indo-China, and substantial forward operations in the market by Chinese holders of silver. I would call the Honourable Member's attention particularly to the fact that whereas the Government of India have only sold 67·8 million ounces since the Currency Commission's Report (i.e., in 3½ years) the Banque d'Indo-China are reported to have sold 50 million ounces in the last few weeks. I would also call attention to the fact that the Government of India have not sold any refined silver below a basis of 22½ pence per ounce in London. I agree that India has been a factor in the general world position, but this was unavoidable because the known large surplus stocks held by us would have been a depressing factor whether we had sold or not.

TOTAL OF SILVER RUPEES IN CIRCULATION.

570. *Mr. Ghanshyam Das Birla: Will Government be pleased to give their estimate of the total silver rupee circulation at present?

The Honourable Sir George Schuster: Statement XXX of the last annual report of the Controller of the Currency gives the total of rupees coined. As no information can be obtained as to the total amount of rupees melted, exported and lost, Government prefers not to give an estimate of the silver rupee circulation.

PROPORTION OF THE REGISTERED DEBT OF INDIA IN RUPEES HELD BY EUROPEANS.

57. *Mr. Ghanshyam Das Birla: Will Government be pleased to state the proportion of the registered debt of India in rupees held by Europeans on the 31st December of 1917 and 1929?

The Honourable Sir George Schuster: The information is not available. As a very small portion of the rupee debt is registered, any conclusions regarding the total debt based on the figures of the registered debt would be misleading.

MAJORITY AND MINORITY COMMUNITIES IN BURMA AND NORTH-WEST FRONTIER PROVINCE.

572. *Mr. Anwar-ul-Azim: Will Government be pleased to state which are the majority and minority communities in Burma, and the North-West Frontier Province, and what method is adopted in those provinces in the matter of recruitments in the public services, which are under the Central Government?

The Honourable Sir James Crerar: In regard to the first part of the question, further enquiries are being made, and I shall be glad to furnish the Honourable Member with the information in due course.

As to the second part, the Government of India hope shortly to be in a position to issue instructions in the matter.

DELHI ELECTRIC SUPPLY AND TRACTION COMPANY.

573. *Mr. K. C. Roy: (a) Is it a fact that the Delhi Electric Supply and Traction Company is a company of foreign domicile with a completely foreign Board of Directors?

(b) Is it a fact that the Company has, in the course of 23 years ending the 31st December, 1928, built up assets worth about three times the subscribed capital, that for several years it has been paying a high dividend of 12 per cent., and that in addition shares to the extent of one third of the original number have been recently issued free to the existing shareholders?

(c) Is it a fact that the Municipal Committee and the Delhi public have made strong complaints against the rate charged by the Company for the current supplied, and against the working of the tramways?

(d) What steps do Government propose to take in order to stop the exploitation of the public of Delhi by a rich company of foreigners?

(e) Is it a fact that the Company have applied for the extension of their licence for fifty years from date, although their existing licence does not expire till 1947? What are the considerations underlying this course?

(f) Have Government considered the inadvisability of extending the licence of a foreign company for such a long time?

(g) In any case are Government prepared to give an undertaking that they will not commit the future generations irrevocably to any arrangement without giving this House an opportunity to discuss the matter?

The Honourable Sir Bhupendra Nath Mitra: With your permission, Sir, I propose to answer questions 573 and 574 together.

The information asked for is being collected and will be supplied to the Honourable Member in due course.

Mr. B. Das: In view of the national importance of the reply to these questions, will the Honourable Member lay it on the table of this House?

The Honourable Sir Bhupendra Nath Mitra: My Honourable friend is going back to the matter which was dealt with by my Honourable friend the Leader of the House a little while ago. When we get the answers, we shall duly consider whether they should be placed on the table of the House or copies placed in the Library, with reference to the practice which has been started on a suggestion made, or a ruling given, by a previous President of this House.

Mr. B. Das: On a point of order, Sir. If the answer is a long statement, the Honourable Member can place it in the Library or send it to the Member concerned. Here a definite question of public importance has been asked, and if the answer is sent to the Honourable Member, the House will be entirely in the dark. I hope you will give your ruling on the point whether in such cases the answer should not be given on the floor of the House.

Mr. President: The Honourable Members have a remedy if they choose to utilise it.

DELHI ELECTRIC SUPPLY AND TRACTION COMPANY.

†574 ***Mr. K. C. Roy:** (a) Is it a fact that a considerable part of the profits of the Delhi Electric Supply and Traction Company is being used in purchasing current from the Government Power Station at a cheap rate and selling it to the public at a much higher rate? What is the extent of the Company's profits through this arrangement?

(b) Is it a fact that on this account Government refused to supply current for street lighting to the Delhi Municipality and thereby forced it to pay much higher rates to the company?

(c) Is it a fact that negotiations are being carried on between the Director of the company and the Government for selling the Government power installation or failing that for supplying current from this installation at still cheaper rates?

(d) Are Government prepared to give an undertaking that they will take this House and the public fully into confidence in the matter?

DIFFERENCE IN PRICE OF ELECTRIC CURRENT SUPPLIED TO GOVERNMENT OFFICIALS AND PRIVATE INDIVIDUALS IN NEW DELHI.

575. ***Mr. K. C. Roy:** (a) Is it a fact that electric current is supplied from the Government Power House at the rate of three annas a unit to Government officials in New Delhi and at the rate of six annas a unit to private individuals in the same area?

(b) If the reply to part (a) is in the affirmative, what is the difference due to?

(c) What is the extent of loss, if any, which Government incur in supplying electric current at reduced rates to Government officials? If there is a gain what is the extent of the gain?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The higher rate for private consumers was fixed to correspond with the rate charged by the Company which supplies current in Delhi. I may add that the question of making a uniform charge for all consumers in the New Delhi area is now under the consideration of Government.

(c) Government incurs no loss in supplying current at a rate of three annas per unit. It is difficult to state what profit, if any, there is by supplying current at this rate, because a large amount of energy is supplied as power in different forms at different rates.

Pandit Hirday Nath Kunzru: If three annas per unit is charged to Government officials, why is double that rate charged to private consumers?

The Honourable Sir Bhupendra Nath Mitra: I have already answered that part of the question. If the Honourable Member had listened to the answer given to part (b) of Mr. Roy's question, he would have got the answer.

Pandit Hirday Nath Kunzru: Replying to part (b), the Honourable Member said that the question was under consideration. I was asking him, if it was a fact that three annas per unit was sufficient to cover the cost of generation of electricity, why private consumers were so long charged six annas. That question was not answered.

†For answer to this question, see answer to question No. 573.

The Honourable Sir Bhupendra Nath Mitra: I shall read out the answer again.

"The higher rate for private consumers was fixed to correspond with the rate charged by the Company which supplies current in Delhi."

That is the answer to the question put by my friend Pandit Hirday Nath Kunzru. The additional statement that I made was:

"I may add that the question of making a uniform charge for all consumers in the New Delhi area is now under the consideration of Government."

Pandit Hirday Nath Kunzru: That does not answer the question why there was a difference? Why did you permit that difference to continue?

The Honourable Sir Bhupendra Nath Mitra: There is no question of Government permitting it. The Company has levied the rate charged so far under the terms of its licence.

Pandit Hirday Nath Kunzru: Who is considering the question of equalising the rates?

The Honourable Sir Bhupendra Nath Mitra: I have already answered that question in my reply to the original question. I shall read the answer again.

Mr. President: Order, order.

Mr. B. Das: Has power been given in the licence to the Company to charge Government officials a smaller rate than the private consumers?

The Honourable Sir Bhupendra Nath Mitra: My Honourable friend has wholly misunderstood the answer. If he will kindly read the answer I have given, he will be able to understand the position more fully.

The Revd. J. C. Chatterjee: Have Government received a request from the Delhi Municipality that they should not sell the Government Power House to any company without consulting them nor enter into a lease with any company?

The Honourable Sir Bhupendra Nath Mitra: I submit that that question does not arise out of the questions that I have been so far answering.

Mr. M. R. Jayakar: In whose power is it to charge the new uniform rate, the Government or the company?

The Honourable Sir Bhupendra Nath Mitra: It is in the hands of Government. It is for the Government to consider that question, and that has been stated in my reply.

CLASSIFICATION OF GOVERNMENT QUARTERS IN NEW DELHI.

576. ***Mr. S. C. Mitra:** (a) With reference to sub-paragraph (a) of the reply to part (f) of Mr. G. Sarvotham Rao's starred question No. 73, dated the 20th January, 1930, regarding the classification of the types of Government quarters in New Delhi, will Government be pleased to state how many times the pay has been revised?

(b) Is it a fact that the pay has been revised only once since the fixation of the original classification? If so, why has the re-classification been introduced as many as three times after the original classification in 1921-22?

(c) With reference to sub-paragraph (b) of the reply to part (f) of Mr. G. Sarvotham Rao's starred question No. 73, dated the 20th January, 1930, will Government be pleased to state the number of different types of quarters built after each re-classification since 1921-22, both for orthodox and unorthodox men?

(d) Is it a fact that after each re-classification the number of the lowest types of quarters, i.e., 'D' type orthodox quarters were built beyond proportion to the building of other types? If so, will Government be pleased to state the reasons why only 'D' type quarters were constructed? Is it a fact that men with higher pay were forced to occupy them by means of re-classification and raising of the pay limits?

(e) Will Government be pleased to state why the equalisation of the percentage of quarters in each class was not made by the building of more higher types of quarters? Will they be pleased to state whether they adopted the method of re-classification and raising of the pay limits for the different types of quarters for equalising the percentage of the quarters in each class? If so, why?

The Honourable Sir Bhupendra Nath Mitra: With your permission, Sir, I propose to answer questions Nos. 576 and 577 together. The information is being collected and will be supplied to the Honourable Member in due course.

CONSTRUCTION OF "E" TYPE ORTHODOX AND "D" TYPE UNORTHODOX QUARTERS IN NEW DELHI.

†577. ***Mr. S. C. Mitra:** (a) Is it a fact that Government are constructing 'E' type orthodox quarters and 'D' type unorthodox quarters in New Delhi? If so, will Government be pleased to state the reasons for their doing so? Have Government under contemplation any revision of pay?

(b) Is it a fact that men who were living in 'D' type orthodox quarters and 'C' type unorthodox quarters since 1921-22 will be forced to live in quarters like those built for duffries by another impending re-classification? If there has been no revision of pay now, why do Government propose to have another re-classification?

GOVERNMENT QUARTERS AT KAITHU IN SIMLA.

578. ***Mr. S. C. Mitra:** (a) With reference to the reply to my starred questions Nos. 222 to 224, dated the 5th September, 1929, will Government be pleased to state whether the Kaithu quarters in Simla are in the form of blocks or are separate cottages? If they are in the form of separate cottages, will Government be pleased to state the reasons why these cottages have been reserved for Europeans only?

(b) Do Government propose to classify these quarters as Indian quarters? If not, why not?

(c) Will Government be pleased to state the reasons why Europeans and not Indians are given the benefit of living in cottages located so near the Secretariat?

(d) Do Government propose to remove this preferential treatment to Europeans?

†For answer to this question, see answer to question No. 576.

The Honourable Sir Bhupendra Nath Mitra: (a), (b), (c) and (d). All quarters in Kaithu are in separate houses—some houses contain one set of quarters, some two, while a few contain four sets of quarters. These quarters have been allotted to Europeans for the past 40 years at least and the quarters recently constructed at Phagli were expressly built to meet the needs of Indians. It is hardly correct to say that the quarters in Kaithu are nearer the Secretariat than those at Phagli, and I understand that there is little to choose between the two as regards the time taken to reach Government offices from them. Nor does the arrangement constitute a preferential treatment in favour of clerks living in the Kaithu quarters. As a matter of fact the quarters in Phagli are on the sunny side of the hill, while those in Kaithu are on the north side and many of them get little sun; the Phagli quarters are new and the Kaithu quarters are old; and the former have water laid on and modern sanitation while the latter have not these conveniences.

REFUSAL OF EUROPEAN STAFF TO OCCUPY GOVERNMENT QUARTERS AT SUMMER HILL, SIMLA.

579. ***Mr. S. C. Mitra:** (a) Is it a fact that the European staff of the Imperial Secretariat refused to go to Summer Hill European quarters? Will Government be pleased to state how many quarters for Europeans in Summer Hill were vacant in each of the years since they were constructed?

(b) Is it a fact that all European tenants of Kaithu quarters have selected old rates of house rent with a view to evading compulsory occupation of Summer Hill quarters built for the Europeans?

(c) Will Government be pleased to state the number of tenants of the 44 Kaithu quarters who selected finally the old rates of house rent?

(d) Is it a fact that men under the new rates of house rent are compelled to occupy Government quarters? If so, will Government be pleased to state how many Europeans under the new rates have been compelled to occupy European quarters at Summer Hill?

The Honourable Sir Bhupendra Nath Mitra: The information is being collected and will be supplied to the Honourable Member in due course.

MEMORIAL FROM THE CENTRAL BOARD OF REVENUE MINISTERIAL OFFICERS' UNION, BOMBAY.

580. ***Mr. Bhupatiraju Sitaramaraju:** (a) Will Government be pleased to state whether they received a memorial from the Central Board of Revenue Ministerial Officers' Union, Bombay, requesting a revision of the time-scale of pay of the ministerial staff of the Customs, Salt, Income-tax, Cotton Industry and Cotton Cess Departments of Bombay?

(b) If so, has the memorial been rejected?

(c) Have Government since sanctioned, subject to the vote of the Assembly, a revision of the time-scale of pay of the Income-tax officers of Bombay?

(d) What are the reasons for sanctioning a revision mentioned in (c) above and rejecting the memorial mentioned in (a) above?

(e) Is it a fact that the time-scale of pay of ministerial servants in all the departments in Bombay under the control of the Central Government except those under the Central Board of Revenue have been revised since 1922, while in the case of those under the Central Board of Revenue repeated requests and memorials have been negatived?

(f) What are the reasons and grounds for this refusal to the ministerial employees in Bombay under the control of the Central Board of Revenue?

The Honourable Sir George Schuster: (a) Yes.

(b) Yes.

(c) Yes.

(d) The principle that has been followed in fixing the pay of establishments under the Central Board of Revenue has been to regulate the scales of pay with close reference to the scales allowed by the Local Governments to their corresponding establishments. Judged by this criterion, the time scale of pay of Income-tax Officers in Bombay required alteration while those of clerks in the Central Revenue Departments in Bombay did not require any change.

(e) It is a fact that some of the ministerial establishment serving under the Central Government in Bombay especially those in the Audit and Accounts, Post and Telegraph and Currency and Mint Departments have had their pay revised since 1922, while the pay of ministerial ranks in the Departments under the Central Board of Revenue in Bombay has not been revised since 1922. I would observe that the Departments under the Central Board of Revenue were administered through Local Governments till comparatively recent times; and that the transfer of control was effected in Bombay between 1922 and 1926. The mere change in control did not, in the opinion of the Government of India, justify an increase of the pay of the staff.

(f) I am not prepared to admit that the staff in the Departments under the Central Board of Revenue in Bombay are not in receipt of a living wage.

UNSTARRED QUESTIONS AND ANSWERS.

CONTROL OF INTER-PROVINCIAL AIR SERVICES.

230. **Mr. H. P. Mody:** (a) Has the attention of the Government of India been drawn to a circular letter issued by Imperial Airways Limited, to various commercial firms in connection with a proposal to extend the London-Karachi service to Bombay?

(b) Have the Government of India been approached for a subsidy, and if so, will they be pleased to state what their attitude is going to be in view of their declared policy with regard to the direction and control of inter-provincial services?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes

(b) The answer to the first part is in the negative. The second part of the question does not, therefore, arise.

LAND OUTSIDE PESHAWAR CITY FOR THE CONSTRUCTION OF AN ISLAMIA HIGH SCHOOL.

231. **Maulvi Muhammad Yakub:** With reference to paragraph 4 of the reply given by Government to question No. 661, asked by Mr. Muhammad Ismail Khan, on the 19th February, 1929, on the subject of the refusal by the Peshawar District Headquarters to grant a piece of land outside Edwards Gate of Peshawar City for the construction of an Islamia High School, Peshawar Cantonment, on the ground that it was left open as a sanitary cordon between the city and cantonment, will Government be pleased to state if it is a fact that the land applied for has actually been used hitherto for public latrines?

Mr. G. M. Young: I am making enquiries and will let the Honourable Member know the result in due course.

INCONVENIENT TRAINS AND PLATFORMS AT ALIPUR SAYADAN STATION.

232. **Mr. Abdul Haye:** (a) Is it a fact that Alipur Sayadan on the Narowal Sialkot section of the North Western Railway is a mere flag station and has at present no siding?

(b) What is the ordinary stoppage of passenger trains at this station?

(c) Are Government aware that Alipur Sayadan, being the headquarters of a famous Muslim Pir, passengers from all parts of the country usually flock to this place in large numbers and that they are put to great inconvenience on account of short stoppage of passenger trains?

(d) Is it a fact that some time back, when a special train for this station was ordered, it had to be kept at Narowal for want of a siding at Alipur Sayadan?

(e) Are Government prepared to construct a siding at this station and remove the inconvenience due to short stoppage of trains?

Mr. A. A. L. Parsons: (a) Yes.

(b) Of the eight trains which are booked to stop at this station daily, seven are scheduled to halt for three minutes and one for two minutes.

(c), (d) and (e). I will obtain information on these points and communicate later with the Honourable Member.

INCONVENIENT TRAINS ON THE NAROWAL SHAHDARA LAHORE SECTION OF THE NORTH WESTERN RAILWAY.

233. **Mr. Abdul Haye:** (a) Is it a fact that on the Narowal Shahdara Lahore section of the North Western Railway no separate goods trains are run and that goods wagons are usually attached to the passenger trains?

(b) Is it a fact that passenger trains cannot observe scheduled timing on account of this arrangement and arrive at destination considerably late?

(c) Cannot this inconvenience to passengers be removed by running goods trains twice or thrice a week as need be?

Mr. A. A. L. Parsons: I see from the Working Time Table of the North Western Railway that the running of goods trains on this section has been provided for. I am ascertaining from the Agent of the North Western Railway whether, in actual practice, goods trains are run on the section and I will then address the Honourable Member further.

BREEDING CENTRES FOR COWS.

234. **Raja Raghunandan Prasad Singh:** (a) Will Government be pleased to name the breeding centres, if any, under Government control in the different provinces of India where cows in towns and cities going dry may be sent and kept until such time as they begin to give milk again?

(b) Have Government taken any steps to reduce the railway freight for transit of such cows to such centres? If not, do they propose to take any?

Sir Frank Noyce: (a) There are no such centres.

(b) Does not arise.

APPOINTMENT OF INDIANS TO THE INDIAN CIVIL SERVICE AND OTHER SERVICES.

235. **Mr. B. Sitaramaraju:** Will Government be pleased to state the percentage of Indians in the Indian Civil Service and the other all-India Services, giving the percentage of Indians to the total strength and maximum percentage of posts intended to be given to Indians, and the rates at which the appointments are at present being filled by Indians to the total number of appointments filled, and the number of years that will be necessary for Indians to attain the maximum percentage of posts open to them?

The Honourable Sir James Crerar: The Honourable Member is referred to the statement showing the progress of Indianisation in the Superior Civil Services which is annually placed in the Library of the House. This gives the number of European and Indian officers in service on the 1st January 1929, from which he will readily be able to ascertain the percentage of Indians in the various All-India Services to the total strength.

As regards the maximum percentage of posts which is aimed at the rate of Indianisation and the number of years in which the maximum will be reached, the Honourable Member is referred to chapter V of the Lee Commission's report, the recommendations in which have been generally accepted and are being acted upon.

CAPITATION CHARGES FOR THE ARMY.

236. **Mr. B. Sitaramaraju:** In view of the statement made by the Secretary of State for India that the incidence of capitation charges on India is under discussion with His Majesty's Government, will Government be pleased to state whether any decision has been arrived at even now?

The Honourable Sir George Schuster: The attention of the Honourable Member is invited to the answer which I gave on the 5th March to a similar question (No. 480) asked by Sir Hari Singh Gour.

WAGES OF WORKERS IN THE CALCUTTA MINT.

237. **Mr. Gaya Prasad Singh:** (a) Is it a fact that the workers of the Calcutta Mint are all daily-paid labourers, whereas the clerks and other supervising staff are all monthly-paid employees?

(b) Is it a fact that the workers of the Bombay Mint are mostly monthly-paid? Will Government please state the reasons of such differential treatment, and do Government propose to convert the daily-paid workers of the Calcutta Mint to monthly-paid? If not, why not?

(c) Is it a fact that the rate of wages of the workers of the Calcutta Mint is much less than that of the Bombay Mint?

(d) Is it a fact that the Calcutta Mint works on an average eight months in a year, and the workers are paid for the period they are put to work?

(e) Is it a fact that, according to the Mint rule, the workers are considered part and parcel of the permanent staff, and their conditions of service are similar to those of permanent monthly-paid staff, whereas they are not paid wages for the full 365 days?

(f) Is it a fact that the Calcutta Mint workers do not get any wages for Sundays and gazetted holidays, numbering 110 days in a year?

(g) Is it also a fact that the workers do not get any wages for the last Saturday of every month, on which day the Mint is closed for work?

The Honourable Sir George Schuster: With your permission, Sir, I will answer questions Nos. 237 to 243 together.

Government are obtaining certain information to enable them to reply fully to the Honourable Member's questions. A further answer will be sent to him as soon as possible.

PROVISION OF PENSIONS OR PROVIDENT FUND FOR WORKERS IN THE CALCUTTA MINT.

†238. **Mr. Gaya Prasad Singh:** (a) Is it a fact that the Calcutta Mint is purely a Government concern? Is it a fact that there are yet many employees on pensionable service? Is it a fact that, before 1910, the services of all the workers of the Calcutta Mint were governed by the pension rule? If so, will Government please state the reasons why the workers alone have been deprived of the advantage of pension, whereas the system has altogether not been withdrawn? Do Government propose to reintroduce the pension system again? If not, why not?

(b) When the pension system was withdrawn, what provisions were made for the workers after retirement? Do Government propose to extend the advantage of Provident Fund and gratuity to them as given in the case of State Railway workers?

HOUSING PROBLEM OF WORKERS IN THE CALCUTTA MINT.

†239. **Mr. Gaya Prasad Singh:** Are Government aware that the workers do not get any house or house allowance, whereas it is extended to the Mint Guards and high paid officials? Are Government aware that, in a busy city like Calcutta, even a hovel cannot be had on a rent of Rs. 8 per mensem in the interior of the city at a distance of five to six miles from the Mint, where the workers live? Do Government propose to consider this acute question of housing problem?

† For answer to this question, see answer to question No. 237.

MEDICAL AID FOR WORKERS IN THE CALCUTTA MINT.

†240. **Mr. Gaya Prasad Singh:** Is it a fact that the workers, who live a long distance from the Mint, do not get any advantage out of the doctor in the Mint and that the doctor does not attend to them when they fall sick at home? Do Government propose to make a better arrangement for medical aid?

FINES AND DISMISSALS IN THE CALCUTTA MINT.

†241. **Mr. Gaya Prasad Singh:** (a) What is the average fine imposed on the workers of the Calcutta Mint in a calendar year? How is the Fine Fund disposed of?

(b) Is it a fact that the workers are often discharged without a month's notice or without a month's wages in lieu thereof? If the answer be in the affirmative, do Government propose to stop this practice?

INDEBTEDNESS OF WORKERS IN THE CALCUTTA MINT.

†242. **Mr. Gaya Prasad Singh:** Is it a known fact that the workers often fall victims of Kabuli and other money-lenders by borrowing money at a very high rate of interest? To save this situation, do Government propose to start a co-operative credit society for the Mint workers?

GRIEVANCES OF WORKERS IN THE CALCUTTA MINT.

†243. **Mr. Gaya Prasad Singh:** Has the attention of Government been drawn to the *Basumati* and *Advance*, dated 21st February, 1930 under the heading "Mint Workers' Grievances", "Direct action contemplated" in which an ultimatum has been given to the Mint authorities that, if their grievances are not redressed by the 7th March, they may resort to direct action any day after the 7th? Is it a fact that the Mint Workers' Union submitted appeals and applications to the authorities during the last two months to secure their sympathy, but to no effect? If so, do Government propose to appoint a committee of inquiry to avoid an unhappy situation? If not, why not?

EVIDENCE RECORDED BY THE PRIMARY EDUCATION COMMITTEE.

244. **Mr. Gaya Prasad Singh:** (a) Will Government be pleased to state whether the Primary Education Committee did not record the oral evidence of Pandit Sohanlal or any other witness from Pushkar? If not, what are the reasons?

(b) Were all the public institutions and eminent public workers like Messrs. Gouri Shanker, H. Ojha, B. S. Pathik, and Hari Bhau Upadhyaya approached by the Education Committee to give their views on the subject of primary education in Rajputana?

Sir Frank Noyce: (a) The Committee received a written reply from Pandit Sohan Lal to the questionnaire issued by it. He was not examined orally as the memorandum he had submitted was clear and comprehensive and did not require elucidation. No witness from Pushkar was orally examined as, with the exception of Pandit Sohan Lal, no one from that centre had asked for or submitted a reply to the questionnaire.

†For answer to this question, see answer to question No. 237.

(b) Representatives of all the more important public institutions as well as the more important public workers were furnished with copies of the questionnaire of the committee and asked to submit their views. The gentlemen mentioned by the Honourable Member were not furnished with copies of the questionnaire but it was open to them to ask for a copy and to submit their written replies thereto. The Committee's tour in Ajmer-Merwara was widely known and various persons interested in primary education in Rajputana who had not been furnished with a copy of the questionnaire by the Committee asked for copies, which were furnished to them and to which they submitted replies.

ADMINISTRATION OF PUSHKAR BY THE SHAMLAT COMMITTEE.

245. **Mr. Gaya Prasad Singh:** (a) What is the average annual income of Pushkar Fair?

(b) What part of that income is spent for the welfare of Pushkar people, and what is done with the rest?

(c) What steps are being taken to save the pilgrims from rain and sun, and for the construction of wells in Pushkar?

(d) What was the object of the formation of the Shamlat Committee?

(e) Is it the fact that the Shamlat Committee spends more money than its income? If the reply is in the affirmative, why is it being maintained? And does its election take place annually? If not, why not?

(f) Is it a fact that Pandit Sohanlal's election is being rejected every time? If so, why?

(g) Are Government aware of the loss thus incurred and suffered by Mr. Sohanlal and others of his position? Who is responsible for this?

Mr. E. B. Howell: With your permission, Sir, I will answer questions Nos. 245, 246, 247, 248, 251 and 252 together. The information is being collected and will be communicated to the Honourable Member in due course.

LACK OF PUBLIC LATRINES IN PUSHKAR.

†246. **Mr. Gaya Prasad Singh:** Is it a fact that there are no public latrines and urinals in Pushkar, and yet people are prosecuted for the offences?

REPAIRS TO BARAHJI TEMPLE.

†247. **Mr. Gaya Prasad Singh:** Is it a fact that, though the temple of Barahji is auctioned every year, yet it is never repaired? If so, in what work is the income derived from the auction utilised?

CONSTRUCTION OF A METALLED ROAD IN PUSHKAR.

†248. **Mr. Gaya Prasad Singh:** (a) Is it a fact that no metalled road has been constructed in Pushkar town, which is only a half mile in length? Has the District Board constructed about eight miles of metalled road from Ajmer to the skirts of Pushkar?

(b) Did the people of Pushkar apply to the Commissioner of Ajmer-Merwara, demanding the construction of a road and the establishment of their own municipality?

†For answer to this question, see answer to question No. 245.

ESTABLISHMENT OF A DISPENSARY AT PUSHKAR.

249. **Mr. Gaya Prasad Singh:** Is it a fact that the question of establishing a dispensary at Pushkar has been under consideration of the Local Government, since about a year, and yet nothing has been done up to this time, in spite of the peoples' repeated requests and reminders? If so, what is the reason?

Sir Frank Noyce: The information asked for has been called for and will be supplied to the Honourable Member on receipt.

CLEANLINESS OF THE PUSHKAR GHATS.

250. **Mr. Gaya Prasad Singh:** What arrangement has been made to keep the Ghats of Pushkar "clean"? What amount is being spent on it annually?

Sir Frank Noyce: The information asked for has been called for and will be supplied to the Honourable Member on receipt.

MUHAMMADAN POLICE AT PUSHKAR.

†251. **Mr. Gaya Prasad Singh:** Is it a fact that, though Pushkar is a Hindu pilgrimage place with 90 per cent. of its population purely Hindu, all the police and other officers there are Muhammadans and the Hindu Sabha has protested against it?

ACCOUNTS OF THE SHAMLAT COMMITTEE.

†252. **Mr. Gaya Prasad Singh:** Is it a fact that, in case No. 280, Shamlat Committee *versus* P. Sohanlal Sharma, the Sub-Judge has observed, in his judgment on the 7th February, 1930, that the accounts of the Shamlat Committee were not reliable? If so, who is responsible for it?

SHORT NOTICE QUESTION AND ANSWER.

MESSAGE FROM HIS MAJESTY'S GOVERNMENT RE COTTON DUTY.

Pandit Thakur Das Bhargava: (i) Will the Government kindly lay on the table the message of His Majesty's Government referred to by the Finance Member in his budget speech and the correspondence between the Government of India and His Majesty's Government in connection with the same?

(ii) Will the Government kindly state if the budget proposals, at least the Tariff part of them, were placed before His Majesty's Government before they were presented to this House?

(iii) Is it a fact that the British cotton cloth manufacturers have reduced the prices of cotton cloth by ten per cent. in respect of such goods as are contracted to arrive in India in April 1930?

The Honourable Sir George Rainy: (i) I lay on the table a copy of the message of His Majesty's Government referred to by the Finance Member in his budget speech, together with the reply sent by the Government of India and the final message from His Majesty's Government.

†For answer to this question, see answer to question No. 245.

(ii) Proposals involving changes in taxation are invariably communicated to the Secretary of State for India before they are presented to this House.

(iii) The Government of India have received no information to this effect.

Telegram from the Secretary of State to His Excellency the Viceroy, dated the 8th February, 1930.

The Cabinet, with reference to proposed increase of Indian cotton duties, resolved, at a special meeting held this morning, that it would not be inconsistent with procedure governing now well-recognised Fiscal Autonomy Convention to make at this stage the following representations to the Government of India:

Firstly, probability that such an addition to duty would be likely to raise price of goods in India itself to great detriment to poorer classes generally in that country, and secondly, probability that such an addition to duty would have a disastrous effect here at this moment, an effect which Cabinet feels sure that you and your Legislature do not desire to create.

From both points of view Cabinet views with gravest apprehension proposed addition to duty and hopes that full weight will be given to above consideration.

Telegram from His Excellency the Viceroy to the Secretary of State, dated the 12th February, 1930.

Please see your telegram of the 8th instant. I have discussed with my Council the Cabinet representation and we are deeply impressed by a message of this nature. Nevertheless we feel bound to adhere to our main proposals.

It must be remembered, first, that we want revenue; secondly, that customs is our chief source; thirdly, that the general revenue tariff stands at 15 per cent., while the duty on cotton piece-goods is only 11 per cent.; fourthly, that Indian industry is suffering from deep depression, and that, as regards Bombay, the mills are approaching a desperate position which may affect the whole future of this important centre of Indian commerce and finance. Moreover in a year like the present when we have to impose heavy new taxation we could not, for revenue purposes, leave cotton duties alone.

As regards raising of the cost to the consumer, we believe that in those goods where external competition is chiefly felt, namely, plain grey shirtings and light sheetings and the cheaper coloured goods, internal competition will in any case keep prices down. As regards bleached goods and the finer qualities of grey and coloured goods which Lancashire mainly supplies a 4 per cent. increase in price cannot be represented as a crushing burden.

As regards the second point in the Cabinet representation, the danger to British interests, we recognise that the possible decline in the consumption of Lancashire goods may be a serious matter, but we are clearly bound to put India's interests first. We also recognise how important it is to India not to antagonise British opinion, and quite apart from this, we are of course concerned at this time to avoid unnecessary injury to British interests. We have carefully considered what we could do in this respect, and while we cannot modify the general application of the 15 per cent. revenue duty, we are prepared to propose to the Assembly that, as regards any additional and temporary protective measures, their application might be limited to non-British goods, and that in these circumstances there should be imposed in addition to the 15 per cent. revenue duty a 5 per cent. protective duty with a minimum of 3½ annas per pound, on plain grey goods against all cotton piece-goods from outside the United Kingdom. We should propose the protective duty for three years only and undertake to have its effects examined by the Tariff Board before the end of this period. We think it unlikely, having regard to the immense preponderance of British imports in the classes of bleached goods, of bordered grey goods and the finer coloured goods, that the additional duty would have any appreciable effect on prices.

In placing our proposals before the Assembly, we shall point out that, so far as we are aware, this is the first occasion on which the considered opinion of the Cabinet has been conveyed in this form to the Government of India and we are impressed with the significance of the precedent so established. We cannot ask the Assembly to commit

themselves to Imperial Preference as a principle, but merely to adopt a particular course which, in our judgment, is consistent with India's interests, at a critical juncture when much may depend on Indian response to British Government's appeal. We shall have to make it plain to the Assembly that while there are grounds for treating plain grey goods exceptionally we could not in any circumstances agree at the present stage and for the emergency purpose which we have in view to an additional protective duty of 5 per cent. on all classes of piece-goods irrespective of the country of origin, since the immediate benefit to the Indian producer would be wholly incommensurate with the burden imposed on the Indian consumer. We desire also to make it clear that, in a matter of this kind, after frankly stating our case, we should desire to elicit the most free expression of opinion from the Legislature, with whom the final decision must rest.

Telegram from the Secretary of State to His Excellency the Viceroy, dated the 19th February, 1930.

The Cabinet has received your telegram and recognising position of India under Tariff Autonomy Convention is precluded from offering any further comments on your proposals.

THE ABOLITION OF DEFERRED REBATES BILL.

APPOINTMENTS TO THE SELECT COMMITTEE.

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muhammadan Rural): Sir, I beg to move that Mr. B. Das, Sir Cowasji Jehangir, Mr. L. V. Heathcote and Mr. R. K. Shanmukham Chetty be appointed to the Select Committee on the Bill to provide for the abolition of the deferred rebates in the Coasting Trade of India.

Mr. President: You mean that those names be added to the names of the members of that Committee which has already been appointed.

Mr. Sarabhai Nemchand Haji: Yes, Sir. This motion is necessitated by the fact that, since the Select Committee was appointed, three of its members have resigned their seats in the Legislative Assembly, and I have put in the names of Mr. Das, Sir Cowasji Jehangir and Mr. Chetty in their places. Moreover, at the suggestion of the European Group, the name of Mr. Heathcote has also been added to serve in place of Colonel Crawford.

Sir, I move.

The motion was adopted.

THE GENERAL BUDGET—LIST OF DEMANDS—contd.

DEMAND NO. 17—TAXES ON INCOME.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 71,99,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Taxes on Income'."

Mr. President (to Mr. Lalchand Navalrai): What question does the Honourable Member wish to raise on this motion?

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): That the income-tax should not exist at all.

Mr. President: But the Honourable Member has mentioned in the motion, "Increase in Income-tax and super-tax".

Mr. Lalchand Navalrai: I will try to speak on both these subjects.

Mr. President: There are other cuts on which the Honourable Member might speak on these subjects.

Cutting down a Lump Sum of five per cent. to balance the Budget.

Sir Hari Singh Gour: (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I wish to try my luck once more at a 5 per cent. cut and if I do not fare better than I did yesterday I shall make no more motions. I just want to point out that the Honourable the Finance Member, in replying to my motion yesterday, either misunderstood me or I have not been able to explain myself correctly to him as well as to the House. When I asked this House to agree to an all-round 5 per cent. cut, I made it abundantly clear that I did not intend, nor, indeed, was an all-round 5 per cent. cut intended, to be a cut specifically under each Demand. The procedure that I asked the House to follow is a procedure which was successfully followed by the first Assembly in the years of deficit. The reason which led the first Assembly to adopt this all-round 5 per cent. cut was that the whole of the Budget had not been placed before the House. The Military Budget, which loomed then large and looms large now, was entirely outside the votable part of the Budget and we, the Members of the Assembly, could not revise nor, indeed, justify each individual item of expenditure, for the very simple reason that, even if we had the time to scrutinise each item of expenditure under each Demand, there would not be the time to go into the specific cuts justifying the cuts under each item. Therefore, the only course that we could think of was to lay down the policy of an all-round cut, and thus force the Government to make a further retrenchment in their general expenditure and to save the country from additional taxation.

Sir, in reply to my argument, the Honourable the Finance Member drew a red herring across the trail and said that, if the House were to allow this cut, the Customs Department would be a loser because certain staff will have to be dismissed or discharged and other reasons of that kind were given. In replying to me, however, he has entirely misunderstood the standpoint from which I approached this question, and those who voted with me yesterday had, I think, no doubt whatever in their mind that the reason why I had tabled that motion and why they went with me into the lobby yesterday was to force the hands of the Government and compel them to effect a general retrenchment in their Central expenditure. I pointed out yesterday, Sir, that this is perfectly possible, because the Honourable the Finance Member has appointed a retrenchment officer, and small retrenchments are expected on the recommendations which he is likely to make. The Honourable the Finance Member further assured the House that, so far as the military expenditure is concerned, the military are themselves now engaged upon the task of retrenching their expenditure. Consequently, the possibility of having some retrenchment in the near future is absolutely certain. As to what would be the amount of the retrenchments made under these two heads is a matter of conjecture, but let us hope that the retrenchments effected

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LEGISLATIVE ASSEMBLY.

[12TH MAR. 1930.]

[Sir Hari Singh Gour.]

both by the military and in the civil departments would suffice to balance the Budget.

My second point was this. I pointed out yesterday, and this point has been borne out by actual facts, that some of the additional expenditure is due to abnormal causes, not permanent but abnormal causes, due to the depression of world trade, and certain expenditure which is not of a recurring character. I said that, on that ground, this House would not be justified in permanently adding to the taxes of the country. I have a small book here entitled, "Statement showing additions and reductions sanctioned by the Governor General in Council in the non-voted grants for the year ending 31st March 1930". This book has been supplied to Honourable Members. Now, if Honourable Members would only turn to the pages of this small book, they would find that under the various heads mentioned in this book, there was over-budgeting, and Honourable Members know that, in various departments there is a practice of over-budgeting. If we are to make this cut of 5 per cent., the result will be that all these departments will apply their minds to the various heads under which they have asked for additional expenditure and there will be a general revision. In the Simla Session, if they are not able to make a five per cent. cut under one head, but are able to make only a two per cent. cut under one head, they can come back for a supplementary grant. That is what they did in the first Assembly. But some of my Honourable friends adorning the Nationalist Benches, some of my Honourable friends who follow Mr. Jinnah and some of my Honourable friends who form Members of the Central Muslim party yesterday abstained from voting because they were not quite sure as to what they were voting for. If they would only go into the lobby today, they will carry the motion and they would be entering a united protest against the increase of taxation, which is wholly unjustifiable in the circumstances of this year. I, therefore, ask, Sir, once more that the elected Members of this House should support this motion.

I have one more word to say in reply to my Honourable friend, Sir Hugh Cocke. He is, Sir, the author of the motion in favour of retrenchment. He pressed for a Rs. 100 token cut to force the hands of the Government to make all-round retrenchment and when the Government plainly asked him, "Are you pressing this motion, we are doing our best"—they always do their best and they never do anything else—he said, "No, I am going to press my motion", and this House went with him into the lobby and carried the motion. In view of the policy which this House has adopted, I ask this House, once more, to re-affirm that policy, by forcing the hands of the Government to make this all-round cut in the expenditure. Some of my Honourable friends say, "Five per cent. is too much, make it three per cent."; some others say, "Make it two", while some others say, "Make it one". I have already pointed out that, by making this five per cent. cut, this House does not stand committed to a five per cent. cut under every head, but what it does stand for is that there must be an all-round reduction of expenditure, and that the Government must revise their Demands under each head, and when they come to the Simla Session, they must tell us as to how far they have been able to retrench their expenditure. I hope that, if this House passes this motion, it will save the country from additional taxation and at the same time it will force the Government to revise their Budget.

One more word and I have done. I wish to point out to this House that the Honourable the Finance Member has told you, in answer to the speeches from various quarters in this House, that he is not in a position now to adopt or to recommend any change of policy. As regards military expenditure, I submitted to this House a few days ago, and I wish to recall what I said, that the fact that the constitutional changes are impending is no reason whatever why the Government of India should not have forced the hands of His Majesty's Government during the last ten years to give effect to the united wishes of the Members of this House with which the Government of India had concurred. Sir, as I pointed out in the first Assembly, a series of Resolutions was moved, and the whole question had been gone into by a special Committee, and this House even affirmed that the Army in India must be kept primarily and solely for the defence of India. That was the view which prevailed with the Government of India, and I have said, and I repeat it, that that view has been overruled by the Home Government, and the Home Government say, "Oh! no, we will not keep your Army for your own purpose, that is a very selfish policy for you to pursue. That Army must be kept as part of the Imperial forces". My submission is that it is in consequence of that policy that they are now adding an air squadron, and that they are having re-equipment and mechanisation of the Army. I pointed out, Sir, that a distinguished soldier contributed an article, from which I have quoted in my note as a part of the Report of the Indian Central Committee, that the mechanisation of the Army is by no means necessary as an integral part of the Indian Army, if its purpose is limited to the defence of India. I submit, therefore, that the mechanisation and the re-equipment of the Indian Army must be primarily and solely for the purpose of the defence of India. That, I submit, being the point of view which the Government of India have taken,—and I have no doubt that they still take that view,—and as a matter of fact if they were free people, if they were free to vote, they should vote with me rather than vote against me—that being the view of the Government, the least they can do is to keep quiet and allow this motion of mine to be carried.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): They are all quiet.

Sir Hari Singh Gour: I, therefore, once more, appeal to my Honourable friends—those who voted with me and those who wavered and lingered—to combine in seeing that this motion is passed today. Sir, I move.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, I was one of those who lingered and hesitated yesterday and did not go into the lobby, but however much I may sympathise with all my Honourable friend has just stated, I intend to go into the lobby against him. I will tell you the reason why. Sir, we are very irresponsible on this side, I admit—perfectly irresponsible; we do exactly as we please knowing full well that the cut can be restored. But I really do not see the necessity of making ourselves more irresponsible than we really need be. I would sympathise with my Honourable friend to the extent of going into the lobby with him, if he would tell us what is the amount of the cut he requires in the whole Budget. (*An Honourable Member*: "Five per cent.") Five per cent. would lead us into crores. (*An Honourable Member*: "That

[Sir Cowasji Jehangir.]

is not what he means.") Oh, yes. What he means is this. He is moving a five per cent. cut under each Demand as it comes up, knowing full well that he will not be able to move a five per cent. cut on each and every Demand as it is presented in the Budget, for lack of time. He would then leave it to Government to distribute whatever reduction this House may make in the Departments as they think best, by coming up with supplementary Demands at another Session. Sir, therefore, we must know what percentage of the whole cut we are making on each Demand. We must know the amount of the whole cut my Honourable friend desires this House to make. We must know what is the gap that will be left ultimately to be filled up by taxation when the Finance Bill comes up. All these preliminaries have been left out by my Honourable friend, for which I do not blame him one bit, Mr. President, for he had no time. But I do blame him to a certain extent for having gone in for this method without consultation. Perhaps he had not the time. All these things require time, two, three, or even four days, before they can be matured and brought to the House after mutual consultation on all sides. You must be able to make up your mind definitely what is the cut you propose to effect and how you are going to effect it, and then tell the Government clearly. "This is what we propose to do; we want 2 crores or 2½ crores or whatever it is in the whole Budget". You tell Government clearly that you intend to do it by moving a cut out of each Demand as it is brought up for discussion. You know very well, Mr. President, that we have not the time to discuss all the Demands as they come up, and therefore that method is not possible in the present circumstances. I intend to go into the lobby against my Honourable friend, not because I am not in sympathy with his great desire for retrenchment, but because the method he has adopted does not seem to be sound and practical; and I trust and hope that, when the next Budget comes up, he will be here to evolve a better scheme than the one he has placed before us, which I consider is immature and lacking in consideration.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, I am not impressed by the speech of the gentleman who preceded me. I think that, if the only defect in the proposal of Sir Hari Singh Gour is that it is not methodical, that is not a good ground for not going into the lobby with him. The only point that has been made by the previous speaker is that, while agreeing in principle with Sir Hari Singh Gour and believing that retrenchment is necessary, the Honourable Member thinks that, as the method adopted by Sir Hari Singh Gour is not such as would give Government the proper convenience in adjusting its own Budget, he cannot walk into the lobby with him. The second ground advanced by him is that it would not show much of responsibility in any Member who goes into the lobby with Sir Hari Gour even if he accepts the proposal.

Now, Sir, so far as responsibility is concerned, may I ask the Honourable gentleman who preceded me, whether he thinks that Government have shown any sense of responsibility? Did Government take this side of the House into their confidence while framing the Budget, or while going in for the various items which are regarded as non-votable in this House? So far as the question of responsibility is concerned, Government have to blame themselves if their attitude is regarded on this side of the House as

irresponsible. If it is the general sense of the House that increased taxation should not have been levied and that for the normal expenses of Government recourse should not be had to increased taxation, it is the duty of every Honourable Member to support this cut. That this particular cut of 5 per cent all-round has come under the head Taxation makes no difference in my opinion, because, after all, it is a token cut, as has been explained by Sir Hari Singh Gour. If particular Departments affected by this cut cannot meet their expenses by cutting their Demands all-round to the extent of 5 per cent. they can come in subsequently with a supplementary Budget, and therefore there need be no apprehensions on this score.

So far as the question of retrenchment in respect of Income-tax is concerned, I have one thing more to say. Sir, I do not grudge any increase in income-tax if fat incomes of Rs. 15,000 and over are taxed; but the question is what for are we taxed? Are we being taxed for the purpose of introducing compulsory education into this country? Are we being taxed for the purpose of reducing the price of postcards or for any other popular measure? We are being taxed now because the Government of India cannot meet their normal expenses. In a country like India, where the average income is very little, where every person who tills a *bigha* of land is being taxed by way of land revenue, it is too much to come in with a fresh measure of taxation; and if this cut of Sir Hari Singh Gour succeeds to the extent of 5 per cent., I think the taxpayer will feel some sort of relief. I therefore support this cut whole-heartedly.

Sir Darcy Lindsay (Bengal: European): Sir, my Honourable friend, Sir Hari Singh Gour, may be a most excellent lawyer, but he is not a tactician. Otherwise he would not have ventured to bring forward his cut of 5 per cent. in two such essentials as the Customs Department and Income-tax. When a similar cut was brought forward in 1922, I can remember speaking on it and assuring the Mover that my pocket was in entire sympathy with him, but my common sense was the other way, and on the ground that the more the expenditure in the Department, the greater the income which will be received from the general public. Whenever papers come before us in the Standing Finance Committee for an increase in Income-tax establishment, I think I am correct in saying that they meet with the most sympathetic treatment at our hands, because we consider the expenditure as absolutely necessary in order to collect the income-tax. Now, Sir, the result of Sir Hari Singh Gour's proposal of a cut of 5 per cent. would mean, and must mean, a diminution of the very staff that, at least this year, we have sanctioned, and by so doing it will mean a loosing up of the whole system and the escape of parties from paying their income-tax. On these grounds, Sir, and very strong grounds, I hope the whole House will oppose the proposed cut of 5 per cent.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): Sir, I rise to support the motion of my Honourable friend Dr. Sir Hari Singh Gour, and I would appeal to the House to judge the question on its own merits and not be prejudiced simply because it comes from the Hon'ble Dr. Sir Hari Singh Gour. There is a certain amount of prejudice against him, partly for joining the Simon Commission Indian Central Committee, and partly for transferring himself from this side of the House to the other. So I wish the House to discuss and consider the question on its own merits and not be carried away by any personal prejudice against any individual Members.

[Mr. Vidya Sagar Pandya.]

Then regarding the criticism of the method which has been made on this side, if I am not wrongly informed, the Honourable Dr. Sir Hari Singh Gour did make an attempt and did meet the Leaders of the various parties to consider his amendments, and he pleaded very earnestly with them that, when the House was first constituted in 1921, a similar method was adopted and it was successfully carried out. But unfortunately, in these days, when there is a certain amount of conspiracy between the leaders of parties on one side and Government on the other, it is very difficult for a Member who is not attached to any particular group or party, to express his views in such matters. As such, if for no other reason, I would support the Honourable Dr. Sir Hari Singh Gour as a protest against the tyranny of the leaders of the various parties in joining in conspiracies in so many matters; and I am sorry, Sir, that, in that matter unfortunately, they have got the support of the President also.

Mr. President: Order, order.

(Cries of "Withdraw, withdraw.")

Mr. Vidya Sagar Pandya: No, I assert . . .

Mr. President: Order, order. The Honourable Member is asked to withdraw that remark at once.

Mr. Vidya Sagar Pandya: Very well, Sir; then I shall withdraw it.

Now, if the proposal had been accepted by the party leaders when it was made by the Honourable Dr. Sir Hari Singh Gour, we would have saved all this unnecessary discussion in the House, and we could have balanced the Budget by this cut of 5 per cent. But as the different party leaders wanted to press their particular items and impress on the Government the desire to make retrenchment in certain heads, they sacrificed the main proposition of the Honourable Dr. Sir Hari Singh Gour, and the result was, they lost that entirely, and now if they will not support Dr. Sir Hari Singh Gour's amendment, they will be losing yet another opportunity of making an effective cut, and thus saving us from extra taxation. Sir, I support the Honourable Dr. Sir Hari Singh Gour, and again request the Members of the House not to be carried away by any prejudice in the matter.

Sardar Kartar Singh (East Punjab : Sikh): Sir, I strongly support this cut. Taxation is already telling on the people and everybody is feeling the pinch of direct and indirect taxation. We want Government to retrench. The people are becoming poorer and poorer every day. How can we make the Government retrench unless we pass this cut? They are proposing new taxation, and when the Finance Bill comes before us and this Budget is passed in this present form, with what face will we be able to oppose the Finance Bill, unless we make certain cuts now and we can show that they can reduce their expenditure in this way? So the best way to oppose the Finance Bill would be to pass these cuts now and to tell the Government that their expenditure is not as much as they propose and they could reduce their expenditure and should not propose fresh taxation. I submit that the time has come when everybody feels the pinch of this taxation, and the time has come when we should whole-heartedly support this reduction in the expenditure. We have not been party to the framing of the Budget, and to this extent, it is not our duty to point out what reductions can be made.

It is for the Government to make reductions and Government should take the hint from our speeches, that we do not agree to further taxation, and it will be for the Government to reduce their expenditure without increasing the taxation. Therefore, whether the cut is moved by Sir Hari Singh Gour or by anybody else, we are for this principle that we will never agree to further taxation. The Government should make it a point to reduce taxation and to reduce expenditure. The expenditure is growing day by day and cannot they think that they can reduce it, and should they make up that expenditure by further taxing the people? Therefore, I submit that this cut should be passed, and everybody on this side of the House should support it.

Mr. M. K. Acharya (South Arcot *cum* Chingleput : Non-Muhammadan Rural): Sir, I was very glad that my Honourable friend, Mr. Vidya Sagar Pandya, spoke very frankly, although I know that his voice like the voice of anybody else who speaks equally frankly may be only a voice in the wilderness. Yet it is sometimes refreshing to find people who will speak the bare truth frankly, and I certainly appreciate what he has said with regard to the way in which there seems to be some conspiracy going on between the party leaders, or the so-called party leaders, and the Government Benches on many matters. I am also glad that he made this earnest request, that the matter before the House should be judged on its own merits; and here again, unfortunately I must in truth say that there does not seem to be a disposition this year—during the past six years that I have been here I believe the charge could not be brought against the non-official Members to the same extent as it can be brought this year—that there does not seem to be a disposition to judge each question before the House on its bare merits. I hope, Sir, that the electorate will take good note of this, will demand an explanation of the elected Members as to why they should not, on many issues like the one before the House just now, where the interests of the vast majority of the country are involved, why they should not be all in their places and should not strenuously oppose Government in their proposals to increase taxation on the common people. I see a very thin House, so far as the non-official side is concerned, and I should not be surprised if, when the vote is taken on this, the Government win. Therefore, I hope it will be realised by my non-official colleagues, who have a very serious duty to perform in this matter—almost a religious duty—that we cannot afford to let the Government have their own way, at any rate so far as additional taxation is concerned.

Now, Sir, with regard to my Honourable friend, Sir Cowasji Jehangir—I am glad his heart was with my friend, Sir Hari Singh Gour, but his head seems to have been a little puzzled as to the great responsibility which he seems to have felt in the matter—probably he will have to be longer in this House to know that we have no responsibility at all . . .

Sir Cowasji Jehangir: I have already said that we are irresponsible.

Mr. M. K. Acharya: Therefore, it is the Government that must come forward and consider this question seriously and take two or ten or even twenty days for that matter. If they take the matter seriously, and definitely bring forward proposals for reducing the whole Budget expenditure, we are ready to sit any number of days. The matter is entirely in the hands of the Government. We say that we do not want additional taxation any further, and in order not to have the additional taxation, we say there is

[Mr. M. K. Acharya.]

a practical proposal, namely, that the expenditure should be cut down by 5 per cent., and necessarily as a corollary, 5 per cent. expenditure all round. I cannot understand how this is impracticable at all. I quite realise it will have to be worked out. That is exactly the Government's business. They are here for that very purpose. They are paid for it, and it is not Sir Hari Singh Gour's business to do it. Therefore I cannot understand my friend, Sir Cowasji Jehangir, when he said that the proposal is good but there are difficulties of many kinds and so on. That is exactly what we are prepared to meet as far as we can. We want the Government to work out in all seriousness, so as to avoid additional taxation. I was a little amused when I heard Sir Darcy Lindsay say something about the conflict between his pocket and his discretion or common sense. I always thought that Sir Darcy Lindsay and others of his class had always their common sense, nay their consciences in their pockets. (Laughter.) In the matter of income-tax at least all the capitalists all the world over never find conflict between their conscience and their pockets. However, Sir Darcy Lindsay is evidently a very rare exception, and I certainly pay him all honour for it, if he is really an exception; if he is always prepared to discuss every question in the same way without letting his pocket or the contents of his pocket interfere with his common sense and conscience. I cannot understand what there is for such a conflict with common sense in Sir Hari Singh Gour's proposal. Some very great writer has said, and probably Sir Darcy Lindsay would again say that common sense is a very uncommon thing. Anyway what he calls common sense may be the reverse from our standpoint; for to me it seems to be quite a common sense proposal that expenditure all round should be cut down by 5 per cent., and as my friend has already pointed out, it is not a new proposal either. It seems that in 1921, when some of us were not here, the same proposal was made.

Sir Hari Singh Gour: It was in 1922.

Mr. M. K. Acharya: Then the Government probably had some good reason to be sympathetic in their attitude towards proposals coming from non-officials. The proposal was made, the proposal was accepted, the proposal was worked out, the Budget was revised, and there was a reduction of almost five per cent. all round. What is the great difficulty today in doing that which was done in 1922? I put that question to the Finance Member, and I hope he will give us an answer. No doubt he wants more money, according to his estimate, but the estimate can be revised. It was revised at one time, by his predecessor in 1922, because perhaps in 1922 he could not have been sure of his majority in the House. Then also the Finance Member could have said that he had taken all possible pains, that he had exhausted all his talents for balancing the Budget or minimising expenditure, and that he was asking for what was absolutely necessary. That is just what I think the Finance Member today says, that every possible item has been carefully looked into already, and will be again looked into; that some special officer will be appointed, and so on and so forth. All that could have been said in 1922 also, had the then Finance Member been sure of a majority of votes in the House in favour of whatever additional taxation he then proposed. Probably, if I were in the Finance Member's place, I too might be tempted to make the same pleas, put forward the same excuses. All these are

very old excuses to make such as that the Finance Member has done everything he can and he still wants more money, and must have it by additional taxation. Well, let him take Sir Hari Singh Gour into his confidence and let them both sit together for a week and see whether they can or cannot reduce under almost every item of expenditure without any Department losing in efficiency. That is the whole point. Therefore, Sir, where there is a will, there is a way. When it was said that it was impossible, in the present circumstances, to accept Sir Hari Singh Gour's proposal, I was wondering whether that could be really true. I say there is nothing impossible under the sun. It is very possible, and it is a very easy thing, and I think it would be a very good thing too in view of what is coming. It will be a very desirable thing if Government do not go about proposing additional taxation in a year when probably there will be many exceptional factors to reckon with. For these reasons I should strongly support the motion of Sir Hari Singh Gour, and I think I must join issue, draw swords, though I am not a knight, with Sir Darcy Lindsay, who predicted very disastrous consequences as the result, as the inevitable result, of adopting Sir Hari Singh's proposal. Nothing disastrous will happen by reducing expenditure by 5 per cent. Therefore, I think, Sir, the whole matter is very simple. We, the elected non-official Members of this House, owe a duty, whatever our personal views may be, whatever the vested interests may be on this or that side of the House; and that duty demands that we should go and vote with Sir Hari Singh Gour. We must demand that expenditure should be reduced by 5 per cent. under this Department and under every other Department. And in discharge of that duty, I must stand with Sir Hari Singh Gour.

Mr. K. V. Rangaswami Ayyangar (Madras: Landholders): Sir, I am afraid, a great deal of influential support has been given to retrenchment and to reductions under the Departments of Customs and Income-tax. I see some other motions also for reductions of staff under the Postal Department. I am afraid, Sir, I cannot lend my support to these reductions in the civil Departments. I do not think that there can be any reduction of either the lower staff, or the upper staff or any other staff. The other day we heard the Finance Member making the statement that the upper staffs are all overworked. The subordinate branches of the civil Departments are not at all overstaffed or overpaid. We have not forgotten the grim tragedy enacted a few years ago by the Inchcape Retrenchment Committee, and it may be within the remembrance of the House that, when reductions of about Rs. 20 crores were suggested, we were under the delusion that a corresponding amount of Rs. 20 crores would be reduced from our taxation. But, Sir, not a pie was reduced in our taxation. On the other hand, they increased taxation. Sir, we are now told that a special officer has been deputed to go into the question of reduction of expenditure. The House would have greater confidence had an Indian been appointed as retrenchment officer. Sir, we are not wanting in Indian officers of high capacity. Mr. Rama Rau is just now coming back from his duties on the Statutory Commission. Had he been appointed instead of Mr. Jukes, an officer who is going to retire, we would have the utmost confidence in the retrenchments that might be proposed. I just now reminded the House, Sir, of what the Inchcape Retrenchment Committee did. They proposed very great cuts in the subordinate Indian staffs, and it may be within the remembrance of the House that many Indian people were deprived of their employment on

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account of the Inchcape cuts. Also, Sir, I quite agree with my Honourable friend, Sir Cowasji Jehangir, in pointing out that these 5 per cent. or 6 per cent. cuts, if accepted by this side of the House, will not be a practicable proposition, and I oppose this motion of the Honourable Sir Hari Singh Gour.

Mr. N. C. Kelkar: (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise just to offer one argument against the line of argument put forward by Sir Cowasji Jehangir. He seemed to base his whole argument upon this, that he sympathises with the object of the cut, but wants the cut to be made if possible in some other way, as the particular method chosen by Sir Hari Singh Gour is somewhat out of fashion. That seemed to be his argument. But directly after that the precedent of five or six years ago was mentioned. It was mentioned in detail, and I need not therefore go into that. That precedent should prove that the particular method chosen by Sir Hari Singh Gour is not anything extraordinary. I will further say this, that the very form in which the Demands are put before us necessitates following this particular method and no other. Here are 98 Demands put before us, item by item. I do not see here a Demand numbered 99, representing a Demand for the whole total, made up of all the items under the 98 heads. If such a Demand were on the paper, perhaps, when that total Demand was made, then Sir Hari Singh Gour could have moved a 5 per cent. cut, on that. But there is no such Demand before us, as Demand No. 99, giving the total of all the Demands that have gone before. The only way for him to make a cut therefore is to make such a cut somewhere in the preceding and foregoing items. Then the question comes up whether the cut is on merits or whether it is a round or lump cut. I think it is obvious that lump cuts are a recognised thing. In the Budget itself we sometimes find amounts put down as rounding up figures, that is, lump provision. Also when expenditure is provided for, certain lump sums are provided, and if I remember aright, the Inchcape Committee not only directed that certain lump cuts in expenditure should be made under certain heads, but also a round lump cut on the whole expenditure. I do not know exactly what that figure was. If I am wrong I may be corrected

Sir Hari Singh Gour: Twenty crores and some lakhs.

Mr. N. C. Kelkar: Therefore it appears to me that such a lump cut is not an out-of-the-way remedy certainly. The object of the lump cut is to cut down expenditure to that extent and to call upon the departments concerned to cut their coat according to the cloth that has been provided for them. It may be said that we may follow the alternative method of defeating or rejecting some of the items in the Finance Bill, and thereby reduce the supplies to Government, so that they may be indirectly compelled to cut down their expenditure. But we can only reduce the revenue and not directly cut down the expenditure; the two things are not the same. And even supposing we defeated or rejected some of the items in the Finance Bill, does that not amount to a cut in the lump? For, after all, a cut made by reducing the revenue has absolutely no bearing on the merits of particular departments. Therefore, whether we reject or defeat any particular items in the Finance Bill, or make lump cuts, I think the result is practically the same and I should

say that the proposal of Sir Hari Singh Gour ought not to be rejected by my friend, Sir Cowasji Jehangir, on that ground. He says he has sympathy, but his common sense does not permit him to vote for the thing for which he feels sympathy. It would be a very strange thing to say that, because the logical conclusion of that is that my friend, Sir Cowasji Jehangir, sympathises with a thing which is not based on common sense, or which is not justified by common sense. Does he admit that he sympathises with things which are not borne out by common sense? He does not do that certainly. There is a certain recognised distance between the heart and the head in the anatomy of man, but I never thought the distance was so great as seems to have been made out by Sir Cowasji Jehangir. Probably his heart is shifting from its proper place to somewhere else—I do not know whether it is into his pockets, or whether it has gone down into his feet.

Mr. Lalchand Navalrai: Sir, I have heard the reason that has been given by my Honourable friend, the Knight from Bombay Sir Cowasji Jehangir, in opposition to this motion. Sir, I support the Honourable the Mover of this motion. The reason that was advanced in opposition was that it will not be methodical to reduce every Demand by 5 per cent. Sir, I cannot understand why it cannot be methodical. If a five per cent. cut is made in this Demand under the head of Income-tax, it would serve as an example to show that a five per cent. cut could be made in every Demand that has been made in this House. The amount that is asked for under this Demand is Rs. 71,99,000. Five per cent. of this would come to Rs. 3,59,950. May I ask why it is that this cut would not be methodical or proper, especially when I am ready to show to the House that this increased income-tax is asked for, not to meet a deficit, but with a view to keep it as a surplus only? Now, Sir, my main ground is that the income-tax is an odious and unpopular tax. History shows that, in India, this income-tax has from time to time been very unpopular. History further shows that it had been abandoned many a time under pressure of public opinion.

Mr. President: The Honourable Member might reserve these general observations till the Finance Bill comes up.

Mr. Lalchand Navalrai: Very good, Sir. I shall do that. Then I come to the question whether there is any justification for raising the income-tax on the merits as shown by the Finance Member. It has been said that there is a deficit in the Budget, and on that account 70 lakhs of rupees are required to be raised in this way, by a rise in the income-tax of one pie on incomes of Rs. 15,000 and over, but the facts show that there is no deficit which requires this sum of 70 lakhs. To start with, the deficit having been shown, the question—which I am not at present going into in detail—is as to who is responsible for it. I find unwarranted predictions and professions were made by the Honourable Sir Basil Blackett in this House for surplus Budgets and he is now responsible for the present gap in the Budget. The deficit is shown to be 440 lakhs. Now, Sir, let us see how it is proposed to be met with. The levy of the proposed tax on cotton piece-goods is expected to bring in 125 lakhs, silver 100 lakhs, kerosene 35 lakhs, and sugar 180 lakhs. Total it up, Sir, and see how much it comes to; it comes to exactly 440 lakhs. Why is it then that 70 lakhs more are going to be assessed by increase in income-tax? It is said then that they are needed for the purpose of keeping them as a surplus. Is it not a fact that, in 1928-29, and 1929-30,

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there were no surpluses in the Budget at all and yet they were carried on? There is thus no necessity for it, and why should this odious tax be sought to be raised? Why should the popular mind be disturbed? I submit, in these days, it will simply be annoying the public to increase this tax. With these words I support the motion of Dr. Sir Hari Singh Gour, that a five per cent. cut be made in the Demand under the head "Taxes on Income".

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I did not intend to take part in this debate, but in view of the interest which has been evoked in the course of the debate, I feel that I cannot give a silent vote. I am for every possible reduction that can be made in expenditure, and my constituency has been pressing upon Government the necessity of economy in expenditure. I however feel that that expression of opinion from this side of the House has been sufficiently emphasised on the motion which was pressed to a division—I mean the motion moved by my Honourable friend from Bombay, Sir Hugh Cocke. He wanted a committee composed of non-officials to be attached to the officer whom the Finance Member promised to appoint. Several Members who voted for that motion did not approve of a committee being associated with the officer at this stage, but voted for Sir Hugh Cocke's motion because they desired to impress on the Government of India that they wanted an inquiry in which every possible retrenchment could be made in expenditure. Now, Sir, this motion of Sir Hari Singh Gour seeks to take the House one step further; he now desires that a five per cent. cut should be made under every head of expenditure now and today. We have been told by responsible persons like my friend from Bombay, Sir Cowasji Jehangir, that his side of the House is irresponsible. That has been re-echoed by others on various sides of the House. I do not know in what sense my friend, Sir Cowasji Jehangir, meant that, but I feel this, that what Sir Cowasji Jehangir could have meant was that he had no responsibility in framing the Budget. I am sure that neither Sir Cowasji Jehangir nor even my friend, Mr. Lalchand Navalrai, would like it to be conveyed that they vote in this House in a manner which is irresponsible. I submit that even my friend, Mr. Vidya Sagar Pandya, would not like anybody to say that he votes in a manner which involves no responsibility at all. I feel that everybody from this side of the House, who either expresses an opinion or gives a vote, does so, after being convinced that what he is voting for is feasible and desirable and can be carried through.

Now, I wish to ask if my Honourable friend, who moved this motion, has made out a case that there is room for a five per cent. reduction under the head Income-tax on the expenditure side. It is all right for Sir Hari Singh Gour to say that this House did that in the year 1922. And my friend Sir Cowasji Jehangir may remember that when he was a member of the Bombay Government in 1922, he also agreed to a lump cut of Rs. 60 lakhs which was distributed by the Government of Bombay among the various departments. But, Sir, between 1922 and 1930, there is a tangible difference. It is not merely the period of years; it is the fact that, in 1922, we were at the top of the boom period, when everything had gone up and when even the Government departments, under the most careful supervision, had tended to expand unduly. I therefore feel that a 5 per cent. cut effected in 1922 can be said to be extremely modest in comparison to the 5 per cent. cut which is proposed today.

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I think, after the inquiry which the Honourable the Finance Member has promised, and after the report of the officer is placed before the House within the next three or four months, we can consider this proposal, and unless my friend Sir Hari Singh Gour can point out that, under the head of Income-tax expenditure, certain officers are not required, or certain emoluments which are now given can be usefully reduced without impairing the efficiency of that department, I feel that it will be in the highest sense irresponsible on our part to press this motion.

Mr. M. K. Acharya: No.

Sir Purshotamdas Thakurdas: I wonder who said "No".

Mr. M. K. Acharya: I said it.

Sir Purshotamdas Thakurdas: I am not sorry, Sir, that Mr. Acharya said "No", because "capitalists" as he is fond of calling them, whom he runs down, may escape income-tax. I do not very much mind his "No". Mr. Acharya asked if the heavens would fall if a 5 per cent. cut were made. According to Mr. Acharya, the heavens were going to fall only when the Sarda Bill was enacted. I must leave Mr. Acharya to his logic.

Mr. M. K. Acharya: Very bad logic.

Sir Purshotamdas Thakurdas: It is a little better than yours.

Mr. M. K. Acharya: I expected better from you.

Sir Purshotamdas Thakurdas: If you interrupt me in this way, you cannot expect anything better than what you deserve from me. Now, Sir, we all want retrenchment. All that we have not is patience. Here is the Finance Member who says that he is going to appoint an officer and to place his Report before the House. He wants four or five months, and until then the House should have patience.

Sir Hari Singh Gour: Will he then remit taxation?

Sir Purshotamdas Thakurdas: I think the Finance Member will give a reply to his question. I can't say what he is going to do. All that I do know is one thing, that when an officer of the Government of India in the position of the Honourable the Finance Member, in response to consistent demands from this side of the House, makes a definite statement on the floor of the House, what is wanted from this side of the House is to watch for the next stage and to see what he has been able to achieve. It is wrong to press this motion at the same Session and to compel the impression, which I am sure is not warranted, that this side of the House does really at times take irresponsible action. Whilst, therefore, I am for all possible economies, I also feel that the Member in charge should be given an opportunity to examine for himself what is feasible and to tell us what can be done, and if after that Report, we are satisfied that either the inquiry has not been complete or it has left a few loose strings, this House will be quite justified in pulling those up and in pressing our motion. In the meantime

Sir Hari Singh Gour: Pressing what motion?

Sir Purshotamdas Thakurdas: Pressing the motion for retrenchment. There will be supplementary grants.

Sir Hari Singh Gour: Are you going to wait until

Sir Purshotamdas Thakurdas: I think you understand what I am recommending. All I say is that we must wait to see what is feasible, unless Sir Hari Singh's idea is to put forward something which will appeal to the gallery which, I am sure, is not his idea.

Now, Sir, a good deal has been said especially by my friend Mr. Vidya Sagar Pandya regarding what he was pleased to call a conspiracy between the leaders of parties and the Government. On inquiry of the leader of my party, I understand that Mr. Jinnah was approached by my friend Sir Hari Singh Gour regarding his motion before the House only yesterday, and that there has been no conference between him and the Members of the Treasury Benches except on the question of the cotton duties. If, therefore, my friend Sir Hari Singh Gour feels that others on this side of the House have not been able to see his point of view, it is not because they were either reluctant or unwilling to do so, but because he did not approach them. Sir Hari Singh Gour did mention this to me very soon after the Budget was presented, and I think he will bear me out when I say that I told him that, if he could get the 5 per cent. cut all round, none would be more happy than myself, but I also asked him, at the same time, if he could find out from Government if they were willing to make it in the Military Budget. I wonder if, in 1922, the Assembly was able to do it by negotiations with Government

Sir Hari Singh Gour: I absolutely and emphatically deny it. The Government passed it and carried it over the head of the Assembly

Sir Purshotamdas Thakurdas: You cannot deny my conversation.

Sir Hari Singh Gour: I had no conversation whatever, Sir.

Sir Purshotamdas Thakurdas: With me?

Sir Hari Singh Gour: No, not in 1922.

Sir Purshotamdas Thakurdas: I was wondering whether he was denying the conversation he had with me when he approached me about it. I then told him to go round and see the other party leaders and find out from them what their view was. I find that, as far as Mr. Jinnah is concerned, Sir Hari Singh Gour approached him and talked to him only yesterday. I do not know when he talked to Pandit Malaviya or to my friend Sir Zulfiqar Ali Khan or Sir Darcy Lindsay. I do think, however, whilst my friend Mr. Vidya Sagar Pandya may have some grievance regarding what may have taken place last month in connection with another matter, it is a little hard and unfair on his part to say that there has been any "conspiracy" between any Members on the Front Benches on this side and the Members of the Government on the other side. If Sir Hari Singh Gour will press motions here without having them thoroughly examined and discussed by Members on this side of the House, whose votes he wants, I am afraid he may continue to have the imaginary grievance regarding "conspiracy" which, I may say, exists more in Mr. Pandya's imagination than in fact.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, I am almost forced to take part in this debate. Sir, I can assure you and the House, and my friend Sir Hari Singh Gour that, so far as my party is concerned, it respects no person, nor does it hate any person in this House. I think my friend, Sir Hari Singh Gour, will admit it in all frankness. It decides on the merits of each question that comes before the House. We

have maintained this principle, and we hope to maintain it as long as the Independent Party stands on the floor of this House. Therefore, Sir, if there is any feeling in the mind of any Honourable Member that, because this motion is brought by my friend Sir Hari Singh Gour and therefore he is not going to get our support, it is entirely wrong. I say the day when we do that, we shall be unfit to sit in this House. We, Sir, want to examine every question on its merits, and honestly to the best of our judgment, either support or oppose it.

Now, Sir, having said so much, so far as my friend Sir Hari Singh Gour is concerned, I would say only one word. I am surprised that my friend Mr. Vidya Sagar Pandya or even my friend Mr. Acharya should suggest that there is any conspiracy between the Government and my party. I am really surprised. At any rate they should be the last persons to make any suggestion of that character. When you make these suggestions, do you not also judge us with a certain amount of prejudice? Is that worthy of you? Should you not ask us, "What are your grounds for not supporting this cut"? Should you not ask us, rather than say, that we have made up our minds in conspiracy with Government. Is that worthy of you? If you ask me what are my difficulties, I will tell you straight and frankly. As my Honourable friend, Sir Purshotamdas, has pointed out, the first time that Sir Hari Singh Gour approached me was yesterday. The implications of his proposal are very serious, although he put it in a manner which seemed as if it was nothing. Let us examine this issue. This House has deliberately expressed its opinion on the cut of Sir Hugh Cocke yesterday. It was this—retrenchment. We forced that down upon the Government, that they did not sufficiently retrench. You passed a vote of censure on the Government. That is what it means in constitutional language. Now, Sir, if the Government understand the meaning of that vote, it means, Retrench, Retrench, Retrench.

Mr. M. K. Acharya: Do they understand it?

Mr. M. A. Jinnah: I think they have got as much intelligence as my friend Mr. Acharya. Now, my Honourable friend Sir Hari Singh Gour's proposal for a cut of 5 per cent. means roughly five or six crores of rupees. Now, Sir, if he had followed up his proposal logically, he would not have said, "Let us wait till the Simla Session; let us wait for the supplementary Demands that may come up". From where will the Finance Member give the supplementary grants if he has got no revenue? Pushed to its logical conclusion, Sir Hari Singh Gour wants a 5 per cent. cut here and now, and when the Finance Bill comes up, he will say, "Reject every proposal for fresh taxation". Is that what you want?

Sir Hari Singh Gour: Yes.

Mr. M. A. Jinnah: Then why do you talk of supplementary grants? Where will the Finance Member get the money from?

Sir Hari Singh Gour: From the Military.

Mr. M. A. Jinnah: Then my Honourable friend had no business to say "Wait". I can quite understand if the House chooses to take that responsibility. 5 per cent. must be cut down in every department. It may be 8 per cent. in some department, 2 in others and 3 in others, but the total should be 5 per cent. I understand that perfectly. The implication is this, that we must have this 5 per cent. cut, and when the Finance Bill

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comes up, we must reject every proposal for taxation. Now, my friend Sir Cowasji Jehangir said it in a manner which made me think that he did not quite realise the implication of it. He thought that we are not responsible here.

Sir Cowasji Jehangir: The constitution makes us irresponsible. That is why we brought that cut on the Executive Council.

Mr. M. A. Jinnah: My friend is entirely wrong. We are not irresponsible in this House. I dissent from that proposition. We owe a responsibility to our people and to our constituencies. Every one of us carries a certain amount of responsibility. Our responsibility is this—that we have to examine every proposal that comes before us and not only express our opinion and offer our criticism, but record our vote with the utmost responsibility that we can command. I am not here merely to go into the lobby on this side or that as I please, according to my whims and fancy. I do not record my vote in this House unless I am convinced for or against the proposition. That is our responsibility. Do you deny that? Are you going to vote here according to your fancy?

Sir Cowasji Jehangir: When I spoke of irresponsibility, I referred to the system. You can make a cut of ten lakhs and the Government will certify it. The irresponsibility consists in the certification. We are irresponsible to that extent. That is what I meant.

Mr. President: Don't make confusion worse confounded.

Mr. M. A. Jinnah: My Honourable friend is getting deeper and deeper into the constitutional position of this House. I am not discussing the constitutional position of this House or of the Treasury Benches or the non-official Members of this House.

Sir Cowasji Jehangir: Then what are you discussing?

Mr. M. A. Jinnah: I am discussing a thing you don't understand. I am discussing this, and I say most emphatically that no man worth his salt can say that I am standing here as an irresponsible man. I have to discharge my responsibility here as much as anybody else.

Sir Cowasji Jehangir: Who doubted that?

Mr. M. A. Jinnah: Therefore I say we have to deal with every question on its merits fearlessly, express our opinions and record our votes, according to our own judgment. Therefore, do not be carried away by fanciful arguments about this 5 per cent. cut. It was made in 1922. You can do that certainly. My difficulty is this. If I endorse this cut and the principle underlying this cut, I must be logically driven, when the Finance Bill comes here, to reject every new taxation that is proposed by the Bill. I am not prepared to take that responsibility on my shoulders and my party therefore cannot give their support to the underlying principle of this cut which my Honourable friend has moved.

The Honourable Sir George Schuster: We have had a very interesting and representative debate, and I think my duty does not call upon me to make a long reply on a subject which has been so fully discussed. I should like to say, at the outset, that, as far as the principle of the motion is concerned, I am myself as whole-heartedly as any Member of this House

in favour of retrenchment. I should also like to say, in justice to the Honourable and learned Mover of this motion, that I quite admit that there may be occasions in which the form of procedure which he has chosen may be the best course to effect the purpose which he has in mind. My only argument against him has been that this is not one of those occasions. Sir, we had another form of action taken only yesterday in this House, and in regard to that I should also like to say that, although the Government, inasmuch as the motion had in a sense the form of a vote of censure, as my Honourable friend Mr. Jinnah has pointed out, felt it necessary to oppose that motion, I am nevertheless very glad to find that what was in the mind of my Honourable friend, who moved that motion, was almost exactly what is in my own mind on this matter. I am sure, Sir, this House will think no worse of me if I admit a tactical mistake. If I had had an opportunity to discuss the matter with him more fully beforehand, I should have advised the Government not to go into the lobby against that motion because I am entirely in favour of what I now understand to have been the purpose of my Honourable friend in moving this motion. Now, that brings me to the point of explaining to this House precisely what I do propose. It has already been explained, but in order to avoid any misunderstanding I should like to go over the matter again. We propose that the retrenchment officer, who is to be appointed, shall conduct or rather shall complete the very careful inquiries which we have already started into the growth of expenditure in every department of the Government. When these inquiries are completed, I think we shall be in a position to put before this House a very informative report on the exact situation. I want to make it quite clear that this is only a first step. My whole point in this matter has been that, if we are to pursue a policy of retrenchment now, it must be pursued not only with determination, but also with intelligence. Our shots must be carefully aimed; they must not go at large all over the landscape, otherwise we will probably do more harm than good. I do think that, with this report before them, Honourable Members will be able to decide much better than they could otherwise do what course they want the Government to follow, and I have little doubt that we shall find ourselves in agreement on the lines to be followed on main points.

Now, it has been suggested to me by one speaker in this debate that more confidence would have been felt on the other side in this inquiry if it had been undertaken by an Indian officer. I can at once assure the House that there has been no question of racial discrimination in this matter. It so happened that the officer who has been selected was available for this duty at this moment, as otherwise he would have been on the point of retirement. And I believe I am right in assuming that all Members of this House who have had knowledge of the work of this particular officer in the Auditor General's Department will admit that we could not have selected one who has a more close knowledge of all the subjects which he has got to examine or a more fearless sense of justice in recording his opinions. Now, Sir, it has been suggested to me that Mr. Rama Rao, who is shortly to be released from his duties in connection with the Statutory Commission, would have been a very suitable officer to undertake this work. I quite admit it, and if it is possible to make use of the services of Mr. Rama Rao in connection with Mr. Jukes' inquiry, I shall be very glad indeed to do so. As a matter of fact, I do not know exactly when Mr. Rama Rao's services will be again at the disposal of

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the Finance Department. And another consideration is that in connection with the examination of the Statutory Commission's Report, when it is before us, and also the examination of those difficult financial problems which we will then have to face, I think it is extremely probable that we shall have to employ Mr. Rama Rao on special duty to help us in this matter. Personalities at the present time must be used where they can perform the most valuable services, but if there is an opportunity of employing an Indian officer in connection with this inquiry, I certainly will do so. I would, however, remind this House that, in the Finance Department, we rely almost entirely on the Indian officers, and they will all, of course, be closely associated with the work in connection with this inquiry.

Now, Sir, I come back again to the motion moved by my Honourable friend, Sir Hari Singh Gour. He has suggested that his purpose in moving this motion has not been properly understood. Sir, in answer to that, I would say that Sir Hari Singh Gour does justice neither to my intelligence nor to his own powers of expression. His purpose was perfectly clear, and I understood it exactly as he has repeated it today. But, Sir, my answer after his second explanation is exactly the same as that which I gave to him yesterday. He says he is out for general retrenchment. I say retrenchment is a subject which you cannot discuss in the abstract; you must come down to the practical details of the departments with which you are dealing. I have prepared some very full notes on the growth of expenditure in the Income-tax Department during the last five years, and I should have liked to go through those with this House, because I myself welcome this opportunity of going, one by one, through the various heads of the Demands for Grants in order to explain to this House exactly how and why expenditure has grown in the last years. But, Sir, as time is short, I propose to omit that explanation now. All this ground will be fully gone over again in the Report which we propose to present to the House. But I feel quite confident that, in this particular case, as in the case of the Customs yesterday, I can make out a most convincing statement to this House showing why expenditure has grown, and that the apparent growth does not represent extravagance.

Then, Sir, my Honourable friend says that, possibly in the case of the Income-tax or the Customs Department, you will not be able to achieve this 5 per cent. cut. "What I am out for", he says, "is a 5 per cent. reduction on the total, and it is for you to distribute the details of cuts that would be made". And, then, he always comes back to the same point, namely, that it is to a reduction in military that he really looks for the achievement of his purpose. As a justification for adopting his procedure, he attacks the whole system of non-voted grants. He says that in moving his cut in this way he is making a protest against the system by which a very large portion of the Budget is not presented to this House. Now, Sir, that exactly illustrates the point which I had in mind when I asked this House to agree with me that, at the present moment, just on the eve of the consideration of the Report of the Statutory Commission and of the consideration of all kinds of constitutional reforms, we could not deal with these large questions of policy. I have no doubt that the whole question of the control to be exercised by the representatives of the people over matters such as military expenditure will be one of the major questions which has to be considered in the next stage of constitutional evolu-

tion. If any one wishes to make a protest against the present system now, he is at liberty to do so, but to blame the Government for not giving effect to a change in policy in that particular respect just at the present moment is, I submit, to make an attack which misses the mark.

Sir, my Honourable friend also complained of the system of over-budgeting and he suggested that, if we were to revise our estimates, we might find room for the economy which he has proposed. If the results of the last few years are examined, it will be found that there has, in fact, been no over-budgeting, taking revenue and expenditure together. Of course on certain items we go wrong. It would be impossible to avoid mistakes, dealing with a country such as India, where all sorts of uncertainties affect the budgetary results. But on the whole, there has not been any large variation from the estimates which have been presented with the Budget to this House, and I am quite confident in making the statement that there is no evidence now to show that the practice of over-budgeting expenditure is carried out.

One further point, Sir, and I have done. The question has been asked whether, supposing this House approves the taxes which we are proposing this year and supposing events turn out favourably, and supposing that next year we can look forward to a year of moderate prosperity and recovery from the depression which India undoubtedly is suffering from today, will the Government remit taxation? That, Sir, is a question which of course it is difficult to answer, for it would depend on many factors. But I think I have indicated to this House very clearly what sort of answer I myself should give to that question. I feel that we have before us now, in the next stage of constitutional evolution, in the next chapter of the history of this country, a period when above everything, it is necessary that money should be available for constructive expenditure, for expenditure which will go to improve the condition of the people both as regards their education and (what is so closely connected with it) as regards their economic opportunities and conditions. I believe that, in the next stage of constitutional evolution, if the provinces, if the Provincial Governments, are to have greater power and greater responsibility and greater opportunity to work for the good of the people, they will certainly require larger funds at their disposal than they at present have. In putting the proposals which I have put before the House, and in recognising that I am budgeting this year for a year when results have certainly dropped down from the normal line of progress and advance which has been followed in the preceding six years, in making those proposals, I have opened the way when the normal line of advance is again resumed for a fairly substantial surplus. I pray that things will go well enough for such a surplus to be realised. It cannot be more than a prayer, because, as things are, and facing the situation which we have to face, I feel that we want all the revenues which I have asked you to vote for the immediate period which is before us. But that does not prevent our hoping and praying for better times in future, and, when those better times come, I say that what is really required is larger resources for the provinces in order that they may undertake that constructive expenditure which India so badly needs. But, Sir, taking a line of that kind does, I recognise, put a very heavy responsibility on the Government and on the Finance Member in particular, for there is nothing so difficult as to resist demands for expenditure when you have a certain margin of money in your purse and when you cannot dispose of the demands

[Sir George Schuster.]

by the simple answer that the money is not there. It is for that reason that I attach special importance to the appointment of a retrenchment officer, and to the conduct of a retrenchment inquiry at the present stage. It is the most difficult task that any Finance Member has to perform to prevent the growth of waste when he has any money to dispose of. I am fully conscious of the duty which rests upon me in that respect, and from that point of view I welcome the strengthening which is given to my arm in that respect by such motions as were passed by this House yesterday. (Hear, hear.)

Mr. President: The question is:

"That the Demand under the head 'Taxes on Income' be reduced by five per cent."

The motion was negatived.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. President in the Chair.

Grievances of the Income-tax Office Establishments.

Mr. N. C. Kelkar: Sir, I beg to move:

"That the Demand under the head 'Taxes on Income' be reduced by Rs. 100."

The object of the motion is to draw the attention of the House to the grievances of the Income-tax Office establishments. It is, of course, a small point in itself, but I think it is a somewhat important point also. In the first place, I am not asking for increased expenditure to better the conditions of these people. After having voted for a cut in the Demands, it would be inconsistent for me to ask Government to spend more. But that is not my point. My point is about the injustice that seems to be done in the recruitment of the establishment in some of the Income-tax offices; and this does not necessarily refer to one place like Bombay, but it is, I am told, common to several other places also. Persistent complaints reach us, sometimes even by post, about these things, and circumstances and details are told which, for the moment at any rate, until we get an explanation to the contrary, convince us that the complaints are real. It is for that reason that we take up these complaints, and I am not one of those who think it beneath their dignity to take notice of these things in this House. If the appeals of the subordinates in the services always received proper attention and anxious consideration at the hands of the departmental heads, then these complaints would not surely come to us; and because these complaints are not removed, therefore unions also are formed of these services and that makes it clear that grievances do exist, for which effort has got to be made by these people till they are redressed. One thing more I have to make clear. When I, for instance, bring these complaints to the notice of the departmental head here, I may say once for all, the complaint may be taken to be absolutely impersonal, both subjectively and objectively. I have not before my mind's eye any person, A. B. C. or X. Y. on whose affairs the question I am raising may have a bearing. At the same time, I have not before my mind's eye anybody

as X. Y. Z., who may be supposed to be wrong in this matter as head of a particular department. I do not know to whom injustice is being caused, I do not know personally who is causing the injustice. I know the facts; the facts have been placed before me, and I am taking up this question because I believe there is some truth in the complaints.

On the 4th February last, I put a detailed question to the Honourable the Finance Member, asking for certain information and embodying in this question certain facts about certain cases of injustice. In reply to one of the clauses I was told:

"I wish to repudiate, in the strongest possible manner, the insinuation directed in this part of the question against an Indian gentleman in high official position in whose absolute impartiality I have complete confidence."

I have certainly no quarrel with the confidence reposed in that officer by the head of this department. I was much obliged for the information given to me in that reply that the person to whom the complaint related was an Indian gentleman. But I did not want that information. Whether he was an Indian gentleman or not did not make any difference to me, if injustice can be brought home to him, and therefore the only purpose of my question was to know whether such injustice had taken place in particular cases, or whether the state of things generally obtaining in the department with regard to recruitment was such that injustice of that kind might be likely and possible. My question went over seven or eight heads and to most of them the reply given was:

"I am calling for a report after which I will furnish a written reply to the Honourable Member. I am also calling for a report with reference to the other clauses."

Therefore, beyond practically censuring me for seeking to bestow censure upon an Indian gentleman, who happened to be the head of the office, I was not given any information in reply to this question. Since then, I have not got any reply from the Honourable the Finance Member. Therefore I am bringing up this question now to the notice of the Honourable Member, and I hope that this time, at any rate, I shall get the required information.

The grievances relate to both the branches, the subordinate service as well as the superior service. As regards the subordinate services, I understand that the Union of these services under the Central Board of Revenue have made another representation to the officers concerned, and I am told that a final reply has not yet been given, or even if it has been given, it is in dispute. The subordinate service people do not seem to be satisfied with it, and they are still making representations. With regard to the higher appointments, the point of injustice seems to be that, either there are no rules or there are no examinations, or if there are rules and examinations, these rules are not observed and the results of these examinations are not given weight in matters of recruitment. Outsiders seem to be brought into the Department; in one case it may be a stenographer from outside who has made some impression upon the Commissioner; in another case it may be a hand from the allied Department of Customs who sees no prospects for himself in the Department, or in a third case it may be a man from the Imperial Bank, who is finding his position uncomfortable there and has got to be provided for somewhere else. Of course these are not personal instances in the sense that I know A. B. C. or X. Y. who are affected or who are mentioned in these particular cases; nor are

[Mr. N. C. Kelkar.]

they exhaustive cases, but they are illustrative cases and, I may also say, specific cases. Therefore, if an inquiry is going to be made, it will of course be found out whether the instances I have quoted are to the point or not. The process of selection is always a dangerous one, and it naturally leads to such complaints. Therefore my point is, in the first place, that I may be informed whether there are definite rules about recruitment, rules about selection and rules regulating examination, and the progress of those who have passed the examination and have been brought into line. The people of this Department have certainly a legitimate grievance that it is made a dumping-ground for outsiders.

It is difficult to say what is precisely the qualification required for an officer of the Income-tax Department. But it seems to me to be somehow taken for granted that any man who seems to be clever may be just put in this Department. It is difficult to accept that proposition, that anybody, simply because the Commissioner finds that he is clever or impressionable, should have a place in the higher services. The higher services are very important services. The clerks in the Department who have acquired long experience naturally look forward for promotion to these posts, and certainly they may be permitted to appear for examination if there is any. But in any case, where recruitment is to be made by a local promotion of the people already in service who have acquired experience, or where it is made through a definite examination, selection and favouritism and these sorts of things should not come into operation. That is the only point I wish to raise. I only want information and nothing more, and my purpose will be served if this discussion is brought to the notice of the departmental officers concerned and they take a warning from this discussion.

The Honourable Sir George Schuster: Sir, in dealing with questions of detail of this kind, I am obviously in something of a difficulty, because I have no knowledge beforehand of what precise points are going to be raised in discussion, and it is clearly impossible for me, in my position, to keep in my head all the details of the various departments which are technically under my charge. My Honourable friend has referred to a question which he asked and as regards which I promised him some information which he has not yet received. I must apologise if that is so. I understand that an answer was recently sent to him in reply to certain questions. I do not know whether that refers to the particular question which he had in mind. I am told that some information had been sent to my Honourable friend within the last few days. Possibly he has not yet received that letter. But in any case, it seems that, if he asked the question on the 4th February, 1929, and if he has only just received the particulars, I think it is fairly clear that I owe him an apology, and, if that is the case, I hope he will accept my apology now for the long delay which has taken place in giving him the information. Even after I have heard what my Honourable friend has said, I am not quite clear as to the precise nature of his grievance, and I feel in cases of this kind, as I felt earlier in the Session when the question of the grievances of the Currency Officers was brought up, that it is exceedingly difficult to discuss these details across the floor of the House. I gather that the chief point of his charge was that clerks in the Income-tax Department in Bombay are not promoted sufficiently freely to executive posts and that such posts are filled by outsiders with no special claims to them.

Mr. N. C. Kelkar: To the prejudice also of people who have passed the examination.

The Honourable Sir George Schuster: And he did make some suggestions that there was a certain amount of favouritism in dealing with these matters. That, I am afraid, is a charge which I must still reject, because I still have the greatest confidence, not only in the particular gentleman to whom I referred in the course of my answer last year, but in the justice of all the officials in the Department who are responsible for making these appointments. I am told that, normally, clerks are only promoted to the posts of senior clerks, Head Clerks, Assistant Superintendents and Superintendents, and it is only in exceptional cases that clerks are promoted to the higher grades of Inspectors, Examiners and Income-tax Officers. There are no special rules on the subject, since it is not contemplated that such promotions will ordinarily be made. That is the system on which we are working. I presume that the system has been adopted after careful consideration, having regard to the nature of the qualifications that are required for Income-tax Officers and to the qualifications which are ordinarily available in the clerical grades. If my Honourable friend would submit a reasoned statement on the subject, I should be very glad to go into it. But at present, I must presume that the practice which has been adopted, after careful inquiries, is the best practice in the public interests. I am told that clerks who wish to do so are not debarred from appearing for the departmental examinations. But, as I have already explained, the Income-tax Officers are selected from an approved list, and mere success in departmental examinations is not regarded as in itself a sufficient qualification for inclusion in that list. My Honourable friend has said that he is talking in general and not with reference to any particular cases. But it is very difficult to deal with a question of this kind unless one has particular instances put before one for examination, and I think that I could investigate the case very much more effectively if my Honourable friend could supply me with the definite illustrations which he has in mind in advancing his argument. I feel, Sir, that I cannot at present say any more in reply. I am perfectly willing to go into the matter, and I would suggest that, in confidence, my Honourable friend should tell me precisely what he has in mind.

Mr. N. C. Kelkar: I beg leave to withdraw the motion.

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

Mr. President: Mr. Gaya Prasad Singh.* Does he wish to discuss the amendment of Income-tax law?

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Yes.

Mr. President: I am afraid he cannot discuss amendment of any law by budget cuts. The Honourable Member is at liberty to give notice of a Bill for that purpose.

Mr. Gaya Prasad Singh: Can I discuss it on the Finance Bill?

Mr. President: Certainly.

*"To move that the Demand under the head 'Taxes on Income' be reduced by Rs. 100. (Amendment of Income-tax law)."

Income-tax Administration in Bengal.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I beg to move:

"That the Demand under the head 'Taxes on Income' be reduced by Rs. 100."

I confess that I did not altogether feel overweighed with a sense of responsibility even after hearing Mr. Jinnah. I would, therefore, ask the Honourable the Finance Member to agree to surrender Rs. 100 out of his Budget of several lakhs, unless his answer to the point that I desire to raise satisfies my friend, Sir Purshotamdas Thakurdas. (Laughter.) Sir, I had several points in mind when I gave notice of this particular motion, but in view of the progress that we have made in the disposal of the Demands, I propose to confine myself to just one point and I may state to the House that I have already given an indication of my particular point to a representative of the Finance Department, who is also an Honourable Member of this House, so that the Honourable the Finance Member should not have any difficulty in dealing with this particular point. Sir, I understand that a few years back a special Income-tax Officer was appointed in Calcutta and he was charged with certain duties. The view was taken by assesses that this procedure was illegal; that the Income-tax Act did not contemplate the appointment of such an officer for the purpose of discharging the kind of duties that were laid on him. This objection was taken formally before the Income-tax Officer, and I am told that it was also brought to the notice of the higher authorities, the Central Board of Revenue, but with that irresponsibility that seems to be peculiar to the administration of the Income-tax Department, no heed was paid to it. This illegal proceeding went on till the matter came up before the Calcutta High Court, which stated that the entire proceedings before this particular officer were illegal, with the result that the Department has already refunded the income-tax or super-tax collected as a result of the activities of this officer to the tune of several lakhs. Now, Sir, as a revenue earning department we have considerable sympathy with the administration of the Income-tax Department, but I should like to know whether the action taken by the authorities in this particular case really justifies the confidence which it is claimed on behalf of Government that this Department should enjoy at the hands of this House.

The Honourable Sir George Schuster: Sir, my Honourable friend has suggested a somewhat surprising new form of constitutional procedure. He seems to suggest that this House should resolve itself into a sort of arbitration tribunal presided over by my Honourable friend, Sir Purshotamdas Thakurdas. Sir, I cannot leave

Mr. K. C. Neogy: I said I was prepared to surrender my judgment in favour of Sir Purshotamdas Thakurdas.

The Honourable Sir George Schuster: That is precisely the result of my Honourable friend's suggestion. But, Sir, I do not know that we need carry this particular point to the length of inventing new constitutional forms by which to deal with it. The matter is a small one and I think quite clear. Undoubtedly a mistake was made in the appointment of that particular Income-tax Officer. The ground on which the Calcutta High Court declared the assessments to be illegal was purely a technical ground, namely, that, while it was open to the Commissioner to appoint an Income-tax Officer to perform these functions "in respect of such classes of persons

and such classes of income and in respect of such areas as the Commissioner may direct", it was not open to the Commissioner to appoint an Income-tax Officer to perform all the functions of an Income-tax Officer in respect of those persons whose cases may be made over to him by the Commissioner from time to time. In fact, he tried, under his powers for delegation of his duty, to delegate it in too wide terms, because the order did not specify the class of persons or the class of income within the meaning of the section. Actually what has happened is that most of the assessment declared invalid by the High Court will have to be made afresh by other Income-tax Officers having jurisdiction, who will naturally use the notes prepared by this special Income-tax Officer. The fresh assessments will probably be quite formal, though it is possible that a few of the assessments will not be able to be made afresh because the period of limitation may have expired. I suggest that the mistake is a purely technical one, and one which does not justify the public or this Assembly in withdrawing its confidence from the Income-tax Department. Actually the Calcutta decision has brought to light a real defect in section 5 of the Income-tax Act, which will probably have to be amended before long. Pending the amendment of that section, I am told that the Central Board of Revenue have issued a detailed circular to all Commissioners of Income-tax explaining the provisions of section 5, and suggesting methods by which the section can be worked with the least administrative inconvenience. I trust, Sir, that the explanation which I have given will be satisfactory not only to my Honourable friend but also to Sir Purshotamdas Thakurdas, to whom my Honourable friend, the Mover of this motion, has delegated his responsibility in a way no less reprehensible than that of which this particular Commissioner of Income-tax was guilty. (Laughter.)

Mr. K. C. Neogy: I am afraid my Honourable friend, the Finance Member, has missed my point. Is it not the fact that this particular technical objection was taken at the earliest possible moment, even before the matter was taken to the High Court, and that the procedure was continued, despite this warning, and in absolute disregard of all the objections that were urged on behalf of assesses before the different Income-tax authorities, which shows the absolutely irresponsible manner in which the Department is administered?

The Honourable Sir George Schuster: I very much regret, Sir, that, on that particular point, I have no information. I will look into exactly what happened. But I still venture to suggest that, the nature of the irregularity was of such a purely technical kind, that it hardly merits the very eloquent phrases which have just fallen from my Honourable friend's lips.

Mr. President: The question is:

"That the Demand under the head 'Taxes on Income' be reduced by Rs. 100."

The motion was negatived.

Sir Hugh Cocke (Bombay: European): Sir, there are one or two general remarks I wish to make on this vote, if I may. I shall not take many minutes. I have noticed in the Annual Report of the Central Board of Revenue for 1927-28 (paragraph 14 on page 4) that it says that "arrears at the end of the year stood at the same level as at the end of last year. The collections continued to be satisfactory". But looking into the figures, it does not seem that they stood at the same level. I wonder if the paragraph has crept in from a previous Report. I see that as regards income-tax, the uncollected income-tax at the end of March for the three years 1925-26,

[Sir Hugh Cocke.]

1926-27 and 1927-28, rose from Rs. 45 lakhs, in the first year, to Rs. 51½ lakhs in the next, and to Rs. 54½ lakhs in the third, so that there has been a steady increase in the uncollected balance of income-tax. As regards super-tax, the figures are still more striking in that, at the end of 1925-26, they were Rs. 19 lakhs, a year later they were practically Rs. 40 lakhs, and at the end of 1927-28, they were nearly Rs. 58 lakhs. So I do not think that that statement, in paragraph 14, is quite correct. I hope it will be possible, in future, to get this Report out somewhat earlier. I understand that Government close their accounts at the end of March, and that anything received after the 31st March, goes into the next year. If that has been so, I should have thought that it should be possible to get all these figures within a month or two and to issue the Report very much earlier than now. This Report for 1927-28 reached the Library here in June 1929, that is, fifteen months after the end of the year.

On one other point I wish to say a few words for future information. You, Sir, just now ruled out of order the cut of Mr. Gaya Prasad Singh to raise the question of the amendment of the income-tax law. I presume that had he been going to discuss the recent enactments and their effect on the administration, he would have been quite in order. I understand he was ruled out because he was going to discuss future legislation.

Mr. Gaya Prasad Singh: I was going to discuss the existing law on the subject and to point out the anomalies and deficiencies of the existing law, and I wanted to suggest amendments to some of the sections in the interests of the assesseees.

Mr. President: The question is:

"That a sum not exceeding Rs. 71,99,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Taxes on Income'."

The motion was adopted.

DEMAND No. 18—SALT.

The Honourable Sir George Schuster: Sir, I move:

"That a sum not exceeding Rs. 88,31,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Salt'."

Abolition of the Salt Tax

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, it is gratifying to me that I have the high privilege of moving a motion* in this House before the representatives of the Indian people, which has been taken up by a far greater individual to carry on a religious war. It is also a curious coincidence that the discussion of the subject should fall on the same day here in this House along with the first day of commencement of the non-violent war. It is a special privilege for every one of us here that we are also participators in the great struggle that is being carried on for the liberation of India. Sir, Mahatma Gandhi, the saint and seer of modern India has declared that, in order to liberate India from foreign domination, the first battle that has to be fought with the Bureaucracy

*"That the Demand under the head 'Salt' be reduced to Re. 1."

is on the issue of salt. Why did he do so? Because he felt with all the warmth of feeling that a great heart like his alone could feel for the masses of the people who have to pay this salt tax. My amendment, Sir, is totally to deny any grant, save and except one rupee, to this Department. If the Government can carry on this Department with one rupee, let them do so; but we wish to record our protest against this iniquitous tax. Before foreign rule, salt was free, like water, light and air; but these are now taxed, except air, and if air is taxed, we shall not be surprised, and we shall be obliged to shut our noses and cease breathing or pay air-tax, for it is not possible to live without breathing air. So it is also not possible to live without salt; it is one of the necessities of life to keep up health and to take in a morsel of food. That a civilised government, as the present Government claims to be, should choose, of all other things, salt, leaving aside tobacco and other luxuries, as an object to be taxed for revenue, is not only surprising but perplexing. The debates of this House will show that all that can be said about this salt tax has been said, and to say anything further, would merely be repetition of those very things over again. It is a prime necessity of life, both for men and cattle and without repeating all that has been said for the abolition of this pernicious tax, I make my humble appeal to the Government so long they happen to rule this country to abolish the salt duty.

I do not know whether the religious war that has been begun today will succeed or not. According to my own conceptions of success, I believe that no great movement has ever failed. To ordinary mortals it might appear that it has been a failure, while it is not so. To a superficial observer it may appear that Srikrishna, Gautama Buddha and Christ have failed, but a careful study of the history of human civilisation will convince you that they have moulded the destinies of the human race, and true success lies there. They are the great forces that govern this world. Sir, I believe that this religious war is bound to succeed, and I invite the Government to join in this religious war and help Mahatma Gandhi in having free salt for the masses of India. That will be to their great credit, and I hope that Englishmen on the other side will not be deaf to my appeal, will not be deaf to the appeal of the greatest man of the world, who in order to make the Government moral and religious, has launched this non-violent religious war. Hence, Sir, I am asking that this Demand be reduced to one rupee, and in this I am helping the Government at least to become moral, to become more religious; and I hope that they will appreciate my views.

***Pandit Nilakantha Das** (Orissa Division: Non-Muhammadan): Sir, I am here to oppose this Demand for Grant as it stands on the paper and to support the amendment that has been moved, and I do so with a very heavy but responsible heart. I have not come here today to argue or to reason on this particular subject; because whatever can be said has been said in previous years in this House as well as elsewhere. But, Sir, this year, it has come to be a subject in the forefront of all Indians and of all Government men. It is a queer coincidence, as my Honourable friend to my left has said, that it is today, the 12th March, that, in order to liberate the masses of India, Mahatma Gandhi has launched a religious war and he has selected this weakest point of the Government. This is a tax which

*Speech not revised by the Honourable Member.

[Pandit Nilakantha Das.]

pinches even the poorest, and every one, every poor man particularly, feels it to be so. If I reason today, it is not on the iniquities of the salt tax; I say, today and now you must abolish this entire Department. If I may reason, I may discuss whether, if the salt tax is not levied, such a department will still be necessary. It may be necessary, and it may be the duty of the Government to deal out salt prepared by the people free all over the country. I know that, and it is not for me to argue on that point now. I say emphatically and deliberately, abolish this Department all at once, for it is only then we can put our heads together and form a small department to deal out salt all over the country. Sir, this is a subject over which today a national war has begun; it is a war of Independence. It is not reason which will convince the mailfisted Bureaucracy or band of Imperialists. We are told that we are a part of what is called the Commonwealth of Nations, and here somebody else said we enjoy Dominion Status in action. There are Dominions which have got a status, and my friends on the opposite Benches well realise what reason they gave to demand or carve out the status which they now have, and I am sorry to say that, so long as that reason is not shown, perhaps they will depend on the brute force, of which they are past masters. If I can help them to put any sense in their brains, I should advise them, particularly at the present juncture, to abolish this Department altogether, to disband the whole band of officers, and thus show their *bonâ fides* and show that they join hands with the Indian Nationalists who are crying for Independence, who are rightly demanding it, and begin a new era in the world of peace and prosperity, which perhaps will sooner or later dawn on this country, despite the attempts of the Bureaucracy. Sir, with these few words I support the motion.

Mr. M. S. Aney (Berar Representative): Sir, I have a cut motion* given under this very Demand, which was intended to draw the attention of the Government to a careful consideration of the salt policy they have been pursuing, in view particularly of the present political situation. As my friends, Messrs. Amar Nath Dutt and Pandit Nilakantha Das, have practically argued on the same grounds, I thought it would be better for me to participate in the debate raised on Mr. Amar Nath Dutt's motion. But my object is really this. The motion which I want to make and which I believe is the one that was moved by my friends, is not brought in with the object of inflicting any defeat on the Government or getting any success in this House. That is not the purpose of it at all. On the other hand, if I put it in different language, the object is to draw the attention of the Government to the gravity of the present situation and to call upon them to realise the supreme necessity of revising their policy with a view to abolish the duty against which the people of this country have been complaining ever since the advent of British rule in this country so to say. My Honourable friend, Mr. Jinnah, when he spoke on the last motion, very appropriately remarked that the Members on this side of the House are not irresponsible men, and no Member can think that he is irresponsible. He resented that allegation, which unfortunately my friend, Sir Cowasji Jehangir, probably meant in a different sense. I want also the Members on this side to realise that, in considering this motion, they realise the

*"That the Demand under the head 'Salt' be reduced by Rs. 100. (Abolition of Salt duty as an effective expedient to ease the political situation in the country)."

responsibility to which pointed attention was drawn by my friend, Mr. Jinnah, in his speech. The responsibility to which he has drawn our attention was to the effect that we are responsible at any rate to our constituencies, and when we consider questions of broad policy affecting our country which is larger than our constituency, our responsibility is to our country men, and without being sanguine of any success, or without any desire even of taking a motion like this to a division, I desire that those who wish to take part in this debate should realise this responsibility, and with a full sense of their responsibility, they will fearlessly offer their views and advise the Government on this occasion. It is in that sense they should approach the question. That is my earnest desire.

Sir, the question which we have to consider is, whether the salt duty has been telling upon the people and affecting them prejudicially or not. This is a question, the reply to which, even on the admissions made by responsible officers from time to time in different capacities, does not admit of any doubt at all. In fact, it has been freely recognised that this duty on one of the prime necessities of life is imposed because that is the only way in which the poorest man in the country can make his contribution to the exchequer of the State. The famous despatch of the Duke of Argyle, which has been frequently relied upon in this connection, discloses the whole case on the point so far as Government are concerned. The question which weighs with the Government is, what is the contribution which the poorest man in the country can make today to the exchequer of the State, and which, as a citizen receiving benefits of state protection he is bound to make? And they satisfy themselves with a reply that the duty on salt is the most inoffensive form in which the poorest man can be taxed, and it is not materially felt by him. Government think that there is no harm in securing from him the contribution in the form of the salt tax. Sir, these arguments have been answered times out of number. The late Mr. Dadabhai Nowrojee, who is the father of that national movement which is today culminating in the form of what may be called a non-violent war between the people of this country and the Government of this country, has in his famous book "Poverty and Un-British rule in India", demolished this theory of the poor man's contribution to the exchequer of the State. He says:

"Whether you tax that man in the form of salt duty or not, there are a thousand other ways in which he is already taxed, and there is no tax which you have imposed which is not ultimately paid by the poorest man in this country."

Sir, the same arguments have been repeated on the floor of the House, which is the predecessor of this House, the pre-reform Imperial Legislative Council, by the late Mr. Gopal Krishna Gokhale. In his famous budget speech of 1903,—I do not wish to saddle my speech with quotations from his speech, but I will only give reference for the benefit of the Members on the treasury Benches,—in his famous budget speech of 1903, he dealt with this argument exhaustively, and exposed the hollowness of the plea that this is the only contribution which the poorest man makes. He showed that the poorest man is contributing to the revenues of the State on account of the forest policy, on account of the land revenue policy, on account of the customs policy and on account of the excise policy, and in sundry other ways. Every article of consumption in this country which is taxed by the Government is ultimately paid for from the pocket of the poorest man.

[Mr. M. S. Aney.]

So on that ground it is not necessary to retain this salt duty at all. These arguments have been exhaustively dealt with before, and I do not want to go into them.

The iniquity of the salt tax is obvious to those who know the medical opinions on this point. It has been admitted that salt is one of the primary necessities of life. Every human being must take it in certain quantities if he wants to retain his health and strength. It has been shown that the ordinary consumption of salt *per capita* in this country is only 12 pounds. I doubt whether that is the proper figure at all. The total quantity of salt available for consumption in 1928-29 comes to 2,672,100 tons only. It may even, perhaps, be less. This figure of 12 pounds even is very much below the figure of *per capita* consumption of salt in other civilised countries. In England it stands at 40. Even if we make allowance for the consumption of salt for industrial purposes in England, it will stand at higher than 25 pounds. This has been arrived at after careful calculations by Mr. Ratton, who is cited by the writer of this monograph, a copy of which I have been favoured with. It has been published by the Federation of Indian Chambers of Commerce. I have gone through a portion of that monograph, and it is a very useful book. I wish the Members of the Treasury Benches would read it, and I am sure it will help them immensely and benefit them. I find here a careful study of this question from the historical point of view as well as its effect upon the economic condition of the people. The consumption is only 12 pounds per head here while it stands at 40 in England. Even making allowance for industrial consumption, the figure will not stand below 25 in England. Why is there this low consumption and what is its effect? As regards salt, the theory which the medical authorities have propounded is this. The general food of the people of India, of those who live a vegetarian life so to say, is of such a nature that it is very poor in salt, and unless they take greater quantities of salt, they cannot be expected to be as healthy and strong as they ought to be. Now, I do not wish to give the House any quotations in support of this proposition. It is admitted by medical experts as well as other persons who were examined as witnesses before the Committee of 1833. Those are matters of record, and the Court of Directors, approving the opinion of this Committee have recognised that the monopoly of salt goes to diminish the power of consumption, which again tells heavily on the general health of the people. It goes to weaken the people.

Today the position is like this. What is the total burden which the Indian people have to bear on account of this salt duty? A sum of 7 crores is realised from the salt duty. In 1928-29, we had the figure of 7,59,92,000 or something like that. Put it roughly as 7.60 crores. That is not the only thing which the consumer of India has to pay for his salt. It has to be taken into the interior and you will see, Sir, that 2 crores went to the Railway Department as freight for the carriage of salt in the year 1928-29. The total contribution made by the Indian people to the Government Treasury in that year was therefore something like 9 crores, 60 lakhs. When you take that as the real figure of taxation, which directly or indirectly is imposed on the people of India, the incidence of taxation per head of the Indian population, for the purpose of getting salt, which is a primary necessity of life, comes to something like Re. 0-4-8, or something more than that. The figure of 3 annas, three pies is based on the calculation

of 7 crores, but when you take this additional 2 crores, which virtually goes to the Government Treasury, you will find that the incidence does not come to less than 4 annas 8 pies. That is really a heavy and severe poll tax, as the Taxation Inquiry Committee have pointed out, on one of the primary necessities of life.

Sir Hugh Cocke: Does the Honourable Member suggest free salt and free carriage of salt?

Mr. M. S. Aney: At least the Honourable Member knows that there is today free carriage of salt so far as the passage of imported salt to the Indian ports is concerned. I am not going to propound the proposition that the salt should necessarily be carried free by the State railways. But the question of freight can be easily considered in a different way. All that I am propounding today is that there should be a policy adopted by the Government towards a gradual reduction of the salt duty, ultimately leading to abolition. That is the line on which I am arguing this case, and if the Government accept this policy, then matters of detail can be gone into later on. All I want them to do now is gradually to reduce the duty with a view to abolish the same within a course of, say, five years, as they have done in the matter of opium. It may be said that Government will lose their revenues to the extent of 7 or 9 crores, and how can they afford this loss? It is a serious loss which they have to suffer. I, however, know that, whenever matters of urgent importance were concerned or emergencies had arisen, the Government of India had not always been unnecessarily supercilious about their own revenues. Why have they consented, I ask, to the gradual abolition of the revenue which they were making out of opium till only a few years ago? Is it not a fact that they have submitted to suffer a loss of seven or eight crores by the end of the year 1935, in order to fulfil the international obligations which they have accepted to discharge? They have played the role of the philanthropists at our cost, in trying to oblige some other nation, but whenever any relief to the people of our own country is concerned, they plead financial difficulties and financial exigency. My main complaint is that on account of their obstinate policy, they are not giving any consideration to the subject at all, in spite of the protests that have been made on behalf of the people ever since the dawn of public life in this country and even before. That is the reason why the leaders have been driven to despair and the no-tax campaign is going to be launched against this very duty from today. I submit this is an opportunity for the Government of India to make an honest endeavour and come to a resolve that they must make a beginning in the matter of removing this duty, instead of allowing the events to run to a point where they must clash with the people. There is yet time and I hope saner counsels will prevail and something may be done to avert the actual state of war between the people of India and the Government of India which now seems otherwise inevitable. I desire to remind them that we voluntarily made a contribution of 100 crores of rupees in order to help England in the last war with Germany and other nations in Europe. So in order to avert war with your own subject-people, a little sacrifice leading after five years to actual loss of seven crores of rupees is really not much and it is certainly worth making. You may laugh at the suggestion; you may even treat the present agitation appearing like a small cloud not bigger than your hand with contempt; but those who know the great personality, respected all over the world, which is at the helm of this campaign, and those who know the momentum which

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[Mr. M. S. Aney.]

the movement is bound to receive in a short time, owing to his dynamic, decisive and determined lead, which enforces homage from every Indian, be he on this or that side of the House, cannot but feel that this is the psychological moment for the Government of India to act in a statesman-like manner. It is to that statesmanship of the Treasury Benches, if they have any, I desire to appeal, and I want them to pound seriously to see whether it is not the proper time for them to make a clear declaration from the floor of this House with regard to the salt tax. Let them say; "We do not merely sympathise but fully realise the significance of the point for which the people are going to enter on the fight, and therefore, we voluntarily declare that our policy shall be to abolish this salt duty within the course of, say, five years from now and we are making a beginning from this year and are prepared to suffer such losses of revenue as may be occasioned by the abolition of this duty.

What is the ultimate intensity of the interest you feel for the masses about whom you speak so often? That is the real point. The masses are undoubtedly behind Mahatma Gandhi, notwithstanding the roseate pictures of co-operation in the speeches that are being drawn by some of the high officials on their tours here and there. All the people may perhaps not be able to make the sacrifices which Mahatma Gandhi expects of them in this struggle. But a very large number will. And the hearts of all will be with him wishing him success all the time, irrespective of your efforts to the contrary. Why are you allowing the people to run into that mentality? That is the point. You should try to rule over the people with their consent, their goodwill and their good wishes. I do not wish to ask the Members of this House, whether they be on this side or on the other side, to go to a division. On the other hand, I have given an opportunity to Government to give expression to their policy on this subject. If they have the imagination to visualise the dramatic change such a declaration will make in the political situation, they can take advantage of it, otherwise they should be prepared to face the situation that will undoubtedly arise in the country. I want all my countrymen, on this side of the House at least, to take up an attitude on this question which will indicate that they wish to stand for the crusaders who are resolved to carry on the battle of the country, in the success of which lies our real salvation. It is for the Government to see that the ultimate issue of our liberty is not solved by the people by having recourse to a severe struggle with the authorities but is solved by means of negotiations based on a goodwill between the Government and people of India. For the sake of restoring that goodwill the Government must show that they are prepared to make the necessary sacrifice and adopt a reasonable policy which I presume is likely to appeal even at this late hour to the great man who has left his home with his brave soldiers this morning and begun the crusade. Today is the first day of his great march and there are yet nine or ten days more before the actual fight begins. Before the brave band of crusaders reaches the destination, and before the first shot is fired, there is yet time for you to rectify the past mistakes and revise your policy. I earnestly desire the Honourable Members on the Treasury Benches to realise the gravity of the situation and do their duty to the people who have been supporting them willingly or unwillingly at immense sacrifice for the last 150 years. Be true to the salt you have been eating for all these years; that is all I want to say today in commending this cut on the Salt motion, for your consideration.

***Mr. Fazal Ibrahim Rahimtulla** (Bombay Central Division: Muhammadan Rural): Sir, I am glad my friend, Mr. Aney, agrees with the leader of my Party that every Member who speaks from this part of the House, or any part of it, speaks with the full responsibility attaching to his statement. It is therefore unfortunate that my friend, Mr. Aney, should have dragged in the political issue on this question. I, for my part, would not like to go into the details of this political question, except to say that I do not think my countrymen would favour the launching of the civil disobedience which the movement at present started means. I also do not think that the other point raised by my friend, Mr. Aney, is correct, namely, that, by the reduction of the salt duty, you will be able to ease the situation in the country. I think the Leader of the Opposition has made it clear that, as far as the Indians are concerned, if the Hindu-Muslim question is settled, they will not accept anything less than full Dominion Status. Therefore, I think that the question of the reduction of the salt duty ought to play a secondary part in the question that is now engaging the attention of the country outside this House.

As regards the abolition of the salt duty, I think my friend, Mr. Aney, has forgotten its past history. The Deputy Leader of my party, Sir Purshotamdas Thakurdas, last year had taken a very strong attitude on this subject when the motion of my friend, Mr. Kelkar, was debated in this House, and I must say, to the credit of Government, that they accepted that motion and instituted an inquiry into the subject of salt, in order to find out the ways and means to make India self-contained so far as salt was concerned. I say, therefore, that it is inopportune at this juncture, either to press this motion, or vote against this grant, unless and until we see the Report of the Tariff Board, and this House gets an opportunity of expressing its views on it. I think my friend Mr. Kelkar's speech on this subject was a very telling and strong speech, and this House practically by a large majority adopted that motion. Unless, therefore, that Report is placed in our hands and a separate day is allotted for its discussion, I think, I will be right in saying that the House would be well advised in not supporting this motion at this juncture. Sir Purshotamdas Thakurdas practically voiced the opinion of our party when he said that, if they did not carry out the intentions of this particular part of the House, he was prepared to go to the extent of reducing the duty to 8 annas. I do not think a stronger case than that could have been made out, so far as the attitude of our party is concerned. I therefore hope that the Members will not support this motion, but will allow the Demand to be passed because we do not wish to raise the issue at present about the abolition of the salt duty, unless we get the Report of the Tariff Board inquiry.

The Honourable Sir George Schuster: Sir, one is in a difficulty in replying to a debate on this question, because obviously very important issues have been raised which I would not wish to touch upon at all deeply at the present stage. Also the subject, as has already been remarked by several speakers, is a well known and well-worn subject. The unfortunate article of salt has to bear a multitude of sins, and discussions of this subject are as experience has proved to us, not free from passion. I maintain, Sir, that we are no less the friends of the people if we insist that reason also should be introduced into the consideration of our policy on these matters.

*Speech not revised by the Honourable Member.

[Sir George Schuster.]

In the present debate, two main points have been raised—the question of the present political danger and the question of the economic burden of the salt tax on the people. Now, I do not believe, as regards the political danger, that any of my Honourable friends on the opposite Benches would maintain the view that the case would have been met and the political danger would disappear if we were to abolish the salt tax with one stroke of the pen today. As regards the economic burden it is there that I would ask my Honourable friends to apply reason to the consideration of the matter. If one investigates the figures, one finds that the actual burden, as has often been stated in this House, is just over three annas per head of the population per annum. That, no doubt, may be quite a serious burden to the very poorest classes, but if one is considering the advantage of the poorer classes, surely there are other ways by which a much more substantial advantage can be conferred upon them. For instance, take the results of a constructive agricultural policy. The total receipts from the salt tax are now about seven crores per annum. I have been told that, in the Punjab alone, and in the canal colonies alone, the introduction of improved qualities of wheat meant an increase in return to the cultivators, brought about in a period of five years, by something like eight crores per annum. Those are the sort of figures which count when you are considering the welfare of the masses of the country. Or again, as was mentioned by some Honourable Member in the course of a recent debate in this House, if we were to consider the burden which interest payments in respect of their indebtedness puts upon the poorer classes of the country, that is a hundredfold more than the figures of the burden on salt. We hope, I certainly hope, that as a result of the measures which may arise out of the banking inquiry we may be able to attack that problem, and I maintain that, if it is the advantage of the poorer classes that we are considering, there are far more effective ways of pursuing these advantages than by the abolition of the salt tax. Or, again to come to salt itself, I think it is quite possible that, by improving the marketing conditions and the general system of administration, it may be possible to put a better quality of salt and greater quantities of salt at lower prices into the reach of the people of this country, and that, in that way, you will be able to confer a much greater benefit on them than you could by merely abolishing the salt tax.

That brings me to the point mentioned by my Honourable friend, Mr. Fazal Ibrahim Rahimtulla; namely, the question of the Tariff Board Report. I have reason to believe that the Tariff Board will go into the whole question of the salt administration in this country in a very wide manner, and it is one of those subjects which I hope will be fully considered by the public in this country and fully debated in this House. I hope that we shall have before us recommendations which will improve matters in this connection and which will touch all those practical points which I keep always present in my own mind, and which were made in the debate on this subject last year, and particularly in the speech made by my Honourable friend, Mr. Kelkar, which I have before me now and to which reference has already been made. Sir, I believe that, in these ways, we can advance the interests of the poorest classes of this country far more effectively than by this gesture of abolishing the salt tax and leaving the country itself in financial difficulties for which at present we could find no exit.

Mr. President: The question is:

“That the Demand under the head ‘Salt’ be reduced to Re. 1.”

The motion was negatived.

Damage done by the Khewri Salt Mines to the Neighbouring Fields and the Jhelum District Board Property.

***Raja Ghazanfar Ali Khan** (North Punjab: Muhammadan): Sir, I beg to move:

“That the Demand under the head ‘Salt’ be reduced by Re. 1.”

Sir, I tabled a similar motion in 1927, to invite the attention of the Government of India to two matters. One was the grievances of the Khewri Salt miners, and the other was damage by Khewri salt mines to the neighbouring fields and the Jhelum District Board property. The Honourable the Finance Member was kind enough to hold an inquiry into this question with the help of a Member of the Revenue Board and also the Deputy Commissioner of the Jhelum district. I was also invited to join and was present there. The first question was more important, and therefore it naturally attracted more attention of the Committee, and I must express here my thanks to the Finance Department that a large number of those grievances, which I pointed out, have been removed, but there are others which remain and which have been the subject of inquiry by the Labour Commission which went there, and therefore I would not like to raise that question now. I may also express

Mr. President: Does the Honourable Member wish to move his amendment?

Raja Ghazanfar Ali Khan: Yes, Sir, I am moving. I may also submit that I am thankful to the Honourable Sir Bhupendra Nath Mitra, who personally went to Khewri to look into these matters, and he promised to take a keen interest in them, and so was the late Mr. S. R. Das interested in the matter.

Now, this question of the damage done by the mines to the District Board property and the fields around is such a serious technical question, that I do not expect any discussion on the floor of the House would help the matter at all. My only object in moving the cut is to place before the Honourable the Finance Member the question whether it will be possible to hold an inquiry into this matter, which very seriously concerns not only my district, but my constituency, with a large number of cultivators, and if he would be good enough to hold a further inquiry into the matter, he himself presiding with the help of a Member of the Revenue Board, and asking the Punjab Government to send one of their officials on that Committee, preferably Mr. Brayne, Deputy Commissioner of Jhelum District, who is also the *ex-officio* President of the District Board, and who takes a keen interest in the welfare of the zamindars, and if he has no objection, also asking me to give my help in finding some solution,—if the Honourable the Finance Member would be good enough to promise and consider the desirability of holding such an inquiry, I would not like to press this motion to division.

*Speech not revised by the Honourable Member.

The Honourable Sir George Schuster: Sir, I have great pleasure in assuring my Honourable friend that I shall take the earliest possible opportunity to have the matter inquired into as nearly as possible on the lines which he himself has suggested.

Raja Ghazanfar Ali Khan: I beg leave to withdraw the motion.

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

Mr. President: The question is:

"That a sum not exceeding Rs. 88,31,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Salt'."

The motion was adopted.

DEMAND No. 19—OPIUM.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a sum not exceeding Rs. 63,69,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Opium'."

Checking the Consumption of Opium and Opium Smoking.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur cum Orissa: Muhammadan): Sir, I beg to move:

"That the Demand under the head 'Opium' be reduced by Rs. 100."

Sir, I shall not press my motion to a division if I am satisfied with the information which the Honourable the Finance Member may give on the two points that I am going to mention. I want to know as to what steps Government have taken so far as the consumption of opium is concerned, and so far as the prevention of opium smoking is concerned. It is only with regard to these two matters, with which I am very much concerned, and with which everybody must be concerned—that is opium smoking and consumption of opium—that I want an answer from the Honourable Member. If I get a satisfactory answer, I shall withdraw my motion.

The Honourable Sir George Schuster: Sir, I think the Government's policy as regards opium has been made public many times, and I do not know that I have very much to say to enlighten my Honourable friend on this subject. My Honourable friend is perhaps aware that, some two years ago, the Provincial Governments were asked to make inquiries, particularly into what have been commonly described as "black spots" for opium consumption. The inquiries are now complete, and there is to be a conference held at Simla in May of this year, the proceedings of which will be opened by His Excellency the Viceroy. All the important questions in connection with opium will be discussed at that Conference.

As regards opium smoking to which my Honourable friend particularly referred, the Provincial Governments are taking steps to prohibit smoking altogether, or to register and ration addicts.

I hope, Sir, that that is sufficient to give my Honourable friend the information which he requires.

Khan Bahadur Sarfaraz Hussain Khan: Sir, I am satisfied so far as opium taking is concerned, but so far as opium smoking is concerned I do not know what the Provincial Governments are doing to prevent it, or how far the matter has progressed. Some action seems to have been taken, but if the Honourable Member can enlighten me as to what that action is, I shall withdraw my motion.

The Honourable Sir George Schuster: Sir, I think I gave my Honourable friend the information which he asks for. It is impossible for me now to go into the exact details of the action that has been taken in all the provinces, but I informed him that, as regards opium smoking, the policy of Provincial Governments is to prohibit smoking altogether and to supplement that ultimate purpose by the registration and rationing of addicts.

Khan Bahadur Sarfaraz Hussain Khan: Sir, I beg leave to withdraw my motion.

Mr. President: Is the Honourable Member satisfied?

Khan Bahadur Sarfaraz Hussain Khan: Yes, Sir.

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

Mr. President: The question is:

"That a sum not exceeding Rs. 63,69,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Opium'."

The motion was adopted.

DEMAND No. 20—STAMPS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Stamps'."

The motion was adopted.

DEMAND No. 21—FOREST.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a sum not exceeding Rs. 8,39,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Forest'."

Revision of the Indian Forest Act, Forest Development and Policy in its Relation to Agriculture.

Mr. M. S. Aney: Sir, I beg to move:

"That the Demand under the head 'Forest' be reduced by Rs. 100."

[Mr. M. S. Aney.]

The points which I wish particularly to bring to the notice of the Honourable Member are mentioned by me in brackets in the motion* on the Agenda which is probably before him. The first point is this. It will be remembered by Honourable Members of this House that some years ago the Government of India brought a Bill to consolidate the Indian Forest laws into one Act before this House as well as before the Council of State. When the Bill was before the Council of State, there was a good deal of debate over it. Attempts were made there first to raise certain points with a view to amend that Bill. Similar attempts were also made in this House, but on certain technical grounds it was found that, being a consolidation measure, it was not proper to move amendments of substance to that Bill. In the Council of State particularly an assurance was given on behalf of Government that they were fully aware that it was an old Act and probably it had outlived its time, and a radical change might be necessary also. But the difficulty which Government felt, in taking any immediate action on their own initiative in connection with the Forest Act, was that it was a provincial subject, and it was eminently a matter which could not be taken up unless the opinions of the Provincial Governments were known. They suggested that, after receiving the opinions of the Provincial Governments as regards the points on which they wanted the Indian Forest Act to be amended, Government would consider the appointment of a committee to see if the Act could be revised in that way or not. After that, more than once, by interpellations, I tried, without success, to draw the attention of the department concerned to the matter and asked what had been done in the way of getting the opinions of the Provincial Governments, and if they had got them, what those opinions were. In my province, of course, certain steps have been taken, a committee has been appointed, which is investigating the question of the forest policy in the province, and the Committee is expected to submit its Report shortly. But I want to know what the Government of India have done to carry out the promise which they gave in the other House, and how far they have progressed in that direction; whether they have received the opinions of the Provincial Governments, and what are the conclusions they have arrived at—if they have received those opinions—as regards the desirability of appointing a committee, or doing something to revise the Indian Forest Act. Nothing is known to us up to this time, although more than four years have passed. That is the first point I want to know. I am not going to make a speech detailing the points on which I want the Indian Forest Act to be amended; I think it will not be appropriate to discuss that question here. The point on which I want Government to give me a reply is why they have not, up to this time, informed the House about anything that they might have done to carry out the promise they gave in the other House and repeated here on the floor of this House also, when the Indian Forest Consolidation Bill was under discussion. Nothing is known to us. That is the first point which I want Government to answer.

* (Non-appointment of a committee to revise the Indian Forest Act; Growth of expenditure on forest development in administered areas; recommendations of the Royal Commission on Agriculture regarding Forest policy and its relation to Agriculture.)

The second point is this. I need not read out the figures from the big book of Demands for Grants, because the Honourable Member in charge of the Department is better conversant with them than I am. But he will see that, in the administered area, particularly in the administration of the Nicobar and Andaman Islands, there is an extraordinary rise from 1,291 thousand in 1928-29 to 1,690 thousand in the Budget for 1930-31 under Forests. There is a similar rise in some other administered areas also. What are the reasons for making such a big expenditure or increase in expenditure in regard to these islands for convict settlements, under Forests? Here, in the volume before us, we have got only these high figures of expenditure, and we are asked to sanction them about which not a word of explanation is given in justification in these big volumes. The Explanatory Memorandum also is silent on that point. The Honourable the Finance Member, in his speech, has drawn attention to the fact that there is some rise in the expenditure on Forests on account of the reclamation of these islands. But what are the reasons for the rise of the expenditure under this particular head? It is a point on which there is absolutely no explanation. The rise is considerable, as it goes up to several lakhs and I want the Honourable Member to give us the reasons for the extraordinary rise in expenditure under this particular head, particularly in administered areas. I want to know whether they are widening the forest areas there and narrowing down the areas under cultivation, or whether they are taking certain steps to develop forests and forest industries in those areas, or whether the expenditure has gone up for any other reason. These are the points on which explanation ought to be given to this House before it is called upon to vote the extraordinary amounts put down under this head.

The third point is this. The Indian Agricultural Commission's Report is published and their recommendations have been before the Government for a fairly long time. There is a special chapter devoted to forests, particularly forest administration in relation to agriculture. They have made certain drastic suggestions as regards the classification of forests. They have disapproved of the existing classification of forests, and have suggested that the classification should altogether be changed, that instead of the present classification there should be three classes of forests based on certain definite principles. I have not got the Report here just at present, but I read it some time ago, and I can give the purport of it. They say that the first class, Class A or Class I, should include forests which contain valuable timber and are useful mainly as commercial forests. Then there should be a second class containing forests which will be useful for what they call *nisthar*, that is, useful for agricultural purposes, fuel and so on, the third class, which may be useful for grazing as pasture-areas. The Royal Commission clearly recommended that the forests should be classified on some definite and intelligible principles, and I want to know whether any attempt has been made by the Government of India to bring this classification into effect, as also the various other suggestions that have been made with a view to make the Forest Department helpful to agriculture, and whether any steps have been taken by the Government of India in that direction, and if so, what are

[Mr. M. S. Aney.]

the suggestions, and what are the steps taken by the Provincial Governments, in pursuance of the instructions issued by the Government, and what are the ways in which the Government of India want to impress upon the Provincial Governments the necessity for taking prompt action to give effect to the recommendations of the Royal Commission on Agriculture, particularly in regard to forests. This is the third point which I want my Honourable friend, Sir Frank Noyce, to deal with in his reply. I think I have made my points clear. I do not want to go into the details, because I do not want to take up much time. I believe that definite information on these points will be of immense value to the Members on this side in voting the grant under this head.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, I believe that this is the first time, at any rate for many years, that the Department with which I am connected has emerged into the lime light during the discussion on the grants. (Hear, hear.) I wish it had done so on this occasion with reference to points regarding which it has greater responsibility than those it has at present under Forests. Forests, as the House is aware, is a provincial reserved subject, except in Bombay and Burma where it is a transferred subject. As regards the three points raised by my friend, Mr. Aney, I would, in the first instance, express my gratitude to him for putting them so clearly before the House. I hope I am in a position to give him a satisfactory reply in regard to all three of them. As regards the first, the question of the revision of the Indian Forest Act and, if necessary, the appointment of a committee to advise in that matter, I can tell him that the subject was referred to the Local Governments in 1927 and that the majority of them—practically all of them. I think—certainly the balance of opinion—were against the revision of the Act.

Mr. M. S. Aney: May I just interrupt the Honourable Member? Is the Honourable Member aware that the Central Provinces Government had already appointed a committee to investigate into this question and that that Committee is carrying on its investigation at this time?

Sir Frank Noyce: I am very glad to hear that, because that exactly proves the point which I am now about to make. The point is, as I have already said, that Forests is either a provincial reserved subject or a transferred subject and that the best way, therefore, of approaching this matter is for Local Governments to revise the Act on their own account as they have full authority to do, except in one comparatively unimportant respect, I think, and that is the disafforestation of forests over a certain area in extent.

Mr. M. S. Aney: May I again interrupt the Honourable Member? I want to know whether it would be possible for the Honourable Member to inform us what Provincial Governments have expressed their opinions against the necessity of revising the Act? Is it possible for the Honourable Member to specify this?

Sir Frank Noyce: I can only repeat that the reasons against the Government of India undertaking a revision of the Act are that the provinces are in a far better position to do it themselves with reference to the local

conditions and local needs. At this stage of constitutional development, it would, I think, be inadvisable to revise the Act on general lines for the whole of India, especially as we are on the eve of a further constitutional advance which, I think I may safely say, will involve further devolution in respect of forests to provinces, in which it is at present a provincial reserved subject. The proper way for this question to be dealt with is by the provinces themselves, and the Government of India have wisely abstained from interfering with their discretion in this matter.

Now, I come to the second point. My Honourable friend has drawn attention to what he considers has been the great growth of expenditure on forests in the centrally administered areas. I have figures, Sir, showing the annual expenditure for the last 29 years. I do not think it is necessary to go back further than 1921-22, and in that year I find that the expenditure on the Forest Department in Coorg was Rs. 6,30,000; in 1927-28, it was 2½ lakhs. In the North West Frontier Province, in 1921-22, it was 7½ lakhs and in 1927-28, it was just under 7 lakhs. In the Andamans it was nearly 13 lakhs in 1921-22 and 14½ lakhs in 1927-28. I need not refer to Baluchistan and Ajmer, as the forests in those arid tracts are not very extensive, and neither the revenue nor the expenditure on them amounts to very much. Now, Sir, even if the figures I had given showed that there had been a great increase of expenditure on forests—actually there has only been an increase in the Andamans—I submit that it would have been perfectly justified. The complaint which I think might justly be brought against the Government in this matter is that they have not spent enough on the forests in the North West Frontier Province or in the Andamans, and that it is only now that they are beginning to make an endeavour to remedy deficiencies in this respect.

Nawab Sir Sahibzada Abdul Qaiyum (North West Frontier Province: Nominated Non-Official): Is it not a fact that a large tract under forests in the tribal area of the North West Frontier Province has been taken over by the Government of India, for which the Indian taxpayer has not paid a single penny, and the income of which will come to the Government of India in due course?

Sir Frank Noyce: I am sure the Honourable the Finance Member will be glad to hear that. I have before me a Report by Mr. Parnell, a member of the Indian Forest Service, who was appointed to investigate certain forest questions in the North West Frontier Province. He reported that at present there is no scientific management of the forest areas lying in the unsettled tracts of the Province, and in the tribal territory beyond; in fact, he has stated that the forests have been destroyed rapidly by indiscriminate feeling. The management of these forests on scientific lines is of the utmost importance for conserving water in the important tributaries of the Indus river and for ensuring the growth of suitable timber for agricultural and domestic purposes. I submit, Sir, that, at any rate, the Members of this Assembly, who come from the Punjab, should whole-heartedly support the Government of India in any measures they take for the conservation and development of the forests in the North West Frontier Province, for on the conservation of these forests depends in a large measure the economic welfare of the Punjab, especially on the conservation of the forest areas on the headwaters of the great rivers which flow from that Province into the Punjab. A proposal has been submitted to the Standing Finance Committee, and approved by them, for an expenditure. I think,

[Sir Frank Noyce.]

of about Rs. 80,000 on this measure of conservation during the forthcoming year, against which Government hope to realise about a lakh and a half on the timber imported.

Now, Sir, I turn to the Andamans. There again I want the House to realise that, in the forests of that island, covering, as they do, I think, about five-sixths of the whole island, the Government of India have an asset of the greatest potential value.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

The Budget of this year for the Andamans contains proposals for expenditure of about Rs. 4½ lakhs on forests. I wish to follow the example of my Honourable friend, Mr. Aney, and not to make too long a speech, and therefore I will not repeat passages from the lengthy memorandum which has been submitted to the Standing Finance Committee, showing the present financial position and the future economic progress of the Forest Department in the Andaman Islands. I will refer my Honourable friend to the substance of that memorandum, which has been included in the proceedings of the Standing Finance Committee, and hope that it will convince him that Government are acting wisely in proposing, as they do, to expend some Rs. 4½ lakhs on the organisation and conservancy of forests, on the replacement and improvement of the present plant and on the introduction of mechanical extraction to supplement extraction by animals. The position as regards the Andamans is, Sir, that we are developing a most promising market abroad. If, as we hope, economical measures to extract timber and also to bring the supply up to the demand can be satisfactorily organised and if also freight can be satisfactorily arranged, so as to ensure prompt and regular compliance with orders, the forests of the Andaman Islands should prove a source of steadily increasing revenue to Government. I think, Sir, we are very wise in developing this asset on business lines.

The third point which my Honourable friend Mr. Aney raised was in regard to the recommendations of the Royal Commission on Agriculture in regard to forests. He asked, what had been done about them. They were referred to Local Governments, and I hope very shortly to place before this House a document showing the progress which has been made by the Local Governments, and not only by the Local Governments, but also by the Government of India, in giving effect to them. It is, as the House will see, a rather lengthy document. The only point Mr. Aney raised in regard to it, was to ask what the Local Governments have done in regard to the classification of their forest areas. It is all set down here. I do not know whether he would wish me to read it. Perhaps I think the best plan would be for me to give him one short extract—that relating to the Punjab. The Punjab Government reported:

“There is no room for any such reclassification—that is the reclassification proposed by the Royal Commission—in the Punjab. Practically all the major forests have already been handed over for cultivation and the question of the remainder is under consideration. The remaining forests in charge of the Forest Department are protective and commercial forests in the hills and low hills and must be preserved.”

Mr. M. S. Aney: Is that typical of the opinions received from other provinces?

Sir Frank Noyce: There are also reports from Madras, the United Provinces, Burma, Bihar and Orissa and the Central Provinces. The Honourable Member will be interested to hear what the Central Provinces have said. They say that the matter will come under consideration by the Forest Inquiry Committee, to which it has been referred. I am afraid, Sir, that the majority of the Local Governments were not able to do very much in carrying out the recommendations of the Royal Commission on this matter. Possibly, owing to my own connection with the Commission, the Commission laid too great stress before what has been done in Madras in this matter, perhaps not realising sufficiently that conditions in Madras are rather different from those elsewhere. However, the Honourable Member will very shortly be able to satisfy himself not only why the provinces have not been able to do more than they have done in this respect, but also as to what they have done in regard to other matters; that is not only in regard to forests, but in regard to all the other recommendations contained in that very bulky volume, the Report of the Royal Commission on Agriculture. I hope my Honourable friend will find this explanation sufficiently satisfactory and will not desire to press his motion.

Mr. M. S. Aney: I ask the leave of the House to withdraw my motion.

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

Mr. Deputy President: The question is:

“That a sum not exceeding Rs. 8,39,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of ‘Forest’.”

The motion was adopted.

DEMAND NO. 22—IRRIGATION (INCLUDING WORKING EXPENSES), NAVIGATION EMBANKMENT AND DRAINAGE WORKS.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

“That a sum not exceeding Rs. 20,26,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of ‘Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works’.”

The Famine Fund, Famine Protection and Irrigation.

Mr. N. C. Kelkar: Sir, I beg to move:

“That the Demand under the head ‘Irrigation (including the Working Expenses), Navigation, Embankment and Drainage Works’ be reduced by Rs. 100.”

Sir, I wish to draw attention by this motion to the question of the famine fund, famine protection and irrigation. It may appear at the outset that we are again up against a provincial reserved subject. I know that irrigation is a provincial subject, but I intend to deal with the subject from an all-India point of view, and not from a provincial point of view. The Honourable the Finance Member is bent upon looking into many things and trying to solve many problems. Here is one problem which I would like to put before him, and it is such a problem that, if he will be able to solve it to some extent, I think he will be quite pleased. The point I wish to make is about the insufficiency of the amounts spent on irrigation works. In order to make out my point, I shall just give a

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few facts briefly. The total irrigated area in this country is only 18 per cent. of the total cropped area: that means that 82 per cent. of the area is still at the mercy of the monsoon; and for this area we are not able to do much practically. Then coming to the provinces, we find that, out of this 18 per cent. of irrigated area, Bombay has got as its share only 12 per cent., the United Provinces and Madras have got 24 per cent. each, and Punjab has got the largest share, namely, 45 per cent. Of course all these figures are out of the 18 per cent. of the total cropped area in the country. Out of this, let us take Bombay; and I am bringing up this question with special reference to Bombay, though it is an all-India question. When we turn to Bombay, we find that, out of 328 lakhs of acres under cultivation, only 41 lakhs of acres are under irrigation; and out of that 41 lakhs of acres, 30 are in Sind alone. Therefore it comes to this, that the Bombay Presidency proper has got to its credit at present only 11 lakhs of acres out of 218 lakhs of cropped area. That is, not more than four per cent.; and I suppose it is generally recognised that the Bombay Presidency stands in the greatest need of irrigation—more than any other province in India. Out of these 11 lakhs of acres under irrigation, again, the State canals do not irrigate even half of these lands: the rest is done by well irrigation from private wells.

I have given this House, in a small compass, what a small area is really benefitted by irrigation in the Bombay Presidency proper. Now, Sir, special engineers were appointed from time to time to consider this question, because it was found that the Bombay Presidency suffered perhaps more than some other presidencies from famines, and the reports of the engineers were before the Bombay Government for about 25 years. Some works, out of the works suggested, were of course taken in hand; and one of them is the Nira canal. But two or three other works and projects are remaining yet in the files of the Department and they have not been tackled. I may give one specific instance of the condition of the Bombay Presidency in this matter, and that is about the special inquiry which was set on foot by Sir Chunilal Mehta, when in charge of irrigation, by appointing a special engineer with an establishment under him. That was in 1925, and the latest I hear is that that Department has been closed from the 1st of March. I understand some projects have been prepared by that engineer and perhaps one of them has been put into operation; but, generally speaking, all these efforts and investigations have ended only in paper projects, which will now remain on the shelf. What is the reason for this? The reason alleged is of course financial stringency. We all know that the Bombay Government are on the point of bankruptcy. It was a wonderful sight to see the Bombay Government somehow balancing its Budget this year; but we must remember that, in whatever way Bombay may be balancing its Budget, we know for a fact that the Bombay Government have already spent crores of rupees and wasted them, for example, in development schemes which refuse to develop, reclamation schemes which no one claims to be wise or prudent—not even its authors, and building of chawls which refuse to be tenanted. That is the sum and substance of the different projects upon which the Bombay Government have actually wasted crores and crores of rupees. Of course I cannot say that about the Sukkur Barrage which will require a cost of about Rs. 20 crores, I am told. There are two opinions about the success of the Sukkur Barrage, but I will not go into that now—no

one knows what is going to happen, considering especially the vagaries of the Indus River; but we all hope, at any rate, that in return for the great cost that is being incurred, Sind will be greatly benefited by this barrage.

But, what about the Bombay Presidency proper? As I have just now told the House, a very small percentage of the cropped area is under irrigation. It is this presidency which is the most liable to the vagaries of the monsoon; it is more or less a hilly country, arid country; and that presidency therefore requires more than any other the artificial aid of irrigation. But it is precisely in that province that, while crores of rupees have been spent upon these mad projects, sufficient money is not being found to carry on the Department which was set up in 1925 and to give effect to the projects which are already in existence and for preparing new projects. That is the state of things in the Bombay Presidency. Now, why is this happening? I say this happens because the Provincial Governments are abusing their financial powers, and the Central Government have not got sufficient control. Of course I do not wish to say that there should be no provincial financial autonomy. Certainly Provincial Governments should be entitled to claim that autonomy, but why I bring in the Central Government is this; that just as the railways are an all-India department, and the Government of India regard themselves as responsible for their advancement, similarly irrigation is a subject which is really an all-India subject, though for the sake of administrative convenience it might have been handed over to the provinces.

With regard to loans raised for these schemes, I think they have, first of all, to get the consent of the Indian Government, and no project is put forward or can be kept back, once it is in progress, without the consent of the Central Government.

Now, Sir, why do I bring together these two things, railways and irrigation? I do it for this reason, that somehow Government have had a soft corner in their hearts for railways and not for irrigation; though it can be proved definitely on paper that irrigation is after all more beneficial to the people at large than railways. What is the service that the railways render? They carry food. But how can the railways carry food if the fields do not produce the food crops? Therefore we must primarily concern ourselves with helping agriculture to produce the food crops, rather than the railways or roads to carry the food. That is the problem, and it can be conclusively shown that, whereas crores and crores have been spent upon railways and especially guaranteed railways, money has always been denied to irrigation works. Now, if there are famines, it is the primary duty of the Government to spend on famine relief, and Government have spent not a little on that head. In 1865 they spent one crore of rupees on famine relief, in 1876 they spent 8½ crores of rupees, in 1896 they spent something like 7 crores, and in 1899, a year in which India had seen one of the greatest famines, Government had to spend about 15 crores of rupees. Of course, I quite recognise that, in famine times, the railways do help to carry the food from one tract to another, from one province to another, and in that way they help to keep down the misery of famine. But that is once in a way. Now, what do the Railways do with regard to the rural population in ordinary times? I do not think they are so serviceable. They only, instead of helping the villager to produce more food, I suppose, bring to his very door many

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really useless trinkets for which he bargains his food. I wish he could be prevented from bargaining his food for the trinkets, which are ultimately practically useless to him.

Now, look at the financial aspect of it. Have the Railways paid Government more or has Irrigation paid more? From the facts I have got, I can say that, after all, irrigation has paid Government more than the Railways have paid. In respect of irrigation we have got an estate worth about 108 crores of rupees, and it pays us 6.47 per cent. of interest. On the other hand, we have got on a Railway estate of 700 crores of rupees that pays us, I suppose, over 5.4 per cent. of interest. There is a clear difference of one per cent., taking all investments for all these years together, and therefore it is obvious that we must spend more on irrigation, because irrigation is a more beneficial and business-like proposition than the Railways

Mr. Deputy President: I hope the Honourable Member will now conclude his remarks.

Mr. N. C. Kelkar: I shall not read any extracts now. I will simply call the attention of the Honourable the Finance Member to paragraph 351 of the Famine Commission's Report of 1901. In that Report it is stated that preference should be shown to Irrigation works rather than to Railways. Then I will read out just one remark, and it is this:

"The test of a productive work requires that within ten years of its commencement, the project should meet all the working expenses as well as the interest charged from the date of its initiation. None of the Railways" (*here is an observation which should be borne in mind by the Government*)—"none of the Railway Companies could have satisfied the rigid test laid down for productive irrigation works, or shown a satisfactory position after meeting all charges that the irrigation works show."

Mr. Deputy President: Order, order. I think the Honourable Member must now conclude.

Mr. N. C. Kelkar: Sir, that brings me to the end of my theme, and that theme is that Government ought to spend more on irrigation than on railways, and let us all welcome the break in the mad career of the extension of the railways which we seem to have reached.

The Honourable Sir George Schuster: Sir, I am replying to my Honourable friend's motion, although the subject with which he is dealing is really and properly, according to its title, the responsibility of my Honourable colleague, the Member for Industries and Labour. But, Sir, I am speaking in reply for two reasons, first because my friend addressed his remarks very particularly to myself, and secondly because,—and I hope that you, Sir, and my friend will excuse me for saying so,—the whole of his speech was entirely irrelevant to the motion before the House. The motion before the House relates to irrigation in centrally administered areas, and my Honourable friend's speech, I think, dealt entirely with irrigation in the provinces

Mr. N. C. Kelkar: I want the Government to extend their operations in respect of irrigation to

The Honourable Sir George Schuster: But when my Honourable colleague, the Member for Industries and Labour, brought this point to my notice, I particularly asked him not to raise a point of order, because I myself was so much interested in what my Honourable friend was saying on the subject. The subject which he has raised is one in regard to which I must tread very warily, for it is almost impossible for me to avoid stepping on somebody else's toes if I gave a sympathetic reply. For instance, if I expressed my whole-hearted agreement with him that the Government of India had attempted in the past to consider railway developments almost exclusively, to the detriment of other forms of economic development, I should obviously offend my friend the Member for Commerce. But perhaps he will allow me to go so far as to say that I have listened to the case which has been made, with very great interest and with a very great measure of sympathy. For, after all, what we are aiming at is, as the Honourable the Mover has pointed out, economic production, and economic production begins with agriculture, and the surest form of agriculture in a country like India is that with irrigation. But it is impossible to say very much on this subject, because it is so very largely at present a provincial subject. But there again I would like to venture on an expression of sympathy with my friend's arguments, because, although irrigation is a provincial subject, the Government of India as the bankers for the provinces, have a very close interest in the results.

My friend has referred to the Sukkur Barage scheme. There, although the Government of India have no control over the policy of development, the Government of India unfortunately have to find funds for carrying it out, and if the results are unsatisfactory, it is on the Government of India that the chief financial burden, so far as ways and means are concerned, will fall. I would only like to say this, as regards the province of Bombay, to which my friend referred. So far as I have had an opportunity, I have, in virtue of my position as a banker primarily to the province, attempted to take a great interest in what has been done and what is being done, and although we are now in a state of considerable financial stringency, and although it is the policy of the Government to restrict capital expenditure, I have gone so far, in dealing with the Government of Bombay, as to say that, if money is required for the proper development of a project like the Sukkur Barage scheme, and especially the proper development of the agricultural side of such a project, the Government of India would do their very best to see that money was available on terms which did not make the burden too heavy for the Government of Bombay. It is essential that our financial resources should be applied to those purposes which are going to give increased production of wealth in the country. On that I think I need say no more except this, that possibly in the course of the discussions which I hope to have shortly, together with my colleagues, with the representatives of non-official parties on a suggestion which was made in the course of the debate by my friend, Mr. Shanmukham Chetty, as regards the constitution of something on the lines of an Economic Advisory Council, it may be possible that such a subject as this will find an appropriate place. I feel that this is one of the subjects on which it is necessary for us to have some means of combining the various departments and sharing our views with representatives of public opinion. Sir, I hope that, if my friend will agree with the view I have taken, that his speech was irrelevant to the motion which he has moved, he will be prepared to withdraw his motion for the cut he has asked for.

Mr. N. C. Kelkar: I withdraw my motion, Sir.

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

Mr. Deputy President: The question is:

"That a sum not exceeding"

Mr. B. Das (Orissa Division: Non-Muhammadan): I also have a motion No. 33,* Sir, and I want to speak.

Government's Embankment Policy.

Mr. E. F. Sykes (Bombay: European): Sir, I move:

"That the Demand under the head 'Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works' be reduced by Rs. 100."

I am moving this cut in the hope that Government will give some further explanation of their embankment policy. The only exposition of the policy which we have had is the one that was given during a debate in another place during the September Session, and the view of the Government of India and its professional advisers, which was then given to the Council of State, was that the method of controlling floods by the erection of bunds on the banks of the rivers concerned was not a suitable one, and the reason given was that, as a result of this procedure, the beds of the rivers would almost certainly rise.

That may or may not be the case. Most people of experience in works of this class would probably hold that the construction or non-construction of bunds has very little to do with the levels of the rivers. The view of the Government therefore requires justification on other grounds, and as no others have been given those interested in this matter, they are curious to know how the Government have arrived at their conclusion. The more so as some ten years ago the Government of India spent large sums of the British taxpayer's money on works of precisely this character on the Euphrates and the Tigris. I have therefore moved this cut in order to enable Government to explain their policy.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I have not got much time to reply at length to my Honourable friend Mr. Sykes, but I am afraid he has misapprehended as a declaration of policy a quotation made by the Secretary in the Department of Industries and Labour in another place from a note by the Consulting Engineer to the Government of India. However, Sir, I find that a committee of expert irrigation engineers, which dealt with the question of the Orissa floods, and which consisted of Mr. Addams Williams, Mr. Bishan Svarup and Mr. D. G. Harris have more or less subscribed to the same view. I shall read a passage from that Report. This is from paragraph 17, on page 8 of the Report, and I give the reference in case I cannot finish reading the quotation:

"It must be clearly grasped that, in a deltaic area, there must be flooding; it is nature's method of land formation, and any efforts to prevent it are doomed to failure from the outset. It might, for example, be suggested that every river should be embanked on both sides from the point where it leaves the hills to the sea; the result would merely be that it would deposit silt in its bed, the bed would rise, the floods would rise and the embankments have to be raised to correspond, until eventually these embankments would reach a size at which they could no longer be maintained, etc. etc."

*"That the Demand under the head 'Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works' be reduced by Rs. 100. (Appointment of Water-way Engineers to control floods and waterways)."

If after the expression of that opinion by this Committee the Government of Bihar and Orissa follow that advice, they are welcome to do so, but the Government of India have so far not declared any policy in the matter.

Mr. Deputy President: Order, order. Do you want to press your motion Mr. Sykes?

Mr. E. F. Sykes: I am waiting to hear the Government explanation.

Mr. Deputy President: The time is up. Do you want to withdraw?

Mr. E. F. Sykes: I do not wish to withdraw.

Mr. Deputy President: The time is now over (it being Five of the Clock). 5 p.m. The question is:

"That the Demand under the head 'Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works' be reduced by Rs. 100."

The motion was negatived.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 20,26,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works'."

The motion was adopted.

DEMAND NO. 23.—INDIAN POSTS AND TELEGRAPHS DEPARTMENT (INCLUDING WORKING EXPENSES).

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 11,54,04,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Indian Posts and Telegraphs Department (including Working Expenses)'."

The motion was adopted.

DEMAND NO. 24.—INDO-EUROPEAN TELEGRAPH DEPARTMENT (INCLUDING WORKING EXPENSES).

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 20,33,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Indo-European Telegraph Department (including Working Expenses)'."

The motion was adopted.

DEMAND NO. 25.—INTEREST ON DEBT AND REDUCTION OR AVOIDANCE OF DEBT.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,35,33,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Interest on Debt and Reduction or Avoidance of Debt'."

The motion was adopted.

DEMAND No. 26.—INTEREST ON MISCELLANEOUS OBLIGATIONS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 47,37,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Interest on Miscellaneous Obligations'."

The motion was adopted.

DEMAND No. 27.—STAFF, HOUSEHOLD AND ALLOWANCES OF THE GOVERNOR GENERAL.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 4,97,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Staff, Household and Allowances of the Governor General'."

The motion was adopted.

DEMAND No. 29.—COUNCIL OF STATE.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,22,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Council of State'."

The motion was adopted.

DEMAND No. 30.—LEGISLATIVE ASSEMBLY AND LEGISLATIVE ASSEMBLY DEPARTMENT.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 7,47,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Legislative Assembly and Legislative Assembly Department'."

The motion was adopted.

DEMAND No. 31.—FOREIGN AND POLITICAL DEPARTMENT.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 8,66,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Foreign and Political Department'."

The motion was adopted.

DEMAND No. 33.—PUBLIC SERVICE COMMISSION.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 92,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Public Service Commission'."

The motion was adopted.

DEMAND No. 34.—LEGISLATIVE DEPARTMENT.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 3,57,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Legislative Department'."

The motion was adopted.

DEMAND No. 35.—DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 6,22,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Department of Education, Health and Lands'."

The motion was adopted.

DEMAND No. 37.—SEPARATION OF ACCOUNTS FROM AUDIT.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 16,00,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Separation of Accounts from Audit'."

The motion was adopted.

DEMAND No. 38.—COMMERCE DEPARTMENT.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 3,57,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Commerce Department'."

The motion was adopted.

DEMAND No. 40.—DEPARTMENT OF INDUSTRIES AND LABOUR.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 5,15,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Department of Industries and Labour'."

The motion was adopted.

DEMAND No. 41.—CENTRAL BOARD OF REVENUE.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 2,04,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Central Board of Revenue'."

The motion was adopted.

DEMAND No. 42.—PAYMENTS TO PROVINCIAL GOVERNMENTS ON ACCOUNT OF ADMINISTRATION OF AGENCY SUBJECTS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,25,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Payments to Provincial Governments on account of Administration of Agency subjects'."

The motion was adopted.

DEMAND No. 43.—AUDIT.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 92,72,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Audit'."

The motion was adopted.

DEMAND No. 44.—ADMINISTRATION OF JUSTICE.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 58,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Administration of Justice'."

The motion was adopted.

DEMAND No. 45.—POLICE.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,93,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Police'."

The motion was adopted.

DEMAND No. 46.—PORTS AND PILOTAGE.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 11,69,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Ports and Pilotage'."

The motion was adopted.

DEMAND No. 47.—LIGHTHOUSES AND LIGHTSHIPS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 12,64,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Lighthouses and Lightships'."

The motion was adopted.

DEMAND No. 48.—SURVEY OF INDIA.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 32,84,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Survey of India'."

The motion was adopted.

DEMAND No. 49.—METEOROLOGY.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 18,00,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Meteorology'."

The motion was adopted.

DEMAND No. 50.—GEOLOGICAL SURVEY.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 2,74,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Geological Survey'."

The motion was adopted.

DEMAND No. 51.—BOTANICAL SURVEY.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 2,84,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Botanical Survey'."

The motion was adopted.

DEMAND No. 52.—ZOOLOGICAL SURVEY.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,92,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Zoological Survey'."

The motion was adopted.

DEMAND No. 53.—ARCHÆOLOGY.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 16,33,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Archæology'."

The motion was adopted.

DEMAND No. 54.—MINES.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,72,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Mines'."

The motion was adopted.

DEMAND No. 55.—OTHER SCIENTIFIC DEPARTMENTS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 3,32,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Other Scientific Departments'."

The motion was adopted.

DEMAND No. 56.—EDUCATION.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 15,72,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Education'."

The motion was adopted.

DEMAND No. 57.—MEDICAL SERVICES.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 6,89,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Medical Services'."

The motion was adopted.

DEMAND No. 58.—PUBLIC HEALTH.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 11,87,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Public Health'."

The motion was adopted.

DEMAND No. 59.—AGRICULTURE.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 32,46,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Agriculture'."

The motion was adopted.

DEMAND No. 60.—CIVIL VETERINARY SERVICES.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 7,82,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Civil Veterinary Services'."

The motion was adopted.

DEMAND No. 61.—INDUSTRIES.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 2,00,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Industries'."

The motion was adopted.

DEMAND No. 62.—AVIATION.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 26,24,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Aviation'."

The motion was adopted.

DEMAND No. 63.—COMMERCIAL INTELLIGENCE AND STATISTICS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 3,21,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Commercial Intelligence and Statistics'."

The motion was adopted.

DEMAND No. 64.—CENSUS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 8,34,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Census'."

The motion was adopted.

DEMAND No. 65.—EMIGRATION—INTERNAL.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 38,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Emigration—Internal'."

The motion was adopted.

DEMAND No. 66.—EMIGRATION—EXTERNAL.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 2,03,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Emigration—External'."

The motion was adopted.

DEMAND No. 67.—JOINT STOCK COMPANIES.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,37,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Joint Stock Companies'."

The motion was adopted.

DEMAND No. 68.—MISCELLANEOUS DEPARTMENTS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 5,91,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Miscellaneous Departments'."

The motion was adopted.

DEMAND No. 69.—INDIAN STORES DEPARTMENT.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 9,03,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Indian Stores Department'."

The motion was adopted.

DEMAND No. 70.—CURRENCY.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 49,27,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Currency'."

The motion was adopted.

DEMAND No. 71.—MINT.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 25,49,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Mint'."

The motion was adopted.

DEMAND No. 72.—CIVIL WORKS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 2,74,65,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Civil Works'."

The motion was adopted.

DEMAND No. 73.—SUPERANNUATION ALLOWANCES AND PENSIONS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 40,40,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Superannuation Allowances and Pensions'."

The motion was adopted.

DEMAND No. 74.—STATIONERY AND PRINTING.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 51,34,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Stationery and Printing'."

The motion was adopted.

DEMAND No. 75.—MISCELLANEOUS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 22,52,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Miscellaneous'."

The motion was adopted.

DEMAND No. 76.—REFUNDS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 62,32,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Refunds'."

The motion was adopted.

DEMAND No. 78.—BALUCHISTAN.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 33,19,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Baluchistan'."

The motion was adopted.

DEMAND No. 79.—DELHI.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 44,48,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Delhi'."

The motion was adopted.

DEMAND No. 80.—AJMER-MERWARA.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 15,52,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Ajmer-Merwara'."

The motion was adopted.

DEMAND No. 81.—ANDAMAN AND NICOBAR ISLANDS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 49,26,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Andamans and Nicobar Islands'."

The motion was adopted.

DEMAND No. 82.—RAJPUTANA.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 5,55,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Rajputana'."

The motion was adopted.

DEMAND No. 83.—CENTRAL INDIA.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 5,80,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Central India'."

The motion was adopted.

DEMAND No. 84.—HYDERABAD.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 3,36,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Hyderabad'."

The motion was adopted.

DEMAND No. 85.—EXPENDITURE IN ENGLAND—SECRETARY OF STATE FOR INDIA.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 17,66,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Expenditure in England—Secretary of State for India'."

The motion was adopted.

DEMAND No. 86.—EXPENDITURE IN ENGLAND—HIGH COMMISSIONER FOR INDIA.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 35,64,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Expenditure in England—High Commissioner for India'."

The motion was adopted.

B.—Expenditure charged to Capital.

DEMAND No. 87.—CAPITAL OUTLAY ON SECURITY PRINTING.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 45,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Capital Outlay on Security Printing'."

The motion was adopted.

DEMAND No. 88.—FOREST CAPITAL OUTLAY.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Forest Capital Outlay'."

The motion was adopted.

DEMAND No. 89.—IRRIGATION.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 94,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Irrigation'."

The motion was adopted.

DEMAND No. 90.—INDIAN POSTS AND TELEGRAPHS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 69,61,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Indian Posts and Telegraphs'."

The motion was adopted.

DEMAND No. 91.—INDO-EUROPEAN TELEGRAPHS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Indo-European Telegraphs'."

The motion was adopted.

DEMAND No. 92.—CAPITAL OUTLAY ON CURRENCY NOTE PRESS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,88,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Capital Outlay on Currency Note Press'."

The motion was adopted.

DEMAND No. 93.—CAPITAL OUTLAY ON VIZAGAPATAM HARBOUR.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 34,18,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Capital Outlay on Vizagapatam Harbour'."

The motion was adopted.

DEMAND No. 94.—CAPITAL OUTLAY ON LIGHT HOUSES AND LIGHT SHIPS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Capital Outlay on Lighthouses and Light Ships'."

The motion was adopted.

DEMAND No. 95.—COMMUTED VALUE OF PENSIONS.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 27,00,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Commuted Value of Pensions'."

The motion was adopted.

DEMAND No. 96.—NEW CAPITAL AT DELHI.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 1,00,08,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'New Capital at Delhi'."

The motion was adopted.

C.—Disbursements of Loans and Advances.

DEMAND No. 97.—INTEREST FREE ADVANCES.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 94,56,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Interest free Advances'."

The motion was adopted.

DEMAND No. 98.—LOANS AND ADVANCES BEARING INTEREST.

Mr. Deputy President: The question is:

"That a sum not exceeding Rs. 7,62,15,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of 'Loans and Advances bearing interest'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 13th March, 1930.

LEGISLATIVE ASSEMBLY.

Thursday, 13th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Mr. Kunj Behari Lal Agnihotri, M.L.A. (Central Provinces' Hindi Divisions: Non-Muhammadan).

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Secretary of the Council of State:

"I am directed to inform you that the Council of State has, at its meeting held on the 12th March, 1930, passed, without any amendment, the following Bills, which were passed by the Legislative Assembly at its meeting held on the 27th February, 1930, namely,

The Bill further to amend the Cantonments (House-Accommodation) Act, 1923, for a certain purpose.

The Bill to amend the law relating to insolvency for certain purposes."

BILLS PASSED BY THE COUNCIL OF STATE LAID ON THE TABLE.

Secretary of the Assembly: Sir, in accordance with the provisions of Rule 25 of the Indian Legislative Rules, I lay on the table the following two Bills which were passed by the Council of State at its meeting held on the 12th March, 1930:

A Bill to amend the Transfer of Property (Amendment) Supplementary Act, 1929, for a certain purpose.

A Bill to amend the Destructive Insects and Pests Act, 1914, for a certain purpose.

STATEMENT OF BUSINESS.

The Honourable Sir James Crerar (Leader of the House): Sir, with your permission, I desire to make a statement as to the probable course of business in the week beginning Monday, the 17th March. The main business before this House in that week will be the Finance Bill and, unless it is disposed of today, the Bill, which is on the paper in the name of the Honourable Sir George Rainy, further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927. Owing to the disturbance of trade caused by uncertainty on this matter, it is very urgent that a definite conclusion as regards this particular measure should be reached at the earliest possible moment, and Government must decide their course of action next week as regards it and the Finance Bill according to the progress made today. In any case, the first items on the paper for Monday, the 17th will be (1) the election of Members to the Public Accounts Committee in place of Mr. Shervani, Mr. S. C. Mitra and Mr. Ganganand Sinha, and (2) a motion for the election of Members to the Haj Committee. Additional items of business which will be taken up after the House has disposed of the Finance Bill and the Honourable Sir George Rainy's Bill are Supplementary Demands under the General Budget, the election of Members to Standing Committee on Roads, which is to take place on the 18th March, and the election of Members to the Haj Committee, which is to take place on the 21st March. Besides the Bills already mentioned, the outstanding legislative business is as follows:

- (1) The Bill further to amend the Indian Companies Act, 1913, which has been reported by a Select Committee. Motions will be made to take into consideration and pass this Bill.
- (2) The agreement of the House will be asked to formal amendments made by the Council of State in the two Indian Income-tax (Amendment) Bills, passed early in the Session by this House.
- (3) Two other small Bills, namely, a Bill to amend the Transfer of Property (Amendment) Supplementary Act, 1929, and a Bill to amend the Destructive Insects and Pests Act, 1914, which have been passed by the Council of State, will be brought before this House on motions for consideration, and thereafter motions will be made that they be passed.

So much of this business hereinbefore mentioned, which is not concluded in the week ending March, the 22nd, will be taken in the following week, when the remaining outstanding business will also be put on the agenda. This business includes a motion by the Honourable Sir Bhupendra Nath Mitra relating to the recommendations of the International Labour Conference on the subject of the prevention of industrial accidents and the protection of power-driven machinery. It also includes the motion for taking into consideration the Report of the Select Committee on the amendment of the Standing Orders. Other items of business remaining to be taken before the end of the Session are the Excess Demands and the discussion of the Report of the Public Accounts Committee on the accounts for 1927-28.

(1716)

ELECTION OF THE STANDING FINANCE COMMITTEE.

Mr. President: I have to inform the Assembly that up to 12 Noon on Saturday, the 8th March, 1930, the time fixed for receiving nominations for the Standing Finance Committee, 16 Members were nominated of which two, namely, Mian Mohammad Shah Nawaz and Sardar Gulab Singh, have since withdrawn their candidature. The number of remaining candidates being equal to the number required, I declare the following Members to be duly elected, namely:

1. Maulvi Sayyid Murtuza Saheb Bahadur.
2. Nawab Sir Sahibzada Abdul Qaiyum.
3. Mr. M. K. Acharya.
4. Mr. Amar Nath Dutt.
5. Mr. Gaya Prasad Singh.
6. Mr. Fazal Ibrahim Rahimtulla.
7. Mr. Sarabhai Nemchand Haji.
8. Mr. Bhupatiraju Sitaramaraju.
9. Rai Bahadur Satya Charan Mukerjee.
10. Mr. Anwar-ul-Azim.
11. Mr. E. F. Sykes.
12. Mr. Arthur Moore.
13. Lala Rang Behari Lal.
14. Rai Sahib Harbilas Sarda.

THE HINDU GAINS OF LEARNING BILL.

PRESENTATION OF THE REPORT OF SELECT COMMITTEE.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): Sir, I beg to present the Report of the Select Committee on the Bill to declare gains of learning by a Hindu to be his separate property.

STATEMENT LAID ON THE TABLE.

PURCHASE OF STORES BY THE HIGH COMMISSIONER FOR INDIA.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): I beg to lay on the table the statement furnished by the High Commissioner for India showing all cases in which the lowest tenders have not been accepted by him in the purchase of stores for the Government of India for the half-year ending the 31st December, 1929.

(1717)

A 2

HIGH COMMISSION

INDIA STORE

ABSTRACT OF CASES in which tenders for stores demanded by the Central
tion of the goods demanded, were accepted on the grounds
greater facility of inspection,

HALF-YEAR ENDING

PART A.—Cases in which lower foreign tenders, including British tenders
British

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Copper firebox plates.	K. 1311/1648/9-7-29	Linley & Co.	1,042 11 9 (British).
Axles, Crank, No. 180.	K. 1793/2405/17-8-29	Henschel and Sohn A. G. (offered No. 50 only) No. 50.	6,256 5 0 (German).
	K. 1791/2405/17-8-29	Fried Krupp A. G., No. 70.	8,785 0 0 (German).
	K. 1792/2405/17-8-29	English Steel Corpn., Ltd., No. 60.	7,995 0 0 (British).
			23,036 5 0
Copper firebox plates.	K. 1795/2383/17-8-29	Tréfileries et Laminoirs du Havre.	6,048 5 6 (French).
	K. 1796/2383/17-8-29	Linley & Co., Ltd.	1,642 3 9 (British).
			7,690 9 3

STATEMENT LAID ON THE TABLE.

ER FOR INDIA.

DEPARTMENT.

Government, other than the lowest complying with the technical descrip-
of superior quality, superior trustworthiness of the firm tendering,
quicker delivery, etc.

31st DECEMBER, 1929.

for foreign made goods, have been set aside wholly or partially in favour of
tenders.

Lowest Tender not accepted.	Reason for acceptance
£ s. d. 915 4 0 (German).	The copper plates were urgently required in India. The lowest tender offered very long delivery and the indenter was therefore asked whether it should be accepted, or, whether the urgency warranted acceptance of a higher tender offering quick delivery. In reply he asked that the lowest tender offering quick delivery should be accepted.
22,590 0 0 (German).	As the delivery required by the indenter could not be met by the two lowest tenderers, orders for two-thirds only of the requirements were placed with them, and the balance was ordered from the tenderer offering the quickest delivery.
7,333 8 6 (French).	The indenter cabled for the immediate supply of some of the plates, and for this portion the tender of the firm offering the quickest delivery was, therefore, accepted. The balance of the plates was ordered from the lowest tenderer, Messrs. Tréfileries et Laminoirs du Havre.

PART B.—Cases in which the discrimina

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Caissons and Well Curbs.	K. 1221/179/2-7-29	P. & W. MacLellan, Ltd.	12,297 14 0 (British).
Cords, telephone .	K. 1516/383/24-7-29	International Electric Co., Ltd.	85 0 8
	K. 1517/383/24-7-29	Standard Telephones and Cables, Ltd.	556 3 2
			641 3 10 (British).
Steel sheets	K. 1555/2109/26-7-29	David Colville & Sons, Ltd.	24 15 10 (British).
Padlocks	K. 2625/3677/14-10-29	Henry Harrison & Sons, Ltd.	190 16 8 (British).
Ground sheets	K. 3239/4185/30-11-29	Broadhurst & Co., Ltd.	3,661 16 8 (British).
Duck, linen	K. 3330/1886/6-12-29	A. McGregor & Co.	1,307 18 4
	K. 3329/1886/6-12-29	Baxter Bros. & Co., Ltd.	158 6 8
			1,466 5 0 (British).

None is between British firms only.

Lowest Tender not accepted.	Reason for acceptance
£ s. d. 11,953 16 0 (British).	The order was placed with the second lowest tenderer in order to obtain the delivery required.
584 5 1 (British).	Owing to lack of experience the firm submitting the lowest tender were entrusted with a trial order only, the cords being difficult to make and urgently required. The bulk of the order was placed with the next lowest tenderer who had made previous satisfactory supplies.
16 13 2 (British).	The accepted tender was the only quotation offering delivery in accordance with the indent requirements.
187 7 1 (British).	The order was placed with the second lowest tenderer in order to obtain the delivery required.
3,659 8 2 (British).	The order was placed with the second lowest tenderer in order to obtain the delivery required.
1,460 0 0 (British).	The indenter asked for the earliest possible delivery. Messrs. Baxter Bros. offered 2,000 yards from stock, and an order for this quantity was accordingly placed with them. The balance of requirements was ordered from the lowest tenderer.

ELECTION OF A MEMBER TO THE STANDING COMMITTEE ON ROADS.

Mr. President: Members will now proceed to elect a member to the Standing Committee on Roads in the vacancy caused by the resignation of Kumar Ganganand Sinha. There are two candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Mr. President, I move that the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927, be taken into consideration.

It would be in accordance with past practice, Mr. President, if I were to speak at length when asking the House to take into consideration an important measure such as the Bill we have before us. I do not think, however, that it will be necessary that I should inflict on the House a very long speech. My Honourable colleague, the Finance Member, made a very full statement in his budget speech, in which he made it clear how the problem to be solved appeared to Government, and indicated the considerations which had led them to the particular solution embodied in the Bill. I do not propose to traverse at length the same ground again, though before I sit down, I shall briefly recapitulate the main points. Again, I do not propose at this stage to develop in great detail the reasons which, in the view of the Government, justify them in asking the House to adopt this measure. Some aspects of the case I have attempted to examine in detail in a note, copies of which were circulated to all Members of the House yesterday morning; and I do not propose to say a second time what is said in the note, partly because that document is largely concerned with figures, and the art of making masses of figures intelligible in an oral explanation is not one to which I can aspire, but mainly because a more natural opportunity of amplifying or supplementing what is said in the note will present itself when some of the amendments on the paper are moved. The House is, I think, already in full possession of the views which the Government have formed and of the proposals to which their assent is asked; and at this stage my main task must be to explain briefly what the proposals are, to explain what exactly we are asking the House to do if it assents to the motion which I have moved, and also to explain why I have put down on the paper this precise motion.

Let me, Sir, before I come to the more important part of the subject say something about the provisions of clause 3 of the Bill. In 1927 an Act was passed imposing, for a period of two and a half years, a minimum specific duty of one and a half annas a pound on cotton yarn. This action was taken on account of a finding of the Tariff Board that labour conditions in Japan, as regards the hours of work of women and young persons, were such as to reduce the cost of production substantially, and that this competition was unfair. That date expires on the 31st March next, and it will be for the House to judge whether, as proposed by the Government of India,

it should be continued. The grounds on which the Government of India propose its continuance are not the same as those advanced in 1927. Since then, a new labour law has come into force in Japan, which has made a very considerable change in the situation. In 1927 there was no limitation on night work by women; but under the new law, night work is forbidden between the hours of 11 p.m. and 5 a.m. Now, in India the restriction imposed is narrower, and night work by women is forbidden between the hours of 7 p.m. and 5-30 a.m. We have ascertained, however, that in Japan, when two shifts are worked, the actual hours are only 8½ hours a day for each shift, which compares with 10 hours in India. The latest information we have also shows that, on the whole, in the Japanese mills, the women work for shorter hours, are paid somewhat higher wages, and are perhaps better housed and better looked after by their employers than in the Indian mills. In these circumstances, the Government of India felt it quite impossible to say that labour conditions in Japan were inferior and therefore that ground disappeared.

There remained, however, another matter to be considered. When I spoke of an Indian Yarn Tariff (Amendment) Bill in 1927 in this House, I drew attention to a very remarkable change which had appeared in the trade returns within the previous months. The trade figures had suddenly become reversed, and instead of an export trade in yarn from India to China, an import trade in yarn to about the same extent from China to India had come into existence. I pointed out then that that was a matter which Government would have to take into consideration when the time came to consider whether the duty was to be changed or not. Now the information we have is this. At present no limit is imposed on the hours of work either of men or women in Chinese mills, and a number of mills actually work for two 12-hour shifts; there is no restriction on the employment of children and the wages paid are very low. In the last two years, the average imports of cotton yarn from China has amounted to about 10½ million pounds a year, and the average value is low. On the basis of these facts, it seemed to the Government of India that a clear case for the continuance of the duty had been made out. Their attention, however, was called, towards the end of February, to the provisions of a new law, which it was proposed to bring into force, and which, if full effect were given to it might alter the situation materially. The law, according to our information, prohibits child labour under 14, fixes the daily working hours for adults at 8, with a possible extension to 10, prohibits work by women between 10 p.m. and 6 a.m., and provides for a weekly rest day. In its provisions, this law seems to be stricter than the law either in Japan or in India. It was promulgated on January 16th last. We have endeavoured to obtain information whether it was merely a project of the law, if I may say so, or whether it was actually being enforced. The information we have received is that no attempt has been made as yet to put it in practice. That is how the position stands today. Also yarn, produced under the conditions hitherto prevailing, must be on the market for a period of six months at least before any yarn manufactured under the conditions imposed by the new law, if that law were immediately to be brought into force, could come on the market. That being so, the Government of India felt they had no alternative but to proceed with the provision in the Bill providing for the continuance of the duty. If conditions change, and if it appears that labour conditions have been substantially altered for the better, then of course the question will be reconsidered. But I think I ought to say this, that the Government of India must hold themselves

[Sir George Rainy.]

entirely free in that matter, and I do not propose to give any guarantee as to what the result of our consideration might be. We do not want frequent changes in the duty on yarn, and we must reserve entire freedom to continue the duty for the period of three years for which it is now proposed to continue it. On the other hand, the Government of India must also reserve liberty to place a measure before the House, if that were thought fit, proposing the discontinuance of the duty. But as things are at present, we have no hesitation in asking the House to approve of this particular provision in the Bill. I have dwelt at some length on this point, Mr. President, because on this point this is the first opportunity any one has had of making a statement on behalf of Government.

I turn now to the proposals in the Bill relating to cotton piece-goods. What are these proposals? As the House is aware, on revenue grounds alone, Government consider it necessary to raise the duty on cotton piece-goods from 11 to 15 per cent. Therefore, the Finance Bill contains a clause omitting the entry in the Tariff Schedule which imposes a duty of 11 per cent. *ad valorem* on all cotton piece-goods. The effect of that particular provision in the Finance Bill, if it stood alone, would be to bring piece-goods under the entry "Other manufactures of cotton not otherwise specified". In this Bill we propose certain further changes. In the first place, it is proposed to impose a duty of 20 per cent. *ad valorem* on piece-goods not of British manufacture; in the second place, the Bill imposes a minimum specific duty of 3½ annas a lb. on plain grey goods not of British manufacture; and in the third place, the Bill defines the term "plain grey goods" for the purposes of the specific duty. I should like to say something, Mr. President, on each of these points. The grounds for the first proposal are that, unless the duty on piece-goods imported from certain countries is raised to 20 per cent., the protection given will not be fully effective. The reasons for not applying the higher rate of duty to goods of British manufacture are first, that the import and production returns of the last 20 years indicate that, with an advantage under the operation of the customs and excise duties, varying from 4 to 11 per cent., large quantities of goods imported from the United Kingdom have been replaced by Indian goods. With the 15 per cent. duty, Government have no doubt that this process of replacement must continue at an accelerated rate. In their view, nothing in excess of 15 per cent. duty on such goods is needed by way of protection. The second reason is that the burden imposed upon the consumer is out of all proportion to the benefit to the manufacturer. I have dealt with that point, Mr. President, in the note to which I have referred, and I do not think I need take up the time of the House by going deeply into the matter again. In substance, what the Government of India feel is this, that the 20 per cent. duty imposed all round would raise the cost to the consumer of enormous quantities of goods which are not in effective competition with Indian made goods, and that the benefit which the Indian manufacturer could derive from the duty, within the period of three years for which it is proposed that it should be in force, would be very small, the reason being that the great bulk of British goods imported into India are woven from the finer counts of yarn, and it is not likely that, within a period of three years the Indian manufacturer would be able to produce any substantial quantity.

I turn now to the minimum specific duty on plain grey goods. Three reasons led Government to the conclusion that they ought to be dealt with specially. In the first place, these goods form the staple production of the Indian mills, and especially of the Bombay Mills. In Bombay, the production of plain grey goods is about half the total production and in the mills in the rest of India about two-fifths. In the second place, it is in respect of this class of goods that the competition from abroad is most keenly felt and it is in this class of goods that the growth of foreign imports has been most rapid and most noticeable. In particular, in the class which is shown in the trade returns as long cloth and shirtings, the increase in the imports from Japan during the last three or four years has been very remarkable. In the third place, Indian mills are capable of producing, as they stand equipped at present, very nearly the whole of the country's requirements of this class of goods, putting aside the jaconets and mulls which are woven from the finer counts and are not made in India. Here Government felt that the 3½-anna duty would lay no unnecessary burden on the consumer, and that special protection ought to be given at the point where it was most needed.

I come now to the third point, namely, the definition of plain grey goods. As that definition stands in the Bill, it covers goods other than those which would ordinarily be classed as plain grey. I should like to explain why this course was adopted. The reason was that, unless the definition was somewhat extended, the protection proposed to be given would to a certain extent be ineffective. In the first place, a new class of imports, especially from Japan, has come into existence in the last year or two, namely, *dhutis* with printed headings and we have evidence that, owing to the low price at which they come on the market, the competition of such goods is very keenly felt by the Indian mills. The definition includes as "plain grey" *dhutis* with printed headings, but excludes those with woven headings. In the second place, there is the danger of substitution. It would be a comparatively simple matter to substitute for a plain grey shirting, a similar shirting with a coloured woven stripe, and the protection would then become ineffective. Again, information has reached Government, that goods are being imported at low prices composed of bleached yarn with a pattern of coloured yarn. I understand that such goods would ordinarily be made from grey and coloured yarn and bleached in the piece afterwards. But in that case the yarn must be dyed in fast colours, but if bleached yarn is used, loose colours can be employed instead. The result is unsatisfactory alike to the purchaser and to the Indian mills, whose patterns are often imitated, and when the purchaser is dissatisfied with the imported goods, which he has purchased, he is very apt to transfer his dissatisfaction to the products of the Indian mills, which have been imitated. It was felt that, in the Bill, it was necessary, if possible, to provide against any danger of substitutions of the kind described.

Perhaps, Mr. President, I might turn now to what we are asking the House to do if they assent to my motion that the Bill be taken into consideration. I should like to make it clear that we do not ask the House, at this stage, to pass a final decision on the question whether, in the scheme of protection, there should be preference for British goods. If I were to ask the House to do that, I should be asking the House to rule out of discussion important amendments which stand in the name of Honourable Members opposite, and that is not my object. The principle

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LEGISLATIVE ASSEMBLY.

[13TH MAR. 1930.]

[Sir George Rainy.]

of the Bill for present purposes must be taken to be this, that it is necessary, in existing circumstances, to protect the manufacture of cotton piece-goods in India, and beyond that, assent to this motion will not commit the House. On the other hand, having said so much, I must say more. I should be misleading the House if I conveyed the impression that Government have an open mind, or that they are prepared to discuss these various amendments on the footing that all of them are equally open for consideration. I have no desire whatever to mislead the House on that point, and indeed it would be entirely wrong if I did so. Drastic changes in the scheme embodied in the Bill, it would, I fear, be impossible for the Government to accept. But as regards one of these amendments, namely, that which stands in the name of my Honourable friend, Mr. Chetty, I am willing to say that, after full consideration, Government are prepared to accept that amendment.

I turn now, Mr. President, to another point. I think the practice has been very nearly invariable when a Tariff Bill is before the House, to ask the House to refer it to a Select Committee. I should like to explain why Government have not adopted this course on the present occasion, but have put down a motion for consideration. One reason is that the provisions of the Bill are not nearly so elaborate as the provisions of some Tariff Bills that the House will be able to recall. But that is not, of course, the main reason. The main reason is that Government regard the passage of this Bill, at a very early date, as of first class importance. My Honourable friend, the Leader of the House, in the Statement of Business which he gave the House a short time ago drew attention to the unsettlement of trade which must continue until the final decision on the question is reached. Now, if the Bill was sent to a Select Committee, a certain amount of delay would be inevitable, and Government are very anxious that that delay should not occur. It is obvious that, when substantial increases of duties are made, the merchants rightly and inevitably make the attempt to bring in large quantities of goods before the duties come into force. That, whether looked at from the point of view of protection or of revenue, is something which Government must be anxious to prevent if it can. Therefore, Government felt that the only thing to do in this case was to put down a motion for consideration and to ask the House to proceed with it as rapidly as possible.

I do not propose, Mr. President, to say very much more in moving my motion, but perhaps I might say something on the general point of view from which Government have approached the question. They have approached it from the point of view of their declared policy which has been approved by this House, the policy of discriminating protection. That policy requires that, when protection is given, it shall be given with due regard to the interests of the consumer. Now, that implies that account must be taken of the proportion which exists between the burden on the consumer and the benefit to the industry, and the measures taken must be such that the former is not excessive in proportion to the latter. Protection must, of course, be adequate for its purpose and it should be given to the extent necessary at the point where it is most needed. But as long as the policy of discriminating protection is the policy which commends itself to the Government of India and to this House, it should not go beyond these limits. My Honourable friend, the Finance Member,

explained in his budget speech that what we were proposing was a scheme with a limited objective for a limited period, and that the immediate object was the preservation of the industry or an important section of it, and not its ultimate development. The latter point is reserved for consideration during the Tariff Board's inquiry, which, if the provisions of this Bill are accepted by the House, would be held in the year 1932-33. When I say a limited objective, I refer especially to the condition of things which exists in the cotton mill industry in the Bombay Island. The situation there has been a cause of anxiety to Government throughout the past year and they have given much anxious time and thought to it. About the situation as it exists today, I do not think there can be any doubt, for all the information that reaches Government is to the effect that emergent measures are necessary if very dangerous results are to be avoided. Quite obviously, the repercussions on the economic life in the city and the Presidency of any collapse in the Bombay mill industry would be exceedingly serious. It is on this ground that the Government of India are asking the House to take emergency action and to proceed with this Bill, notwithstanding the fact that it is not based on any detailed recommendations made by the Tariff Board.

Now, Mr. President, as regards this question of protection for the cotton textile industry, we have explained as fully as we can what our objects are, the methods by which we seek to attain them, and the reasons which, in our judgment, justify them. We have laid on the table the correspondence which has passed between His Majesty's Government and the Government of India. We have taken the House fully into our confidence and we must now leave the question for the judgment of the House. The Government of India believe that the scheme they have put forward is the best that could be devised in the interests of India, in the present circumstances, and that no variant would be equally effective or equally fair to all the interests concerned. They frankly recognise that, as my Honourable colleague, made plain in his budget speech, the method adopted involves a preference to British manufactures, and he also made it clear that, in our view, this preference, far from being injurious to India's interests, was, when all the circumstances were taken into account, likely to further these interests and not to prejudice them. Unless we were convinced of this, no Member of the Government would have made himself responsible for the Bill. With these words, Sir, I confidently leave the Bill to the judgment of the House. (Applause.)

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I beg to ask for some information from the Honourable Sir George Rainy. We are grateful for the correspondence between the Government of India and His Majesty's Government that was laid on the table yesterday. Will the Honourable Member also please lay on the table the first communication which he made to the Secretary of State intimating to him the proposals which the Government of India wanted to put forward in regard to the cotton duties. That communication has not been laid on the table. Will the Honourable Member be pleased to do so now?

The Honourable Sir George Rainy: I am afraid I cannot comply with the wish of the Honourable the Leader of the Opposition. The correspondence to which he refers, the letter containing the original proposals

[Sir George Rainy.]

of the Government of India is part of the correspondence which is entirely confidential. Opportunities will naturally occur at later stages in our discussions when I could make a fuller statement as to the position of the Government of India prior to the receipt of the Cabinet's message. I am reluctant to do so at this stage, because I think it would come in much more appropriately and much more clearly at a later stage.

Pandit Madan Mohan Malaviya: Will the Honourable Member state at least this, whether the original proposals were the increase of duty from 11 to 15 per cent. and an additional duty of $3\frac{1}{2}$ annas per pound on plain grey goods? Was that the original proposal?

The Honourable Sir George Rainy: I shall be able to give this information to the House before it is asked to vote on any question for the decision of which information of that kind would be valuable. I should prefer to make a fuller statement at that stage, and also as it might take some little time, I am anxious at this stage not to make any further addition to the speech.

Pandit Madan Mohan Malaviya: Does the Honourable Member recognise that it is a very important matter, which will affect the judgment of this House in the view that they should take of the proposals? They should know what the original proposal of the Government of India was for protecting the cotton industry of Bombay.

The Honourable Sir George Rainy: Well, Sir, if the House will bear with me, I will endeavour—I have no desire not to be reasonable in the matter—to meet the wishes of my Honourable friend as far as I can. Undoubtedly at this stage, when the Cabinet's message was received by the Government of India, the proposals of the Government of India included the increase of the revenue duty to 15 per cent. and special treatment for plain grey goods. But I should be misleading the Honourable Member if I were to convey the impression that any final decision had then been taken. That was the stage at which it stood at that time.

Pandit Madan Mohan Malaviya: The special treatment was $3\frac{1}{2}$ annas per pound against plain grey goods. Was it not?

The Honourable Sir George Rainy: That undoubtedly was part of the scheme of the Government of India at that time.

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muhammadan): I want at this stage to discuss the principles of the Bill.

Mr. President: Several Honourable Members want to do so. Mr. Das.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I rise to oppose the consideration of the proposition put forward by my Honourable friend, Sir George Rainy. Sir, the underlying principle of the Bill is not protection as claimed by the Honourable the Commerce Member, but it is Imperial Preference, and this House—at any rate the elected Members of this House—are entirely opposed to the principle of Imperial Preference (Hear, hear). Sir, the year 1927 enabled the Government to bring Imperial Preference to this House by the back door. There was the Steel Protection Bill, and I am proud to say that I was the first on this side of the House to oppose, at the time, the pernicious principle of Imperial

Preference. (Hear, hear.) Then there was the Cotton Yarn Protection Bill, which was another dose of Imperial Preference, and it got through in spite of the vehement opposition from this side of the House. Then, to quote my Honourable friend, Mr. Birla, now Imperial Preference has come by the front door, and we are asked to swallow the whole pill. Sir, much has been said about the message of the British Cabinet. The Honourable the Finance Member referred to it.

Mr. President: I think it is necessary for the House to know what the effect of the opposition to this motion would be. Honourable Members will be prevented from putting forward any alternative proposals to the proposals of the Government if they were to throw out this motion. It is therefore for them to consider whether they should oppose the motion, or whether they should allow the motion to get through after the general principles are fully discussed.

Mr. M. S. Aney (Berar Representative): May I ask one question to understand the position clearly? Shall we not be justified in expressing our opposition to the principle underlying this Bill, although we may not oppose the motion as such.

Mr. President: Honourable Members are entitled to express their opposition to the principle underlying the Bill. They are entitled to discuss the principle in all its aspects fully and at great length. But all I warn the House against is that, if they desire to go to division on this motion, and if the motion is lost, they will lose an opportunity of putting forward and discussing alternative proposals.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Imperial Preference being the main part of the principle of the Bill, when this motion is agreed to, and thus the principle underlying this Bill is accepted, it does not mean that Imperial Preference in principle is accepted along with it?

Mr. President: The Honourable Member is quite right. But the acceptance of the principle of Imperial Preference at this stage will not debar Honourable Members from moving amendments at a later stage rejecting Imperial Preference.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): I think, in view of the statement made by the Honourable Sir George Rainy—and he defined his position very carefully—that, if we were to carry this motion that the Bill be taken into consideration, it would not mean that the House would be endorsing the principle of Imperial Preference and therefore, Sir, in view of that statement it does make some difference.

Mr. B. Das: Sir, your advice is always listened to and acted upon by us.

Mr. President: Thank you.

Mr. B. Das: Sir, with all respect, I value the advice which you gave to this House. Sir, speaking for this side of the House, the Leader of our party and the leaders of the various parties had had repeated conferences with the Executive Members of the Government of India, and from what transpired at our party meetings, we understood, that we would have no other alternative but to oppose

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[13TH MAR. 1930.]

Mr. President: I thought Honourable Members had no confidence in their Leaders.

Mr. B. Das: I have entire confidence in Pandit Madan Mohan Malaviya. I may repeat that the decision of my party was that we should oppose tooth and nail this pernicious principle of Imperial Preference.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): So there was some conspiracy.

Mr. B. Das: Sir, the Honourable the Finance Member referred to the message of the British Cabinet, an extract of which message was laid on the table of the House yesterday by the Honourable the Commerce Member. I wish just to quote one pertinent passage out of that British Cabinet's message:

"Secondly the probability that such an addition to the duty would have a disastrous effect here at this moment, an effect which the Cabinet feels sure that you and your Legislature do not desire to create."

Sir, while discussing the General Budget, I said that, while we were willing to give every consideration to the message of the British Cabinet, as a preliminary to that, we must be equal partners in the Empire. As equals we can give and take. Situated as we are, treated always as a subject nation, we do not want to consider any message from the British Cabinet or from the Government, when we find their decision is just poured down our unwilling throats. Sir, as regards that particular phrase, "that you and your Legislature do not desire to create", I do not know if any action of this Legislature has any effect on the British Cabinet or the British Parliament. For the last seven or eight years we have agitated for constitutional freedom and it has not been granted to us. The 12 Nov. *ex-Secretary of State*, Lord Birkenhead, pooh-poohed any idea which was put forward by us and said that the leaders of India did not put forward any considered demand for the constitutional freedom of India. Of course, I can understand the difficulties of England. England would be faced with a trade disaster if the mill industry in India is protected by a uniform tariff duty of 20 per cent., and so they should naturally ask for some discriminating measure from us. But what interested me most was another passage saying that,—

"It would not be inconsistent with the procedure governing the now well-recognised fiscal autonomy convention."

Sir, I am not aware—I am open to correction—that India had entered into any well-recognised principles of fiscal autonomy with England. So far as my knowledge goes, whatever England wants, she takes. It is like the well-known story of the lamb drinking water and the tiger saying that his father had dirtied the water and so he would swallow the poor lamb. That is the well-known principle of England. So what is the use of saying, "well-recognised fiscal autonomy convention"? Will the Honourable the Commerce Member, in his reply to my speech, say if there is any

such convention that India and England gave each other certain assistance in matters of fiscal policy? Then what about the fiscal relations with other independent nations such as Japan? To that I will come later on. Sir, the other day, while I was speaking on the Budget I said . . .

Mr. President: The Honourable Member is very fond of quoting himself.

Mr. B. Das: My point is that India does not wish to create bad feeling with the other Asiatic nations. Japan happens to be one of the largest buyers of Indian cotton. As far as I know, England does not buy a single bale of Indian cotton; she buys Egyptian and American cotton. Yet Japan, which buys the largest quantity of Indian cotton, is going to be banned by this measure of Imperial Preference. I do not know whether it will affect the treaty relations between Japan and England. We have already seen in the Press that Japan has protested to the British Government. Whether the Japanese Government has any trade conventions with India I do not know. My Honourable friend Mr. Howell, who is just coming in, may perhaps enlighten me whether India carries on any treaty or fiscal relations with the Japanese Government. But the Indian people are always anxious to cultivate the friendship of the Asiatic nations. I remember nearly nine years ago, when there was held the first Buddha Jayanti festival in Bombay, my Honourable friend, the Deputy Leader, Mr. Jayakar, enunciated the principle that there should be a pan-Asiatic federation of the Asiatic nations. If the House supports the Bill and if we give Imperial Preference to the United Kingdom, this idea of unity and harmony with the Asiatic nations will for ever be shelved.

Sir, nobody disputes that there should be protection, but is it protection to the Bombay millowners, or is it protection to Lancashire? We have no sympathy with Lancashire, because Lancashire has stood for the last 70 or 80 years against the development of Indian mill industries. If Lancashire is in difficulty, we ask the British Government to put such taxes and pay such bounty to Lancashire as will enable her to find an outlet for her goods. Why India should give a protective tariff to Lancashire I cannot understand. If the representatives of the Bombay millowners, who are present here, demand a protection of 20 per cent., or even 50 per cent., I will vote with them whole-heartedly. But if they say that they are in difficulties and they must have any little crumb that the Commerce Member will care to throw to them, which may involve big constitutional issues leading to an Imperial Preference of 5 per cent. for British goods, nobody on this side will support that pernicious idea.

Sir, three years ago when we discussed the Indian Yarn Protection Bill, which was another measure of Imperial Preference, three main charges were laid against the Bombay millowners; that the Managing Agents of the Bombay mills themselves had done nothing to improve the financial conditions and the trade conditions of India, that they themselves happened to be representatives of foreign insurance companies, and not only did they insure their own mills in these foreign insurance companies, but they canvassed with other Indian business houses to insure their business in foreign insurance companies. That is a direct hit against the development of Indian industries. Then some of them are mill store agents—not only the Bombay millowners but I also include the Ahmedabad millowners. They are all mill store agents. So, by importing foreign mill

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stores, they never develop the allied mill store manufacturing industries in India. So I laid that charge against the Bombay millowners then, and I lay that charge again.

Then the biggest charge against the Bombay mill-owners is that they over-capitalised their mills after the war boom period, and it is mentioned in the Report of the Tariff Board that, while Japan laid by, from their huge profit, sufficient reserve after the war boom,—a very good amount of depreciation charges—the Bombay millowners swallowed all the profit that came to them, and they even went to the extent of capitalising their concerns. I miss my Honourable friend, the gallant Baronet, Sir Victor Sassoon, here, but he is himself the owner of a group of mills whose capital was 2 crores before the war, and suddenly it was raised to 10 crores, and I understand it stands at a share capital of 6 crores at present. It may be Bombay's idea of share speculation and gambling, and all that, which we laymen coming from other parts of the country cannot understand.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): Why do you criticise if you do not understand?

Mr. B. Das: I do not criticise! I say that you are today humiliating the whole nation!

Sir, today I wish to lay a few more charges against the millowners regarding their mismanagement as Managing Agents. I will not say it in any words of mine, but in the language of my Honourable friend, Mr. Kikabhai Premchand, who I am sorry to see is not here. Every year my friend, Mr. Kikabhai Premchand, issues a book known as the Annual Market Review. This is what he says in his book for 1929, and I hope my Bombay friends and the Treasury Benches will appreciate very much the criticism of Mr. Kikabhai Premchand:

"But public opinion is growing and becoming more vocal. It is ineffective now, largely because the Managing Agents are entrenched behind their agreements and the shareholders are powerless. But with the removal of the Managing Agency system and the vesting of real power in the ordinary shareholders public opinion will strengthen with the sense of responsibility, and the investors will be more actively insistent on the careful and skilled management of their property."

There is also another luscious passage, which I cannot quote now, as it is missing. My charge against the Managing Agents is that they happen to be the buying and selling agents. They buy cotton on behalf of the mills, and they charge a certain amount of commission. They sell the piece-goods, and they charge a certain amount of commission on them. Therefore, whatever the mills get, all goes to the Managing Agents, and nothing is left to the shareholders, and then they come to the Tariff Board for protection, and the President of the Millowners' Association asks why we should criticise their policy in this House.

My next charge against them is that they are big speculators. They speculate and gamble in the Indian cotton market, and when there is huge deficit, say a loss of one crore, they quietly write it down to the account of the mills. That is a very serious charge. That being so, how can the

shareholders derive any profit? I have made these charges, and I hope they will receive serious consideration when the reply of the millowners is given.

Mr. President: Treatment of Labour? (Laughter.)

Mr. B. Das: I will quote my Honourable friend, Mr. Birla, on that subject, who was the President of the Federation of the Chambers of Commerce, and who is one of the largest millowners of Delhi and Calcutta. In his concluding remarks at the last annual sitting of the Federation of Indian Chambers, Mr. Birla spoke of his relations as an employer with labour as a sacred and noble obligation. He is treating the labour population with friendship and humanity. (Hear, hear.) As regards the trouble in Bombay, I hope my friends, Diwan Chaman Lall and Abdul Matin Chaudhury, who were the accredited representatives of labour at Geneva, will speak.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Whom did you represent? Employers?

Mr. B. Das: I may tell my Honourable friend, Sir Cowasji Jehangir, that, whatever I represented I did not represent the greed of the Bombay millowners. I will just quote a passage from my Honourable friend, Mr. Birla's writings.

Sir Cowasji Jehangir: As regards speculation?

Mr. B. Das: You will soon know what it is. My friend, Mr. Birla, wrote on the 23rd August, 1929, in an introductory note to that excellent handbook, on "The Indian Cotton Textile Industry" by Mr. M. P. Gandhi, published in 1930, the following:

"And, if in spite of all these handicaps, the cotton industry of India is not only living but flourishing. . . ."

According to Mr. Birla it is "flourishing" and according to my friends, Sir Victor Sassoon and Mr. Mody, the mill industry is not flourishing. Then he goes on to say:

"and gaining ground gradually, it is entirely due to the sense of awakening and patriotism among the people on the one hand and the efficient management of millowners on the other."

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Including the Bombay millowners?

Mr. B. Das: I am glad Mr. Birla mentions the "sense of awakening and patriotism of the people". My friend, Mr. Chetty, will also understand it. Mr. Birla then says:

"The up-country mills, therefore, are becoming serious competitors to the Bombay Mills. The seriousness of the situation of the Bombay mills was very well reflected in the recent strikes and it is high time, therefore, that Bombay mills, instead of working on cloth in which they cannot compete with up-country mills, seriously took to the manufacture of fine and fancy goods."

I hope my Honourable friend, Sir Cowasji Jehangir, notes the advice given by my friend, Mr. Birla. I find similar advice given to the millowners from another quarter, I mean, by my Honourable friend, Mr. Kikabhai Premchand, in the book I have already quoted, "It is undeniable that foreign competition, in addition to competition from up-country mills,

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has grievously affected Bombay's premier industry''. This is what Mr. Kikabhai Premchand has said in his book in 1929, which was probably published a month or two ago. Mr. Kikabhai is a well known stockbroker of Bombay and this is his view. I hope my Bombay friends will agree with him.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): But Mr. Kikabhai supports the Bill.

Mr. B. Das: Mr. Kikabhai has to take his instructions from the *Times of India* about that. He has given us the exact picture of competition which India has both from up-country mills and from outside India. This protection would not help the up-country mills, unless it is increased to 50 per cent., in which case I think the Honourable the Finance Member will be very glad to get the extra revenue. But it will not suit the consumer at all. Sir, I find that, since this Bill was laid on the table, there have been various meetings and pronouncements all over the country. The various Indian Chambers of Commerce, except those from Bombay, have all opposed tooth and nail this Imperial Preference. My friend, Mr. D. P. Khaitan, spoke as the President of the Indian Chamber of Commerce at Calcutta the other day, and he delivered a long speech opposing this Tariff Bill tooth and nail and he tendered some very good advice to the Bombay millowners. I hope they will take it. I may also quote another Chamber of Commerce, the Bihar and Orissa Chamber of Commerce. (Hear, hear.) It has passed a resolution strongly opposing Imperial Preference, and although I do not generally agree with that Chamber, even that Chamber does not want to give any protection to the Bombay millowners. The question is, has the buying power of the people increased? Are not the people becoming poorer and poorer every day on account of the policy of Sir Basil Blackett in regard to the ratio question? How can they buy the increased production which my friends of Bombay are trying to do by this protection? If they cannot buy the increased production, the millowners will have to suffer. I think the Bombay millowners, as the first preliminary, have to reduce their capital. Their over-capitalisation must cease. It is only then that they can derive as much profit as my friend, Mr. Birla, or the Ahmedabad millowners.

Sir, whenever Government bring forward measures of protection, I warn the Government that they should not give protection without controlling the industries seeking protection according to well-known conventions. The recommendations of the External Capital Committee have not yet been given effect to. Sir Basil Blackett, who wanted to have them discussed on the floor of the House, never did so. We gave protection to Tata's steel industry, which is still not able to dispense with protection. We go on giving it further and further protection year after year. In spite of that, an American has become partner of the Tata Company in their hydro-electric concerns. We may hear next that Tatas have sold the Iron and Steel Company to an American Corporation. Sir, it is well known that Tatas have not been able to Indianise their superior establishment in the steel industry, and also Tatas have not been able to market their steel properly in India. Probably, in two or three years, they will again come forward for another measure of protection. We gave protection to the paper industry. Everybody knows there are only one or two Indian directors on that paper company which is European-owned, and we do not know if Indians are trained there as probationers,

or if Indians are taken there as officials in the paper factory. We do not know if their capital is Indian rupee capital. Government should not give effect to protective measures without creating machinery to apply a certain amount of control and check on those industries which are given protection.

Sir, I will now speak a word about the second dose of Imperial Preference, which the Honourable Sir George Rainy has introduced by clause 3 of the Bill for extending the Indian Tariff (Cotton Yarn Amendment) Act, 1927, for another three years from 1930 to 1933. When that Act was passed, those of us who have the interests of the handloom weavers at heart strongly protested. What we at that time understood from the millowners' representatives was that they wanted protection only for three years. Now, even if 20 per cent. protection is not granted, a 15 per cent. tariff on piece-goods with 4 per cent. additional duty on those goods, gives ample protection to the millowners. But what protection has been given to the very large cottage industry in India, the handloom industry? Honourable Members know that there are 20 to 25 lakhs of handlooms working in India. I may remind my Mussalman friends that all these 25 lakhs of handlooms employ 60 lakhs of people, of whom about 40 lakhs are Mussalmans. Here everybody talks of giving help to the rich. Who thinks of the poor? This Cotton Yarn Protection Bill, that was promulgated in 1927, has already done great harm to the handloom industry. I have made inquiries. Of course, Government have also made inquiries; they have laid their statement on the table. Nowhere has the price of handloom cloth gone up; everywhere the price of hand woven cloth is stationary, or even less by an anna or two annas. Let us see what has happened. A pair of *dhotis*, produced in two days costs Rs. 3, but the price of the raw material, yarn, has gone up by six annas, and the poor handloom weavers, the family of three or four people, working for two days to produce a pair of cloths, their wages have been reduced by six annas. Is that not a very striking condemnation of the Yarn Protection Act? My Honourable friend, Sir George Rainy, without giving us any reasons, says he will extend it for three years more. Why have the Government brought in this measure to impose a duty on Japanese yarn? We do not object to yarn made in Japanese mills. There is a difference in price between Indian and Japanese yarn, but yet everybody knows that Japanese yarn is better appreciated by the Indian handloom weavers than yarn spun by many of the mills in India. The handloom weaver finds that Indian yarn is not uniform. Apart from that, while the millowners of Bombay Ahmedabad, and other places derive an extra profit from 15 per cent. to 20 per cent. or 30 per cent. the poor handloom weaver, instead of getting even a living wage—my friend, Diwan Chaman Lall, will tell us what is a living wage—of 8 annas or 6 annas per day, is reduced to a wage of 4 annas or 5 annas. Is not that a hardship? I do hope that, in their support of protection to the millowners, they will support also protection to the handloom weavers.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Are you for protection or not?

Mr. B. Das: I am for protection. I have always been for protection, but I am not for injuring another huge industry by giving protection to one rival industry. It has been protested that handloom weavers have

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never asked for protection. Sir, these six millions of weavers, who are scattered in the interior villages all over India, who are inarticulate and illiterate, how can they think of coming to the Imperial heights of Delhi and Simla; how can they come and ask the Honourable Sir George Rainy to give them protection? I ask my Honourable friend, Sir George Rainy, to look into the evidences which the Directors of Industries of the different Provincial Governments recorded in favour of the handloom weavers at the time the Tariff Board took evidence in 1927.

Mr. President: I think the Honourable Member must now conclude.

Mr. B. Das: I will conclude, Sir, in a few minutes. It is a very difficult subject. Sir, my Honourable friend, Sir George Rainy, said that he would oppose most of the amendments that have been tabled on behalf of the Government. He wanted to cut short this debate by saying that Government would oppose all amendments, except what my Honourable friend, Mr. Chetty, has put forward. My Honourable friend Mr. Chetty's amendment is nothing but Imperial Preference. It is 90 per cent. Imperial Preference, 10 per cent. may be something else—call it protection or alms. My Honourable friend Mr. Chetty's amendment will come up for discussion later on. Speaking on behalf of my party, I want to ask the Government, "Are you going to be guided by the views of non-official Members on this question? You are not responsible to the Indian electorate; you are responsible to the Secretary of State and the British Cabinet." The 40 votes that Government have on their side represent British interests, British Parliament and British Cabinet. Even if we are defeated by one vote, I say that cannot be a vote in favour of Indian interests. It is only fair that their 40 votes should not be counted on this question. A vote taken in that way alone will be the measure of Indian feeling. A vote taken with the help of the 40 votes of Government cannot be an index of the real feeling of the House and the real feeling of India. Sir, I do not want to utter one word that will hurt the feelings of the Government side. (Hear, hear.) I am not as irresponsible as my friend, Colonel Crawford, who misjudged me the other day while I was appreciating the speech of my friend, Mr. Abdul Matin Chaudhury, who was saying that the Indian youth is becoming an admirer of revolutionary methods—my friend, Colonel Crawford misread my thoughts . . .

Mr. President: This is not relevant.

Mr. B. Das: No, Sir, (Laughter), but the gallant Colonel may rise a few minutes later and say that I am showing my hatred to England. Sir, I have no hatred for England; in this Gandhi age I have no hatred for England, but I am only trying to explain my principles which apply equally to the speech of my friend, Mr. Abdul Matin Chaudhury, as to the subject which we are discussing today. Sir, the situation in the country is very difficult and critical. We are passing through trying ordeals. And if the Viceroy in his pronouncement of 31st October, 1929, asked us to bear goodwill and to create a good atmosphere all over India, we on this side have done our very best to foster that goodwill. If sometimes it has gone beyond us, it is not due to us but to the Government—it is due to the Viceregal statement of the 25th January on the floor of this House.

My friend, Colonel Crawford, asked me how I can take the oath of allegiance and be an admirer of revolutionary methods . . .

Mr. President: The Honourable Member knows that this is all irrelevant.

Mr. B. Das: All right, Sir. I shall conclude my remarks with just one more quotation, and with my strong condemnation of the principle of Imperial Preference. I ask Members on the Treasury Benches and of the European Group to read a book,—which I think some of them might perhaps have read,—"The Revolt of Asia" by Upton Close. Sir, it is not written by an Englishman; it is written by an American journalist, Mr. Josef Washington Hall, who is a Lecturer in some American University. I shall only quote the last four or five lines of his concluding remarks . . .

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Why do you give preference to Americans?

Mr. B. Das: I give no preference to anybody. When this gentleman came to India, he met some big Government official at Delhi and asked him, "How are you going to bring peace in India?" That British official told him, "We are a blundering race; we go on blundering, and in the end somehow we will pull through." I shall quote his last few words from this book, which I would ask my friend, Colonel Crawford, and also the Treasury Benches to bear in mind; if they desire to have our friendship and our goodwill.

"We have come to the end of the White Man's world dominance. If he resigns himself to this historic evolution, he will save his world and the Asiatic's world. If he resists, he will likely bring about the destruction of both."

We have come to the beginning of the White and Coloured Man's joint world, when each shall have control in his own house and a proportionate say in the general convocation of humanity.

We are passing from the era of Empire by Conquest into era of Empire by Attraction, Service and Business that asks only a fair field and no favours.

We have come to the time when any prolonged attempt of any race or nation or class or sex to dominate another can only bring destruction to both.

It is let live and live.

It is tolerance or death."

Sir, India demands Fair Play.

Rai Bahadur S. C. Dutta: Sir, I propose to discuss this Bill from a different angle of vision than that adopted by the previous speaker. We have to see whether, in this particular instance, a case has been made out for protection to the cotton textile industry. I propose to consider this question from the point of view of the masses. The raising of the cotton duties from 11 to 20 per cent. is imposing a very heavy burden upon the poor. Whether the object be revenue or protection, the consumers are taxed—there would be no protection if prices are not affected—and this is a tax upon one of the necessities of life. For the poor masses of India cloth is next to food, and I think I am not wrong in saying that, what taxation of food is in England, taxation of cloth is in India. The Honourable the Finance Member expects Rs. 125 lakhs as the combined effect of his proposals for a general increase of 4 per cent. for revenue and the additional 5 per cent. discriminatory duty, allowing in full for the protective effect. It is explained in the Financial Memorandum that the whole

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of this income will come out of the increase of 4 per cent; and consequently non-British goods of foreign origin will be entirely excluded from the country. It therefore follows that the Indian taxpayer will have to pay higher prices for Indian goods which are not taxed. And if we assume that the expectation will be realised that the additional 5 per cent. on non-British goods will not affect the price of British goods of finer counts, it will come to this, that this protective measure will involve a heavy sacrifice upon the poorer community, who use coarse goods of Indian cotton and not upon the rich who use British goods of finer counts. But it is doubtful whether this expectation will be realised, for I find from the notes of the Honourable the Commerce Member, that Japanese goods do compete with British goods to some extent, and so far as higher duties are imposed upon such Japanese imports, this will tend to increase the price of the British goods of the same classes, or of classes that may be regarded as substitutes, unless it be that the price of British goods is already so high, on account of the high cost of production there, that even 20 per cent. on other goods cannot affect the same. So far as regards the effects of the protective proposals, so far as can be anticipated, on the consumers. The House should therefore be clearly satisfied as to the necessity for protection and its extent.

Sir, discriminating protection is the accepted policy of this House, and I am not going to challenge that now, but I do not know that the policy of protection to the textile industry has been accepted here and if so, with what justification.

As to the necessity for protection to this industry, what I ask is this. Is there any initial disadvantage that is to be removed? Is it the case that goods produced cannot be sold on account of competition? This again might be a justification for protection in some shape, suitable to the real difficulty of cheap production. But if there be other difficulties against mere expansion, there may not be sufficient justification for a protective tariff, and a protective tariff may not remove those difficulties. Then again, there may be other difficulties for particular industries, there may be improvident over-production; there may be financial losses on account of labour disputes and other causes. Some of them may deserve financial help in other shapes, to be paid for, but not at the expense of the general taxpayer. I suggest that, in suitable cases, there may be subventions granted without taxing the poor. At the same time, the Government and the Legislature should not be parties to the industrial struggles that are going on in the country by increasing the strength of one party for resistance.

Sir, the import duty on cotton goods was at first 4 per cent., and then it was raised to 7 per cent. Even in those days, these low rates of duty were considered so far protective, that countervailing excise duties were levied along with the same. Now the industry is enjoying a protective duty of 11 per cent., without any countervailing excise duties. Why is this not sufficient? Is organization defective? Is labour inefficient? Are such defects inherent to Indian conditions? Is an increase of duty to 20 per cent. really necessary? These are questions which should be answered by the Honourable Member in charge before the House can be called upon to give its assent to this measure.

Now, Sir, this Bill comes before the House with a definite proposal to give protection to the textile industry. As to the question of protection, the increase of 4 per cent. will surely have a protective effect, and will this not be sufficient for Bombay? I refer to Bombay, Sir, because Bombay has been specially mentioned, and I do not know if there has been a demand for protection from anywhere else. As the imposition of this additional tariff will bring no revenue and will be purely protective, I do not see why the Honourable Member should drag in this measure in the Budget Session, when our immediate duty is to balance expenditure by revenue. Now, Sir, if 11 per cent., which Bombay shares with other Indian industries, cannot give sufficient protection, and if the proposed additional 4 per cent. is not also expected to give sufficient protection, then what guarantee is there that this additional 5 per cent., the benefit of which India will share with England, will prove more effective and the lion's share of the benefit will not go to England. Sir, I am afraid that the benefit to the Indian industry out of this additional 5 per cent. will be very small and quite incommensurate with the loss to the consumers. . . .

Sir Cowasji Jehangir: May I ask the Honourable Member to speak up, because we cannot hear anything on this side.

Rai Bahadur S. C. Dutta: Then, Sir, some remark is necessary here as to the effect of the discrimination in favour of British goods. I am not opposed to Imperial Preference in the abstract and may be prepared to support it, provided that it will be of benefit to the country; but, Sir, the present proposal, in my opinion, is premature and is also one-sided, and I am not prepared, and the country is not prepared, to show Imperial Preference, not by lowering an existing duty, but by imposing a higher duty. Imperial Preference can be adopted as a bargain, but here there is no bargain. The suitable time for such a bargain would be when India had attained Dominion Status and this House consisted fully of the representatives of the people only. At the same time, I see that the British Government have not proposed Imperial Preference, and the Government of India also do not propose Imperial Preference. The Honourable Member justifies it on the ground that discrimination will not affect the protective measure and will not affect the consumers. If this be so, then there can be no objection to such discrimination. But the point is, is this so? The Honourable Member has explained in his note that there is no direct competition between British goods and Indian goods, but he has also shown the extent to which Indian goods have replaced British goods. Sir, to that extent, it is not correct to say that there is no competition, but that India, with the 11 per cent. duty, has so far beaten down that competition, and the competition would be as keen, if the situation in the Indian industry becomes worse, on account of internal conditions so that 11 per cent. would not suffice.

Now, Sir, it is admitted that the situation is worse, for otherwise there need not be this proposal, but it is hoped that a 15 per cent. all round duty will give sufficient protection to meet competition from England on account of changed conditions in India. Gentlemen from Bombay will be able to tell us whether this estimate is correct, but if this is correct, will not 15 per cent. suffice to meet the competition from other countries as well? Then even if there be no direct competition, we cannot forget indirect competition which may be real.

[Rai Bahadur S. C. Dutta.]

Sir, these high duties on coarser goods may so enhance the price as to bring them to a near parity, I do not say, necessarily exact parity, with the comparatively lightly taxed British goods, so that the better quality of the British goods may easily dominate the preference of the consumers notwithstanding the slight difference in price. It may also be, Sir, that the competition of British goods is beaten down by Japanese competition, and when Japanese competition will be beaten down, the English competition may survive and may compete in the field against Japanese goods, so that English goods may oust the Japanese goods under the altered conditions. The Indian industry may not be worse by these proposals, but they may not be better either. Then why tax the poor? I do not minimise, even to the slightest extent, the value of making a gesture in response to the appeal made by His Majesty's Government and I do not know whether the proposal is not more valued as such gesture than as a protective measure. Even then, what is the demand made upon us? Should it be anything more than this that there should be mutual goodwill on both sides? Here India is called upon to perform something, even before goodwill, not from the Government, but from the people of Great Britain, can be guaranteed. Sir, it is equally necessary for the people of Great Britain to seek the goodwill of the people of India. For Empire federation with India as a Dominion cannot be secured, and cannot be promoted with any advantage, and cannot be pursued for long as an ideal to be attained by continuous endeavour on all sides, unless both parties see that the ideal is advantageous for all and the best for all. If the Honourable Member really thought that the Bombay industry would be really destroyed, unless there was an all round protective tariff, and if he proposed such a tariff, there is no reason why this should be regarded as evidence of want of goodwill on the part of the people of India.

I now wish to add a few words with reference to the principle of protection for three years for Indian yarns. I agree with what Mr. Das said, but at the same time I think that a case for extending it for another three years has not been made out. The original reason why the measure was passed was on account of the severe competition with Japan, which employed female labour below a certain age. It is admitted that these reasons have been removed from Japan. Similar conditions have arisen in China. It is also explained that there has been recent legislation in China to remove these undesirable elements in labour conditions. But owing to the unsettled conditions in China, the legislation has not been given effect to and there is apprehension that these undesirable elements will continue. But so far as I can see, there is this advantage that with unsettled conditions, China will not be able to compete with India. With these few observations, I close by remarks.

Pandit Madan Mohan Malaviya: Sir, during the general discussion on the Budget I put forward a few considerations which this House will have to weigh in dealing with the question which is involved in the proposal now made by the Government. I wish to add a few remarks so that the position may be made clearer. I think, Sir, I voice the sense of nearly all the elected Members of this House sitting on this side, when I say that we are opposed to the principle of Imperial Preference, and therefore opposed to that form of it which is involved in the proposals of

Government. I have already drawn attention to the conditions which are essential before a proposal for preference to any goods of any country could be accepted by this Legislature. Both the majority of the members of the Indian Fiscal Commission and the minority agreed in laying down certain principles. Among these, they took care to say first that a policy of Imperial Preference could only be adopted with the free consent of the Legislature. They also pointed out that such a policy could only be adopted after an examination of the question by the Tariff Board, an examination, the object of which should be to find out whether there were any commodities on which preference might be given in accordance with the principles which they had laid down to the benefit of the Empire and without detriment to Indian interests. I am glad that, in the cablegram which the Government of India sent to His Majesty's Government they laid emphasis on this point. They concluded by saying:

"We desire also to make it clear that in a matter of this kind, after frankly stating our case, we should desire to solicit the most free expression of opinion from the Legislature with whom the final decision must rest."

I hope these references are sufficient to make it clear to the House that the responsibility for accepting or rejecting a proposal like this rests entirely with the Legislature. I am glad, Sir, and thankful to the Government of India, that this was brought to the notice of His Majesty's Government. It is unfortunate, however, that, in the speech of the Honourable the Finance Member, the point was not made equally clear. He said, in his speech, "Let me make it clear at the outset that the fiscal autonomy convention is a reality, and that decisions on matters of this kind are left to the Government of India". This is not accurate. The Honourable Member should have said "to the Government of India acting in agreement with the Legislature". I do not suggest that he omitted the words "acting in agreement with the Legislature" by design. But I wish those words were there to leave no room for doubt that that is the convention to which he referred. In another place, in the concluding part of paragraph 51, the Honourable the Finance Member said:

"Finally, we made it clear that, in a matter of this kind, after frankly stating our conclusions, we should desire to put our carefully considered views before the Legislative Assembly with whom the final decision must rest."

Here also unfortunately the words which were used in the cablegram of the Government of India, namely, "after frankly stating our case we should desire to elicit the most free expression of opinion from the Legislature", were omitted. But I am grateful to the Government for having laid the correspondence on the table, so that attention has been drawn to those important words. But, Sir, the Government of India have laid before us only a portion of the correspondence which passed between them and the Secretary of State as representing His Majesty's Government. As I suggested this morning, I wish the Government had also laid before us the letter which they sent to the Secretary of State for his approval of their original proposals of taxation. That would have helped the discussion better, but even so, I am thankful that the Honourable the Commerce Member did say, in answer to my questions, that the original proposals which the Government of India submitted to the Secretary of State were a general increase of 4 per cent. duty

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[Pandit Madan Mohan Malaviya.]

for revenue purposes, that is, from 11 to 15 per cent., and an additional protective duty of $3\frac{1}{2}$ annas per pound on all plain grey goods.

The Honourable Sir George Rainy: I modified the statement by the qualification which I made, in answer to the Honourable Member's question, namely, that a final decision had at this stage not yet been taken.

Pandit Madan Mohan Malaviya: Thank you. I am not suggesting it had been taken. I only said that the original proposals which the Government of India submitted to His Majesty's Secretary of State were an increase of 4 per cent. duty on all cotton piece-goods for revenue purposes, and a protective duty of $3\frac{1}{2}$ annas per pound on all plain grey goods. That is all they said when they submitted their proposals to the Secretary of State.

Now, Sir, those proposals did not involve any question of a preference to the goods of any country. They applied equally to all plain grey goods. I believe I am right in saying that. Therefore, it is clear that the original proposals of the Government of India were of uniform application to all imports of cotton piece-goods. When His Majesty's Government sent the message, which they did in reply to the Government of India, they had before them only these two proposals, namely, a general increase in the revenue duty of 4 per cent., i.e., from 11 to 15 per cent. and a protective duty of $3\frac{1}{2}$ annas per pound on all plain grey goods. To these proposals of the Government of India, His Majesty's Government replied in a very courteous manner which I wish to acknowledge again. They felt a hesitation in making a suggestion to the Government of India in this connection because they recognised that, in the matter of fiscal autonomy, the Fiscal Autonomy Convention applied to India also. But they came to the conclusion that it would not be inconsistent with the procedure governing now the well recognised Fiscal Autonomy Convention to make, at this stage, the following representation to the Government of India. That representation was, firstly, the probability that such an addition to duty, namely, 4 per cent. for revenue purposes and $3\frac{1}{2}$ annas per pound as a protective duty, would be likely to raise the prices of goods in India itself, to the great detriment of the poorer classes generally in this country. That was their first concern, and we must be grateful to them for this solicitude for the poorer classes of this country. The second point they urged was:

"The probability that such an addition to duty would have a disastrous effect in England at this moment, an effect which His Majesty's Government felt sure you and your Legislature do not desire to create."

I think I can say, on behalf of Members of this Assembly on this side, that we are most unwilling—it is unthinkable—that we should desire to create any disastrous effect at this moment or at any time on the Lancashire trade. We have no unfriendly intentions against the trade of Lancashire; we wish it all prosperity, but we also wish that that prosperity should be obtained by fair means and without detriment to the interests of the people of this country. Then, Sir, the cablegram went on to say:

"From both points of view Cabinet views with gravest apprehension proposed addition to duty and hopes that full weight will be given to above considerations."

This was all that the Cabinet said. They felt the gravest apprehension regarding the effect of the proposed addition of 4 per cent. to the general duty and $3\frac{1}{2}$ annas per pound against all plain grey goods. It is important to note that there was no suggestion from the Cabinet that a 5 per cent. protective duty should be put on Japanese or rather non-British goods, or that any exemption should be made in favour of British goods. There is no such suggestion in this correspondence from the Cabinet. In this connection I wish to say that I regret that, not having the correspondence before me, I used a word in the debate the other day which I should not have used. I said then that the proposal which had come from the Cabinet was more insidious than it would have been if it had come from the Secretary of State. My Honourable friend Sir George Schuster objected to the use of that word and I bowed to him for that correction. I did not mean to insinuate that the Cabinet had used any insidious means. What I meant to say was that the pressure became more irresistible when it came from the Cabinet than it would have been if it came from the Secretary of State. But I am sorry I used a wrong word.

From the facts that are now before us, it is clear that the proposal for giving preference to the United Kingdom goods has not come from the Cabinet. That proposal had been put forward, as I understand it, by the Government of India after it had received the cablegram to which I have drawn attention. Now, I must acknowledge with gratitude the attitude which the Government of India took up in the first stage of these proposals. When His Majesty's Government drew attention to the points which I have just now laid before the House, the reply of the Government of India was admirable and deserving of commendation and congratulation from us. They said:

"Please see your telegram of the 8th instant. I have discussed with my Council the Cabinet representation and we are deeply impressed by a message of this nature. Nevertheless we feel bound to adhere to our main proposals."

The proposals being 4 per cent. increase for revenue purposes and $3\frac{1}{2}$ annas per pound against all plain grey goods. I hope I am quite right in saying that.

The Honourable Sir George Rainy: I do not think there is any misunderstanding between us. The proposals were that 15 per cent. should be the duty on all goods and $3\frac{1}{2}$ annas on plain grey goods. The main proposal was the raising of the duty to 15 per cent.

Pandit Madan Mohan Malaviya: So your main proposal was the raising of the duty to 15 per cent. on all cotton goods and $3\frac{1}{2}$ annas minimum on all plain grey goods.

The Honourable Sir George Rainy: The only point which I wished to correct of my Honourable friend is this. The main proposal is the increase of revenue duty from 11 to 15 per cent. and the subsidiary one of $3\frac{1}{2}$ annas on plain grey goods.

Pandit Madan Mohan Malaviya: I would particularly draw the attention of my Honourable friend to the use of the plural, "the main proposals" and that is why I thought that the two proposals were included in the words used.

The Honourable Sir George Rainy: To that, I say, yes.

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Pandit Madan Mohan Malaviya: In reply to the cablegram, His Excellency said:

"It must be remembered first that we want revenue; secondly that customs is our chief source; thirdly that the general revenue tariff stands at 15 per cent. while the duty on cotton piece-goods is only 11 per cent.; fourthly that the Indian industry is suffering from deep depression and that as regards Bombay the mills are approaching a desperate position which may affect the whole future of this important centre of Indian commerce and finance. Moreover in a year like the present one, when we have to impose heavy new taxation we could not for revenue purposes leave the cotton duties alone. As regards raising the cost to the consumer we believe that in those goods where external competition is chiefly felt, namely in plain grey shirtings and light sheetings, and cheaper coloured goods, internal competition will in any case keep the prices down. As regards bleached goods and finer qualities of grey and coloured goods which Lancashire mainly supplies a four per cent. increase in the price cannot be represented as a crushing burden."

So far as this particular part is concerned, we must all feel grateful to the Government of India for the very excellent manner in which they described our position and put our case.

Coming to the second point, *viz.*, the danger to British interests, the cablegram continued:

"We recognise that the possible decline," (*note the word "possible"*) "we recognise that the possible decline in consumption of Lancashire goods may be a serious matter but we are clearly bound to put India's interests first. We also recognise how important it is to India not to antagonise British opinion, and quite apart from this, we are, of course, concerned at this time to avoid unnecessary injury to British interests."

I think this is also a sentiment which we all gladly endorse.

"We have carefully considered what we could do in this respect and while we cannot modify the general application of the 15 per cent. revenue duty, we are prepared to propose to the Assembly that, as regards any additional and temporary protective measures, their application might be limited to non-British goods and that in these circumstances there should be imposed, in addition to the 15 per cent. revenue duty, a five per cent. protective duty with a minimum of 3½ annas per pound on plain grey goods against all cotton piece-goods from outside the United Kingdom."

Well, here is this new proposal introduced. I have not the slightest doubt, and we do not wish to suggest that the Government of India did not introduce this proposal with the conviction that it would be in the best interests of India to adopt it. But we have now to examine what its effect is and whether there is any justification for asking the Assembly to adopt it. The cablegram continued:

"We should propose the protective duty for three years only and undertake to have its effects examined by the Tariff Board before the end of this period."

The Fiscal Commission has recommended that an inquiry by the Tariff Board should precede the adoption of Imperial Preference. The Government propose to have it made three years after adopting it, and they have given no reason for it. The Government of India then went on to say how they would bring this proposal before the Legislature, and rightly said to the Cabinet that they recognised the importance of the message from the Cabinet and that they would point out to the Assembly "that at a critical juncture when much may depend on India's response to the British Government's appeal" such a proposal should be favourably considered. The Government tried to offer a justification for the exceptional course they had decided to follow. They said:

"We shall have to make it plain to the Assembly that while there are grounds for treating plain grey goods exceptionally, we could not in any circumstances agree at the present stage and for emergency purpose which we have in view to the additional protective duty of five per cent. on all classes of piece-goods irrespective of the country of origin."

But they did not say and have not yet said what those grounds are for increasing the measure of protection which they originally proposed and I submit, Sir, that the proposal of a 5 per cent. additional duty, with a minimum of 3½ annas per pound on plain grey goods, on all cotton piece-goods of non-British origin was introduced clearly to help the Lancashire interests. The reading of the correspondence and the answers given do not leave any room for doubt, nor has the Honourable the Finance Member concealed it in the statement which he made in introducing the Budget. His contention is and has been throughout that this additional duty could be imposed in the manner proposed consistently with the interests of India. That is a point on which we join issue with the Honourable the Commerce Member and the Finance Member. I feel—and I think the House will share this feeling—that while the attitude of the Government as regards its first proposals was admirable and deserving of our gratitude it erred grievously in putting forward a proposal for an additional five per cent. protective duty with a minimum of 3½ annas per pound on plain grey goods, on all cotton goods from outside the United Kingdom. It was a very unfortunate proposal. It at once introduced the question of preference to the goods of the United Kingdom, which it would have been wise and proper on the part of the Government of India to avoid at any time and particularly at this juncture. It would have been the part of wisdom to avoid introducing such a question into this Legislature until it became a legislature fully elected and consisting of men who were not likely to be influenced in the decision of an important question like that, by the forty solid votes which sit on the Government Benches. It would have been but fair if they had not put forward this proposal at a time when, owing to the position the Government occupy, the position of strong power and patronage, votes in this House are sure to be affected by the views which they put forward, and a free vote of the Assembly cannot be obtained. I submit, Sir, that for these reasons the Government should yet reconsider its proposals. The object of the Government of India was—and that is the object, I believe I can take it of every Honourable Member of the Assembly—that the cotton industry of Bombay should receive all the protection that it deserves. It has long been a matter of complaint on this side of the House that the Government of India have not done their duty by the cotton trade of this country. The cotton trade of India has grown despite the handicaps to which the Government of India have subjected it for a long time in the past. It has grown in spite of the long and lasting cotton excise duty, which was condemned by every fair-minded Englishman as an iniquitous duty. It has flourished in spite of the other handicaps to which it has been subjected, among them being that outrageous enactment of the 1s. 6d. ratio. It was exposed to the attacks of Japan and of other countries because by that enactment a present of 12½ per cent. bonus was made to all competitors from outside. Bombay's suffering has been a prolonged one, but that suffering has become most intense and acute during the period which has followed the enactment of the 1s. 6d. rupee. Sir, the Tariff Board recommended, three years ago, that the Government of India should raise the import duty on cotton goods from 11 per cent. to 15 per cent. If that proposal had been accepted and put into effect by the Government of India three years ago, I venture to suggest, Sir, that the Bombay cotton industry would not have been in the most deplorable and perilous position in which it is found to be today. Why did not the Government of India take action in time? However we are glad that the Government of India have decided to take action now. We are grateful that they decided to raise the general

[Pandit Madan Mohan Malaviya.]

revenue duty to 15 per cent. and to put on an additional duty of $3\frac{1}{2}$ annas per pound on all plain grey goods as a protective duty. And we ask them to stand by these proposals at the very least. But in order that there should be no cause for complaint of discrimination or preferential treatment from any outsider or from our own people, I ask the Government of India to reconsider their proposals further. In the first instance, Sir, I ask the Government to drop the proposal of putting a five per cent. protective duty on Japanese goods, or to be more accurate, goods from outside the United Kingdom. We have no quarrel with the Japanese or with any other country. Our country is open generally to free trade and commerce, and I do not see any justification for discriminating legislation against one important country, particularly when it is put before the House in such a form and under such circumstances that it is obvious that it is being recommended because it will benefit British interests. (Hear, hear.)

I submit, Sir, that Government should withdraw that proposal and I hope, Sir, that in the further discussion on the Bill in this House, it will be possible for Government to arrive, in agreement with this Assembly, at a proposal,—with some little modification of their original proposals—which will secure to Bombay all that it wants and deserves, and which will, at the same time, not expose this Assembly to the charge of having accepted Imperial Preference in the form in which it has been presented. If the Government of India will make up their minds to drop the second proposal that they put forward after receipt of the message of His Majesty's Government, the path of agreement will be clear. His Majesty's Government did not suggest that new proposal. The Government of India themselves put it forward. It is regrettable that they did so. The Government of India should have remembered that, according to the report of the Joint Select Committee of the Houses of Parliament and the Report of the Fiscal Commission, a question of Imperial Preference could only be decided by the Government of India with the consent of the Legislature. The Joint Select Committee said, in the passage to which I invited attention the other day:

“Whatever be the right fiscal policy for India for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa. In the opinion of the Committee, therefore, the Secretary of State should, as far as possible, avoid interference on this subject when the Government of India and its Legislatures are in agreement.”

The Government of India should also have remembered what the Fiscal Commission also had said, that it could only be with the free consent of the Legislature that any preference could be given to any country. The action of the Government of India in having decided, without consulting this Assembly, to put forward this proposal, has placed us in a very awkward position. We cannot forget the fact that India is a dependency of Great Britain today; it grieves me to think it is so. We desire that it should cease to be a dependency as early as possible and should take its own place of honour among the nations of the world. But we have not come to that yet, and at this juncture when the question of this great constitutional change is shortly to come before the British Parliament and is before this country, when a very strong movement has been started in this

country for a complete severance of the connection of India with England, when this movement for Independence is daily gaining ground, this proposal of the Government of India for preference to British cotton goods is most inopportune and most unfortunate. It will furnish one very strong argument to those who desire complete independence for India. It will furnish a strong argument because it will be urged that, so long as the Government of Britain will have any voice in the administration of this country, the commercial and economic interests of England will receive undue consideration, and the commercial and economic interests of India will not receive due consideration. I think therefore, Sir, that it has been most unfortunate that this proposal has been put forward at this time, but I hope that it is still possible for the Government of India to reconsider their position, and I hope the Government of India will not follow the ordinary official practice in such matters of not budging an inch from the proposal, which they have once put forward before the Assembly. I hope they will recognise the wisdom of revising this decision and agreeing to adopt such a proposal as will secure the main object of protecting the Indian cotton industry and obtaining the revenue that is needed to carry on the administration, without introducing the question of preference to United Kingdom goods. One such proposal I have given notice of, and I hope that the Government and the House will duly consider it. I have already made it clear that this side of the House is—speaking generally—very strongly opposed to the introduction of any Imperial Preference in our tariff, at this stage of the country's history. When we are a free nation, having the same power and the same responsibility as Great Britain, Australia, New Zealand, Canada and South Africa have, it will be up to us to consider any proposals which might come from England and which might help England in an hour of difficulty, without inflicting an unnecessarily and unbearably high burden upon our own people. But we are not in that position today and therefore we should not be expected to adopt such a proposal. When the proposal comes enforced by an appeal or a representation by His Majesty's Government to us in this position, it places us in a very awkward position. But even placed as we are, I can ask Members on this side of the House to give the utmost consideration that they can to the appeal which has been made to us by His Majesty's Government, to give the utmost consideration which we can, without largely hurting the interests of our own people. I have already acknowledged the solicitude which His Majesty's Government have shown in this correspondence for the consumers and the poorer classes of this country. We want that the poorer classes of this country should not be exposed to unnecessary disadvantages and unnecessary burdens. We cannot therefore accept the proposal of a preference, which will expose us to the danger that the country which receives the preference will be able to secure for itself the market of India which will become available to it by non-preferred manufacturers being driven out, and thereby be in a position to raise the prices when it may find it convenient to do so and when we should have no power to stop or to check the import of its manufactures into this country. That is one great disadvantage which this proposal involves. But the greater objection to the proposal is that practically it means making a present of a bounty to the manufacturer of the country the goods of which are preferred. It also involves an unjustifiable discrimination against other countries. We cannot therefore agree to that proposal, but it may be possible for us to agree to a proposal which should be of uniform application which would not involve any preference to the goods of any country.

[Pandit Madan Mohan Malaviya.]

I have suggested such a proposal, and I draw the attention of the House to it, namely, that in section 156-A, which runs as follows:

“Cotton piece-goods, not of British manufacture—

(a) plain grey, that is, not bleached or dyed in the piece, etc.	<i>Ad valorem</i>	20 per cent. or 3½ annas per pound, whichever is higher.
(b) others	<i>Ad valorem</i>	20 per cent.”

The words “not of British manufacture”, etc., should be omitted, thereby making it applicable to all cotton piece-goods imported into this country; and that instead of 20 per cent. or 3½ annas per pound whichever is higher, we should substitute 15 per cent. or 3½ annas per pound which ever is higher.

Now, the great advantage of this suggestion is that it will be of uniform application to all cotton piece-goods imported into India irrespective of the country of their origin and yet the higher duty will not affect Lancashire goods because those goods are of higher counts. They will not come in under the operation of the 3½ annas per pound rate. They will have to pay only the general revenue duty of 15 per cent. Thereby they will receive the advantage of having practically a free market in India for higher count goods. We do not grudge that advantage to Lancashire. We offer it with open eyes. We recognise that Lancashire will derive benefit from it and we are not unwilling that, at this juncture it should. But in doing so we do not discriminate against any particular country nor do we show legislative preference to another. That is the great point of my amendment, and I submit, Sir, that is a proposal which should commend itself to the Government and to all parties in the House. I do not wish, at this stage, to take up more time. I commend this proposal to the House. (Applause.)

(Sardar Kartar Singh rose to speak.)

Mr. President: How many minutes does the Honourable Member wish to take?

Sardar Kartar Singh (East Punjab: Sikh): Fifteen minutes, Sir.

Mr. President: Take ten minutes.

Sardar Kartar Singh: All right, Sir. It is proposed by the Government to enhance the import duty on cotton piece-goods from 11 per cent. to 15 per cent. for revenue purposes and to introduce an additional levy of 5 per cent. protective duty, with a minimum of 3½ annas per pound on plain grey goods against all cotton piece-goods from outside the United Kingdom. The remedy suggested by the Government is worse than the malady. On account of the short-sighted policy of the Government in fixing the ratio at 1s. 6d. to the rupee, the purchasing capacity of the bulk of the population of India has decreased. On account of this high rate of exchange, the zamindars, the producers of cotton and wheat, as well as the millowners of Bombay, have suffered a considerable loss. They have been getting 12½ per cent. less for raw cotton and other commodities which they exported to foreign countries. The price of cotton and wheat has gone down, and Japan being the chief purchaser of cotton from India is, by the help of this high rate of exchange, able to purchase Indian cotton at a reduced price. Thus

the zamindars are not getting a good return for their produce and thus their purchasing capacity is considerably affected. Ever since the fixation of this high ratio, the people of India in general and the millowners of Bombay in particular have been crying themselves hoarse and requesting the Government to alter this ratio. But up till now the Government have turned a deaf ear to their cries, with the result that Japan, which is a chief purchaser of Indian cotton, and which, on account of this high rate of exchange, has been purchasing cotton at an extremely low price, has been able to capture the cotton piece-goods market in India. Japan gets an advantage of 12½ per cent. on all the cotton piece-goods that are imported into India. The result is that, even mighty England cannot compete with Japan. What is the good of imposing a 15 per cent. import duty when you give them relief of 12½ per cent. on account of the high rate of exchange? In spite of all the losses that the Indian zamindars and the millowners have suffered on account of the high rate of exchange, the Government have not made up their mind to alter the ratio. In a note by the Honourable the Commerce Member regarding the proposed duties on cotton piece-goods, it is stated by him that, since the excise duty was abolished, the Indian industry has received the full benefit of the 11 per cent. revenue duty. I do not agree with him. Whatever advantage the cotton industry must have gained on account of the 11 per cent. revenue duty, it lost on account of the high rate of exchange. The millowners have been drawing the attention of the Government to this state of affairs for the last three years. Now, the Government have awakened from their sleep, and Sir George Rainy has stated that the object in view at the moment is not the development of the Indian mill industry but its preservation. He has further stated, in his note, that the continued existence of a large number of the mills in Bombay island is threatened and it is only because the danger is so acute that the Government have felt justified in proposing a measure, which involves a departure from their ordinary fiscal policy.

Sir, the Bombay millowners are vocal, and they have made their voice heard and the Government is thinking of giving them some relief to keep their body and soul together. What about the cotton growers and the zamindars who, along with the millowners, have considerably suffered on account of the fall of prices brought about by the artificial exchange rate? Have they not become poorer and poorer day by day? Do not the Government care for 80 per cent. of the population? Do not they deserve to be kept alive? When they have suffered equally, or even more than the millowners, why should not the Government grant them as well as the millowners a relief by having resort to gold currency or fixing the ratio at 1s. 4d. per rupee? Well, Sir, the Government, by their short-sighted policy in the matter of exchange, have reduced the purchasing power of the zamindars, who are 80 per cent. of the whole population; and now let us see upon whom would this newly proposed tax fall. This tax would naturally fall upon the consumers; and who are the consumers? The consumers of coarse cotton piece-goods are again zamindars and not the rich people. The purchasing power of the zamindars having already decreased, this further taxation would break their back and they would not be able to bear this burden. Do the Government want that the people of India should not put on clothes and go naked? How long will you go on taxing the people? The Indians are suffering a loss of 40 crores of rupees every year on account of the high rate of exchange. Why do you not grant relief to all alike by reducing this rate of exchange and bringing it down to 1s. 4d. per rupee?

[Sardar Kartar Singh.]

We are asked, Sir, to levy a 20 per cent. duty on Japanese cotton piece-goods and on goods manufactured elsewhere than in the United Kingdom, *i.e.*, the Government ask us to agree to the principle of Imperial Preference. Do you want us to give preference to your goods, because you have enslaved India? If we ask you to give us Dominion Status, you at once say, "Oh, you are not fit for it; be not impatient and wait, we will do everything for you". Yesterday, in answer to a question, it was admitted by Mr. Howell that Indians were not eligible for diplomatic service. Indians are treated as slaves everywhere in the Dominions, as well as in the United Kingdom. What has the United Kingdom done for India that they want preferential treatment? India, no doubt, is a market of the United Kingdom, and you want to keep it as a market for ever; but we are poor, we cannot afford to pay you more when we can buy cheap elsewhere. Take into account the fact that the average income of an Indian is less than 2 annas a day. That being so, can you expect that we will be able to bear the burden of preferential treatment? You do not give us any preferential treatment, and how can you expect that we will agree to give you preferential treatment? The object of the Government being to give an impetus to Lancashire cotton piece-goods would never be secured by this imposition of 20 per cent. duty as proposed. Japan will give bounties to its manufacturers for three years and would hold its head up against Lancashire. Japan cannot afford to, and will not leave the Indian market, and the object of the Government of preserving the Indian mill industry would never be secured, nor would the United Kingdom gain any advantage by the preferential treatment. We know, Sir, the Government want to provide work to their men at Home; we know, Sir, they want to remove the unemployment there. What about the unemployment here? A very large number of Indians are unemployed and those, who are employed, do not get enough to live upon. Sir, we would never agree that, for the sake of giving employment to the people of the United Kingdom, their goods should be given preference. Preference could be mutual only and not one-sided.

There is another point, Sir, which I want to urge before this House, and that is that, if we agree to this preferential treatment, Japan being the chief purchaser of our cotton would either refuse to purchase cotton from India, or would purchase it at a very reduced price, and whatever it is charged in the form of additional import duty, it would make up by purchasing raw cotton at a reduced price. If Japan were to refuse to purchase cotton from India, the price of cotton would at once go down much lower and the zamindars would give up growing cotton, or even if Japan would go on purchasing cotton, Japan being the chief purchaser would fix and give a very low price. And in that case also the Indian cotton grower would suffer.

Let the Government of India think of the best interests of poor India. The Government don't want to develop Indian industries; that they have candidly admitted; they simply want to preserve Indian industries. So no good will be secured by imposing any extra duty. Sir, if the Government want to develop the Indian mill industry, let the Government stop the import of any foreign cloth. Let us wear *khaddar*, or any coarse cloth which we can manufacture here. You will see, Sir, that, in that way, India will become self-sufficient and we would produce as much cloth as is required for the needs of the population of India. The Government are

talking of preserving the Indian mill industry at the expense of poor consumers the majority of whom are poor zamindars. The real object of the Government is to help the Lancashire cotton industry and not the Indian mill industry. We cannot afford to purchase cloth from England, we are too poor. England has not been able to compete with Japan because the labour in Japan is cheaper than in England. Let England make her labourers more efficient and let them charge less wages so that the British cotton piece-goods may capture the Indian market. Because labour in Japan is cheap and efficient, and because they have benefited on account of the short-sighted policy of the Government in the matter of exchange, they have succeeded in securing the Indian market. If a duty is to be imposed, then let a 20 per cent. duty be imposed on all imported piece-goods, which would lead to the rapid development of the Indian industry. Why have the Government selected cotton piece-goods alone, and left other piece-goods? Is it because cotton piece-goods are purchased by the poorer classes and silk and other superior goods by rich classes?

The Government are proposing protection for a strictly limited period with a strictly limited objective. But that objective would never be secured. Japan would not allow itself to be ousted from the Indian market, and the taxation would fall the heaviest on the poor peasants.

One good may come out of it, and that is this, that the people might begin to wear *khaddar*, and if that happens, the objective of the Government in the preservation of the mill industry would not be attained. With these remarks, Sir, I oppose this motion.

The Assembly then adjourned for Lunch till Five Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Five Minutes to Three of the Clock, Mr. President in the Chair.

The Honourable Sir George Schuster (Finance Member): Sir, I wish to intervene in the debate at this stage to make one point and one point only. I wish to say something in answer to what was said by the Honourable the Leader of the Opposition with regard to the history of how we came to put forward our proposals. Sir, before I turn to that, I should like to express a word of thanks to the Honourable Pandit for the friendliness of spirit which he has shown in his speech, and for the moderation of his tone in speaking of a subject on which I know he feels very deeply. I feel sure that his speech has helped towards the conduct of this debate in the spirit in which I know the majority of Members would wish to see it conducted.

The Honourable the Leader of the Opposition has put us, in a sense, in an embarrassing position, because he has sought to go back and examine what I may describe as the birth-processes of this proposal. Obviously, it is very difficult for us to explain exactly to the House all that has taken place in those early stages of discussion, when one is tossing up ideas for consideration, and matters are discussed in confidential conversations and confidential correspondence. I should indeed be very pleased if we could

[Sir George Schuster.]

reveal to the House exactly what has taken place, and I wish myself that the Honourable Pandit had been the keeper of my conscience throughout, because I have never spoken a word or had a thought on this matter which I should have been ashamed of his knowing. We have all thought throughout of the interests of India, though in my own ideas on this subject, I freely acknowledge that I have included a desire nothing should be done to antagonise opinion in England or to weaken England's power to befriend India in the world.

Now, Sir, there have always been two sides of the matter which we have had to consider. There has been the revenue side, and there has been the question of special protective measures. As regards revenue, as I have said in my budget speech, the case has been comparatively simple, and we came fairly early, in our consideration of this matter, to the conclusion that as revenue was needed this year, we could not put up proposals which did not include a proposal for raising the import duty on cotton piece-goods from its special rate of 11 per cent. to the general rate of the general revenue tariff of 15 per cent. We felt that, whatever interests were involved, we could not come before this House when we were asking for new taxation and not propose this change. That has always been a clear feature of our plan, and it is what we have referred to or at least what we had in mind, when we spoke about our main proposals. The question of the special protective measures raised much more difficult issues. We recognised, of course, that to raise the general revenue duty from 11 to 15 per cent. would have a very substantial protective effect, and I trust that that aspect of our proposals will not be lost sight of, because it is in a sense still the main framework of what we are putting forward. But we did feel that, in the case of certain lines of business, it would not be enough, and, in considering what more than this was necessary, we have always been up against this difficulty. We were seeking for some method of discrimination which would enable us to give an effective measure of protection, where protection was needed, without putting too heavy a burden on the consumer over the whole range of cotton piece-goods. That was at the bottom of our intention when we first made an inquiry into the possibility of substituting specific duties for the present general *ad valorem* duty. That led to the initiation of the inquiry carried out by Mr. Hardy. Honourable Members all know that that line of advance was found to be a *cul de sac*—it led nowhere. So we had to give up that proposal, and to consider something else. There was one pretty clear line, and that was that, so far as plain grey goods were concerned, we could discriminate without any particular difficulty. So that we were able to eliminate that as one fairly easy feature to be dealt with; and it is quite true that, in our original proposals, a special plan for dealing with plain grey goods was included. But before we came to that, we had turned over many other things, and, when we did come to that, that was never settled as our final plan. I do not want to dispute the correctness of what the Honourable Pandit said, for it is true in a sense to say that our original proposal did include a proposal for 3½ annas a pound minimum duty on all plain grey goods, but to say that alone is not to tell the whole of the story. Let me try to make clear what I mean. When we were in the early stages of considering what special protective measures we should introduce,—and I am now trying to inform the House exactly what has passed through our minds

3 P.M.

--we did very definitely consider something on the lines of the proposal which we are now putting forward, because when we came to examine the position in a practical way and to consider how we could effect the discrimination which we were seeking for, we found that, in actual fact, a distinction between British goods and non-British goods did fit in very nearly with the needs of the situation. Now—again trying to be perfectly frank with the House—I will say that, in our preliminary discussions on this matter, we, I may say, rather “shied off” this proposal, not because we did not think it was the right thing, but because we were influenced just then by the very considerations which the Honourable Pandit has mentioned in his speech. We felt, that, at the present stage, it might be liable to political misunderstanding. Therefore we gave up that plan and we tried to devise another method, and, as I say, we came to this idea of 3½ annas a pound minimum on plain grey goods. But we felt, all the time, that that perhaps was not sufficient, and it was at this stage that we were addressed in the way which has already been made public to this House by His Majesty's Government. Well, Sir, it is quite obvious, and I have made it perfectly plain throughout my own original explanation of the position, that the fact that we were so addressed by His Majesty's Government had a very considerable influence on us and it influenced us in this direction; it made us think: “Here is something which raises considerations which we cannot ignore, and perhaps, after all, it will be best to go back to our own original plan, to the course of action which we always wanted to take, and to put the position frankly before the House, risk the political misunderstanding to which I have referred, and put before the House what we ourselves in our own hearts feel to be the best measure for meeting the needs of the situation”.

From that onwards I need say no more because the history is clear and has already been fully explained to the House. There is the position. We had, on the one side, reached the tentative conclusion that on the 15 per cent. revenue duty, we should at least, as part of our scheme, put on 3½ annas per pound all round on plain grey goods; on the other side, we had the plan which we have now put before this House, a plan which we feel goes much further to meet the needs of the situation and much more nearly satisfy those needs than any other plan that we can think of. There, Sir, is the case. And it is now for this Assembly to decide whether the plan which we have put forward does effectively meet the needs of the situation and would be better, from the point of view of the interests which we are trying to further, than a mere 15 per cent. revenue duty with 3½ annas a pound on plain grey goods. That is a straightforward issue on which we wish to have the views of this House. Sir, on that point I have no more to say, but as I have intervened at this stage, I do wish to touch just on one other point.

It has been said in the course of the general discussion on the Budget, and again it was referred to in this debate, that no British Dominion has yet accepted the principle of Imperial Preference. I do not know precisely what is meant by that. If it simply means this, that no British Dominion has accepted the principle in the sense that its Government would apply that principle regardless of the interests of the Dominions, that of course is a very clear proposition. But in practice all the Dominions have introduced systems of tariffs which do give very substantial preference to British goods. Australia has a British preferential

[Sir George Schuster.]

tariff applicable to Great Britain and the self-governing British Dominions willing to reciprocate. It has, besides that, a general tariff applicable to all countries and an intermediate tariff held in reserve for the purposes of negotiations for trade reciprocity. The difference between the general and the preferential tariff is 15 per cent. Canada, again, has a British preferential tariff applicable to the United Kingdom and certain British countries, including India. It has an intermediate tariff applicable to Belgium and certain other foreign countries, and it has a general tariff. The preference varies between 10 and 7½ per cent. New Zealand has a British preferential tariff applicable to any part of the British Dominions, Protectorates, etc., and a general tariff—the preference is 15 per cent., British piece-goods being admitted free. South Africa has minimum and maximum tariffs. The details are rather complicated, and I need not explain them in detail, but again the tariff includes the principle of preference to British goods. Those are the facts of the situation, so that what we are proposing is in no way different, and contains no feature which could be said to differ from anything which has been accepted by the self-governing Dominions. But I wish again to make this clear, as was made clear in my budget speech, that we could not think of asking this House, at this stage, to accept the principle of Imperial Preference. All that we are doing is to put before the House a proposition and to say, "Here is a proposal for new tariffs which we admit includes a principle of differentiation. We believe that the principle of differentiation which we have adopted enables us to go more nearly to meet the needs of the situation than any other principle of differentiation which is practicable".

And that, Sir, brings me back to the point which I made before. Here is a proposition, which is a fair and square proposition. The whole of the facts are before this House, and we ask the House to decide now whether these proposals are in the interests of India.

Mr. H. P. Mody: Sir, the Bill before the House is a very belated but welcome recognition of the position in which the textile industry of India finds itself today. For years we had been urging upon the Government of India the necessity of protecting our manufactures against competition from other countries

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Was it India as a whole or Bombay alone?

Mr. H. P. Mody: Bombay alone in the first instance, and India as a whole for the last three years. I will come to the differentiation which is sought to be made between Bombay and the rest of India presently. We could not, however, get the Government to take effective action, and all that they did after much correspondence and discussion was to appoint a Tariff Board. That Tariff Board, Sir, which was very ably presided over by my Honourable friend Sir Frank Noyce (Hear, hear.) recommended a 4 per cent. increase in the revenue duty.

I do not, Sir, at this stage propose to criticise either the Tariff Board's recommendations or the arguments which the Government of India employed in order to turn them down. My intention, Sir, is to place before the

House as dispassionately, briefly and clearly as I can, on an important subject of this character, a general survey of the whole situation. I was saying that the Government of India turned these proposals down, and I entirely agree with what fell from my Honourable friend, the Leader of the Opposition, this morning, that, had the Government of India, at that stage, come to the assistance of the Indian industry, the industry would not have found itself in the position in which it is at present.

Mr. A. H. Ghuznavi: I do not know if it is in such a bad plight.

Mr. H. P. Mody: There are lots of things which my Honourable friend Mr. Ghuznavi does not know, but on which I hope to enlighten him before I have done. While the Government of India, like the unchanging East, were plunged in thought; Japanese competition increased in fierceness and intensity. In five years the imports went up from 217 million yards to nearly 550 million yards, that is, a rise of well over 100 per cent. Now, Sir, I do not want to say anything about the various reasons which have contributed to the success with which Japan has penetrated our markets. . .

Mr. A. H. Ghuznavi (in a low tone): Do you make those goods in India?

Mr. H. P. Mody: Yes, we make most of them.

Mr. A. H. Ghuznavi: Can you show that from your books and records?

Several Honourable Members: Please speak up.

Mr. H. P. Mody: Japanese penetration, as I have said, was very successful and was largely helped by the direct and indirect assistance which the State, pursuing a national policy, gave the Japanese manufacturers, and also by the fact that exchange was largely in favour of Japan for many years, and because of unfair labour conditions. However that may be, in the result, we had Japan pushing her goods at an alarming rate into our markets. My Honourable friend the Commerce Member said today that a material change in Japanese labour conditions has taken place through the adherence of Japan to the Washington Conventions. All that I want to say about that matter is, that if Japan adhered strictly to the Washington Conventions, which India was one of the first countries in the world to adopt, Japan would find it impossible to work two shifts. I am not concerned with whether conditions in Japan are better or worse than they are here, and whether Japan works 8½ hours as against our 10. The only consideration I would like to submit to this House is that, if Japan adhered strictly to the Washington Conventions, she would not find it possible to work two shifts, which give her such a considerable advantage over her competitors.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Does the Honourable Member mean that Japan does not adhere strictly to the Washington Convention?

Mr. H. P. Mody: If my Honourable friend had read the precise terms of the Washington Conventions he would have known that, under those Conventions it is impossible for any country to employ women and children for a stated period of 11 hours, in which the hours of 10 p. m. to 5 a. m. must be included in all cases. Japan has not adhered to that, and I submit,

[Mr. H. P. Mody.]

Sir, that if she did, she would not find it possible to work two shifts of 8½ hours each. I am not putting this forward in any argumentative sense. I am merely stating the facts of the situation. I say that, as a result of this fierce competition, which we have experienced from Japan, the textile industry throughout the country, and more particularly in Bombay, has suffered enormous losses. In the last five years, we in Bombay have lost nothing less than 10 crores of rupees. Now, Sir, there are various reasons for the losses we have incurred, due not merely to the extent of the competition which we have experienced from Japan but also the prices at which Japanese goods have been marketed. Anyway the result is there, that in a period of five years, the Bombay industry has lost over 10 crores of rupees.

Pandit Nilakantha Das: Will the Honourable Member enlighten the House in what way this amount has been lost?

Mr. H. P. Mody: I have thought and spoken on this subject so much, that if I were to answer every query and if I were to allow myself to be drawn into a detailed argument with every speaker, I am afraid I would be trespassing very greatly upon the patience of the House.

Mr. President: In that case, the Honourable Member need not give way.

Mr. H. P. Mody: Now, Sir, I should like to give the House an idea of what this loss means, and on whose shoulders it has fallen. In the last three years nine mills have been reconstructed and have reduced their capital. They have reduced their capital from 7 crores 45 lakhs to 2 crores and 82 lakhs. In the same period ten mills have gone into liquidation, involving a loss to the investing public of 1.14 crores. These are the losses which the public has directly suffered, apart from the depreciation of share values and innumerable other items which go to make up the loss which all Bombay practically has suffered during the last few years. Something has been said about the Managing Agents by my Honourable friend, Mr. Das, and by other people. I will not allow myself to be drawn into a detailed discussion of that, but I would like to say that the much abused Managing Agents have borne their full share of the losses which have been inflicted upon the industry. In the last three years, the Agents in Bombay have given up 18 lakhs of rupees by way of commission. In the same period, they have lost 85 lakhs of their capital in the concerns in which they had invested it. On the top of that, Sir, two crores of the Managing Agents' own money, lent to the concerns of which they are the agents, has had to be converted into capital, that is to say, to the extent of two crores. The Managing Agents have accepted a lesser security than the security which the mills offer. Besides, vast sums of money have had to be lent to their concerns by the Managing Agents at bank rate, or even less than the bank rate. In some cases even the interest has had to be given up.

Now, Sir, a great deal has been said in the last few years about the way in which the people in Bombay have managed the industry, and it has been urged that while we have been wailing about foreign competition, we have done nothing in the way of reconstruction. All that I can say is that, in the last few months, we have supplied ample information to the Government of India, and to various other people, showing what exactly has been

done by the industry. It is not possible for me to repeat all that, but I would just like to say that, in a period of unusual difficulty, we have spent not less than 75 lakhs of rupees in Bombay in the matter of new equipment. We have reconstructed our industry, we have reduced capital. We have had to take mills into liquidation, because we did not like them to be a burden on the industry, and in the matter of efficiency in our internal organisation we have done everything conceivable to set matters right. It might be urged that there must be something radically wrong with the Bombay industry that in spite of all this, we have incurred these enormous losses to which I have referred. It is unfortunate, Sir, and it is one of the things which has stood in the way of our obtaining a recognition of our just claims, that it should be so widely assumed that the position that I have been placing before you is entirely peculiar to Bombay. I say it is nothing of the sort. It is quite true that the industry in Bombay is in a much worse plight than the industry in various other centres, but I would like to disabuse the minds of Honourable Members here of any idea that the industry in other centres is by any means in a happy position. Let me give a few figures. Take the Central Provinces. I am taking the figures of seven mills, and excluding the Central India Mills managed by the Tatas, for the reason that that mill has been established for well over 50 years and is strongly entrenched financially. If you exclude that, and take the other mills, you find that, while they have a block of something like 2½ crores of rupees, they have made a total loss of 18 lakhs in the last five years. Not only are the visions of the golden days through which the industry in various provinces is supposed to be passing not correct, but so far as the Central Provinces are concerned, the industry has actually lost 18 lakhs of rupees. In Madras, at a time when the Bombay Mill industry's production had been greatly curtailed, thus conferring a considerable advantage on its up-country competitors, I find that, in 1928, on a block of 4 crores 30 lakhs, the net profit was just about 8 lakhs of rupees. That means less than 2 per cent.

Now, Sir, take Ahmedabad, the condition of which every one knows. But every one does not realise that, while Ahmedabad is by no means in the same position in which we or any other centre is finding itself to-day, the statements submitted by the Millowners Association of Ahmedabad go to show that the net return on the capital sunk in the industry, namely, the block account, has been no more than 4 per cent. in a period in which they are supposed to be experiencing an unusual degree of prosperity.

Take the case of Bengal, of which my Honourable friend Mr. Birla ought to know something. In three years the Bengal industry has made a loss of 32 lakhs of rupees. I am talking of the seven mills in Bengal, of which we have obtained the balance sheets. I find that, on a block of about 3 crores, the Bengal industry not only did not show even a reasonable return on capital, but actually lost 32 lakhs of rupees in the last three years. That, Sir, I hope will suffice to convince my Honourable friends, who have an open mind on the subject, that the industries in other centres, while they may be in a better position than we find ourselves in, are certainly not experiencing any measure of prosperity.

This was the position which confronted the Government of India in the course of the last year or two, and the agitation which we have been carrying on for the last five years had to be intensified. Among other things, I

[Mr. H. P. Mody.]

led a deputation of All-India Millowners to His Excellency the Viceroy in May last. That was followed by the appointment of a special officer, Mr. Hardy, to investigate the incidence and intensity of foreign competition. Mr. Hardy's Report is before the country. It is a very carefully compiled Report, and it says a good deal that required to be said in the matter of the competition which we are experiencing from various countries, particularly, Japan. On that, I led another deputation, this time to the Government of India. I think the House is entitled to know exactly what we placed before the Government of India, because I find that a great deal of misconception prevails on the subject. We asked the Government of India to give us protection to the extent of 20 per cent., with a minimum duty of $3\frac{1}{2}$ annas. The Government of India have, for reasons which have been widely discussed in the last few days, not found themselves in agreement with our proposals. They have come forward with a proposal which, in view of their intention to accept my Honourable friend Mr. Chetty's amendment, amounts to this, that on all non-British countries the duty should be 20 per cent., with a minimum of $3\frac{1}{2}$ annas per pound on plain grey goods from all countries. Sir, I am bound to state what effect this duty would have on the position of our industry. Without entering into any controversy, I would say that, though we have not obtained what we set out to obtain, the proposals now before the House are calculated to arrest the decline in our fortunes, and to give us a little breathing time within which to carry on and complete the re-organisation on which we are engaged. The only point I would like to make in this connection is that the period of three years is much too short. The duty will not be felt for another six months, because of the heavy consignments of foreign goods which have already been sent to our markets, and 18 months thereafter the Tariff Board will pounce upon us and will want to know exactly what we have done. Be that as it may, it must be stated that the proposals now before us will enable us to have a little breathing time, and to carry on that reorganisation which we regard as essential to the well-being of the industry.

I would just like, in this connection, if I may, to acknowledge with appreciation the labours of my Honourable friend Sir George Rainy. Sir, he knows very well that I have been fighting him for the last three years. I have never met, if I may say so, a more tough and formidable opponent in my life. But it is due to him that I should state that, though he has stood out resolutely against any relief to the industry for all these years. I am convinced that was because, so far as he is concerned at any rate, he did not feel that the case we had put up, or the necessities of the situation justified the imposition of a duty. But, Sir, he has now come forward with certain proposals, and I am bound to record my sense of appreciation of his labours in this connection. I would also like to say a word or two about my Honourable friend, Sir George Schuster, who has, from the moment he came to India, shown that he was very much alive to the grave plight of the industry and was anxious to do something for it if he could. But the position is there that we have not got what we wanted. Instead, we find ourselves on the horns of a dilemma. For one reason or another, the House and the country have been confronted with the issue of Imperial Preference. That issue is very important and very controversial, and far be it from me to try and ignore the sentiment against that principle. But, Sir, I would like to

supplement what my Honourable friend, the Finance Member, just now said about the implications of the present proposals before the House. In his budget speech my Honourable friend said:

"We do not and, in fact, we could not ask this Assembly to commit themselves at this stage to accepting the principle of Imperial Preference. We ask them to regard this proposal merely as a special measure, designed to meet the immediate emergency."

Sir, Imperial Preference may be a very controversial issue, but if you look at it in the only way in which it should be looked at, you will find that it is like any other economic issue, a strict matter of business, and not of sentiment. Imperial Preference must mean reciprocity of benefits, and if there is reciprocity of benefits, then, I take it, the opposition to the principle which exists in the country at the present moment would be largely done away with. But I would like to repeat, that the present proposals before the House must be regarded not as an acceptance of the principle of Imperial Preference on the part of the House or any section of it, but merely as in the nature of emergency measures which the House is asked to accept because the industry in Bombay and the rest of the country finds itself in a very grave position. Let me tell the House that, in this there is no hostility to our friends, the Government and the people of Japan. I have nothing but admiration for the efficiency of the methods and organisation of the Japanese manufacturers. But, Sir, for one reason or other, the fact remains that their competition is killing our industry, and I say emphatically, that no country, however friendly our relations with it, can be allowed to kill the indigenous industries of India. I want to ask my Honourable friends here what the Japanese Government would have done under similar circumstances. I venture to think that a situation like this would have received from them very sharp and short shrift. They would not have waited for five long years deliberating as to whether the necessity existed, and when that was established, as to how much was to be given. There would have been a sharp and swift response from the Japanese Government if similar situation had confronted them. To come back to my point, the position is this, and my Honourable friend the Commerce Member made it clear this morning in his speech, that if the House is not prepared to accept these proposals, then the Government, so far as they are concerned, are not prepared to accept any radical amendments such as are tabled and will be moved in the course of the next few days. Under the circumstances, I hope this House will support these emergency measures for saving the industry. If they do not do that, I venture to submit that the industry must go to the wall, and I cannot conceive any section of the House wishing that. After all, as regards the differential aspect of the proposals, there is going to be a revision after three years, and I think I may say with confidence that if, in the course of the three years, it is found that the five per cent. differential duty has enabled Lancashire to penetrate our markets, displacing Japan, and that we find ourselves in much the same position as we are in, *vis-a-vis* Japan, then, Sir, I have not the slightest doubt that the Government of India will no longer be able to maintain at that stage that we should not be adequately and equally protected against Lancashire as well.

Mr. M. S. Aney: We require greater protection from there.

Mr. H. P. Mody: I want the House to realise that this is a matter which admits of no delay. I have received telegrams, I am receiving them by the dozen every day, urging immediate action, because considerable consignments of foreign goods are pouring into Bombay and other markets, and that unless something is speedily done, the position of the industry for the next few months may not be any happier than it is at present.

Sir, the situation that confronts the City of Bombay and the Presidency generally is a very grave one. Our Presidency contributed, on an average, over 4½ crores of rupees by way of income-tax all these years. The latest figures go to show that our contribution in the shape of income-tax has dwindled to less than 2 crores. The effect on the revenues of India has been no less marked. Five years ago, when the industry was not in a bad position, we contributed no less than 2 crores and 28 lakhs of rupees by way of supertax. That figure dwindled down to five lakhs of rupees a year or two ago. These facts speak for themselves, and if what I submitted to the House carries any weight with it, I have established three things—that we are menaced by very fierce and unequal competition from certain countries, that the industry in Bombay and other parts of India has suffered enormous losses, and that anything that was reasonably possible has been done to meet the situation what time the Government of India were deliberating as to what was to be done. My appeal now, Sir, to this House, is to take a long view of the situation, and not to be led away by extraneous considerations. I ask the House to realise that a great national industry is now with its back to the wall, and that if they do not go to its assistance, it must be seriously and permanently crippled.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): That also would be a sentiment.

Mr. H. P. Mody: My Honourable friend Mr. Neogy's idea of sentiment is something remarkable. A national industry going to the wall, with crores of rupees loss to the public

Diwan Chaman Lall: How is it national?

Mr. H. P. Mody: I will presently convince my Honourable friend the labour leader that this industry is national in every sense of the word. And yet my Honourable friend Mr. Neogy says that if the State is asked to go to the assistance of such an industry it is a matter of sentiment. (Interruptions.) Sir, I would rather avoid these interruptions, because I have a habit of answering them in a way I would not like to answer them on this occasion, particularly in view of the fact that, in the last few days, from the various discussions which we have had with the leaders and representatives of various parties, I have noticed, to my very great gratification, a spirit of great friendliness to the industry and to those who conduct it. (Hear, hear and Applause.) In particular, Sir, I should like to refer to my Honourable friend the Leader of the Opposition, whose great sympathy and consideration for what he has repeatedly said is a national industry, is well known, and whose support of every national cause is beyond dispute. It is a matter of very great pain to me that, on an occasion of this character, I and some of my friends here should find ourselves in opposition to my Honourable friend, Pandit Madan Mohan

Malaviya, and other friends, notably Mr. Jayakar. But, Sir, we cannot afford on this occasion to take stock of anything else, but the fact that we are today confronted with a very grave situation, and it is either a case of our being starved out of existence, or our struggling through a difficult period on to a period of reasonable prosperity. My Honourable friend Diwan Chaman Lall wanted to know how and why this was a national industry. Sir, I am surprised at a question of this character coming from anybody in the House; I should like to tell my Honourable friend that an industry in which a hundred crores of rupees very nearly have been sunk, most of it practically Indian money, an industry which is very largely conducted.

Mr. A. H. Ghuznavi: It has paid itself twice over.

Mr. H. P. Mody: by Indian brains, Indian energy and Indian enterprise, an industry on which the employment of hundreds of thousands of people depend, an industry on the prosperity of which depends the well being of millions of people who are in one way or another concerned with the industry's prosperity, I say, Sir, that if that is not a national industry, I should like to know what is a national industry. (Hear, hear and Applause.) I should like to add that, if the industry lives, labour lives and thrives. It may be that we have had our differences. Capital and Labour in all countries have their differences. But it is a fact that, in Bombay we are hoping to move gradually but steadily to a happier plane of relations between capital and labour. However that may be, it can not be disputed that, on the prosperity of the industry, would depend in a very vital measure the prosperity of labour.

Mr. Fazal Ibrahim Rahimtulla: Labour leaders thrive without the industry.

Mr. H. P. Mody: Sir, there is widespread unemployment in Bombay at the present moment; I think we are working about 20 to 25 per cent. short of our full strength, and that must mean unemployment to thousands of people. If the industry is enabled to tide over this difficult period and enabled to become prosperous, I ask my Honourable friend, Diwan Chaman Lall, whether it is not a fact that labour would benefit directly and vitally from such an improvement in the fortunes of the industry. Sir, we are all marching towards one definite goal, some of us haltingly, some of us resolutely, but the goal is one, and we are all marching towards it. We have all hopes that the day is not distant when India will realise the summit of her ambitions and natural aspirations. But, Sir, there is one aspect of the question which I want to put to this House, and through this House to the country, whether it is possible for India, even when she attains the fullest measure of self-government, to maintain her position in the Commonwealth of Nations, if her economic condition is on the low plane on which it stands at the present moment. It is obvious that, without opportunities for expansion of trade and industries, the position in which the India of tomorrow will find herself will certainly not be very happy, although, she may have found the full realisation of her political ambitions. We have complained times without number—and I must say to my friends on the Treasury Benches, with the fullest justification—that the progress of India's trade and commerce has been impeded, if not throttled, by the policy pursued by the Government of India in times past. Are we in this House, on the present occasion,

[Mr. H. P. Mody.]

to pursue, however unwittingly, a policy which we have condemned times without number? That, Sir, is the true implication of the vote which this House is asked to give on this Bill.

Mr. M. S. Aney: No!

Mr. H. P. Mody: I wish, Sir, the strength of my Honourable friend's tone would carry conviction to me. I do not think it carries conviction to anybody. I say, Sir, that if we want to be truly great, we want a national policy in trade and economics today. An industry whose stake in the country and whose importance and national character cannot be questioned, comes to your door asking for assistance, and I say the House will ponder long and ponder deeply before it will deny that assistance which we are pleading for to the greatest industry in the country.

Diwan Chaman Lall: Sir, I had no intention of speaking immediately after Mr. Mody.

Mr. President: Then why did the Honourable Member rise? (Laughter.)

Diwan Chaman Lall: The reason is, Sir, that Mr. Mody in his very eloquent address, has, for the first time in my life, convinced me that the millowners of India ought to be treated as an intellectual class. (Laughter.) Now, Sir, I rise because I consider that his speech is worthy of a reply; I rise because of a charge he has made,—I say “a charge” deliberately,—when he said that the cotton industry was a national industry. The main subjects to be considered are, (1) whether protection is necessary, (2) whether protection is desirable and (3) whether British preference that is given in this Bill is a thing that we ought to accept. Before I come on to them let me deal with my Honourable friend Mr. Mody and let me ask him in what particular manner does he consider this industry to be national? If it can be proved that this industry is really a national industry I do not believe that there is a single Member on the floor of this House who would not be willing to do all he can in order to support that industry. My friend Mr. Mody is suffering from a peculiar complex. With the advance of socialistic doctrines in the world, we meet with human beings whose intellects are coloured more and more by socialistic doctrines and when their minds are confused about what is and is not national, when their minds are confused about the two terms “nationalised” and “nationalist”, they immediately pounce upon the significance of the word “nationalised” and convert it to their own use. The industry is controlled by us, we who are nationals, therefore it must be a national industry. That is the argument. Who are the controllers of that industry? A handful of millowners of this country. For whose benefit is this industry run? Does my friend intend to say on the floor of this House that this industry is being run for the benefit of the working classes who are engaged in this industry? It is a most preposterous proposition and my friend knows that it is a preposterous proposition.

Mr. H. P. Mody: We run it for the benefit of everybody. Mr. Mody said: We are not philanthropists

Diwan Chaman Lall: I am glad my Honourable friend realises that he is not a philanthropist. What he wants now is this with a beggar's bowl in one hand and a pistol in the other; he says, “Give me this and if you do not, your life is at stake, because it is a national industry and the nation's interest will suffer if you do not give me this.” I am glad my Honourable friend admits that this industry is not being run on philanthropic lines for the interest and benefit of the working classes. Let him be perfectly honest and frank and say that this industry is being run for the profit and benefit of the few who own that industry. The nation does not own this industry, it is a few who own it. My Honourable friend is perfectly aware of the past history, during the last few years, of the strikes, the troubles and the bitter fights that were witnessed between this handful of people on the one side and the workers on the other side, whose interests Mr. Mody trots out on the floor of this House. Did they regard their interest at that time when these people were starving in Bombay? Did they consider this industry to be national at that time? They did not; let my friend drop this argument of this industry being national. Yes, it would be national if the enormous profits ranging in a period of five years (1917—1922) to 177.9 per cent. of the total capital invested in this industry had not been put into the private pockets of the owners but handed over to Government for the benefit of the nation. In what sense, I ask him again, in what sense is this a national industry? Is it for the benefit of the people of this country? The only benefit that the people of this country are going to derive as a result of the activities of my Honourable friend over there is that every poor man who wears a *dhoti*, every poor man who wears a shirt will have to pay more for it; he will take out the little money that he uses for his food and go without his food in order to wear that cloth. This will be the result of the activities of my friend. Is this an advantage which the nation is going to derive out of this national industry? Who is going to suffer? Not my friend over there. He will stabilise his industry, he will strengthen his industry; he will be in a position to declare a dividend of 100 per cent. such as they declared in the olden days, not so very long ago, just a few years ago. He will then turn round and not complain about its being a national industry. The man who will suffer will be the consumer of cloth in India. Every man who wears cotton in this country will have to pay more in order that my friend over there should not be placed upon the unemployment list. (Laughter.) What the millowners are thinking about at the present moment is unemployment. They are faced with the problem of their own unemployment (Laughter) and they camouflage the real state of affairs by appealing to the sentiments of my friends on my right, my friends on my left, my friends in front of me, and say that the prestige and the prosperity and the interests of this nation are at stake and therefore they must be given this protection in the absence of which the nation will suffer. (Hear, hear.) Sir, I have always felt throughout my life that hypocrisy is one of the greatest crimes that any human being can be guilty of, and when I hear arguments of this nature I cannot describe them by any other more effective name than that name. Let us be perfectly frank. We are in distress, say the millowners; will you kindly help us out of our distress? We have been in distress not because of what we have done, say the millowners, but because of the

[Diwan Chaman Lall.]

crimes committed,—and certainly in some cases there were crimes committed,—by the Honourable Members sitting opposite. We are in distress, say the millowners; please come to our rescue, because if you do not, the future is very dark. Now, I want my Honourable friend, Mr. Mody, to search his heart and find out in what particular measure he and his colleagues have contributed to the distress of this industry. (Hear, hear.) And if this House is going to give them the assistance that he seeks, what guarantee will he give this House that he is going to put his house in order? (Hear, hear.)

Mr. H. P. Mody: Spare us from that phrase.

Diwan Chaman Lall: My friend says, spare us from this. Naturally a school boy does not like to be shown his faults. My Honourable friend does not like this particular thing because he knows he has been charged by an expert committee, the Tariff Board, with not having put his house in order. He has been asked to put his house in order and I stand here and ask him to let this House and through this House the country know how he and his colleagues have put their houses in order.

Mr. H. P. Mody: I am prepared to take up that challenge.

Diwan Chaman Lall: My Honourable friend says, he is prepared to take up the challenge. Why has not that challenge already been taken up? The Report of the Tariff Board has been public property for a few years. Why has not that challenge been taken up already? How many of the things they have suggested have been done? The trouble with them, Sir, is this. The trouble with this industry is the trouble with all industries which are run on an hereditary basis. There is not an industry in the world, I say deliberately, that can stand the incompetence and the inefficiency of three generations. (Hear, hear.) That is the charge against the cotton industry in Bombay. I would like to know how many of these gentlemen, who are at the head of this industry in Bombay, have the competence to run that industry? It is an open secret that with the exception of a handful of them, the rest are not competent to run that industry, and we are being asked to tax the poor man in this country, the man whose average income is so miserable that he cannot make the two ends meet, in order to make my friend over there and his colleagues prosperous on the false and fictitious plea that this industry is a national industry.

Now, Sir, the point that my friend raised is a small point, but I would like to refer to it, that is with regard to the Washington Convention. If proof were needed of the incompetence of these gentlemen, proof positive of the argument that my friend advanced—he talked about the Washington Hours Convention not being honoured by Japan and I asked him what he meant by that and he said that, if they had stopped their work between the hours of 10 and 5, then they would not have been able to run two shifts, and because they would not stop between 10 and 5, therefore they have not honoured the Washington Convention. I hold the Washington Hours Convention in my hand. I pass it on to my Honourable friend for his benefit. Let him read it and show me any particular article in the Washington Hours Convention under which Japan is prevented from working between 10 and 5.

Mr. H. P. Mody: I have read it.

Diwan Chaman Lall: I am asking him to read it now. I am challenging him to prove to me by referring to the Washington Hours Convention which I hand over to him, to show me any particular article in that which says that between the hours of 10 and 5 Japan should not work. In fact it is article 9 that applies and it lays down 57 hours as the limit, weekly limit, of work, and now today the Japanese workers are working less than 57 hours under the new scheme. What he refers to is quite a different convention, to which I shall come later. The other arguments are exactly on a par with this, when he gave us a very delightful picture of the profits earned during the last few years, he was very careful to see that he was not taking the actual capital invested, a very significant fact. On that basis any man can turn these figures to mean exactly what he chooses to say. What is the actual position? Will my Honourable friend deny, will he deny this fact, that between the years 1917 and 1925 his mill industry paid out in dividends alone 177·9 per cent. of the total capital invested? (Interruption.) Will he deny that fact? I ask him to deny it if it is incorrect. If an industry between 1917 and 1925, an industry which has been in existence since 1850, has been able to pay dividends amounting to 177·9 per cent. of the total capital invested in that industry, I say what has been wrong with that industry? Why has not the industry been able to entrench its position and compete with Lancashire, compete with Japan and compete with China? Why were they not able to do it? I ask my friend to give me a reply to that?

Mr. H. P. Mody: You ask so many questions, but I have not got the opportunity of answering. I would very much like to answer every one of them. You go from challenge to challenge. But I cannot meet it at this stage. (An Honourable Member: "Let some one answer.")

Diwan Chaman Lall: He says there is no opportunity to answer my question. He spoke before me. It is his misfortune that he spoke before me. But I want to ask him, when he was speaking he surely should have anticipated several of the arguments that have now been advanced. (Hear, hear.) He knew perfectly well that those arguments were going to be advanced. Why did he not anticipate them? But he has not challenged my facts.

Mr. H. P. Mody: How do you know?

Diwan Chaman Lall: He has not challenged my figure of 177·9 per cent.

Mr. H. P. Mody: Who said that?

Diwan Chaman Lall: Oh, my friend has challenged it? He has changed his mind, Sir. (Laughter.) Since my Honourable friend has changed his mind

Mr. H. P. Mody: I dispute that. I have not changed my mind. I am prepared to challenge every one of the so-called facts which my Honourable friend, Diwan Chaman Lall, has placed before the House and he knows that I am not in a position to say anything now because I have exhausted my right of speech. Let him put all this in the Press and I will give him an answer. (Applause.)

Diwan Chaman Lall: My friends sitting there cheer my friend, Mr. Mody's statement, cheer it ironically. That ironical cheer is answer enough for him. "Let him come out in the Press and I will challenge those statements". Sir, I was advancing the arguments that our millowners are incompetent. Nothing can be more certain than this; nobody could be more certain of this fact than I am after the statement

Mr. H. P. Mody: You have changed your mind? I thought you should.

Diwan Chaman Lall: I say this for this reason. These facts that I am stating on the floor of this House have been public property all these years. They have been put before us by the Tariff Board's Report, and my Honourable friend challenges this fact, not having read even the Tariff Board's Report, and he wants the House to believe that the millowners have given effect to the recommendations of the Tariff Board, not having read even the Tariff Board's Report. I am surprised at this and I ask him now if the figures—I have taken them out of the Tariff Board's Report—are correct or incorrect and if they are in his opinion incorrect, will he tell me of any occasion—he happens to be the Chairman of the Millowners Association of Bombay—any occasion on which the Millowners of Bombay or his Association or he individually has controverted those facts contained in the Tariff Board's Report? I pause for a reply again. I take it that they have never been controverted. I take it that when my Honourable friend said that he would challenge my facts, he was merely indulging in a form of words. He was not serious. Those facts are all on record. I ask him if it is the position that 177·9 per cent. of the capital invested in this industry has actually been returned to the investors in the industry during those years? And what does it show? I want to know what is exactly wrong with the business? Why were not they able to entrench themselves, considering that no attack from Japan or Lancashire or China could have had any effect? Why were they not in a position to do so?

Mr. M. A. Jinnah: Because they didn't consult you.

Diwan Chaman Lall: They did not consult experts. (Applause.) The Leader of the Independent Party is not an expert in this matter. They should have consulted experts. The reason why they find themselves in their present position is because it is a hereditary business, because it is handed down from father to son, because incompetence is handed down from father to son. Now take the case of Japan. Does not Japan import its cotton from India in large quantities? Does not Japan manufacture that raw cotton into manufactured goods; and does not Japan send those manufactured goods into India? And does not Japan succeed in underselling our friends the Bombay millowners in spite of this handicap of having to import cotton from India, pay freight, manufacture it there in Japan, pay freight again and pay duty, and yet undersell goods manufactured in this country? How is that possible? Have our friends the millowners ever thought as to how it is possible for the Japanese to do so? They have not thought of it. What is the position? The position is this, that they have not considered deeply the question of the reorganisation of their industry on a scientific basis. Whose fault is it? Is it the fault of the average man in the country who is going to be mulcted because of the incompetence of these gentlemen? Or is it the fault of the Members of this House? Is it the fault of

anybody in India that they have not been able to make their industry prosperous, strong, able to withstand the attacks of foreign competitors? It is because of something that was wrong that they come to us now and ask us in the name of the people of India, in the name of the nation, that we should support their misadventures in this industry, that we should subsidise their incompetence in this industry (Hear, hear), that we should assist them to entrench their position, may be only temporarily, may be only for a short period, but at what cost, I ask? At the cost of the hungry starving millions of this country. I made a suggestion to my friend on another occasion on the floor of this House. Incompetent as this Government is (Laughter), they would probably be in a better position to run this industry than our friends over there who are running the industry for their individual profit. We have the example of the Railways which at any rate are paying a fairly decent dividend.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Not this year.

Diwan Chaman Lall: The industry might pass through difficult times, but when the boom period came back, whatever profits were earned by that industry would go into the common exchequer and not into the private pockets of the millowners. Then only would it be a national industry. It is not a national industry in present circumstances. I, therefore, Sir, oppose, and I oppose with all the vehemence that I can command, this proposition that we should add further to the indirect burden by taxation which is now placed upon the masses of India. We are already, I believe, paying something like 64 per cent of our taxes in the shape of indirect taxation, and this further imposition for the benefit of a few individuals in Bombay will add to the burdens of the poorer classes of this country. And it is on that score that I oppose this motion. Further, I am convinced that protection at the present stage is not only undesirable,—that is my first line of opposition—but protection at this stage is unnecessary; that, if they would only put their own house in order—an expression which my Honourable friend does not like—I have not the least doubt that all would be well in the industry. Why, only a short while ago, not very long ago, Ahmedabad had gone to a very low depth of depression; the mill industry of Ahmedabad was not paying high dividends of the olden days. Now more mills have been added and they are still paying dividends.

Mr. M. A. Jinnah: Because they are more competent?

Diwan Chaman Lall: Because they are more competent. If only my friend Mr. Jinnah will read the Tariff Board's report—the trouble here is, Sir, that nobody reads anything.

Mr. M. A. Jinnah: You have read it?

Diwan Chaman Lall: I am prepared to take this challenge that Mr. Jinnah has not read the Tariff Board's Report.

Mr. M. A. Jinnah: My Honourable and learned friend may have read it, but has not understood it.

Diwan Chaman Lal: I am in a position to contradict my learned friend; I contradict him and I want him to contradict my contradiction. I want to put my learned friend wise. He knows or he ought to know the Tariff Board's Report. The Ahmedabad millowners preserved their profits to a larger extent than the Bombay millowners. When the depression came—it is all to be found in the Tariff Board's report, the red book by which Mr. Mody ought to swear—because they had preserved their profits, the Ahmedabad millowners were in a position according to the Tariff Board's report, to meet the period of depression. The Bombay millowners did not; they are not in a position to meet depression, and why are they not in a position to meet it? Because instead of preserving their profits, they wanted to indulge in great speculation, because they wanted to boom the share value of their shares, because they wanted to get rich quickly, because they wanted to do all these things in order that they should themselves profit by this process, and they did not reckon, they did not care for the future. They disregarded the economic proposition that, after every boom, there must come a period of depression some time or other. They indulged in industrial profligacy and found themselves in difficulties when the depression came. Now, it is obvious that they themselves were to some extent a contributory cause of this depression because, when the boom came, they had no reserve left with which either to buy new machinery and put their house in order or reorganise the industry. They are now faced with this problem that they are not able to do this. I say, under these circumstances it would be criminal on the part of this House (Hear, hear) to make a present, as the Honourable the Finance Member intends to do, to the cotton millowners of Bombay and elsewhere in India to the extent of several crores at the expense of the man in the street, until and unless he is in a position to extract a guarantee from my friends that they will put their house in order and that they will divert, whatever profits they are going to make, a substantial portion thereof for the benefit of the working classes engaged in this industry. I want to tie my friend Mr. Mody down to this proposition. Let me for a moment believe as he says that, it is a national industry. Will he, believing that it is a national industry, do the right royal national thing and promise on the floor of this House, on behalf of all the millowners of Bombay, that 75 per cent. or 50 per cent. of the profits that this industry will make as the result of the assistance being given to it by the Honourable Member over there, that they will divert 50 per cent. of those profits for the betterment of the working classes engaged in this industry? If he has regard for his words, and if he values the words that he utters, will he give me this assurance that 50 per cent. of the profits that he gets in this industry he will divert for the benefit of the working classes?

Mr. H. P. Mody: I am surprised at my Honourable friend's moderation. He only asks for 75 per cent.

Diwan Chaman Lal: I am asking my Honourable friend for 75 per cent., but he is asking for the full pound of flesh from the workers of India. (Hear, hear.) He is asking for the full pound of flesh from every man in this country, from every poor man in this country. Does he realise that? He has not asked for a mere 75 per cent.; he has asked for the full 100 per cent. Now I want him to give me this promise. Will he do so? If he really values his words and says it is a national industry, let him consider the interests

of the nation; let him consider the interests of these millions of people who according to him are interested in this industry and who are affected by this industry. Will he do so?

Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): Will that be your final demand?

Diwan Chaman Lal: Sir, I am not at all hopeful that my friend will be so eager to jump up in his seat when I put him this question. (Laughter.)

Now, Sir, I would like to come to the main proposition . . .

Mr. President: Order, order: if the Honourable Member is going to be long, I think I had better adjourn now.

Diwan Chaman Lal: Yes, Sir: I think I shall be long.

Mr. President: How long does the Honourable Member wish to speak?

Diwan Chaman Lal: For at least three-quarters of an hour.

Mr. President: The House stands adjourned till Monday morning at Eleven O'clock.

The Assembly then adjourned till Eleven of the Clock on Monday, the 17th March, 1930.



LEGISLATIVE ASSEMBLY.

Monday, 17th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN:

Mr. Pamulapati Venkatakrishnayya Choudhri, M.L.A. (Guntur cum Nellore: Non-Muhammadan Rural); and Mr. Saradindu Mukerjee, M.L.A. (Calcutta Suburbs: Non-Muhammadan Urban).

QUESTIONS AND ANSWERS.

REMOVAL OF PRIVATE WATER MILLS IN THE NORTH-WEST FRONTIER PROVINCE.

581. *Maulvi Muhammad Yakub: (a) Will Government please place on the table a statement showing:

(i) the number of private water mills ordered by the Local Government of the North-West Frontier Province to be removed, showing the dates on which they had been built; and

(ii) the number of water mills on the district canals belonging to Government?

(b) Will Government be pleased to state the special reasons which necessitated the deprivation of the owners from the income of their private mills which they owned from time immemorial?

(c) Will Government be pleased to state if:

(i) compensation has been awarded to the owners, and if so, whether the assessment of compensation was determined by arbitration or by Government officers; and

(ii) in the latter case, why not by arbitrators appointed by Government and mill owners?

(d) Is it a fact that, by the removal of all private water mills in the Peshawar District the revenue realized on the water mills owned by Government will be considerably increased?

(e) Will Government be pleased to state the number of appeals preferred by the owners of the water mills to the Revenue Commissioner, North-West Frontier Province, and the number accepted?

Sir Frank Noyce: (a) (i). Of 1,074 privately owned water mills in the Peshawar District which date from about 1893, five were ordered to be closed during the last settlement operations.

(ii) A statement is laid on the table.

(b) The five mills which were closed date from about 1893 and not from time immemorial. Four of these mills were situated on the Charpariza drain, which serve a large tract of country. Government had spent about Rs. 13,000 in clearing this drain in 1926, but it became evident that expenditure on silt clearance was mere waste of money until the enormous masonry dam, on which the mills worked, was removed, as it led to the country being swamped. Similarly, the fifth mill was ordered to be closed, as all land on either side of the Wadpagga Channel on which it was situated was found to be permanently under water. A statement showing the decrease in the cultivated area of some of the villages near the Charpariza drain and the Wadpagga Channel since 1895 is laid on the table.

(c) (i) and (ii). In the case of the mills on the Charpariza drain, compensation was awarded not only to the owners of the mills which were ordered to be closed but also to the owners of four other mills who had found that their mills could not work satisfactorily as a result of the silt clearance of the drain. The compensation was assessed by a Government Officer as required by sections 50 and 55 of the Punjab Minor Canals Act, 1905. These sections do not provide for the appointment of arbitrators. As regards the mill on the Wadpagga Channel, no compensation was paid as the owner had given a written undertaking in 1893 or thereabouts when permission was accorded for building the mill that he would have no claim for compensation, if swamping occurred and Government ordered the mill to be closed.

(d) The mills which were ordered to be removed were situated miles away from the nearest Government mill. It is believed that the income obtained from the latter was entirely unaffected by the closure of the private mills.

(e) Appeals were referred against the order of removal both in respect of mills running on the Charpariza drain and the mill on the Wadpagga Water Channel. They were rejected.

Statement showing the number of Government water mills on the District Canals.

Government Canals.

	Working.	Under construction.	Total.
Upper Swat Canal	44	4	48
Lower Swat Canal	5	2	7
Kabul River Canal	11	..	11

Private Canals.

There is only one Government mill on the private canals in the Peshawar District.

II.

Statement showing the decrease in the cultivated area of some of the villages near the Charpariza drain and Wadpagga Water Channel on account of swamping.

Village.	Area cultivated in 1895.	Area cultivated in 1928.
	Acres.	Acres.
Charpariza drain—		
Mandu Khel.	352	289
Garhi Mir Taib	135	82
Choli	716	524
Hariana Bala	586	249
Charpariza	384	241
Wadpagga Water Channel—		
Wadpagga	472	446
Cho	261	171
Pakha Ghulam	457	442
Dauranpur	373	358

PREVENTION OF FLOODS.

582. *Maulvi Muhammad Yakub: Will Government be pleased to refer to starred question No. 300, answered on the 10th September, 1929, and state:

- (i) whether any investigation in the area referred to has since been made by the Flood Committee? If not, why not, and by when such investigation is likely to be made?
- (ii) whether the information referred to in part (c) of the question has since been called for from the Local Government? If so, when; if not, why not?
- (iii) whether the attention of the Local Government has been drawn in the matter referred to in part (d) of the question? If so, when; if not, why not?

The Honourable Sir Bhupendra Nath Mitra: (i) No. This Committee was appointed by the Local Government, who are responsible for the terms of reference. The Resolution appointing the Committee and the Report of the Committee show that the Committee was asked to enquire into the conditions prevailing in the districts of Balasore, Cuttack and Puri and not in the districts to which the Honourable Member refers.

(ii) and (iii). Do not arise.

CONDUCT OF MUNSHI GAYA PRASAD OF THE EDUCATION DEPARTMENT, AJMER-MERWARA.

583. *Maulvi Muhammad Yakub: With reference to the reply given in the Legislative Assembly on the 12th September, 1929, to my starred question No. 432, relating to the conduct of Munshi Gaya Prasad of the Education Department of Ajmer-Merwara, will Government be pleased to supply the information asked for in that question?

Sir Frank Noyce: The information asked for by the Honourable Member was supplied to him on the 28th November, 1929. The answer then given to his question was:

(a) Yes. A complaint was made that a lady teacher was not treated with the respect that was due to her.

(b), (c) and (d). Yes.

(e) Yes. The Assistant Superintendent of Education was informed that his action was ill-advised.

THE CREW SYSTEM OF TICKET CHECKING ON THE EAST INDIAN RAILWAY.

584. ***Dr. Ziauddin Ahmad:** (a) How many years' trial have Government given to the crew system in the East Indian Railway? When are Government likely to make it permanent?

(b) Are the officers in the crew system included in the bonus scheme? If not, why not?

(c) Are the Crews-in-charge recruited direct or by promotion? What percentage of the Crews-in-charge is recruited by promotion?

Mr. A. A. L. Parsons: (a) The crew system was first introduced on the East Indian Railway on the 1st August, 1926. The question of the continuance of the system is at present under the consideration of the Government.

(b) I am unaware of what bonus scheme is referred to by the Honourable Member. Those of the crew staff who are permanent employees participate in the benefits of the Provident Fund and gratuity rules.

(c) I am advised by the Agent of the East Indian Railway that crews-in-charge are recruited by the promotion of the most capable and meritorious crewmen, subject to their having passed a test examination.

HOURS OF DUTY OF CREWS AND COMPASSIONATE ALLOWANCE FOR ACCIDENTS.

585. ***Dr. Ziauddin Ahmad:** (a) How many hours each day are the members of the crew expected to work? Are they allowed overtime allowances? If not, why not?

(b) Have Government given any compassionate allowance to the families of the crew and the crew-in-charge who accidentally died while on duty?

(c) Is the compassionate allowance reserved for persons who bear European names? If not, will Government be pleased to state the names of persons to whose families compassionate allowances or pensions were given after their accidental death?

Mr. A. A. L. Parsons: The information is being collected and will be furnished to the Honourable Member in due course.

HOUSE ACCOMMODATION FOR CREW OFFICERS.

586. ***Dr. Ziauddin Ahmad:** Do Government provide suitable house accommodation for the officers in the crew system in the same manner as they do for other railway officers of the same grade?

Mr. A. A. L. Parsons: I am enquiring from Railway Administrations and the Honourable Member will be informed in due course.

INVESTMENT OF THE RAILWAY RESERVE AND DEPRECIATION FUNDS.

587. ***Dr. Ziauddin Ahmad:** (a) Will Government be pleased to state the amount in the Railway Reserve Fund on the 1st January, 1930?

(b) Will Government be pleased to state the amount in the Railway Depreciation Fund on the 1st January, 1930?

(c) Where and at what rate of interest are the Reserve and Depreciation Funds invested?

(d) What amount has been budgeted in the income of 1930-31 as interest on the investment of the Reserve and the Depreciation Funds?

(e) Did the Railway Board consult the Standing Railway Finance Committee about the manner in which these Funds are invested?

Mr. A. A. L. Parsons: (a) and (b). The balances of these funds are actually worked out at the end of each financial year. On the 31st March, 1929, the balance in the Railway Reserve Fund was 18.42 crores, and that in the Depreciation Fund 11.41 crores.

(c) Except for the small sum of 47 lakhs invested in 1925-26 from the Railway Reserve Fund in the shares of Branch Line Companies, the amounts form part of the Ways and Means Balances of the Government of India. Interest is allowed to the funds at 1 per cent. below the rate charged by the Government of India to the Provincial Loans Fund. The rates vary from year to year; for 1929-30 the rate has been fixed at $4\frac{1}{2}$ per cent.

(d) The total amount, including dividends on the shares of Branch Line Companies referred to above is 145½ lakhs.

(e) No: but as I have explained, these funds are not invested in the real sense of the word.

NOTE OF DISSENT TO THE REPORT OF THE CENTRAL COMMITTEE WRITTEN BY DR. A. A. SUHRAWARDY.

588. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that Dr. Abdullah Almamoon Suhrawardy wrote a note of dissent in his own name on the Report of the Central Committee in addition to the one signed with Sir Zulfiqar Ali Khan?

(b) If the answer to part (a) be in the affirmative, will the Honourable the Home Member be pleased to state the reasons for not publishing it with the Report?

(c) Is the note of dissent a private document of the Government, or is it public property?

(d) Are Government prepared to circulate the note of dissent among the Members of the Legislative Assembly?

The Honourable Sir James Crerar: The Honourable Member is referred to the reply which I gave to Mr. B. Das' starred question No. 278 dated the 11th February.

ELECTRIFICATION OF THE GREAT INDIAN PENINSULA RAILWAY.

589. ***Mr. E. F. Sykes:** (a) Are Government aware that the figures given in Table 32 of Part II of the "Administration Report of State Railways", and reproduced below, have given rise to an impression that the

electrification of the Great Indian Peninsula Railway has resulted in a considerable loss in place of the gain that was expected to justify the heavy capital expenditure?

	B. B.	G. I. P.
"Earnings per passenger mile—Pies"	1927-28 N. A.	2.12
	1928-29 2.29	2.13
Cost per passenger mile—Pies	1927-28 N. A.	3.48
	1928-29 2.17	3.90 "

(b) Will Government be pleased to give a brief explanation of these figures, detailing what they include and what inferences may reasonably be drawn from them?

Mr. A. A. L. Parsons: (a) I think it possible that such an impression might be formed from the figures mentioned.

(b) The "earnings per passenger mile" are arrived at by dividing the "passenger earnings" attributable to the section by "passenger miles". The cost per passenger mile is arrived at by dividing "passenger working expenses" by "passenger miles".

For the purpose of these figures, the total working expenses of the section are apportioned between 'passenger' and 'goods' in the ratio of gross ton miles. The gross ton miles for passenger traffic are arrived at by assuming that one first class passenger is equivalent to 0.10 ton, one second class passenger 0.08 ton, one intermediate or third class passenger 0.06 ton: similar equivalents being adopted for other description of traffic carried by passenger trains. To the figures thus arrived at is added the dead weight of engines and vehicles. This procedure accords with that followed for steam services. It has, however, been recognised that this method of apportionment does not distribute electric energy used equitably, for on steam service the consumption of coal per 1,000 gross ton miles is about 80 to 100 lbs. for goods service, 150 to 200 for passenger service and 250 and over for suburban service with frequent stops. On an electric suburban service, the average speed is higher and the electric energy used will bear a still higher ratio to that used on goods service than for steam worked trains.

No reasonable inference can be drawn from the figures referred to, but when figures become available for the whole area working fully electrified under normal conditions it will be possible to arrive at a reasonable appreciation of the position.

Mr. E. F. Sykes: When does the Honourable Member expect to be able to supply the Assembly with his figures?

Mr. A. A. L. Parsons: I am afraid I cannot put a date to it.

NUMBER OF MEMBERS OF VARIOUS COMMUNITIES EMPLOYED IN THE OFFICES UNDER THE COMMISSIONER, AJMER-MERWARA.

590. ***Maulvi Sayyid Murtuza Saheb Bahadur:** Will Government be pleased to place on the table of the House a statement showing the numbers of (i) the Muslims, (ii) the Hindus, (iii) other non-Muslims, employed

as ministerial officers (a) on salaries of about Rs. 90, (b) on salaries from Rs. 40 to Rs. 90, in the office of the Commissioner, Ajmer-Merwara, and in the offices of the officers under the control of the said Commissioner?

Mr. E. B. Howell: The information required is being collected and will be supplied to the Honourable Member in due course.

EMPLOYMENT OF MUSLIMS IN OFFICES UNDER THE COMMISSIONER, AJMER-MERWARA.

†591. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Are Government aware that the number of Muslim clerks getting salaries not below Rs. 40 in the office of the Commissioner, Ajmer-Merwara, and other offices under his control is much below what it should be on the population basis?

(b) Is it a fact that there is no Muslim ministerial officer getting Rs. 100, or more in the Commissioner's office, Ajmer-Merwara, and other offices under the said Commissioner's control?

(c) Are Government aware that the Muslim ministerial officers, other than those in the vernacular line, employed in the office of the Commissioner, Ajmer-Merwara, and in other offices under his control, have higher qualifications in general education than the non-Muslim ministerial officers other than those in the vernacular line?

(d) Is it a fact that Muslim graduates employed as ministerial officers in the office of the Commissioner, Ajmer-Merwara, and other offices under his control are getting salaries below Rs. 100?

(e) Is it a fact that none of the non-Muslim ministerial officers in the office of the Commissioner, Ajmer-Merwara, and other offices under his control, drawing salaries not below Rs. 100, is a graduate?

(f) Is it a fact that the Superintendent of the Commissioner's office, Ajmer-Merwara, is a gentleman, with educational qualifications below the matriculation, school leaving certificate, or high school examination standard?

(g) Is it fact that the Head Clerk of the Commissioner's Office, Ajmer-Merwara, is a Hindu gentleman, with educational qualifications below the matriculation, school leaving certificate, or high school examination standard?

(h) Is it a fact that the Reader of the Commissioner, Ajmer-Merwara, is a gentleman with low educational qualifications and has not passed the necessary examination for Readership?

(i) Is it a fact that the present Superintendent and Head Clerk of the Commissioner's Office, and the Reader of the Commissioner, Ajmer-Merwara, were appointed to their respective posts during the last three years?

GOVERNMENT EMPLOYEES DISCHARGED IN AJMER-MERWARA.

†592. ***Maulvi Sayyid Murtuza Saheb Bahadur:** Will Government please state the numbers of (a) the Muslim, and (b) the non-Muslim, officers getting salaries not below Rs. 30 under the Ajmer-Merwara administration who were dismissed, removed or discharged from Government service during the Commissionership of the present Commissioner, Ajmer-Merwara?

†For answer to this question, see answer to question No. 590.

TITLES AWARDED TO GOVERNMENT EMPLOYEES IN AJMER-MERWARA.

593. *Maulvi Sayyid Murtuza Saheb Bahadur: Will Government please state the numbers of (a) Muslims (b) non-Muslims, in Ajmer-Merwara, who were awarded titles by Government during the Commissionership of the present Commissioner, Ajmer-Merwara?

Mr. E. B. Howell: (a) Nil.

(b) Parsi 1, Christian 1, Hindus 4.

APPOINTMENT OF MUSLIM OFFICERS IN GOVERNMENT DEPARTMENTS IN AJMER-MERWARA.

594. *Maulvi Sayyid Murtuza Saheb Bahadur: (a) What is the total number of gazetted officers in the Revenue, Excise, Income-tax, Forest, Police, Public Works, Co-operative Societies, and Medical Departments in Ajmer-Merwara?

(b) Are Government aware that there is no Muslim gazetted officer in the said departments in Ajmer-Merwara, though the Muslims form about 20 per cent. of the total population of the province?

(c) Is it a fact that during the last four years a number of gazetted posts in the said departments in Ajmer-Merwara has been filled in by the appointment of non-Muslims from outside Ajmer-Merwara and by the promotion of non-Muslim non-gazetted officers in Ajmer-Merwara?

(d) How many officers, not previously in the service of the Ajmer-Merwara administration as gazetted officers, have been appointed to gazetted appointments in the said departments in Ajmer-Merwara during the last four years?

(e) Do not the Government propose to fix an adequate proportion of the gazetted appointments in the said departments of Ajmer-Merwara for the Muslims?

Mr. E. B. Howell: A copy of the reply given to a similar question by Mr. Abdul Latif Sahib Farookhi is laid on the table.

Question.

*Mr. Abdul Latif Sahib Farookhi: (a) What is the total number of gazetted officers in the Revenue, Excise, Income-tax, Forest, Police, Public Works, Co-operative Societies, and Medical Departments in Ajmer-Merwara?

(b) Are Government aware that there is no Muslim Gazetted Officer in the said departments in Ajmer-Merwara, though the Muslims form about 20 per cent. of the total population of the province?

(c) Is it a fact that during the last four years a number of gazetted posts in the said departments in Ajmer-Merwara has been filled in by the appointments of non-Muslims from outside Ajmer-Merwara and by the promotion of non-Muslim non-gazetted officers in Ajmer-Merwara?

(d) How many officers, not previously in the service of the Ajmer-Merwara administration as gazetted officers, have been appointed to gazetted appointments in the said departments in Ajmer-Merwara during the last four years?

(e) Do Government propose to fix an adequate proportion of the gazetted appointments in the said departments of Ajmer-Merwara for the Muslims? If not, why not?

Answer.

(a) The total number of Gazetted officers in the various departments in Ajmer-Merwara is given below:

(1) Revenue	5	
(2) Excise	Nil.	(The post of Extra Assistant Commissioner Excise is included in the Revenue cadre).
(3) Income-tax	Nil.	(Extra Assistant Commissioner of Excise is also Income-tax Officer).
(4) Forest	1	(Borne on the United Provinces cadre).
(5) Police	5	(3 members of the Indian Police Service and 2 of the Provincial Service; all borne on the United Provinces cadre).
(6) Public Works	5	(2 members of the Indian Service of Engineers; and 3 of the Provincial Service; all borne on the United Provinces cadre).
(7) Co-operative Societies	1	(Borne on the Punjab cadre).
(8) Medical	4	(1 member of the Indian Medical Service and 3 appointments for Assistant Surgeons).

(b) Yes.

(c) Yes. In so far as the Forest, Police, Public Works Departments and Co-operative Societies are concerned, the gazetted posts were filled by deputation of officers from the various cadres on which these appointments are borne, and these officers happened to be non-Muslims. Only the posts in the Revenue and Medical Departments (Assistant Surgeons) are filled locally. During the last four years only one Revenue Gazetted post fell vacant. This was filled by promoting a non-Muslim serving in Ajmer-Merwara. A newly created post of Assistant Surgeon (Additional Civil Surgeon, Ajmer) was filled by a non-Muslim from outside the Province.

(d) Seventeen. Of these 15 were obtained on deputation from the United Provinces and Punjab.

(e) Owing to the paucity of suitable Muhammadan candidates it is not considered by the local administration desirable to earmark a definite proportion of gazetted appointments for Muslims.

APPOINTMENT OF ASSISTANT SUPERINTENDENT OF EDUCATION, AJMER-MERWARA.

595. *Maulvi Sayyid Murtuza Saheb Bahadur: (a) Is it a fact that the present Assistant Superintendent of Education, Ajmer-Merwara, is a third divisioner M.A., B.Sc., of an Indian University without any qualifications in educational training?

(b) Is it a fact that the said officer was appointed to the post of the Assistant Superintendent of Education, in supersession of the Headmaster of a Government high school at Ajmer?

(c) Is it a fact that the Headmaster referred to in part (b) possessed a first class training and qualifications, and was senior to the present Assistant Superintendent of Education before his appointment to the said post in grade, actual pay, and length of service?

(d) Is it a fact that the work of the Assistant Superintendent of Education, Ajmer-Merwara, is to supervise and administer primary education and a part of secondary education?

(e) Is it a fact that the gentleman, who gave evidence on behalf of the Nasirabad Cantonment Board, before the Primary Education Committee of the Government of India, pointed out to the said committee the inadequacy of the qualifications of the present Assistant Superintendent of Education for the proper supervision and administration of primary education?

(f) Have Government considered the question of appointing an experienced officer, well-qualified in educational training to the post of the Assistant Superintendent of Education, Ajmer-Merwara? If not, why not?

Sir Frank Noyce: With your permission, Sir, I shall deal with questions Nos. 595—598 together. The information asked for is being collected and will be supplied to the Honourable Member later.

ANGLO-VERNACULAR SCHOOLS IN AJMER-MERWARA.

†596. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Is it a fact that the Anglo-vernacular schools in Ajmer-Merwara, aided and recognised by Government, are inspected by, and are under the supervision of, the Assistant Superintendent of Education, Ajmer-Merwara?

(b) Is it a fact that the recognition of Anglo-vernacular schools in Ajmer-Merwara by Government and the Government grants-in-aid to Anglo-vernacular schools in Ajmer-Merwara are subject to the condition that the said schools comply with the rules for aided and recognised schools laid down in the Educational Code in force in Ajmer-Merwara?

(c) Is it a fact that it is the duty of the Assistant Superintendent of Education, Ajmer-Merwara, to see that the aided and recognised Anglo-vernacular schools in Ajmer-Merwara comply with the rules laid down in the Educational Code?

(d) Is it a fact that the lists of holidays (including summer vacation) of aided and recognised Anglo-vernacular schools in Ajmer-Merwara are submitted every year to the Assistant Superintendent of Education, Ajmer-Merwara, for approval?

VIOLATION OF RULES BY THE AGARWAL PATHSHALA, AJMER.

†597. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Is it a fact that the Agarwal Pathshala, Ajmer, is an Anglo-vernacular school, aided and recognised by Government and inspected and supervised by the Assistant Superintendent of Education, Ajmer-Merwara?

(b) Is it a fact that the said Agarwal Pathshala has not been closed for summer vacations, prescribed for recognised schools by the Educational Code in force in Ajmer-Merwara, since its recognition?

(c) Is it a fact that the said Agarwal Pathshala is not being closed (i) on Sundays as regular week-end holidays, (ii) on Darbar Days and the King-Emperor's birthdays, (iii) for Christmas vacations, (iv) on a number of other gazetted holidays, ever since its recognition in contravention of the rules for recognised schools laid down in the Educational Code?

†For answer to this question, see answer to question No. 595.

(d) Are Government aware that in an article, entitled "Agarwal Pathshala ki Pol", published in the *Rajasthan Sandesh*, Ajmer, dated the 16th June, 1929, attention was drawn to the said Agarwal Pathshala, Ajmer's violation of rules relating to summer vacation?

(e) Are Government aware that in an article, entitled "Ajmer Shiksha Vibhag men Pol", published in the *Rajasthan Sandesh*, Ajmer, dated the 21st July, 1929, attention was again drawn to the said Agarwal Pathshala, Ajmer's violation of rules relating to summer vacation and gazetted holidays?

(f) Is it a fact that after the publication of the article referred to in part (e), Mr. Pathik, editor of the *Rajasthan Sandesh* Ajmer, wrote a letter to the Ajmer-Merwara Administration on the subject of the said Agarwal Pathshala's violation of rules relating to summer vacation and holidays? If so, what action did the Ajmer-Merwara Administration take?

(g) Is it a fact that the said Agarwal Pathshala, Ajmer, has been violating the rules relating to gazetted holidays even after the publication of the articles referred to in parts (d) and (e) above and the letter referred to in part (f) above?

(h) If the reply to part (g) is in the affirmative, do Government propose to take any action in the matter, and if so, what? If not, why not?

QUALIFICATIONS OF THE TEACHERS OF THE AGARWAL PATHSHALA.

†598. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Has the attention of Government been drawn to remarks on the inadequate qualifications of the teachers of the Agarwal Pathshala, Ajmer, given in an article entitled "Ajmer Shiksha Vibhag men Pol", published in the *Rajasthan Sandesh*, Ajmer, dated the 21st July, 1929?

(b) Is it a fact that the headmaster of the Agarwal Pathshala, Ajmer, an Anglo-vernacular school, aided and recognised by Government, has not passed any examination of a recognised university or board of examination?

(c) Is it a fact that the headmaster referred to in part (b) has no qualifications in English?

(d) Is it a fact that most of the teachers on duty in the said Agarwal Pathshala, Ajmer, have not passed any recognised examination of the standard of the matriculation, school leaving certificate, or high school examination?

(e) Is it a fact that several teachers of the said Agarwal Pathshala are over 55 years of age?

(f) Is it a fact that such teachers of the said Agarwal Pathshala as have passed the examination for some recognised departmental, university, or education board certificates are drawing lower salaries than a number of teachers who have passed no such examination for a recognised certificate of educational qualifications?

(g) Is it a fact that there is no teacher on duty in the said Agarwal Pathshala who has passed any of the teachers' examinations laid down in paragraph 150 (a) of the Educational Code? If it is not a fact, will Government please state (i) the number of trained teachers and (ii) the number of untrained teachers on duty in the said Pathshala?

†For answer to this question, see answer to question No. 595.

(h) Is it a fact that about half the pay of the teachers of the said Agarwal Pathshala, Ajmer, is paid from Central revenues? If not, will Government please state what proportion the recurring grant-in-aid from Central revenues received by the said Pathshala bears to the total amount of pay of the teachers of the said Pathshala?

(i) Is it a fact that the Educational Code in force in Ajmer-Merwara prescribes that one of the conditions necessary for the recognition of an Anglo-vernacular school is that it must give satisfaction in regard to the qualifications and pay of its teaching staff? If so, will Government please state the name and designation of the officer of the Ajmer-Merwara Education Department on whose report of the fitness of the Agarwal Pathshala, Ajmer, for recognition, the said Pathshala was placed on the list of recognised Anglo-vernacular schools?

(j) If what are stated in parts (a) to (i) above are facts, do Government propose to take any action in the matter, and if so, what?

APPOINTMENT OF SECRETARY OF THE BOARD OF HIGH SCHOOL AND INTER-MEDIATE EDUCATION OF AJMER-MERWARA.

599. *Maulvi Sayyid Murtuza Sahab Bahadur: (a) Is it a fact that the Secretary of the Board of High School and Intermediate Education of Ajmer-Merwara, Rajputana, Central India, and Gwalior, is an officer who retired on superannuation from the United Provinces Provincial Educational Service? If it is not a fact, will Government please state the present age of the said Secretary?

(b) Is it a fact that the money for the pay of the Secretary referred to in part (a) is paid from the Central revenues?

(c) If what are stated in parts (a) and (b) are facts, will Government please state whether it is permissible for the said Secretary to draw a pension from the revenues of a Provincial Government and at the same time to draw pay from Central revenues?

(d) Will Government please put on the table of the House a statement showing the names, qualifications, and previous experience of all the candidates for the post of the said Secretary before appointment to it was made?

(e) Is it a fact that applications for the post of the said Secretary were not called for by advertisement in newspapers? If not, why not?

(f) Is it a fact that none of the Provincial Governments were requested to depute a suitable man for the post of the said Secretary? If not, why not?

(g) Is it a fact that the Department of Education, Health and Lands of the Government of India was not requested to depute a suitable man for the post of the said Secretary? If not, why not?

(h) Do Government propose to retain the services of the present Secretary of the said Board temporarily or permanently? If temporarily, how long? If permanently, why?

Mr. E. B. Howell: The information required is being collected and will be supplied to the Honourable Member in due course.

RECRUITMENT OF ASSISTANT STATION MASTERS ON THE NORTH WESTERN RAILWAY.

600. *Mr. Mukhtar Singh: (a) Is it a fact that, of 70 per cent. recruited in the Delhi Division of the North Western Railway during the year 1925-28 as temporary Assistant Station Masters, one has been confirmed, 31 men discharged and 30 are still temporary?

(b) Is it a fact that a number of persons were recruited in the commercial group of the Delhi Division of the North Western Railway, and that not one has yet been confirmed?

(c) Is it a fact that all these persons had received training and seen service in other Railways and that they were employed by the North Western Railway only after they had produced merit certificates and testimonials?

(d) Is it a fact that all these persons were also required to pass an examination before they were posted to their respective duties and have been in independent charge ever since?

(e) Is it a fact that all the persons referred to in part (a) have been interested with, and discharging such responsible duties as train passing, etc.?

(f) Is it a fact that these temporary hands were required, in April, 1929, to pass a test regarding their suitability for confirmation, and that those who passed this test were retained, and that those who failed were discharged? If the reply is in the affirmative, will the Government state why those who passed this test have not been confirmed as yet?

Mr. A. A. L. Parsons: Information has been called for and I will communicate with the Honourable Member when it is received.

TRAINING AND APPOINTMENT OF TEMPORARY STAFF ON THE NORTH WESTERN RAILWAY.

601. *Mr. Mukhtar Singh: (a) Is it a fact that it is intended to send suitable temporary staff to the North Western Railway training school with a view to confirming them in their appointments after undergoing a course of training and passing the examination there?

(b) If a course of training and examination is a *sine qua non* of the confirmation, will Government reply as to why the training and examination were not thought essential when these men were put in independent charge of their respective duties, and further to state whether, and if so, why, training is considered to be necessary in the case of those who have been working satisfactorily for a number of years?

(c) If this training and examination is deemed essential, will Government be pleased to state why no steps have yet been taken to send them to the training school?

(d) Is it a fact that entirely new hands have been recruited for corresponding permanent jobs?

Mr. A. A. L. Parsons: With your permission, Sir, I shall answer this and the question following, together. I have called for a report from the Agent, North Western Railway, and will communicate with the Honourable Member when it is received.

TRAINING AND APPOINTMENT OF TEMPORARY STAFF ON THE NORTH WESTERN RAILWAY.

†602. ***Mr. Mukhtar Singh:** (a) Is it a fact that hundreds of vacancies have been recently advertised and applications have been invited for admission into the Walton Training School, North Western Railway, for training in the commercial group?

(b) Will Government be pleased to state why the claims of the temporary staff who have already acquired long experience and passed tests in the North Western Railway for their confirmation have been given the go by in preference to those of complete strangers?

(c) Are Government prepared to see their way to confirm the temporary staff in their respective posts?

PROVISION OF LATRINES IN SERVANTS' COMPARTMENTS ON RAILWAYS.

603. ***Mr. Mukhtar Singh:** (a) Are Government aware that, for want of latrines in the servants' compartments in the railway carriages in India on most of the mail as well as passenger trains, persons travelling therein are put to very great inconvenience, especially on long journeys?

(b) If the reply to part (a) be in the affirmative, have Government considered the question of providing latrines in all the servants' compartments of railway carriages in India? If not, why not?

Mr. A. A. L. Parsons: (a) Government are aware that until recently it has not been the practice for railways to fit latrines in servants' compartments of railway carriages and it is probable that inconvenience has occasionally been caused to persons travelling in servants' compartments on this account.

(b) The Honourable Member is referred to the reply given on the 20th January, 1930, to question No. 53 by Khan Bahadur Sarfaraz Hussain Khan.

RECRUITMENT TO THE STATE RAILWAY SIGNAL ENGINEERING SERVICE.

604. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to state the difference between the terms "on probation", "short covenant" and "probationer" as applied to officials recruited into the State Railway Signal Engineering Service?

(b) Is it a fact that there is no fixed initial salary for the recruitment of officials into this Department from England? Is it a fact that all the officers recruited from England to the Signal Engineering Service of State Railways have been started on a higher initial salary than those recruited in India?

(c) Is it a fact that, before promotion to the senior scale of the service, one has to reach the maximum of the junior scale?

(d) Is it a fact that the six junior scale covenanted officials in this service, though recruited after the enlistment of and junior to the three Indian recruited men, are in receipt of salaries which give them a seniority and advantage of from six to eight years' service?

†For answer to this question, see answer to question No. 601.

(e) Is it a fact that, after another ten years, all these six officials will have reached the maximum of the junior scale, and that the three locally recruited will have to wait for more than 16 years to accomplish this?

(f) Is it a fact that all three of the locally recruited men are senior to most of the six covenanted men in service?

Mr. A. A. L. Parsons: (a) A person "on probation" is one who has been appointed to a working post in the cadre but whose confirmation depends on his proving that he is fully qualified to discharge the duties of the post.

The expression "short term covenant" refers to persons appointed on an agreement for a specified limited period of time.

The term "probationer" applies to an officer who, after appointment, is required to undergo further prescribed training before confirmation.

(b) The answer to the first part is that there is a fixed incremental scale of pay for Signal Engineers but Government reserve the right to appoint officers whether recruited in England or in India, having regard to their age and qualifications, on initial rates of pay higher than the minimum of the prescribed scale. The answer to the second part of the question is in the negative.

(c) No.

(d), (e) and (f). If the Honourable Member will send me a list of the names of the 6 covenanted officials and the 3 locally recruited officials he refers to, I shall be glad to give him an answer to his question.

PAY OF COVENANTED AND LOCALLY RECRUITED OFFICERS OF THE RAILWAY SIGNALS DEPARTMENT.

605. ***Lieut.-Colonel H. A. J. Gidney:** (a) With reference to the answer given by Mr. P. R. Rau to part (c) of my starred question No. 848, dated the 24th September, 1929, regarding the pay of officers of the Railway Signals Department, will Government be pleased to state—

(i) the special qualifications in signal engineering the six covenanted men referred to in part (f) of my preceding question possess and which entitled them to higher initial salary; and

(ii) their respective ages and that of the three locally recruited probationers?

(b) Will Government be pleased to state in what way they propose to regulate the promotion to the senior scale without affecting the senior position which the three locally recruited men hold in the cadre?

(c) Is it a fact that among the locally recruited men, in the case of Europeans, a European Assistant Engineer reaches the maximum grade in 15 years, whereas an Indian Assistant Engineer has to put in 16 years' service, and that he thereby loses one year in his promotion to the senior scale?

(d) What steps do Government propose to take in order to remedy this state of affairs?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) No. On his appointment as an Assistant Director General his pay was fixed at Rs. 1,160 per mensem.

(c) Promotion to the grade of Assistant Director General is made by selection and on the advice of the Public Service Commission. Rai Bahadur Paresh Nath Mukerjee was appointed an Assistant Director General in accordance with the order of preference recommended by the Public Service Commission. His pay was fixed at Rs. 1,160 in accordance with the Fundamental Rules.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly inform the House whether the Director General himself or the Member in charge of the Department has not got a great say in the matter of a selection of this kind.

The Honourable Sir Bhupendra Nath Mitra: The answer is in the negative. All that the Director General does is to send on the confidential reports of the various officers affected in order of seniority.

REMOVAL AND RE-EMPLOYMENT OF MR. KULO PRASAD SEN, A PROBATIONARY SUPERINTENDENT OF POST OFFICES.

610. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state why Mr. Kulo Prasad Sen, Probationary Superintendent of Post Offices, was removed from the Department on the 31st December, 1927, and re-employed again on the 20th April, 1928?

Mr. H. A. Sams: Mr. Kulo Prasad Sen was removed from his appointment of Probationary Superintendent of Post Offices because he failed twice to pass the departmental examination for the appointment of Superintendents. He represented that his failure was due mainly to the fact that he could not properly prepare for his examination owing to his ill-health. As this was found to be correct I decided to take him back and give him another chance.

HINDUS APPOINTED AS PROBATIONARY SUPERINTENDENTS OF POST OFFICES.

611. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state how many Hindus were appointed as Probationary Superintendents of Post Offices from January, 1925?

(b) And what are the special circumstances in which four Hindu Probationary Superintendents were attached to Bengal?

Mr. H. A. Sams: (a) Sixteen.

(b) At present there are three Probationary Superintendents in the Bengal and Assam Circle all of whom happen to be Hindus. They have not been posted there on account of any special circumstances, but as a matter of convenience.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly tell me what is his notion of convenience?

Mr. H. A. Sams: That is a hypothetical question, Sir.

Mr. President: There is nothing hypothetical in the question: "What is the Honourable Member's notion of convenience?"

Mr. H. A. Sams: A matter of opinion, Sir.

ADMISSION OF CERTAIN CLERKS TO EXAMINATION FOR APPOINTMENTS OF SUPERINTENDENTS OF POST OFFICES.

612. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state why six clerks of the Office of the Director General of Posts and Telegraphs of whom five are Hindus, have been allowed to appear at the Superintendents' departmental examination? If so, why?

Mr. H. A. Sams: It is presumed that the Honourable Member refers to the nomination which was made for the Superintendents' Examination held in 1925. In that year six clerks of the office of the Director General, Posts and Telegraphs (5 Hindus and 1 Muhammadan), were allowed to appear at the Superintendents' Examination as they offered themselves for the Examination and were considered suitable candidates.

PROMOTION OF CERTAIN POSTAL OFFICIALS IN MADRAS.

613. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state if it is a fact that Mr. Nigel-Jones has been appointed as an officiating Postmaster-General at Madras, in supersession of senior postal officers?

(b) Will Government be pleased to state what postal training, if any, Messrs. Jones and Power had before they were made to hold charge of postal circles?

(c) Is it a fact that Government propose to appoint Mr. Wrenick as Postmaster-General, Madras?

(d) If so, will Government please state what postal training Mr. Wrenick has had in order to justify his appointment as Postmaster-General, Madras?

The Honourable Sir Bhupendra Nath Mitra: (a) The question of filling up permanently the vacancy caused by the death of Mr. Malan, Postmaster-General, Madras, is under consideration. In the meantime, Mr. Nigel-Jones has been appointed to act as a temporary arrangement.

(b) None.

(c) I would refer to my reply to part (a) of the question. I should, however, like to inform the Honourable Member that under the scheme of unification of control in Postal and Telegraph Engineering Circles the permanent vacancy will in all probability go to an officer of the Superior Telegraph Engineering Service. Postal training is not the only qualification required for a Postmaster-General.

(d) Does not arise.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly inform the House whether we have got a man in charge of a big Telegraph Department who is taken from the Postal side?

The Honourable Sir Bhupendra Nath Mitra: I did not quite catch the Honourable Member's question, but if he is referring to other Circles in India, I can tell him that the Postmaster-General of Burma is a member of the Superior Telegraph Engineering Service. The Postmaster-General of Bombay, until recently, was for two years a member of the Superior Telegraph Engineering Service. The present Postmaster-General of Bihar and Orissa is a member of the Superior Telegraph Engineering Service and the Director of Posts and Telegraphs, Sind and Baluchistan, is

invariably an officer of the Superior Telegraph Engineering Service. On the other hand, the Telegraph work in four Circles is administered by an officer of the Superior Postal Service.

Pandit Nilakantha Das: Is it not, Sir, a waste of our time to ask questions about the appointment of individuals, petty clerks, *chaprasis* and others? These are petty matters and should be done by the Department concerned.

Mr. President: I am trying my best to dissuade Members from putting such questions, but I know the resentment caused to some Members by my action.

Mr. Gaya Prasad Singh: And, Sir, this is a game at which two can play. We can also put such questions.

SCALE OF PAY IN THE INDIAN STORES DEPARTMENT.

614. ***Mr. G. Sarvotham Rao:** 1. Will Government be pleased to state the scale of pay prevailing in the office of the Director of Contracts, Army Headquarters, and that prevailing in the Indian Stores Department?

2. Will Government be pleased to state:

(a) Whether it has received any representation from the staff of the Indian Stores Department and from the Attached Offices Association urging that the scale of pay in the office of the Indian Stores Department be raised to the standard prevailing in the office of the Director of Contracts?

(b) Is it a fact that the representation referred to in (a) was turned down on the ground that the question of the location of the Indian Stores Department had not been finally settled and further that the introduction of the rupee tender system and the new Stores Rules from 1931 stand in the way of an early decision on the question of permanent location of the Department?

3. Are Government aware that considerable dissatisfaction has been caused by indecision in this respect and that a large number of employees has already left the Department to better their prospects elsewhere, thereby causing loss of efficiency in the Stores Department?

4. If so, do Government propose to introduce a uniform rate of pay for the two offices with a view to remove dissatisfaction?

5. Are Government aware that, while in the office of the Director of Contracts, a branch of six men is controlled by a Superintendent, no less than twenty men are under the charge of a Superintendent of a branch in the Indian Stores Department? If so, do Government propose to create additional Superintendentships?

6. Is it a fact that:

(a) the source and standard of recruitment in the two Departments are identical?

(b) the maximum pay of the stenographers' grade is more than the minimum pay of the Superintendents in the Indian Stores Department?

If so, will Government please state when they propose to remove this unjust distinction?

The Honourable Sir Bhupendra Nath Mitra: 1. I presume that the Honourable Member desires to have information of the scales of pay sanctioned for the clerical establishment only of the offices of the Director of Contracts, Army Headquarters, and the Chief Controller of Stores, Indian Stores Department. The following are the scales:

Director of Contracts.		Chief Controller of Stores.	
	Rs.		Rs.
Personal Assistant . . .	750—50—880	Chief Superintendent . . .	CCC—4C—8C0
Superintendents . . .	500—40—700	Superintendents . . .	35C—25—C00
Assistants—			
(Upper time scale) . . .	350—20—450	Assistants . . .	12C—8—16C—1C—35C
Assistants—			
(Lower time scale) . . .	200—12—440		
Clerks (2nd Division) . . .	90—8—250	Clerks . . .	75—4—155—16C—5—175
Clerks (Routine) . . .	90—4—166		
Stenographers . . .	..	Stenographers	15C—10—30C—12½—40C

2. (a) and (b). Yes.

3. It has recently been represented to the Government of India that there is a feeling of dissatisfaction on the part of the clerical staff of the office of the Chief Controller of Stores with their existing position in this respect. It is also the case that several members of that staff have left the Indian Stores Department to join appointments in other departments. Their departure has caused certain amount of inconvenience, but there is no noticeable falling off in the general efficiency of the Department.

4. The matter is under consideration.

5. The Government of India are aware that the branches of the office of the Chief Controller of Stores consist of a larger number of clerks than those in the office of the Director of Contracts, but they are not prepared to admit that as a result the Superintendents in the former office have an unduly heavy burden of work and they do not propose to create any additional appointments of Superintendent therein at present.

6. (a) The recruitment for the clerical staff of the office of the Chief Controller of Stores is ordinarily made through the Public Service Commission while the recruitment for the office of the Director of Contracts is made direct by the authorities of the Army Headquarters.

(b) Yes; but the Government is not prepared to admit that this distinction is necessarily unjust.

PURCHASES MADE BY THE DIRECTOR OF CONTRACTS.

615. ***Mr. G. Sarvotham Rao:** (a) Are Government aware that the Director of Contracts does not utilise the services of the Indian Stores Department for the purpose of purchases in the case of many articles?

(b) Are Government aware that the Director of Contracts does not publish the accepted tenders in the form in which comparison of prices is possible, as is done by the Indian Stores Department? If so, do Government propose to direct that the Director of Contracts may follow this healthy practice?

Mr. G. M. Young: (a) The assistance of the Indian Stores Department is utilised by the Director of Contracts whenever it is economical for him to do so.

The possibility of entrusting the purchase of further classes of military stores to the Indian Stores Department is under investigation.

(b) I am not aware of the fact; but I am making enquiries, and will inform the Honourable Member of the result.

APPOINTMENTS OF ASSISTANT CHIEF CONTROLLER OF STORES AND CHIEF SUPERINTENDENT, INDIAN STORES DEPARTMENT.

616. ***Mr. G. Sarvotham Rao:** 1. Is it a fact that the present Assistant Chief Controller of Stores, Indian Stores Department is due to retire from service in May, 1930? If so, will the Government be pleased to state whether his successor will be appointed from the ranks of the Stores Department or any outsider will be recruited for the post?

2. Is it a fact that the present Chief Superintendent, Rai Sahib Kirpa Ram, is being considered for the post?

3. Is it a fact that officiating promotions to the Assistants Grade are made in accordance with the recommendations of the Chief Superintendent?

4. Is it a fact that the Chief Superintendent and one Superintendent are doing the same class of work under the Assistant Chief Controller of Stores? If so, are Government prepared to examine the question whether there is real justification for a Chief Superintendent's post in addition to Superintendent's post?

The Honourable Sir Bhupendra Nath Mitra: 1. and 2. Yes, the present Assistant Chief Controller of Stores is due to retire from the service in May, 1930. All the relevant considerations will be borne in mind when the recommendations of the Chief Controller of Stores for filling the vacancy are received.

3. As the ministerial head of the office, it is the duty of the Chief Superintendent to submit recommendations for officiating promotions within the clerical establishment, to the Chief Controller of Stores, with whom the decision rests.

4. The answer to the first part is in the negative. The second part does not arise.

Mr. B. Das: Will the Honourable Member kindly consider the desirability of appointing an Indian as Chief Controller of Stores when the vacancy occurs?

Mr. Gaya Prasad Singh: Preferably a Muhammadan?

Nawab Sir Sahibzada Abdul Qaiyum: Probably a Hindu?

Mr. B. Das: I don't mind if he is a Muhammadan.

The Honourable Sir Bhupendra Nath Mitra: When the vacancy arises, the Member in charge will have to pay due consideration to the claims of all senior officers who at that moment are available for appointment to that particular post.

DELEGATES NOMINATED FOR THE 14TH INTERNATIONAL LABOUR CONFERENCE.

617. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please state the names and dates of the newspapers in which the communiqué inviting nominations to the 14th International Labour Conference was published?

(b) Was 10th January, appointed as the last date by which all suggestions regarding the nomination of delegates and their advisers should reach Government?

(c) If so, will Government please give a complete list of employers' organisations that have nominated their delegates and advisers, as also the names of such delegates and advisers?

The Honourable Sir Bhupendra Nath Mitra: (a) The Government of India have kept no record of the names and the dates of issue of the newspapers in which the Press communiqué was published, but copies of the communiqué were furnished to News Agencies and to the accredited representatives of those newspapers which keep representatives at the Headquarters of the Government of India.

(b) Yes.

(c) I shall forward to the Honourable Member a list of the Associations from whom suggestions relating to the composition of the employers' wing to the Indian delegation to the 14th Session of the International Labour Conference were received up to the 10th January, 1930.

Mr. Sarabhai Nemchand Haji: With reference to the reply that no record of the names and the dates of issue of the newspapers is kept by the Government of India, have they been informed by their delegate that the Credentials Committee insist upon knowing the nature of the publicity given to the Government communiqué on this matter?

The Honourable Sir Bhupendra Nath Mitra: Yes, Sir. I have already answered that part of the question. For that purpose it is not necessary that a record should be kept of the newspapers in which that information has been published.

Mr. Sarabhai Nemchand Haji: How could it avail either the Government delegate or the party that protests to say that the Government of India have no records of these journals and the dates on which the communiqué was published in those journals? What I want to know is this: Does the Government delegate, who makes various statements with regard to the organisations in this country, also keep them informed about vital matters to which the Credentials Committee attaches great weight?

The Honourable Sir Bhupendra Nath Mitra: Sir, I should like to have notice of that question. The Honourable Member is now travelling outside the specific points raised in his original question.

Mr. R. K. Shanmukham Chetty: Did the Government of India send their communiqué directly to the organisations of employers and workers in India?

The Honourable Sir Bhupendra Nath Mitra: No, Sir.

Mr. Sarabhai Nemchand Haji: With reference to the reply that was purported to be given, the question I asked was whether the Government have these names or not and it is no good saying that I am going outside the scope of the question, because, as I have requested, Sir, the information should be supplied on this point whether this record is kept or not, and if it is not kept, is it not in violation of one of the important requirements of the Credentials Committee about which I suggest their delegate should have informed them?

The Honourable Sir Bhupendra Nath Mitra: I should like to point out to my Honourable friend that the second part of the question which he now asks does not find a place in his original question. If it had been there, I should certainly have given an answer to that part of the question also. If the Honourable Member will now put down that question on paper, I shall certainly give him the appropriate answer.

SELECTION OF DELEGATES FOR THE 14TH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE.

618. ***Mr. Sarabhai Nemchand Haji:** (a) Is it a fact that, in the communiqué issued by the Government of India on the 15th of October, 1929, in connection with the 14th Session of the International Labour Conference the following occurs:

"In selecting the Employers' Delegate, the Workers' Delegate and their Advisers irrespective of the number the Government of India would attach due weight to recommendations made by organised representative associations of Employers and Workers."

(b) If so, will Government please state the source from which they derive this alleged power "to attach due weight to recommendations made by organised representative associations"?

(c) Are Government aware that clause (3) of Article 389, of the Treaty of Versailles imposes a definite obligation on Government members to "nominate non-Government delegates and advisers, chosen in agreement with the industrial organisations, which are most representative of employers or work people"?

The Honourable Sir Bhupendra Nath Mitra: (a) The Honourable Member's quotation from the Press communiqué of the 15th October, 1929, is substantially correct.

(b) and (c). The Honourable Member is apparently not aware of the authoritative pronouncement made on the 31st July, 1922, by the Permanent Court of International Justice concerning the interpretation of Article 389 of the Treaty of Versailles. The following passage from the written decision of the Court supplies the answer to the Honourable Member's question:

"In accordance with the terms of the first paragraph of Article 389, the Workers' Delegate represents all workers belonging to a particular Member. The only object of the intervention of industrial organisations, in connection with the selection of Delegates and technical advisers, is to ensure, as far as possible, that the Governments should nominate persons whose opinions are in harmony with the opinions of employers

and workers, respectively. If, therefore, in a particular country there exist several industrial organisations representing the working classes, the Government must take all of them into consideration, when it is proceeding to the nomination of the Workers' Delegate and his technical advisers. Only by acting in this way can the Government succeed in choosing persons who, having regard to the particular circumstances, will be able to represent at the Conference the views of the working classes concerned."

Mr. B. Das: When the aliens occupy industrial positions in a country, can the aliens be treated as nationals without being naturalised in that country?

The Honourable Sir Bhupendra Nath Mitra: I submit that that does not arise out of this question. I should also like to point out to my Honourable friend that his question involves a discussion of the interpretation of the word "alien" which I have already discussed at other places and which I should not like to discuss further here.

Munshi Iswar Saran: If a question is put, is it for the Chair to decide whether a particular supplementary question arises out of it or not, or is it for the Honourable Member, speaking on behalf of Government, to give a ruling as to whether a particular supplementary question does or does not arise?

The Honourable Sir Bhupendra Nath Mitra: I simply made a submission.

Mr. President: The Honourable Member is entitled to submit for the decision of the Chair the question whether a supplementary question does or does not arise.

Munshi Iswar Saran: Am I right then in assuming that the function of the Honourable Member ceases when he has made his submission to the Chair and that he himself cannot pronounce a verdict?

SELECTION OF DELEGATES FOR THE 14TH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE.

619. ***Mr. Sarabhai Nemchand Haji:** (a) Are Government aware that the 6th Report of the Credentials Committee of the International Labour Conference held in October, 1929, while reporting on the objections lodged by the British National Union of Seamen against the appointment of the Workers' Delegate, the Credentials Committee opined "that the British Government has respected paragraph (3) of Article 389 of the Treaty of Versailles since it has fulfilled the obligation imposed upon it by the Treaty to apply to the most representative organisations"?

(b) Is it a fact that the Member-Governments have no discretion to attach due weight to the recommendations made by organised representative associations, but must, under the Treaty, apply to the most representative associations? Do Government propose to withdraw their Press communiqué of the 15th October, 1929, and issue another?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The Honourable Member's attention is invited to the reply I have just given to parts (b) and (c) of the preceding question. The Government of India see no reason for withdrawing the Press communiqué.

DISCUSSION OF THE ANNUAL REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

620. ***Mr. B. Das:** (a) Will Government be pleased to state if they will allot a day for discussion of the Public Accounts Committee's Report of 1927-28? If so, when?

(b) Have Government decided on the procedure which they wish the House to follow in the discussion of the Annual Report of the Public Accounts Committee?

The Honourable Sir George Schuster: (a) As announced by the Honourable the Leader of the House in his last statement about legislative business, it is intended to allot time for discussion of the Report of the Public Accounts Committee before the end of this Session. In view, however, of the uncertainty of the time which the Bills now before the House will take, it is not at present possible to make a more precise statement on this matter.

(b) I invited leaders of the various unofficial parties in the House to consult with me on Saturday last as to the procedure to be adopted for discussion of the Report this year. Representatives of two parties only attended this meeting, so that it has not yet been possible for me to obtain fully representative views of unofficial Members. It is the desire of Government to meet the views of certain Members in this matter and I shall be pleased to consider any further representations that may be made.

Mr. B. Das: May I inquire from the Honourable Member whether it is the intention of Government to issue their decisions on the recommendations of the Public Accounts Committee before a discussion can take place in this House?

The Honourable Sir George Schuster: I am afraid I do not quite understand what the Honourable Member means by Government's decisions on the recommendations of the Public Accounts Committee.

Mr. B. Das: I mean the Resolution of the Government of India which is published every year after the Public Accounts Committee submits its Report to Government.

The Honourable Sir George Schuster: If the Honourable Member means the usual Resolution of Government, I do not think it will be possible to publish that before the discussion on the floor of this House.

RETURN TO INDIA OF SARDAR AJIT SINGH.

621. ***Mr. B. Das:** (a) Will Government be pleased to state whether they know anything about the whereabouts of Sardar Ajit Singh, who was deported to Mandalay with the late Lala Lajpat Rai in 1907?

(b) Have the Government of India placed any restrictions on the return of Sardar Ajit Singh to India?

(c) Is it a fact that the Punjab Government, in reply to question No. 172 by Dr. Dhan Raj, M.L.C., in the Punjab Council on the 3rd March, 1924, stated that they had no intention to restrict the return of Sardar Ajit Singh to India nor to renew prosecution warrants against Sardar Ajit Singh?

(d) Will Government be pleased to state if their intentions are the same as those of the Punjab Government?

(e) Are Government prepared to grant facilities of safe return to India to Sardar Ajit Singh?

The Honourable Sir James Crerar: (a) His present whereabouts are not known to Government.

(b) No.

(c) The Punjab Government stated that there were no restrictions on his return and that they did not intend to renew the warrants against him.

(d) The Government of India see no reason to differ.

(e) Government will consider any application for facilities to return to India that may be received from Sardar Ajit Singh.

ENROLMENT OF THE BURMA STATE RAILWAYS AND RANGOON PORT TRUST AS MEMBERS OF THE BURMA CHAMBER OF COMMERCE.

622. ***Mr. Sarabhai Nemchand Haji:** (a) Is it a fact that the Burma State Railways and the Rangoon Port Trust are members of the Burma Chamber of Commerce?

(b) Have Government laid down any principles which guide the conduct of official organisations like State Railways and Port Trusts in the matter of membership of commercial associations? If so, will they please lay them on the table of the House?

Mr. A. A. L. Parsons: (a) Yes.

(b) As regards State Railways, I would refer the Honourable Member to the reply given to question No. 421 asked by Mr. Vidya Sagar Pandya in this House on the 6th February, 1929, and as regards Port Trusts I would remind the Honourable Member that they are not official organisations but statutory bodies created by Acts of the Legislature. The Government of India have not laid down any principles for the guidance of Port Trusts in the matter of membership of Commercial Associations.

Mr. Vidya Sagar Pandya: Are these State Railways and Port Trusts members of the Indian or non-European Chambers in Burma?

Mr. A. A. L. Parsons: I shall require notice of that question.

SCRUTINY OF LEDGERS OF THE LILLOOAH STORES DEPOT.

623. ***Lieut.-Colonel H. A. J. Gidney:** (a) With reference to the Director of Finance, Railway Board's letter No. 6004-F., dated the 15th November, 1929, will Government be pleased to state whether the information regarding the reconciliation of balances of stocks verified in the Lillooah Stores Depot, was obtained by actual scrutiny of the original ledger books, i.e., the numerical ledgers for 1923-24 and 1924-25 at Lillooah Depot and of the priced ledgers in the Stores Accounts Office for the same periods?

(b) If so, on what dates were such scrutiny made, the name and designation of the officer who made them and whether these ledgers are available?

(c) Will Government be pleased to state what items disclosed indicated losses or gains of Rs. 5,000 and over, during the above periods, and were adjustments made during the year in respect of each such indicated loss or gain, in order to give effect to reconciliation of stock balances shown in the Depot numerical ledgers with those in the priced ledgers and the differences immediately posted in the Store Accounts Office? If not, why not?

Mr. A. A. L. Parsons: The information required is being obtained. I shall communicate later with the Honourable Member.

RECOVERY OF LOSSES ON RAILWAYS.

624. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to state the guiding principles which regulate the recovery of amounts lost to Railway Administrations by fraud or negligence on the part of their servants and contractors, or through the blunders of the Railway Board, taking into consideration the rights of the public, the interests of the taxpayer and considerations of equity and justice?

(b) What is the general principle for disciplinary action in all such cases, taking into consideration the various degrees of culpability and negligence?

Mr. A. A. L. Parsons: The Honourable Member is no doubt aware of the circular issued in June last by the Finance Department on the subject, of which he must have received a copy as a member of the Public Accounts Committee. Railway Administrations have been instructed to follow the principles enunciated by the Government of India in that circular.

IRREGULARITIES IN THE PURCHASE OF STORES ON RAILWAYS.

625. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to state whether the Railway Board have gone into the many cases of serious irregularities in regard to the purchase of stores, etc., on all Railways in India, especially the State Railways as disclosed in the Appropriation of Accounts of Railways in India for 1925-26 and 1926-27?

(b) Have Government taken any action on these cases, and if so, what action, giving particulars of each? If not, why not?

Mr. A. A. L. Parsons: (a) Yes.

(b) I would invite the Honourable Member's attention to the proceedings of the Public Accounts Committees which investigated these cases, and the evidence recorded in their reports.

RATE OF INTEREST ON RAILWAY PROVIDENT FUND.

626. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to state whether, under the Government of India Resolution No. 400-F., the interest on Railway Provident Fund for the period 1914-1916 was increased from $5\frac{1}{2}$ to $8\frac{1}{2}$ per cent.?

(b) Is it a fact that this circular was not communicated to the employees?

(c) Is it a fact that this increased Provident Fund for the period mentioned was allowed only to those employees who claimed it?

(d) Have Government considered the question of sanctioning this amount to all those who were then in service and who contributed towards the Provident Fund?

Mr. A. A. L. Parsons: (a) No. The Honourable Member has I think misunderstood the Resolution, which provided that a recalculation of bonus and interest would be made in the case of subscribers, with certain exceptions, in service on 1st April 1916, at the time of their retirement, as if they had subscribed to the Fund at the rate of $8\frac{1}{2}$ per cent. of salary from the commencement of their service.

(b) The Resolution was published in the Gazette of India and incorporated in the State Railway Provident Fund Rules—*vide* rule 19 thereof.

(c) No.

(d) Does not arise.

RATE OF INTEREST ON PROVIDENT FUND DEPOSITS.

627. ***Lieut.-Colonel H. A. J. Gidney:** (a) Is it a fact that the rate of interest on the Provident Fund was reduced from $5\frac{1}{2}$ to $4\frac{1}{4}$ per cent.?

(b) Is it a fact that, under rule 20 governing the Railway Provident Fund, the rate of interest paid on Provident Fund deposits is subject to modification if the rate of interest of Government of India loans undergoes a change?

(c) In view of the fact that Government have, since 1927, floated two loans at 6 per cent., have Government considered the question of restoring the interest on Provident Fund deposits to $5\frac{1}{2}$ per cent. with retrospective effect? If not, why not?

The Honourable Sir George Schuster: (a) The rate interest payable by Government on balances in the State Railway and other similar Provident Funds was reduced from $5\frac{1}{2}$ to $4\frac{1}{4}$ per cent., with effect from the 1st April, 1927.

(b) Under Rule 20 of the State Railway Provident Fund Rules interest on balances in the Fund is payable at such rate as may from time to time be prescribed, having regard to the yield on long dated Government loans.

(c) For the purpose of fixing the rate of interest payable on rupee funds maintained in India, such as the State Railway Provident Fund, the rate of interest on rupee loans raised in India is taken into account. Government have floated no rupee loans in India at 6 per cent. since 1927. The whole question has recently been under consideration and, it has been decided to adopt a fixed formula for calculating the rate of interest to be paid in place of the present discretionary method. The principle underlying the new formula will be to take the average yield of long term rupee securities over a fixed period of years ending with the calendar year preceding the year for which the rate is to be fixed. This method will prevent violent fluctuations from year to year and will in the long run be fair both to subscribers and to Government. Working on this principle the rate will be increased from $4\frac{1}{4}$ per cent. to 5 per cent. with effect from the 1st April, 1930.

SUSPENSION OF WARRANT OFFICERS.

628. *Lieut.-Colonel H. A. J. Gidney: Will Government be pleased to state the maximum period for which a warrant officer can be kept under suspension?

Mr. G. M. Young: No maximum period is laid down. The officer would normally be suspended for the period required for the investigation and disposal of the case against him.

Lieut.-Colonel H. A. J. Gidney: Does that mean that that period can extend to one year or two years?

Mr. G. M. Young: I do not think I have anything to add to the answer I have already given that the officer would normally be suspended for the period required for the investigation and disposal of the case.

ELECTION OF A MEMBER TO THE STANDING COMMITTEE ON ROADS.

Mr. President: I have to inform the House that Mr. Adit Prasad Singh has been elected to the Standing Committee on Roads in the vacancy caused by the resignation of Kumar Ganganand Sinha.

ELECTION OF MEMBERS TO THE COMMITTEE ON PUBLIC ACCOUNTS.

Mr. President: Non-official Members will now proceed to elect three members to the Committee on Public Accounts in place of Mr. T. A. K. Shervani, Mr. S. C. Mitra and Kumar Ganganand Sinha. The ballot papers will now be supplied to Honourable Members in the order in which I call them.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, I want to raise a point of order as regards the validity of these elections to the Public Accounts Committee.

This election is being held under sub-rule (3) of rule 51 of the Legislative Rules, which reads:

"Casual vacancies in the committee shall be filled as soon as possible after they occur, by election or nomination in the manner aforesaid according as the member who has vacated his seat was an elected or nominated member, and any person so elected or nominated shall hold office for the period for which the person in whose place he is elected or nominated would, under the provisions of this rule, have held office."

Now, three Members have resigned, viz., Mr. Shervani, Mr. Mitra and Kumar Ganganand Sinha. According to the spirit of the rule on the expiry of the second year, membership ceases. Mr. Shervani was there for two years, and after the 31st of December he was not a member, and therefore there can be no re-election in his place. As for Mr. Mitra and Kumar Ganganand Sinha, according to sub-rule (4), the spirit of the rule is that, on the expiry of the second year from the date of their election, the membership should cease. They are only one year members.

There may be election but there is no provision, according to the letter of the rule as to what should be done if the Assembly is extended. Now the Assembly has been extended and it is now the fourth year. Therefore the Committee ought to have ceased altogether by the 31st of December, or if the spirit of the rule is taken, then these two elections will be valid and not that of the member in place of Mr. Shervani, who has already been there for two years. There is no casual vacancy in that case.

The Honourable Sir Brojendra Mitter (Law Member): I submit there is no point in this objection. Apparently the Honourable Member has not noticed that in sub-rule (1), for the words "each financial year", the words "the first session of each Assembly" were substituted and for the words "shall be constituted", the words "shall, subject to the provisions of this rule, be constituted for the duration of the Assembly" were substituted. There is no specific provision for a vacancy at the end of the third year; but nevertheless, Members who were members of the Committee at the end of the third year continued to be members for the duration of the Assembly. If that be so, they were Members of the Committee and when they were such Members, they resigned. Therefore, the case comes under sub-rule (3)—casual vacancies. Sub-rule (3) governs this particular case. The life of the Assembly was extended, and they were members for the life of the Assembly. Their resignations caused casual vacancies, and therefore the casual vacancy rule would govern this case. This is plain enough.

Mr. President: What about Mr. Shervani?

The Honourable Sir Brojendra Mitter: I do not know what happened to Mr. Shervani. I understand he resigned. If he resigned, then there was a casual vacancy.

Pandit Nilakantha Das: What is the provision after the second year has expired if the Assembly goes on for five or six years?

The Honourable Sir Brojendra Mitter: Sir, sub-rule (4) is this:

"Of the members elected at the time of the constitution of the Committee, not less than one half, who shall be selected by lot, shall retire on the expiry of one year from the date of their election."

Thus one half goes out at the end of the first year. Then the rule goes on to say:

"The remainder shall retire on the expiry of the second year from that date."

So the other half goes out at the end of the second year. There is no provision for going out at the end of the third year for the simple reason that the normal life of the Assembly is three years. But sub-rule (1) contemplates members of the Committee continuing for the life of the Assembly. There it is not limited to three years but for the life of the Assembly which necessarily includes an extension of the normal life. That being so, when there is a resignation during the extended period, a casual vacancy would occur.

Mr. M. S. Aney (Berar Representative): The objection raised with regard to Mr. Shervani is this. If two years have elapsed since the election of Mr. Shervani to the Committee, then if there was no retirement on his part, he must be held as having retired at the end of the second year and as being no longer a member of the Public Accounts Committee after that

[Mr. M. S. Aney.]

period. So in the third year, by his resignation from the Assembly no casual vacancy is caused, which can be filled under the Standing orders by election. That is the difficulty. How is that to be governed?

The Honourable Sir Brojendra Mitter: Sir, resignation creates a casual vacancy. If he was a member when he resigned, then as soon as he resigns, a casual vacancy occurs and therefore the sub-rule dealing with casual vacancies would apply to that case. If Mr. Shervani resigned when he was still a member, then his resignation caused a casual vacancy. There is no difficulty.

Mr. Amarnath Dutt (Burdwan Division: Non-Muhammadan Rural): He ceased to be a member before he resigned.

The Honourable Sir Brojendra Mitter: I understand that that is not the case.

Mr. President: This point was brought to my notice by Mr. S. C. Mitra and I had pointed out to him that I had considerable sympathy with the point of view he had placed before me. But my difficulty was that he had not brought the matter to my notice when the motion for the purpose of electing three Members was actually moved and carried in this House. It is in pursuance of that motion, adopted by this House, that this election now takes place. The proper time when the point of order should have been raised was the time when the motion was made by Sir Frank Noyce—was it Sir Frank Noyce?—(Honourable Members: "Sir George Schuster.") That was the time when the point should have been taken. I consider that the Honourable Member is too late in raising the point of order now.

Pandit Nilakantha Das: But I was not a Member on that day.

Mr. President: That is my misfortune.

(The ballot was then taken.)

STATEMENT LAID ON THE TABLE.

REPORT SHOWING PROGRESS MADE IN GIVING EFFECT TO THE RECOMMENDATIONS OF THE ROYAL COMMISSION ON AGRICULTURE.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, I lay* on the table of the House the information promised in reply to unstarred question No. 50 asked by Khan Bahadur Sarfaraz Hussain Khan on the 2nd September, 1929, regarding the progress made in giving effect to the recommendations of the Royal Commission on Agriculture in India.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON PILGRIMAGE TO THE HEDJAZ.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, I move that this Assembly do proceed to elect in such manner as the Honourable the President may direct, five Muslim Members to sit on the Standing Committee on Pilgrimage to the Hedjaz.

*Copies of the Report were distributed to Honourable Members and also placed in the Library.

Sir, as this motion relates to the constitution of a new Standing Committee of the Central Legislature, it is perhaps desirable that I should say a few words in explanation of it. The Haj Inquiry Committee, whose Report was issued last week, have recommended, in paragraph 236 of their Report that Government should constitute a standing committee of the Central Legislature in order to provide

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, the Members of this House have not been supplied with copies of the Haj Committee's Report. We only saw a notice of it in the Press. May I ask, Sir, how we can discuss it?

Mr. President: The motion refers to Muslim Members of the House?

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): But the original Committee had a non-Muslim gentleman as Chairman.

Mr. President: Who?

Mr. Vidya Sagar Pandya: The Chairman of the Haj Committee was a European gentleman; and the Committee thus did not consist of Muslims only.

Mr. President: The motion refers to the election of Muslim Members?

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muhammadan): But the whole Assembly is to elect the Muslim Members, Sir.

Mr. President: Has the Report been circulated to Honourable Members?

Several Honourable Members: No, no.

Sir Frank Noyce: It is in the Library of the House by now.

Mr. Vidya Sagar Pandya: There are so many things in the Library.

Sir Frank Noyce: My Honourable friend the Leader of the House is not in the House just now and I have not had an opportunity of consulting him, but I have no objection, to postponing the moving of this motion until Honourable Members have had an opportunity of studying the paragraph in question.

Mr. President: Is there anything controversial in this motion?

Sir Frank Noyce: Sir, the paragraph in question is a short one. As I have said, the Haj Inquiry Committee have recommended that Government should constitute a Standing Haj Committee of the Central Legislature in order to provide a centralised agency for keeping in touch with the problems that arise, and to advise on the questions affecting the pilgrimage from year to year. The Government of India welcomed the suggestion that the Department which I represent in this House should have the assistance of a standing advisory committee of this character from the members of which my Department could no doubt receive valuable assistance of the kind which it receives from the members of the Standing Committee on Emigration. The Haj Inquiry Committee suggested that it would not be necessary to have more than nine members. We are asking this House to elect five of these. Two more will come from the Council of State, and the remaining two members who will make up the total of nine will be the Honourable Member in charge of the portfolio of Education, Health and Lands, and the Secretary or Joint Secretary in that Department who will

[Sir Frank Noyce.]

provide the non-Muslim element which my Honourable friend Mr. Vidya Sagar Pandya regards as so necessary. I may explain that the reason why Government have asked this House to elect five Muslim Members is that they regard this as a purely domestic matter, and that they consider it desirable therefore that the Members of the Committee should be Muslims. The reason why the Haj Inquiry Committee had a non-Muslim Chairman was in order to give them help and assistance in eliciting evidence, in making their arrangements and generally in conducting their proceedings. Sir, I move.

Mr. M. S. Aney (Berar Representative): I am not raising any objection to the motion before the House, but I want it to be recorded that the way in which the motion has been brought forward is not free from objection. It is a motion arising out of the recommendations in a Report made by a Committee, and that Report is not in the hands of the Honourable Members, although my Honourable friend has told us that a copy of the Report is in the Library of the House. But when the recommendations in an important Report like that are to be given effect to, a fair opportunity must be given to the Members of this House to consider the Report and the recommendations. From that point of view I want to bring it to the notice of the Government that it will form a bad precedent and this case should not be treated hereafter as a precedent in connection with any other Reports in future. That is all that I want to say by way of protest against the procedure adopted in relation to the motion brought forward by my Honourable friend.

Maulvi Mohammad Shafee Daoodi (Tirhut Division: Muhammadan):

12 Noon. The appointment of a Standing Haj Committee on the pilgrimage to the Hedjaz has been discussed in this House, I think, two or three times. At the last Simla Session also, I do not remember the date exactly, when the matter came up for discussion, it was suggested that there should be a Standing Committee for this purpose, as the Government cannot get all the materials which are necessary for the purpose of regulating the traffic without the help of such a committee, and the recommendation that has been made by the Haj Inquiry Committee in this respect is nothing new. It is only a confirmation of the view of this House which has been expressed, as I said on other occasions. The recommendations in the Report are very radical. There are about 200 recommendations regulating the traffic in an absolutely different manner. In the interests of the pilgrims themselves, we urged upon the Government to take the earliest opportunity to appoint the Committee. We finished the Report hurriedly so that action might be taken as expeditiously as possible. We did this as early as the 3rd December, 1929, and we thought that the intervening period between the 3rd December and the sitting of this Assembly would be availed of by the Government of India for the purpose

Mr. President: Order, order. The Honourable Member will realise that no serious objection has been taken to the course adopted by Sir Frank Noyce. All that the Honourable Member from Berar has pointed out is that this should not create a precedent.

Maulvi Mohammad Shafee Daoodi: I am only submitting the urgency of the matter. I am pointing out that the matter is urgent.

Several Honourable Members: We have no objection.

(Mr. B. Das rose to speak.)

Mr. President: Does the Honourable Member want to speak? Was he a member of the Committee? (Laughter.)

Mr. B. Das: I would like to say a few words, after listening to my Honourable friend Maulvi Shafee Daoodi. I find that the Honourable Sir Frank Noyce is taking away a certain definite privilege of the Members of this House. A committee was appointed by this House and I know that my friend Maulvi Shafee Daoodi was an ornament to that Committee. The recommendations of that Committee will receive my heartiest support. At the same time I want to know why the Department of Education wants to treat the Members of this House like this, by not circulating copies of the Report of this Committee to the Members of this House. My friend Maulvi Shafee Daoodi has not told us whether he himself received a copy from the Department. If my Muslim friends have not received their copies, is it not a matter concerning the privileges of this House being curtailed? I hope the Treasury Benches will see that our privileges are not treated lightly in this way.

Sir Frank Noyce: I should like to explain to my Honourable friend Mr. B. Das that there was no intention of treating the House cavalierly in this matter. That is the last thing I should think of doing. The matter was somewhat urgent and we were anxious to get this committee constituted before the end of this Session and it was for that reason that the motion was brought forward today.

Mr. Vidya Sagar Pandya: Am I to understand that copies of the Report will now be circulated to the House?

Sir Frank Noyce: Certainly.

Mr. President: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, five Muslim Members to sit on the Standing Committee on Pilgrimage to the Hedjaz."

The motion was adopted.

PROCEDURE FOR ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON PILGRIMAGE TO THE HEDJAZ.

Mr. President: I have to inform the House that for the purpose of election of Members to the Standing Committee on Pilgrimage to the Hedjaz the Assembly Office will be open to receive nomination up to 12 Noon on Wednesday the 19th March and that the election, if necessary, will take place in this Chamber on Friday the 21st March, 1930. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE SILVER (EXCISE DUTY) BILL.

The Honourable Sir George Schuster (Finance Member): I move for leave to introduce a Bill to provide for the imposition and collection of an excise duty on silver.

(Mr. Lamb rose to speak.)

Mr. President: Does the Honourable Member wish to oppose?

Mr. W. S. Lamb (Burma: European): I do not desire to oppose it. I want to get some information about this Bill

Mr. President: The Honourable Member can speak at this stage only if he wishes to oppose the introduction.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): May I know whether the convention that was established in this House that no motion of this character should be opposed has been abrogated?

Mr. President: The convention is there. The question is:

"That leave be given to introduce a Bill to provide for the imposition and collection of an excise duty on silver."

The motion was adopted.

The Honourable Sir George Schuster: I introduce the Bill.

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

Mr. President: The House will now proceed with the further discussion of the following motion moved by Sir George Rainy on the 13th March, 1930:

"That the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927, be taken into consideration."

Diwan Chaman Lall (West Punjab: Non-Muhammadan): On the last occasion when I was discussing the provisions of this Bill, the main proposition that I placed before this House was this. Firstly, is protection necessary? Secondly, is protection desirable? Thirdly, is the scheme of British preference contained in the Bill a scheme which we ought to assent to? Now, Sir, I detailed at some length certain arguments I advanced in contradiction of the statements made by my friend, Mr. Mody. I take this opportunity, once again, of saying that Mr. Mody has done his level best. He has, in a brilliant and eloquent manner, placed his case before this House. To be brilliant and eloquent does not necessarily mean that one is convincing. As far as I am concerned, I still stand absolutely unconvinced by the arguments that he has placed before this House. I want to refer Honourable Members briefly to the statement made by the Honourable Sir George Schuster in his budget speech. The charge, you will remember I was making, was this, that we were subsidising the inefficiency of the millowners in this country, and that charge I take from the mouth of Sir George Schuster himself. In his budget speech he said:

"We recognise that the ultimate failure or success of the mill industry in Bombay must depend entirely upon the extent to which the millowners utilise the present opportunity in order to improve their efficiency and labour conditions, and if full use is not made of this opportunity, the position of the industry may be no better in the succeeding period of three years than it is today."

It is recognised by the Government of India that the present system of controlling the mill industry in India is an inefficient method.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir George Schuster referred to Bombay and not to all India.

Diwan Chaman Lall: If my friend Mr. Das had listened to my speech, he would have known perfectly well that I devoted the greater portion of my speech on the last occasion to Bombay.

Mr. B. Das: Then say that the inefficiency applies only to Bombay.

Diwan Chaman Lall: What consolation Mr. Mody would derive from that, I do not know. (Laughter.) Now, Sir, if it is a fact that the mill industry is inefficient, then I want to know, before the Government make a handsome present in the shape of protection to this industry, as to what guarantee there is that this industry is going to be made efficient in the future. Right through the speech of the Honourable the Finance Member runs the thread of this argument; namely, you should put your house in order. Unless and until you do that, the assistance we are giving at the present moment may be of no avail to you. Three years hence, you may be in the same position in which you are now, in spite of the fact that we are giving you this assistance. I put it in another way. In spite of the crores of rupees that are taken away from the pockets of the poor consumers, you may be exactly in the same position in which you are now. Has the Honourable the Finance Member taken any guarantee from the millowners of Bombay that they are going to put their house in order? I want to know that from the Government of India. If the Government of India, during their negotiations with the millowners and with other interests connected with the mill industry, have not been able to obtain a guarantee from the millowners, then I say, what business have they to come to this House and suggest this heavy burden being placed upon the consumer? So far, as I can make out, the position is this. The poor man in this country is going to pay more for his cotton. The poor man is going to pay more for his silver. The poor man is going to pay more for his kerosene and for his sugar. All that he is not going to pay more for is his funeral, and that he does not worry about. (Laughter.) If, at the cost of the poor consumer in this country, as the Honourable the Finance Member is going to make a present of this nature to the mill industry, I want him to get a definite guarantee from them that they will do this, that and the other in order to put their house in order. When I suggested that to my Honourable friend, Mr. Mody, he said that he did not want to be reminded of the fact that he is to put his house in order. But I certainly want to have a guarantee from him that he will put his house in order. I want him to give the guarantee that the millowners are going to treat their labour in the civilised manner that they should. I put another question to Mr. Mody. "Are you prepared to give the workers 50 per cent. of the advantage that you will derive out of this industry and utilise that sum for the benefit of the working classes engaged in this industry?" I have not been able to get an answer from him on that point, but I find the Honourable the Finance Member making a similar suggestion himself. Has he obtained a guarantee from them that they are going to treat their working classes better than they have treated them in the past? Now, Sir, what is the advantage that this industry gets as against both Lancashire and Japan? To prove the case for protection, one has got to prove further that the advantage that Japan

[Diwan Chaman Lall.]

and Lancashire have over the cost of production in India is such that you must protect India as against both Lancashire and Japan. Has that been established? Has that been proved? Has anybody gone into the figures connected with the cost of production? I submit that, even Mr. Hardy in his Report, when he discusses on pages 88 and 89, the question of prices of Japanese imported goods, does not take the question of the cost of production into account. And if he does not do that, where is the case for protection? Has anybody proved that the cost of production in Japan is lower than the cost of production in Bombay? And if you prove that, have you discovered why it is lower in Japan than it is in Bombay? Take the case of Lancashire. In this connection, let me for a moment remind my friend, Mr. Mody, of the incidence that is placed upon Lancashire in regard to various charges since the war on the price of cotton yarn. The statement regarding Lancashire yarn runs thus:

"There is one handicap to British industry in competing with the rivals which is always in evidence, the enormous increase in taxation both Imperial and local. An illustration of what this means to cotton was given by Mr. Dewhurst to the Shareholders of Williams Deacon's when he quoted the annual report of the Oldham Master Cotton Spinners' Association to the effect that for a typical mill in the Oldham district the actual percentage increase in cost over 1914 of one pound of weight of yarn was 174 per cent. for local rates, 277 per cent. for income-tax, and 640 per cent. for health, pensions and unemployment insurance."

These are charges which, even if a part of them had been levied on the Bombay industry, the Bombay millowners would have thrown up their hands for help. Here is a definite disadvantage suffered by Lancashire as against India. Yet, in spite of these heavy charges borne by that industry, am I to understand that our industries in this country cannot compete with Lancashire? Take the case of Japan. I would like to refer my Honourable friend to the actual condition of wages in Japan. I do not know if the millowners have read Mr. Arnol Pearse's latest book on the subject. In that book you will find that the Japanese wages are considerably higher than the wages paid in Bombay. The Bombay wage, according to the Labour Office, is about Rs. 30 and odd annas per month. What is the average wage of a Japanese workman? A woman worker in Japan gets on an average Rs. 40 a month, and a mill worker in Japan in the cotton industry gets on an average Rs. 60 a month. Do not the wages form one main, material part of the cost of production and is it or is it not a fact that the labour cost in Japan is considerably higher than it is in India? I have already mentioned the fact about raw material. Raw material is imported in large quantities from this country. They have to pay the freight and they have to pay freight back again. On the top of that is their labour cost which is considerably higher than the labour cost in Bombay or in any other centre in India. Is that an advantage that Japan has over us? And if there is no advantage that Japan has over us in the matter of raw material on the one side and in the matter of labour cost on the other, where is the case made out for protection?

Take the case of hours, and here, Sir, I must make it perfectly clear that when I twitted my friend Mr. Mody on the last occasion in regard to the Washington Hours Convention, I was referring him all the time to the Washington Hours Convention, which is the only Convention which is called the Washington Convention. Now, my friend Mr. Mody turned

round and said that Japan had not ratified the Convention regarding night work for women, and that women are still permitted to work between the hours of 11 and 5 in the night. That there was a Convention to that effect is perfectly true. But what is the position in Japan? It is this. As far as women workers are concerned the position described by Mr. Mody is only partly true, but it is not true in regard to all working classes. They are working there today on the two shift system. The two shift system means 8½ hours a day. On what basis are they working in Bombay? Every worker has to spend 10 hours in the mill and he gets one hour's recess, which makes 11 hours in all. So, we have here 11 hours in the mill as compared to 8½ hours work, plus another half an hour's rest, altogether 9 hours, in Japan. In fact if Japan does not strictly subscribe to the Convention, nor does India. In Japan they stop work at eleven P.M. instead of ten, but start work at 5-30 A.M. instead as they could, at 5 A.M. The difference of half an hour only. But in India too there is no legal sanction today attaching to this particular provision as is evidenced by the Government of India themselves. India has no advantage over Japan in this respect.

On the question of wages, Japan has no advantage; on the question of hours, Japan has no advantage. My Honourable friend says, if they ratified this Convention then they would never have these advantages over us. What is the advantage, I ask you. The advantage would be if a woman was employed at night or if it were proved that the employment of women in Japan was much cheaper than the employment of men in Bombay or even of women in Bombay. As a matter of fact the average wages of women in Japan are higher than the average wages of women in Bombay or higher even than the wages of men in Bombay. Therefore even the employment of women gives no advantage to Japan. On the contrary, as I have said the Japanese worker is working shorter hours and getting higher wages and that is not all. Take the treatment of the Japanese mill worker and compare the treatment of the Japanese mill worker with the treatment of the Indian mill worker in India. What is it that they do? They provide for them with three meals a day and a woman worker pays only three annas a day while a male gets his three meals for about 3½ annas a day. They are provided decent meals at this low rate, and this has also to be added to the wages. They provide for them schools and it is compulsory for them to go to schools. Then they provide for them a theatre and a gymnasium, and the amenities of a civilised existence. What do our friends in Bombay provide for the worker? When it is still dark, the little woman worker in Bombay marches out of her lowly *bustee*—small little hut—and then sweats the whole day in the mill and returns home again after darkness has set in to her hovel of a *chawl*. That is the kind of life that she lives. Is there any provision made for her training? None. Is there any provision made for educating her? None. Is there any provision made to bring the amenities of a civilised existence to her door? None. Then, my Honourable friend over there complained about the inefficiency of the Indian worker, compared with the efficiency of the foreign worker? What can any human being expect from miserable human beings in this country leading lives that the Bombay mill hands are leading, working eleven hours in the factory, going to the factory when it is dark and coming out of the factory when it is dark, no joy, no peace, no happiness, no convenience and no comfort for them throughout their short span of existence. Is that what you call an advantage for us? Is that an advantage for my Honourable

[Diwan Chaman Lall.]

friend over there who flourishes through the sweat of the Indian mill hands? Does any other civilised country in the world treat its workers like that? If therefore a case has not been made out in regard to the cost of production, if therefore a case has not been made out in regard to the necessity for protection on the basis of legitimate advantage gained over us by Japan or Lancashire, I say the proposition stands self-condemned. There is no necessity for it. But take the figures. It is a very instructive statement which the Honourable Sir George Rainy has circulated to the Honourable Members of this House. Let me take the four categories one by one.

Let me take first of all the *dhotis*: What is the actual position? In 1914 Lancashire was importing roughly 800 million yards—the actual figure is 806 million yards—into this country. I am taking the 1927-28 figures and not 1928-29 figures because the latter are somewhat vitiated by the strike, as is amply proved by the averages given by the Honourable Sir George Rainy in the printed statement itself. In 1927-28, the figures show that from 806 million yards of *dhotis*, that Lancashire used to import into this country, the drop has been to 493 million yards. There has been a drop of 313 million yards. What has been happening to Indian production in the meanwhile? In Indian production there has been an advance.

(At this stage Dr. Ziauddin Ahmad crossed between the speaker and the Chair.)

Mr. President: Order, order.

Diwan Chaman Lall: While there has been a drop in the Lancashire business, there has been an increase as far as Indian production is concerned from 285 million yards in 1914 to 661 million yards, or an increase of 331 million yards. Does that show that the cotton industry in Bombay is in a moribund condition? Does it show that it is receding instead of advancing? It has gone on capturing business. Even according to the statement of the Honourable Sir George Rainy, which is to be found in page 2 of the document he has circulated, he says that during the last twenty years, the Indian mill industry has made extraordinary progress, and its expansion has taken place almost entirely at the expense of British industry. Does that show that this industry needs propping up or spoon-feeding or needs assistance that has been given to it? What is the position in regard to Japan during the same period? In Japan what has happened is this. As far as the *dhotis* are concerned, only 35 million yards are being imported. It is said that out of these, 30 million yards are competitive with our production. If the figures were taken out of Mr. Hardy's Report, it would appear that, according to Mr. Hardy, page 40, the total figures are 131 million yards as against Japan and the United Kingdom, and if in 1927-28, the Japanese imported 30 million yards, that leaves us with the figure of not 88 million as stated by the Honourable Member in his printed statement, but it leaves us with the figure of 101 million yards which are, according to him, competitive quantities imported into this country from Lancashire. But let me take the figure of 30 million in Japan. Are they really competitive? The Indian mill production in regard to the *dhotis* is usually below 40's and very rarely above 40's. The 30 million yards imported from Japan are mostly 40 warp and 40 weft or 42 warp and 42 weft. That is to say, they come in the category of counts which are not of a competitive nature as far as Indian production is concerned. If that is so, there is no competition from Japan as regards the *dhotis*. There is no competition. Whereas on the other side there is competition from the 101 million yards

of *dhotis* which are usually of 35 counts or below 35 counts imported from Lancashire. If that is the position, if there is competition from Lancashire of 101 million yards and there is no competition from Japan, where is the necessity first of all for this discrimination against Japan in favour of Lancashire? And secondly, in view of the fact that the Indian industry, according to the Honourable Member himself, has gone on and captured the trade of Lancashire in regard to this matter, where is the necessity for assisting Lancashire against Japan? I want a straightforward reply both from the Government and from the millowners to show me where and how there is necessity, firstly, in view of the fact that India has, during the last few years, as shown by the figures, captured the trade of Lancashire—that is according to the statement of the Honourable Member himself—and secondly, according to a further statement of the Honourable Member himself, with the imposition of this 11 per cent., will be able to continue its policy of capturing Lancashire trade. Where is the necessity for any further protection against Lancashire? And secondly, since there is no competition from Japan with regard to this matter—or if at all a very minor competition even if the Honourable Member's figures are taken to be correct, namely 30 million yards—where is the necessity for protection against Japan? Now, Sir, this is the case of the bordered *dhotis*. When I refer to 30 million yards imported from Japan it must be realised that they are all of the higher counts and therefore there is no competition.

Let me take the case of long cloth and shirtings. Exactly the same position appears in regard to long cloth and shirtings. The 1914 figures for Lancashire were 540 million yards and there is a tremendous drop from 540 million yards to 77 million yards in 1927-28. There is, I understand, a still further drop in 1928-29. Now, it means this, that Lancashire during this period has lost 463 million yards. What has India done during that period? The Indian production has gone up from 1914, when it stood at 292 million yards, to 620 million yards in 1927-28. Lancashire has lost 463 million yards and India, during that period, has gained 328 million yards. In the case of *dhotis*, there was an increase of production of nearly 120 per cent. In the case of long cloth and in the case of shirtings there has been an increase of nearly 100 per cent. Now what is the position with regard to Japan? Japan has increased in the same period from 5 million yards to 154 million yards. Does that show, do these figures show that there is any necessity for protection when Indian manufactured goods have been steadily marching ahead and have, during this period, increased their production by something like 328 million yards? Does this industry need protection? And if it does, against whom? Is it against Lancashire, or is it against Japan? We get 154 million yards from Japan, and from the United Kingdom we get the figure of 77 yards. What Lancashire apparently intends to do is this. Lancashire does not mind sacrificing this small figure of 77 million yards, but Lancashire does want to protect itself in the matter of *dhotis*; and not only does it want to protect itself but to go ahead in the matter of *dhotis*. As far as this particular brand of cloth is concerned, they do not mind; they will sacrifice these 77 million yards, and therefore my Honourable friend over there was perfectly willing to accept the amendment moved by Mr. Shanmukham Chetty.

I have still to consider the question of coloured goods. In the coloured goods, 770 million yards was the import from Lancashire in 1914 and in 1927-28 they dropped down to 352 million yards; there was a decrease of 418 million yards as far as coloured goods are concerned. In the same

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period, India advanced from 292 million yards to 681 million yards, an increase of 389 millions. Practically the entire decrease of Lancashire was captured by India, and Japan during that period advanced only to the extent of 110 millions.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): From what figure?

Diwan Chaman Lall: From 2 millions to 110 millions. My friend has got the figures in front of him.

Sir Cowasji Jehangir: They are incorrect.

Diwan Chaman Lall: Are they?

Sir Cowasji Jehangir: One was.

Diwan Chaman Lall: Which one?

Sir Cowasji Jehangir: I will point out later.

Diwan Chaman Lall: It is absolutely absurd for the Honourable Member to make a statement like that when he is not prepared to challenge my statement. I wanted my Honourable friend to challenge it and he has not got the courage to get up and do so, in spite of the fact that I gave way to him and so I will ignore him.

Now, here is an advance, which is roughly about 120 per cent. Is this correct, that India has advanced, and if it is correct, what is the necessity for the protection? The Japanese competitive figures are 86 and the United Kingdom competitive figures are 50 in regard to coloured goods. Now let me consider this for a moment. If Japan is eliminated, it gives a complete monopoly to Lancashire. One of the principles of the present capitalistic system is that there must be private competitive enterprise. That is the bedrock and the basic principle of the capitalistic system. What we are being asked to do at the present moment is to reverse that process, not to leave it free and not to leave it private in the sense that nobody is going to assist it, but that the State must be brought in to assist an industry to kill competition. That is a socialistic principle of State enterprise being imported into this particular industry without my Honourable friends being aware of it that they are really preaching socialism in a manner. But they will not realise this that it is not complete socialism until and unless the industry is handed over to the nation and run for the benefit of the nation and not for the benefit of my friends over there.

There is one other matter, and that is the last category, that I want to refer to, and that is the question of white bleached goods. I take it that discrimination is being offered against Japan in the case of white bleached goods. Now, according to the figures supplied, we are not producing any white bleached goods. The imports from Lancashire are 525 million yards, the imports from Japan are 5 million yards. If that is the proposition, then supposing this preference were given to Lancashire, what would be the result? Again the same principle will apply. Competition will be killed and since we are not producing anything we will be completely at

the mercy of Lancashire and Lancashire can demand the prices it wants within these fixed limits. I say, Sir, even in the case of white bleached goods, why should there be this increase of duty? Whom are you protecting in the case of white bleached goods? Is there any single individual in this country running the mill industry who, according to the figures that you have supplied to us, is competing with the imported goods? If not, what is the principle on which you are working in order to give protection, against what? There can be protection against a thing only if it exists. If we are producing a particular quality of goods and other countries are importing these goods, then I can understand this principle of protection. I may not agree with it, but I can understand it. Here are goods that are not being produced in this country. There is no competition between the imports and the manufactured goods in this country. Then why raise the duty? On what principle? I have not had a reply to that and I hope my Honourable friend when he gets up to speak will give a reply to this particular question.

Now, Sir, one further fact that I should like to mention is this. The total *dhotis* and shirtings that we produce in this country are 1,235 million yards as against the imports from Japan of 190 million yards. Am I to understand that these great millowners in this country are so afraid, when they produce 1,235 million yards themselves, of the imported figure of 190 million yards? Are they so afraid that they want to raise the price to the consumer of every yard of cotton cloth that he uses? My friend Mr. Birla, the other day, in a very eloquent speech stated that the consumption of cotton cloth in this country had gone down *per capita*. If it has gone down *per capita* what is that due to? My Honourable friend over there gave the reason himself; it is the gradual impoverishment of the people of this country. (Hear, hear.) If it is the gradual impoverishment of the people of this country are you going to make them happier by raising the price of the cloth that they wear? Is that the argument? Is that how you are going to improve their lot, or increase the prosperity of the already impoverished masses of this country? Either one must fight against new taxation of this indirect kind which hits hardest the poorest people of this country or we must stand out and say that we do not care what happens to the poorest people in this country and all that we are out to do is to bolster up an industry which has had a shock or two from its foreign rivals. Sir, it is not possible that both of these propositions can be uttered at the same time, namely, the interest of the consumer who is already so impoverished that he cannot buy the cloth that he has to wear, and the proposition that we should tax that impoverished consumer still more because we want to bolster up this industry.

One further fact that I want to allude to is this. Speaking in 1927 on the Indian Tariff (Cotton Yarn Amendment) Bill, the Honourable Sir George Rainy said:

"Were such a measure contemplated,"

that is to say, a measure of preference—

"that of course would raise the whole question about the trade agreement, just as the same question would have been raised had the Government of India accepted the proposal put forward by Mr. Noyce for a differential duty against Japan. But we have at present no reason whatever to anticipate discriminatory action."

Now, I want to ask the Government of India whether they have looked into this very matter referred to by the Honourable Sir George Rainy in

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1927, the matter of the Anglo-Japanese Convention. There was a Convention signed regarding commercial relations between Japan and China. I hold a copy of it in my hand. In Article 2 it is said:

"Reciprocally any article, the produce or manufacture of India shall enjoy, upon importation into the dominions and possessions of His Majesty the Emperor of Japan, the lowest customs duties applicable to similar products of any other foreign origin."

Article 1 says:

"Any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan shall enjoy, upon importation into India, the lowest customs duties applicable to similar products of any other foreign origin."

This is a reciprocal agreement. I do not know how the Legal Department of the Government of India

Sir Cowasji Jehangir: Is that in existence now?

Mr. President: The Honourable Member should learn from past experience that it does not pay to interrupt this speaker.

Sir Cowasji Jehangir: I take your advice, Sir.

Diwan Chaman Lall: This question of the trade agreement was contemplated by Sir George Rainy, and if my friend wants to ask a question he should ask it of the Honourable Member over there who himself raised the question of the trade agreement. If there is any trade agreement between the British Empire and the Japanese Empire, it was for them to consider. I want a reply from them. Have they considered this point? The question, a very important question, that arises in connection with this is this. We have now considered—and I hope I have proved—that Japan and Lancashire have no advantage over us either in the case of raw material or in the case of yarn, or in the case of labour conditions, or in the case of cost of labour. In fact, they are at a disadvantage. If all these factors are put together, they are at a disadvantage, because the total cost of production compared with our total cost of production on these heads acts as a prohibition against them and not against us. It is to their disadvantage and not to our disadvantage. In fact, India has a great advantage over Lancashire and Japan in regard to these particular matters. The question which now arises is this. We have had figures worked out for us by Mr. Hardy in his report and the figures that he has worked out are these. He says these are the import price figures, these are the Japanese figures and here are the Indian figures. Now, as far as I know—and I speak subject to correction—those figures that Mr. Hardy has worked out, the import price figures of the Japanese goods are figures which are *minus* the duty and therefore to that extent vitiated. The figures are to be found in this book (Hardy's Report) and if Honourable Members would turn to pages 88-89, they will find that it is intended by this process to equalise the price rates of Japan and India, not only to equalise but in some instances to obtain a definite advantage for India as against Japan in regard to the prices prevailing of Japanese goods in India. Take the case of the price of Japanese imported cloths whose prices are without duty. They are taken to be 16, 17, 18, 19 and 20. The price at which similar cloth is made in Bombay with a fair margin of profit ranges from 18 to 23 annas. Now

the question is this. These are really controversial matters, because we do not know how these figures have been arrived at. We do not know what is and what is not a reasonable margin of profit. We do not know how these figures were reached. We do not know on what basis the price of the raw material was worked. We do not know whether the market rates of cotton were taken or the average price of cotton was taken, cotton which was in the mill stores. We do not know which mill's costs of production were accepted and why. And unless and until all these facts are before us in regard to the question of the comparison of the cost of production, we are not in a position to accept the figures given by Mr. Hardy on which he wishes to bring forward his proposition of equalisation of rates. If those figures can be worked out, then there would be a case made out on facts and figures comparing the Japanese prices and comparing the Indian prices, the Japanese cost of production and the Indian cost of production. I submit, unless and until all this is done, the House cannot be asked to vote blindly for this measure. It is no argument to turn round and say, we have not paid any dividends and therefore you must support us. As I have already stated, they have paid out enormous dividends and they must realise that in every industry there is a period of boom and a period of depression. In a period of boom a wise businessman husband his resources and an unwise businessman did not husband his resources and he now comes to us and asks us to help him. On page 27 of the Tariff Board's Report there is a statement in regard to up-country mills, which I wish to read out to the House:

"Efficiently managed mills in upcountry centres which have both spinning and weaving departments have with very few exceptions continued to pay dividends throughout the whole of the period. All the five mills in Sholapur, the most important centre in the Bombay Presidency outside Bombay and Ahmedabad, have paid satisfactory dividends throughout. Of the twelve mills in the Madras Presidency for which we have obtained balance sheets all except three very small mills, which are spinning mills only, have paid dividends, as have also the two mills in Mysore. Of the two mills in Nagpur, one is, as it always has been, in an exceptionally strong position and the other, a new mill which started work at the end of 1923, made a profit during the year ending 31st March, 1926, though it was not in a position to declare a dividend. The position in Cawnpore is not quite so satisfactory. Of the four mills in that centre from which we have obtained balance sheets, one paid a dividend in 1923, 1924 and 1925 and one in the two latter years. Of the others, one is a new mill started in the war period and the other a boom flotation."

That is one of the troubles with this industry.

"The largest mill in Delhi paid a dividend of 32 per cent. for 1925. The leading mill in Indore paid a dividend of 47½ per cent. for 1924 and a dividend of 31½ per cent. for 1925. These figures are sufficient to show what was generally admitted in evidence we received that upcountry mills with the exception of those which have spinning departments only are, generally speaking, in a much better position than the Bombay mills."

Then further it says:

"It is important to note that the Ahmedabad Millowners' Association in their oral evidence stated that their demand for 12½ per cent. protection was not limited to the same grounds as those advanced by the Bombay Millowners' Association but was mainly on the general ground of the desirability of protection as it would enable the mill industry in this country to establish itself firmly in the manufacture of finer qualities of cloth."

This is what the Honourable the Finance Member says. What he says is, we will give them this protection and we know perfectly well that they

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will not be in a position to organise their industry in that period in order to produce the finer counts—an argument which he used in favour of Lancashire. Now, if this is the position, let us look at the latest figures. Many of them have not paid a dividend. But non-payment of dividend is not an important factor in this industry. A few of them may lose. But barring a very few minor losses, enormous profits were made by many of them in the boom period. Take for instance Ahmedabad's. In 1928 they paid 20 per cent. dividend; in 1929, 21 per cent. Take Central India; in 1929, 26 per cent. and in 1928, 28 per cent. Indore, 26½ per cent. in 1928 and 20 per cent. in 1929. Mysore, 24 per cent. in 1928 and 20 per cent. in 1929. Sholapur, 52½ per cent. in 1928 and 35 per cent. in 1929. Sir, there are some mills, better managed mills, which have husbanded their resources, who are in a good position. There are others who are not in a very good position. But I submit that there is no case made out whatsoever. It is for them to put their own house in order. That is the best protection they want. In fact, what is wanted is not protection against Lancashire and protection against Japan but protection against the millowners of this country. That is what is at present needed in order to put the industry on a proper basis. It is obvious that Japan has only this advantage over us, that Japan is in a position and has been in a position to put its house in order. Japan can do what we have not done, namely, Japan has organised this industry. My friends have read Mr. Arno S. Pearce's book and this is what he says:

"It will be noted that members of the Employers' Association are obliged to supply most comprehensive particulars and statistics very promptly, at fixed and stated dates. This ensures that such information is up-to-date and enables prompt action to be taken. Coupled with the fact that approximately 70 per cent. of the spindles and 65 per cent. of the organised looms are owned by nine combines, it will be seen that control of the industry is much more possible and effective than is the case in most other competing countries."

When in 1927 I asked Sir George Rainy when he was putting up the price of cotton yarns, what guarantee there was that the millowners of Bombay would not compete and thus handicap the handloom weaver in this country, the reply of Sir George Rainy was that there was no such developed organisation amongst the millowners which would enable them to take this joint action. Nevertheless, prices did go up, and here is a charge against the millowners. There is no central control or organisation capable of effecting the necessary amount of reorganisation required in order to put this industry on a proper basis to compete with Lancashire, Japan or any other country.

Now, Sir, further, Mr. Pearce says:

"This organised control extends from the buying of the raw cotton to placing the manufactured goods in the hands of the consumers. New styles and patterns which appeal to buyers can be produced and delivered promptly. Policy generally in regard to buying, selling, counts of yarn spun, types of cloth manufactured can be quickly determined and concentration secured in every process to ensure the best results. How flourishing the Japanese cotton industry is is shown by the financial results."

That is because of this intelligent, scientific, central control of the industry from the very first process right up to the last, from the purchase of the raw material to the marketing of the manufactured produce. There is no such thing in Bombay. We have not heard of any; all that that

the millowners have done is to cut each other's throats; all that they know is *laissez-faire*—to let things go their own way until a calamity comes and then come on the floor of this House and demand protection. Japan has been able to compete because she realises that the man who produces the wealth of the industry is the mill hand, the operative in the mill who must be looked after; she has been able so to organise her industry so that she can today declare prosperous dividends, whereas our friends in Bombay are unable to do so. The Japanese realise that the worker who produces the wealth has got to be trained and has got to be well treated, because, unless and until that worker is well treated, his productive efficiency is bound to go down. Have our friends in Bombay or in any other mill area in India ever considered the problem of the efficiency of the worker? All that they do is this, if a man is engaged on two looms, they want to put him on four looms, and if he refuses to work, they want to cut down the wages, with the result that they have lost tremendously through strikes. If they had been wise, if they had organised their industry properly, scientifically, if they had treated their workers well, if they had done everything to improve the efficiency of the worker, and not merely getting more out of him, so that he can give you voluntarily more work, by so educating him that he would be able to give his best to your industry, if you had done all that, there would have been no need to demand protection. It is, Sir, as I started by saying, a subsidy that we are giving to inefficiency, and I would be the last person, Sir, absolutely the last person on the floor of this House, to be a party to this bargain between the Treasury Benches on the one side and the millowners on the other, at the expense of the consumer. I say it would be criminal on the part of any man who honestly and sincerely believes that this country is impoverished, who really believes that the poor man in this country cannot afford to pay any more for his cloth than he is made to pay, for which he and his children may have to go without food, any man who believes in this doctrine would be committing a criminal folly in saying, "Help this industry at the expense of the consumer". My argument is this. I am dead against this imposition by indirect taxation upon the consumers of this country, and I want every Member of this House to search his heart and realise whether he is on the side of righteousness and of the poor man, or whether he is on the side of the rich man and of his incompetence. I want him to say this, whether he believes that his country is going to prosper merely because a handful of our great industrial magnates are going to prosper, or whether he believes that prosperity really lies in raising the standard of life of the average man in this country. The problem is that India has a market at its door with 320 million people who can be supplied with all their needs, India has its raw material at its door, India has the cheapest labour at its door, and yet India is unable to compete with Lancashire and Japan—a proposition, Sir, which on the face of it is absurd. I say that in the circumstances we have no business to subsidise incompetence. Here is a further final proof of it. When in 1924-25 the index number of raw cotton was 272, the price of greys was 4 annas 10 pies; from 272 the index figure has dropped to 167 in 1928-29, and yet the cost remains the same 4 annas 10 pies. With the cheapest raw material with this tremendous drop in the price of it, with wages not having gone up during that period, why have not the millowners been able to reduce

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their cost of production? What is wrong with them? What is wrong with them, Sir, is this, they have this Government at their mercy, and this country is at the mercy of this Government, and the Government will have to bow down at the bidding of the industrial magnates of this country. Let them remember—even Sir George Schuster referred to it—the two factors—the consumer on the one side and labour on the other, and I want them to get this guarantee from the millowners of this country, that they will safeguard the interests of the working classes before any assistance is given to them, but the only guarantee that I can ask in regard to consumer in this country is to ask every Member of this House to vote down this motion at every stage. (Applause.)

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Sir, while speaking the other day, I pointed out the difficulty of making the deaf hear. It is very difficult for me today to make the blind see. My friends over there (*An Honourable Member*: "Where?"), my friends, the Bombay millowners, are blind; they will not see that they are not getting anything at all by this protection. They are like a drowning man who wants to catch at a straw. Whatever is offered to them, they think it is coming to them as protection. I ask them seriously, do they think that this protection of 5 per cent. against Japan is a protection to them? It is not; and I will demonstrate clearly that Government did not for one moment think of giving them this protection. Political necessity urged them to start with this proposition. Sir, we are obliged to them for letting us know the telegrams that passed between the Government of India and the British Government. These telegrams will demonstrate clearly that Government never, for a moment, thought about giving this 5 per cent. protection for this industry. They never thought of such a thing when they first sent up their budget proposal. They wanted revenue and they sent up proposals for taxation. When the Home Government saw that the Government of India wanted to raise the cotton import duty from 11 to 15 per cent., they got funkcd. They found that it would practically smash the Lancashire trade with India. They wired back to say pointing out "firstly there is a probability that such addition to duty would be likely to raise the price of goods in India itself; that was the first point they urged, that is, from the consumer's point of view they did not like to raise the duty up to 15 per cent." Then they said that such raising of the duty would be "to the great detriment of the poorer classes generally in that country, and secondly, addition to duty would have a disastrous effect here at this moment—an effect which the Cabinet feels sure that you and your Legislature do not desire to create". At this moment when there is talk of Round Table Conference and conferences of all sorts, they were afraid that, if you penalised Lancashire by raising the duty from 11 to 15 per cent., you would be creating an atmosphere in that country which would be detrimental to your interests. The whole thing was there. There was no protection to Bombay. They wanted to raise the duty to 15 per cent. because they wanted revenue. I do not believe there was any protection in it. I do not believe that at all. When the telegram came here, they found themselves in a hole. They must have passed sleepless nights as to what they should do to pacify the British people, particularly Lancashire. Then they thought, "Ah, the Bombay mills want protection".

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Not Bombay. It is the mill industry.

Mr. A. H. Ghuznavi: The rest of India did not want that protection.

Mr. R. S. Sarma (Bengal: Nominated Non-Official): How?

Mr. A. H. Ghuznavi: I am not giving way. Then they said, "We particularly appreciate the telegram from the British Cabinet". Formerly the communication used to come from the Secretary of State; now we have got it from the Cabinet. (*An Honourable Member*: "Dominion Status in action.") It has not come yet. Then they said this: "Well, we are anxious to have more revenue and the tariff duty is the only source of our revenue. We are afraid we cannot reduce it from 15 to 11. We will suggest one thing, and that is we shall propose an additional 5 per cent. on non-British goods. But the difficulty will be lest it should be misunderstood as Imperial Preference. Well, we shall do one thing. We shall take the House into our confidence and tell them in what a serious plight the Bombay mill industry is, and in the interest of the mill industry, it is for them to accept it or not. If they throw it out, we shall not certify it. The Bombay industry needs an immediate injection as it were of camphor or strychnine to keep it alive. They have been telling us that the Bombay industry has been in a very bad plight for the last six months." Now, Sir, if this was so, I ask, "Why did you not bring in this Bill three months before? Why did you not introduce this in January? Then we would have trusted in your sincerity to help the Bombay industry". Even when you sent in your first proposals, you never mentioned about this 5 per cent. It is after you had got a telegram from the other side that they would revolt if you did not do something for their protection, that you suggested this additional 5 per cent. on non-British goods. Now, the point is this. They were finding great difficulty in competing with Japan. My friends here say that Bombay has been utterly inefficient in its management. In Lancashire too they have been utterly inefficient in their management. They found that the Indian market was being daily captured, as against Lancashire, by Japan. Naturally they were very much annoyed, and they were told, "Look here, if we get the Assembly to pass this 5 per cent., this will give you real protection as against Japan." But what is the guarantee that Japan will not raise her price and still dump in the Indian market? It will cost the consumer an anna per head more for each piece of cloth that he will have to buy. Sir, I do not like to repeat here the history of how the hand-loom industry was snatched away from this country in the interest of Lancashire. It was when you, gentlemen, came to this country

Mr. President: Order, order.

Mr. A. H. Ghuznavi: when the handloom industry was flourishing here, and we could produce all the wearing apparel necessary to cover our nakedness. Gradually, in the interests of Lancashire, you have killed the handloom industry in India. Now, you are conspiring with the Bombay millowners to kill the handloom industry which we have revived in 1905. Sir, in the good old days, Bengal used to take the lead in all matters. That great man, Mr. Gokhale, who was a Member of the Imperial Council in 1905, addressing His Excellency Lord Curzon said:

"My Lord, what Bengal thinks today, the rest of India will think tomorrow. Pacify Bengal and the rest of India will be pacified."

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Now, the tables are turned. Pacify half a dozen mill magnates of Bombay, and the rest of India will be pacified.

Then, Sir, explaining the other day, the Honourable the Finance Member said to this House that, in practice, all the Dominions had introduced a system of tariffs which did give very substantial preference to British goods. That was one of the arguments why we should also concede this tariff. In Australia the difference between the general and the preferential tariff was 15 per cent., and so on and so forth. Sir, we have not yet got Dominion Status. When we have got that, we shall know that you and we are the same, and we will give you all the preference you want. Sir, in this connection, before I proceed to show that this protection will not help Bombay, I will read only one sentence from the speech which was delivered the other day by my friend, Mr. Devi Prasad Khaitan. As President of the Indian Chamber of Commerce, he said:

"The only way by which the troubles could be overcome (referring to the Bombay troubles) is to provide a scheme by which the Bombay cotton mills could be enabled to take to finer counts."

I hope my Bombay friends will take that advice. That is their trouble. They should also take into account what he says further on:

"This can only happen if adequate protection is also given against Lancashire. If Lancashire is not brought within the scheme, it is impossible to devise any means by which our industry can stand. The figures that I have given you bring forth the matter so clearly that I think any further argument is not necessary. As I understand the Government's scheme, I have come to the deliberate conclusion that, under cover of offering protection to the Indian cotton mill industry, what really is being done is to give protection to Lancashire at the expense of India, against the other countries of the world."

I will repeat this sentence for the benefit of my Honourable friend Mr. Mody once again: This is a protection, under cover of offering protection to the Indian cotton mill industry, to Lancashire alone and nobody else.

Sir, before we can proceed further, I desire to say that it will be desirable for this House to know what is the real trouble which this Bombay cotton industry is suffering from.

Mr. President: Is it the same thing that Diwan Chaman Lall has already said?

Mr. A. H. Ghuznavi: No, Sir; I have got something different. Sir, the Bombay cotton mill industry was originally started and built up entirely for export trade. China was their biggest market for buying their yarns, and East Africa was their biggest market for selling their sheeting cloth. I hope my Honourable friend Mr. Mody will not contradict me when I say this. They used to have a roaring trade with China in their yarns. Never for a moment did they apply their mind to capture the Indian trade. Never for a moment were they patriotic and never for a moment did it strike them that it was their first duty to make apparel which their Indian brethren would purchase. No, they only wanted to make money. No patriotism and nothing was of any account so long as they could make money. So, they were having a very good trade with China and they were very happy. Afterwards several mills throughout the country were started, but they could not compete with Bombay for the simple reason that Bombay had a port, and so they could not compete in the export

trade. If Ahmedabad mills wanted to send their yarns to China, they had to send them on to Bombay. They had to pay the railway freight to Bombay and again pay freight from Bombay to China. Of course, Bombay could undersell them. But besides Bombay, the rest of the mills then concentrated their attention on supplying the Indian market, and they have been doing it successfully. China so long was in deep slumber and they were having their supply from the Bombay magnates.

Mr. President: That is very old history.

Mr. A. H. Ghuznavi: That is the trouble. I will come to the point just in two minutes. They have now 70 mills in China. (*An Honourable Member:* "Have they?") Yes, they have. They said to our Bombay friends, "We wish you good bye". And the result is that Bombay has lost the China trade entirely. How will you protect them by giving protection? If my Honourable friends from Bombay want to get out of this hole, they will have to find out some other hole in some other place to capture their export trade in yarns. So far as yarn is concerned, the Bombay magnates have not captured the Indian trade in yarn. On the other hand the Indian trade has been captured by other mills. Where are they going to sell their yarn? Not to China. The same applies to sheeting in the East African trade. Japan used to import her sheetings from Japan to Bombay first and then export them from Bombay to East African ports and so forth, because Japan then did not have her own steamships plying direct. Therefore my Honourable friends in Bombay had an advantage over Japan which had to pay freight from Japan to Bombay and then from Bombay to East Africa. The Bombay mills used to ship their own goods from Bombay direct to East Africa and therefore they could undersell them. Now, Japan, instead of importing the sheetings first to Bombay and then re-shipping them to East Africa, is sending them direct to East Africa. So there also they have lost the East African trade. They cannot compete. How could they fail to compete? What is the distance between Japan and East Africa and the distance between Bombay and East Africa? They pay less freight from Bombay and still they cannot compete with Japan. Then they come here with the beggar's bowl and say that we should give protection to them. Well, Sir, in 1927 a Committee was appointed to go into these matters of Bombay trouble. It was called the Noyce Committee and we have got the Report of that Committee—the Indian Tariff Board's Report. The Tariff Board was against giving any protection whatsoever on yarns. The Tariff Board was definite so far as that was concerned. They said, "If you give protection on yarns, that will raise the price of yarns, and thus the handloom industry will suffer" (*Hear, hear*), and it did suffer as I will show you presently. The clamour of Bombay millowners, I must say, did not move the Honourable the Commerce Member to give them any protection at all. In his mind, I am certain, he is convinced that these Bombay people do not deserve any protection, do not deserve any sympathy. In his mind of course he does think so. (*An Honourable Member:* "How?") I will tell you how he does not like to give protection. I am sure of that. (*Laughter.*) In his mind he does not probably want to give it. In 1927, in spite of all the pressure put upon him, he would not budge an inch. He said, "No, you had better put your house in order first and I am not going to give you protection and ruin Lancashire's trade". The Bombay people wanted protection on piece-goods, and this was the attitude of the

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Honourable the Commerce Member in 1927. But, Sir, the difficulties in India are very great, and this is particularly so with the Finance Members of the Government of India. In 1927, Sir, Sir Basil Blackett had a hobby of going through the Reserve Bank Bill. That was in September, 1927.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): It had the sympathy of the Honourable Member.

Mr. A. H. Ghuznavi: Certainly it had. His idea was that, if the Bombay magnates would help him on to get his Bill through, the millowners' troubles might be considered. The millowners said: "Oh yes; but what about our protection? Give us something in lieu of our assistance".

Mr. President: The Honourable Member suggests bargaining on the part of the Government?

Mr. A. H. Ghuznavi: Yes, Sir.

Mr. President: That is not proper.

Mr. A. H. Ghuznavi: Then, I will not suggest it, Sir.

Sir Hugh Cocke (Bombay: European): Was it a dream?

Mr. A. H. Ghuznavi: So, Sir, Sir Basil Blackett said "It is not in my hands".

The Honourable Sir George Rainy (Member for Commerce and Railways): May I ask the Honourable Member if he would disclose the source of his information. All I can say is it sounds to me very like a dream. The facts must have been known if they were as stated, and they are not known to me.

Mr. A. H. Ghuznavi: It is only my inference. (Laughter.)

Mr. Fazal Ibrahim Rahimtulla: Was it your inference or information?

Sir Darcy Lindsay (Bengal: European): The Honourable Member should not waste the time of the House on inference.

Mr. A. H. Ghuznavi: However, Sir, the Honourable Member, in spite of the Tariff Board's Report not to give any protection on yarn, five per cent. duty on yarns was imposed. Before I deal with that portion again, I will say that, by imposing this 5 per cent. protective duty on yarns again, he is putting 70 lakhs of weavers into trouble, of which 50 lakhs are Mussalmans. (Hear, hear), and by doing that, he is trying to ruin the handloom industry.

Mr. President: How many Mussalmans? 75 per cent.?

Mr. A. H. Ghuznavi: 50 lakhs are Mussalmans out of 70 lakhs of weavers.

Mr. President: More than 70 per cent.

Mr. A. H. Ghuznavi: Yes, Sir.

Mr. President: A very substantial representation.

Mr. A. H. Ghuznavi: A very good representation in losses! By doing that the worst sufferers are my friends in Bihar and also the Mussalmans in Bengal.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): The Momands?

Mr. A. H. Ghuznavi: We are the worst sufferers, and in Madras also the handloom weavers suffer.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Does the Honourable Member mean to say that the Mussalmans in Bengal are all weavers?

Mr. A. H. Ghuznavi: I would not be ashamed of that. Instead of loafing about, it is better to be in some trade. Sir, Japan used to provide these handloom weavers with yarn, because the yarn which our friends from Bombay provided them with did not suit them at all. They preferred to buy Japanese yarn to buying the yarn supplied by the Bombay millowners. You imposed an additional duty of 5 per cent., with the result that, in two years, the handloom industry, which was supplying you to the tune of 23 per cent. of your cloths, was paralysed and this duty has affected that community and their trade by raising the duty on yarn.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): This Bill will help them now.

Mr. A. H. Ghuznavi: It will not. Pardon me for saying so. I will show how it will not.

Mr. M. A. Jinnah: It will.

Mr. A. H. Ghuznavi: As a matter of fact, the price will rise. Mr. Jinnah, this is not a High Court where you are addressing the Judges.

Mr. President: Order, order.

Mr. A. H. Ghuznavi: The Honourable Member is not addressing a High Court in a criminal case. He is addressing the commercial people

Mr. M. A. Jinnah: All that I wished to point out to the Honourable Member was this, that whatever injury the first Tariff Bill may have caused to the handloom industry, this Bill is advantageous to them. That is all I wish to say.

Mr. A. H. Ghuznavi: With all the respect that I have for my Honourable friend, I must say that this Bill will add further trouble, and I will demonstrate it. From the figures I will show that the industry is going down for raising the 5 per cent. duty on Japanese yarns. You are introducing that thing for another three years again now. This Bill contains that. You want them to impose that duty again for another three years. They were not content with imposing it for two years, but they want another three years without investigating how far, by the imposition of that duty, the handloom weavers have been made to suffer. The handloom weavers' lot is a bad lot and nobody seems to care for them. Sir, my Honourable friend, Mr. Neogy, in opposing that Bill in 1927 said:

"I was particularly reminded of the remarks made by the Tariff Board that it is not a case merely of competition with Japan so far as the Bombay mills are concerned, but it is also a competition from places outside Bombay."

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That also has got to be taken into consideration. He also said:

"We might be landing ourselves in difficulty because a time might come when the Bombay mill industry might ask for protection against the rest of India."

He was quite right. The time will be coming for getting this protection, and they will be encouraged to come forward at the next Assembly for protection against Ahmedabad and the rest of India.

Mr. President: The Honourable Member must reserve some observations for the last stage.

Mr. A. H. Ghuznavi: I have not made my case quite clear yet. I shall require at least another hour if you will permit me.

Mr. President: The Leader of the Honourable Member's Party had told me that he would ask his friends to be as brief as possible.

Mr. A. H. Ghuznavi: I do not know that, but I think I have been making only relevant observations in this matter.

Sir, my friend Mr. Mody will not deny that the Indian cotton mills produce three classes of goods, (1) bleached or white, (2) coloured, and (3) greys. I will take the period between 1927-28 when they had not that strike, and I will not weary the House by quoting from Hardy's Report, but will only refer to the page so that Mr. Mody may not say that this is a note which I have written myself without any authority. Let us take the first class of goods, *i.e.*, bleached or white:

Imports into India from (page 57 and Table 31)—

The United Kingdom	527 million yards.
Japan	6 " "

and they want to impose a 5 per cent. additional duty against Japan not to export that 6 million yards only to compete with 527 million yards sent by Lancashire.

Imports from the Netherlands	8 million yards.
" " Switzerland	12 " "
" " Other countries	3 " "

So they want to shut their door to all other countries except the United Kingdom, who only export to India 29 million yards as against 527 millions exported by Lancashire.

Mr. President: I hope the Honourable Member will now try to finish as soon as possible.

Mr. A. H. Ghuznavi: I am afraid I cannot finish before another hour. This is a subject which I have carefully studied, and unless you give me another hour, I will not be able to finish it. I can assure you that no other Member from my party will speak.

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): I should like to say something

Mr. A. H. Ghuznavi: Sir, any ordinary man who is not blind will see that, under this protective duty of 5 per cent., the price is bound to go up, and the consumers will have to bear the burden. Who are the consumers of this class of goods? The poor people. What do they get as

their income? Four rupees per head per month; and do you know what more they will have to pay by the imposition of this extra 5 per cent.? One anna per piece of cloth that they will have to buy. Then, Sir, coloured goods (p. 65). Production in India, Bombay in particular, 579 million yards, and adding the production of the rest of India it is 700 million yards. As against this, the imports from the United Kingdom, 364 millions or 72 per cent. Continent 37 millions or 7½ per cent., Japan 103 millions or 20½ per cent. Now, Sir, the House will bear in mind that the imported coloured goods are of finer counts. The imported coloured goods are of finer counts.

Mr. President: The Honourable Member must not repeat.

Mr. A. H. Ghuznavi: Therefore, Lancashire competition is with Japan. The Indian mills do not and cannot produce goods of these finer counts and we have entirely to depend for these finer counts in our import trade. This 5 per cent. extra protective duty, therefore, will eliminate Japan's competition with Lancashire in India, and the consumer will have to pay a higher price. To my Muslim friends, I may say that they will suffer most in regard to the *lungi* trade. *Lungis* are not at all made in India, except in Burma.

Mr. Vidya Sagar Pandya: Also in Madras.

Mr. A. H. Ghuznavi: Very little in Madras.

Mr. Vidya Sagar Pandya: They are made in Madras and exported to Burma.

Mr. A. H. Ghuznavi: I have got the figures here, but I do not want to weary the House. *Lungis* are mostly used by the Mussalmans in Bengal, the Punjab and Bihar. They are exported to this country (p. 66); Holland 9 millions, United Kingdom 9 millions, Netherlands 2 millions—altogether 20 millions. The imposition of this extra 5 per cent. duty will raise the price of *lungis* by 5 per cent. If Holland is driven out as a result of this protective duty, the price of the *lungis* is bound to go up.

Then, Sir, the grey goods. These may be classified as under. First, Khadi. The Indian production is only 5 per cent. No import from Japan, and therefore no competition from Japan. Drills and Jins. Hardy's Report shows that Indian mills can hold their own against the Japanese imports, which are now reduced to a negligible quantity. Sheetings and "T" cloths which Bombay used to produce on an extensive scale and export to East Africa, which trade they have now lost. This protection will not bring back their export trade. Printers and tent cloth. There are no imports at all. *Chaddars*: no imports from Japan. *Dhotis*, sheetings and longcloth; more than 75 per cent. of the Indian output is under 25 counts. In respect of *dhotis*, Lancashire competes more severely than Japan with India. That I have shown already by what Lancashire sends out and what Japan sends out, particularly in counts between 30 and 40. Shirtings. From Mr. Hardy's Report, one sees that Japan has gained at the cost of Lancashire. Now, Sir, these duties, 4 per cent. for revenue purposes and 5 per cent. as protective duty, will make the price of yarns go up in sympathy with the prices of piece-goods.

There is another matter, and that is, Japan is the biggest importer of raw Indian cotton inasmuch as she consumes 40 to 50 per cent. of the total Indian export and the United Kingdom consumes only 5 per cent.

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If Japan retaliates, the Indian cotton market will be in difficulty and what does it mean? Again the poor cultivators. The question again comes in of the poor man of the country. They will not be able to sell their cotton at a higher price than they do to Japan.

Then the pig iron.

Mr. President: Is there any chance of the Honourable Member finishing by 2 o'clock?

Mr. A. H. Ghuznavi: I should like to have a little more time. I will finish it in another 20 minutes. I can come back after lunch and finish.

Mr. President: If the Honourable Member promises to finish within 20 minutes, I will adjourn.

Mr. A. H. Ghuznavi: Yes, I do.

Mr. President: The House stands adjourned till 3 o'clock.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Mr. President in the Chair.

Mr. A. H. Ghuznavi: The point I was dealing with when the House adjourned for Lunch was with regard to Indian pig iron. Japan takes Indian pig iron to the tune of 70 to 80 per cent. of the total export. On the last occasion when a 5 per cent. duty was imposed on cotton yarn, Japan contemplated retaliating by withholding her purchase of pig iron, but eventually she did not take that step. Before I proceed, Sir, I want to place before this House what an impartial critic has said about this protective duty. He is not a Mussalman, he is not a Hindu, he is not a Bombay man.

Mr. Fazal Ibrahim Rahimtulla: Not a Bombay man?

Mr. President: Then, how can he be impartial? (Laughter.)

Mr. A. H. Ghuznavi: It is the *Statesman* of Calcutta. The *Statesman* of Calcutta, commenting on this duty in a recent editorial, said:

"The millions of Indians who suffer from these accumulated duties and get no recompense have long been waiting for a voice to tell their wrongs, and they have seemed to wait in vain so far as their representatives in the Assembly were concerned."

Then the paper said:

"We do not adopt the language of Mr. Chaman Lal about the 'third generation of incompetents' running the Bombay mills, but we are wholly with him when he says, 'Every poor man who wears a *dhoti* or a shirt will have to pay more for this Bill'. There never was a measure which was more clearly an endowment of incompetent direction and ridiculous finance or one that levied more directly a heavy tax upon every member of the community to bolster up an industry that would prosper were it properly managed."

Commenting on the speech of Sir George Rainy, it said:

"Sir George Rainy said that 'Government approached the question from the point of view of giving effect to the declared policy of discriminating protection with due regard to the interests of the consumer and benefit to the industry.' We should like

to take Sir George Rainy, line by line, through the Bill, and get him to point out the provision which has 'due regard to the interests of the consumer'. Phrases of that kind have become hackneyed in these debates. They drop from the lips of Ministers unconscious that they have no meaning and have long ceased to deceive anybody. The consumer will pay every one per cent. of the new duties and will pay it not only upon foreign cloths but upon indigenous manufactures. Both Sir George Schuster and Sir George Rainy defend the new duties as necessary for revenue purposes. If they prove revenue producing, they will fail to give the protection for which Bombay clamours, and if they prove protective, the revenue will not be raised."

Sir, my Honourable friend Sir George Rainy, while introducing the Cotton Tariff Bill in 1927, told us that it was necessary to give Bombay protection on yarns, because labour conditions in Japan were unequal as compared with India, inasmuch as women and children were employed at night. He now comes before the House to give the same protection to yarns for another three years with another story. This time, not Japan but China. He says, labour conditions in China are unequal as compared with India, and therefore he wants this protection to be extended for another three years. I have no doubt after this, next time, if he is in this present office, he will come with another story—that labour conditions are unequal in Timbuctoo, and therefore he wants the extension of this 5 per cent. tariff on yarn for another three years. Sir, he pointed out to this House the enormous imports from China of yarn, and he said that had to be stopped, and that is why he wants this protection to be extended for another three years. But he has not told us the reason for that enormous import. The reasons are these. After the strike in Bombay, the mills were shut up. If the Chinese had not sent their yarn, just imagine what would have been the consequence in India to the handloom trade. China took advantage of the strike and dumped their yarn into the Indian market. If the Bombay mills continue their manufacture, I am certain the Indian market can very well compete with China in the cotton yarn trade. Then, Sir, our friends, the Bombay millowners, want us to give them this protection.

Mr. Fazal Ibrahim Rahimtulla: Question.

Mr. A. H. Ghuznavi: Particularly Bombay; other parts do not require it.

Mr. Fazal Ibrahim Rahimtulla: Question.

Mr. A. H. Ghuznavi: Read what Sir George Rainy has said.

Mr. Fazal Ibrahim Rahimtulla: Oh! yes. I have read it.

Mr. A. H. Ghuznavi: Sir, as I have shown, the trouble is due to the loss of trade with China in yarn and to the loss of trade with East Africa in sheeting.

In 1905, Sir, when the Swadeshi movement was ushered in in India, particularly in Bengal, as a protest against the partition of Bengal, the Bengal people, as a whole, refused to buy Lancashire goods, and they appealed to the Bombay cotton millowners to come to their rescue. From 1905 to 1915 let us see how we were treated by the Bombay millowners for our patriotism. In 1905, during the Swadeshi period, when the handloom industry was almost extinct, that industry was again revived. We appealed to Bombay to come to our help. We knew that they were not then in a position to supply the whole demand that India made upon Bombay, but still we thought that they would do what they could to help

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us and give us relief. But what did they do? They raised their prices by four times the ruling prices. They sold their goods at a huge profit. Not satisfied with that, they bought up all the Japanese cotton goods that were in the market, tore off the front portion of the first yard, marked them as "Made in India" (*Cries of "Shame"*), and sold them to the Bengal market at four times the price. (*An Honourable Member: "Is it so?"*) Yes, it is so; I am quite certain about it. I can give you figures if you like. Not only that, Sir. They conspired with Lancashire and Japan. (*An Honourable Member: "Shame."*) Not satisfied with this even, what more did they do? They wrote back to Lancashire and Japan asking the manufacturers there to send out to Bombay unfinished goods, because if they got finished goods in Bombay, they would not be able to pass them off as Indian goods in the Indian market, and so they wrote to their manufacturers in Lancashire and Japan to send out to Bombay unfinished goods. The millowners in Bombay asked the Japan and Lancashire manufacturers to send out to Bombay rough and unfinished goods as much as they could. Lancashire began to send out to Bombay rough and unfinished goods; Japan also took the fullest advantage of our patriotism. The Bombay millowners received all those rough and unfinished goods; they finished them well in their mills in Bombay, and sold them to us in Bengal at four times the price at which they had bought the goods. Now, I ask my friends, the Bombay millowners, I ask them in all seriousness, what right have you to come with a beggar's bowl today before us and ask for protection of your mill industry? What did you do with that enormous amount of money that you made, not honestly, but I must say dishonestly, from the Indian market? Where has that money gone to? Of course, I know where it has gone. The hereditary Managing Agents made enormous commissions in buying and selling those goods. Then lest they should be tackled by their shareholders—the hereditary managing agency system is a peculiar system which does not exist in any other part of India,—they gave huge dividends to their shareholders, without even thinking for a moment that that was the time when they should put their money into their concerns and make them up-to-date and tackle the question of meeting the demand from the Indian market as a whole. If the Bombay millowners had put all that money into their mills at that time, if they had tackled the Indian market, if they had gone on producing finer counts, today Lancashire and Japan would have been kicked out of India *in toto*. But, Sir, they did nothing of the kind. The Managing Agents made their piles; they went on enjoying all the expensive cigars; they went on enjoying the Turf of Bombay and Calcutta; and they went on enjoying themselves in that salubrious climate, where they have built their palaces and mansions and villas, in France. They never looked into their business. They left it to their employees, and when the rainy day has come, they come to us with a beggar's bowl and say to us "Give us protection".

Dr. A. Suhrawardy: Rainy day or Sir George Rainy? (Laughter.)

Mr. A. H. Ghuznavi: Even then, Sir, they will have our sympathy (Hear, hear.) They treated us very badly indeed, but we are willing to give them support, but not support of the kind that they want. This is not support to them, this is support to Lancashire. This is not going to help them at all; they are blind and they will not see it. But before we

give our Bombay millowners the support, and show them the way by which they can again get back to their former condition of prosperity, they must give us a clear answer to all the indictments that have been passed by the various Committees that sat upon them to inquire. They should explain their conduct before the Tribunal of this House; they should explain to us as to what they have done to rectify the various defects that have been pointed out to them. I ask them, Sir, not to conspire with the Treasury Benches. (*An Honourable Member from the Independent Benches: "Hear, hear."*) I ask them, Sir, not to conspire with the Treasury Benches, not to force us to give them the so-called relief, the result of which they will realise to their cost afterwards, but I ask them, to come back to us like good boys and give us the undertaking that they will be in a position to carry out the necessary reforms to enable them to tide over their difficulties. Then and then only will we suggest to them the remedies.

Sir, my Bombay friends will have to admit that this depression commenced in the year 1923. What was the first cause of the depression? Gambling in the cotton trade, gambling in the cotton market in 1922, has really been the first cause. My friends gambled more than the mills paid them, and they made their mills suffer heavily on that account. Their huge gambling in cotton, their attempt to corner cotton in 1922, in which they suffered irrecoverable losses, all these have been written down in the books of their mills, although they were really losses due to the personal speculations of the Managing Agents. That is the first indictment, and for that I have some authority which will speak for itself. I am not speaking without authority.

The next cause is this, Sir. They conspired with Japan and Lancashire during the Swadeshi time; that is between 1905 and 1910, and they did not seize the opportunity to capture the Indian market. Had you done so, you could have enjoyed the expensive cigars and your villas in France; you could have captured the Indian market, and it coming before us with a beggar's bowl in hand for protection, you . . .

Maulvi Muhammad Yakub: Sir, is the Honourable Member in order in addressing the Honourable Member directly?

Mr. A. H. Ghuznavi: I am addressing the Chair. I am not addressing the Honourable Members.

Maulvi Muhammad Yakub: The President has no villas in France.

Mr. A. H. Ghuznavi: Sir, you are charged with putting into your pockets (Laughter) as Managing Agents enormous sums of money by way of commissions on sales and purchases alone. You have been utterly negligent of your duties as Managing Agents in respect of your shareholders.

Maulvi Muhammad Yakub: Is the Honourable Member in order in making such remarks against the Chair?

Mr. A. H. Ghuznavi: To keep your managing agency intact and to avoid unpleasant inquiry into your management, you paid unduly high dividends. During the boom period, if you had taken large sums of money into your reserve, as every prudent managing agent would have done, that would have come to your assistance today. During the boom period your over capitalisation has contributed to accentuate the depression. Serious

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defects have been found in the managing agency system. Undue conservatism and lack of initiative have contributed materially to this depression. The real cause of your trouble is the loss of the China trade in yarn and that export trade you cannot get back unless you can get hold of some other ports, not by protective duty.

Mr. President: Order, order. It is too much for the Chair. The Honourable Member must know how to keep to his word.

Mr. A. H. Ghuznavi: I will take only two or three minutes more. The increasing competition of Ahmedabad and other centres is another cause of the present depression. Your difficulty is of a cyclic character and is not of a permanent nature. The depression due to the loss of the China yarn trade may be regarded as permanent. As regards the utter inefficiency of your management, I will only refer you to page 209, paragraph 41, and page 211, paras. 70, 71, 76 and 77 of the Report of the Indian Tariff Board. Sir, the unusual haste in passing an Act of this kind is to my mind not right. I thought the Government had a lesson when they passed the great Sarda Act. I therefore say that hasty legislation is always unsafe and should not be resorted to. The Finance Member is not in the House now. He said, in his speech the other day, that it is for us to decide whether we agree to this protection. Do I understand from what he said that he meant that the official block is not going to take part in that decision? If that is not so, then what is the point in saying, "It is for you to decide". So far as the official block is concerned, they have already decided. If they leave the matter to the non-official Benches to decide, I have no grievance. I hope I have made my case very clear before this House. First I have made out

Mr. President: Order, order.

Dr. L. K. Hyder (Agra Division: Muhammadan Rural): Mr. President, I have listened to very long speeches on this Bill. The temptation in my way is strong that I should also deliver a long speech, but let me say at the outset that I do not propose to yield to that very very strong temptation. I shall take up only a few points to illustrate the principles of the Bill. When the principle of the Bill has been obscured so much, I think it is right and proper that we must bring it out again. What is the principle of the Bill? Simply this, that we wish to give discriminating protection to a national industry.

Mr. A. H. Ghuznavi: Question.

Dr. L. K. Hyder: My friend questions that I will give him an answer. This industry is of importance if we look at the totality of national interests, in which are included these factors—the purchaser, the consumer, the exchequer and the worker. If you consider all these interests, then I submit this industry is of national importance. And the question that we have to decide is, is it in need of protection? As this thing has been questioned, I have in my hand, Sir, a book which shows the value of the exports of cotton piece-goods sent from Japan to foreign countries during the period of 1916 to 1925. I do not propose to read out this formidable array of figures, but as I look at the figures and the countries to which Japan exports, the following catch my eye; China, Korea,

Hongkong, British India. As I come down the list of these countries, I find them in this order of magnitude: First and foremost is China and second is British India. What, Sir, is the principle of the Bill? It is that a national industry should be protected. And this is the deluge of goods that has descended upon British India from Japan. The total value of piece-goods sent to British India during the years 1916 to 1925 was as follows:

1916	.	.	.	.	.	.	.	.	.	10 million yer.
1917	.	.	.	.	.	.	.	.	.	15 " "
1918	.	.	.	.	.	.	.	.	.	55 " "
1919	.	.	.	.	.	.	.	.	.	29 " "
1920	.	.	.	.	.	.	.	.	.	67 " "
1921	.	.	.	.	.	.	.	.	.	30 " "
1922	.	.	.	.	.	.	.	.	.	33 " "
1923	.	.	.	.	.	.	.	.	.	36 " "
1924	.	.	.	.	.	.	.	.	.	46 " "
1925	.	.	.	.	.	.	.	.	.	70 " "

In the face of these values of goods that come to British India, still it is being asked, does this industry need protection or does it not? I have placed these figures before the House so that Members might come to a right decision whether, in view of these figures, there can still remain any manner of doubt about the need for protection which this industry requires. Certain hard things have been said about the people who manage our industries. One of them is that they have squandered too much in dividends and that they ought to have kept it for the lean period. But when I compare what was distributed in Japan with what was distributed in British India, there is not much to choose, and if this House finds any consolation in them, I will give them the figures.

Mr. A. H. Ghuznavi: But Japan does not go with the beggar's bowl.

Dr. L. K. Hyder: My friend says Japan does not go with the beggar's bowl. He is quite ignorant of the happenings in Japan. What happened in Japan was this. In the first place, they secured the home market entirely for themselves behind the wall of protection. In the second place, from behind that wall of protection they invaded the markets of other countries. That is what is happening in Japan, and I would ask my friend to think over it for himself whether it is the beggar's bowl or something else.

Sir, I was going to touch upon the point that our industrialists have squandered what they ought to have conserved. In Bombay the dividends were at this rate:

In 1917 at the rate of 22·2 per cent.			
In 1918	"	23·7	"
In 1919	"	40·1	"
In 1920	"	35·2	"
In 1921	"	30	"
In 1922	"	60·4	"
In 1923	"	4·0	"
In 1924	"	3·2	"
In 1925	"	2·2	"

[Dr. L. K. Hyder.]

With regard to Japan, I will give double figures for each year, for the first half and the second half of each year:

	First half.	Second half.
1917	29.65	37.2
1918	36.34	39.79
1919	38.92	44.80
1920	40.65	44.31
1921	12.35	10.97
1922	17.32	14.72
1923	12.68	6.36
1924	10.25	10.39
1925	10.93	7.39

If you compare them and look at them, there is nothing much to choose between them.

Then, it has been said that the Bombay Industry is heavily over-capitalised. I have worked out, that the average capitalization per spindle in Bombay is Rs. 42.2, and in Japan it is 56.67 yen, which is equivalent, at the rate of 100 yen to Rs. 132, to an average capitalization of Rs. 74.8 per spindle. That is the story about the over-capitalization, about which so much point has been made. I must admit, Sir, that we have undoubtedly certain defects, and I have been thinking over this matter to find out why it is that a country, which grows no cotton but imports it and a country which imports so much cotton and turns it into piece-goods in such quantities for export, is able to undersell us. Well, Sir, the answer to that question, so far as the material aspect of it is concerned, is in one word, namely, that they are highly organised. So far as the psychological aspect of the matter is concerned, the answer also is in one word, namely, it is their ambition to expand at the cost of our country. The principle of this Bill is that they shall not expand, at our cost, nor shall they expand at the cost of any constituent member of the British Commonwealth of Nations. That, Sir, is the principle of the Bill which commends itself to this side of the House. It is true that the Japanese cotton industry suffered a heavy set-back. About one-fifth of their spindlage was destroyed by the earthquake of 1923, but they set about it and in 1924 they had more than made good, and from that time they have expanded and expanded.

Now, if we look at their organisation, whether it is in the matter of the purchase of the raw material or otherwise, you will find that 80 per cent. of the cotton which comes into Japan, comes from a close combine of three companies, one of which is working in our country. Now, it is not a pleasant fact for me to mention that the cotton which is grown on the vast and varied plains of Hindustan should be shipped by a Japanese Company to the United Kingdom. That is not a fact of which my friends on my left or the group to which I belong are at all proud, namely, that this cotton, which grows in India, should be shipped to another part of the British Empire from a country within the British Empire by a non-British concern. It is not a fact on which I would like to dwell. Although I must say that it goes against the grain, still as a British subject I have got to take notice of the fact that one huge concern the Nippon Menkwa

Trading Company is shipping cotton to the United Kingdom. Our merchants—Indian or English—perhaps, what shall I say? (*An Honourable Member*: "Incompetent.") (*Another Honourable Member*: "Unpatriotic.") I shall not say anything. Let them take note of these facts. I will leave them at that. As regards localization, it is true that the Japanese people are in the same difficulty as we are, but they are gradually working their way through out of these difficulties. Their industry also is localised in Osaka. They are trying to move out of that district of Osaka and go to another district with equal port facilities and with cheaper land. We are still harping upon this thing, and have done nothing so far in seeing to it that we are not found at the wrong place. We should spread out in other directions and at different places at which we have got much greater facilities as regards the cost of the land, raw materials and other facilities.

As regards marketing, Sir, I again find that cotton goods are exported to the extent of 80 per cent. by a huge combine of these three firms of which the Nippon Menkwa Company is a very strong member, and they are exporting cotton goods to Persia. Well, Sir, we are very near Persia. Geography should help us, perhaps ethnography should help us. Commercial intercourse should help us. Still they are working their way up, while we have done nothing so far.

I desire now to go into another matter, and that is the question of Imperial Preference. I want to illustrate what I have to say by referring again and again to the principle of the Bill, namely, of discriminating protection, and this matter of Imperial Preference comes within this principle, that where we have nothing to protect, we shall discriminate as between those with whom we have an infinity of business and those with whom we have no manner of business whatever. That, Sir, is the principle of discriminating protection, as applied to the sources from which the manufactured goods come into this country. Again when we take into account the case of the consumer, that principle applies, that is, that he shall not pay very much and he shall not be overburdened to an extent that is not justified either by the needs of the exchequer or by the case of the producer. That explains why this duty of 15 per cent. is there on British goods. Sir, a fear has been expressed that thereby there shall be created a monopoly. To my mind it appears that there can be no fear of a monopoly. Monopoly of what? There is always this 20 per cent. and anybody can jump over that barrier of 20 per cent.; so that there is no monopoly. Again, it was said that prices will rise excessively. Of this there is not much fear, because if country "A" has displaced country "B", it can only do so if it undersells country "B". On the general question of Imperial Preference, let me quote, Sir, the very wise and weighty words of a Commission in which the majority were Indians. The Report from which I am quoting is the Minute of Dissent signed by Members who justly occupy a very distinguished place in the public life of this country. The opening words are:

"We recognise that Imperial Preference is a means of strengthening the ties amongst the Commonwealth of Free nations."

Then sentence No. 2 is this:

"The exchange of trade amenities not in a spirit of bargaining, but as a free gift, has the effect of cementing the bonds amongst the free nations forming that Commonwealth."

[Dr. L. K. Hyder.]

Sir, I do not desire to discuss or take into consideration at all the business side of this question of Imperial Preference. But I desire to leave this question of Imperial Preference at these wise and weighty words which were penned by, and honoured by the signature of, distinguished Indians. This is what they say again: (*An Honourable Member*: "Page please.") (*Another Honourable Member*: "Names, please.") You want names. What is there in a name? I am quoting from page 192. I have already read the opening words of the chapter on Imperial Preference. Again, if it becomes a matter of dogma, this is what they say:

"It may well be argued that whilst subscribing to the principle of Imperial Preference our conclusion leads to the postponement of its application to the time when India attains her full status in the Commonwealth." (Hear, hear.)

What is it they subscribe to? They subscribe to the principle of Imperial Preference. Application is quite different from subscribing to that principle. We are doing precisely the same thing, namely, that we are following in the footsteps of these distinguished countrymen of ours, and secondly that, apart from this advance in constitutional position of this country, tariff-making power is undoubtedly in the hands of this Assembly, and this Assembly possesses the right to initiate, to withdraw, to grant or to vary any measure of Imperial Preference introduced into this Legislature. It is not my intention, and I do not wish to be drawn into a polemic because thereby you will kill all the fine things which centre round this proposal. Believing, Sir, that this principle of discriminating protection works through and through every clause of this Bill, from these Benches, I desire to give support to this Bill.

Sir Darcy Lindsay: Sir, before commencing to deal with the Bill, I would like to draw your attention and that of the Members of the House, to a circular letter that was placed in my hands in the lobby signed by Mr. Kawaguchi, Agent Japan Spinners' Association, Osaka, Japan and as dealing somewhat fully with this matter under discussion. I would not have drawn particular attention to this document, which I consider to be in particularly bad form, but it was handed to me by an accredited agent or official of the Central Muslim Group. I am quite sure their Leader could not have been aware of this. (*An Honourable Member*: "Who is that accredited agent?") I think he gave his name as Ranbir Singh. He informed me that he had been instructed by the Secretary of the Central Muslim Group to pass this document round.

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): I deny that absolutely.

Sir Darcy Lindsay: I think it is most improper of this gentleman, Mr. Kawaguchi, to have circulated any such document in the lobby of the House to try and secure the votes of the Members of this House. I think, on the other hand, that by his action he has influenced votes the other way.

Mr. President: Then what is the Honourable Member's complaint?

Sir Darcy Lindsay: My complaint is that this document should have been passed round in the lobby of the House by the agent of a foreign country to influence our votes.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): May I know if there is any convention that no papers should be distributed by any officer or clerk of any party?

Sir Darcy Lindsay: It appears to me that that is an incorrect course to pursue, and that is why I have drawn attention to it.

Now, Sir, the main point at issue, from which some of the speakers seem to have wandered very far afield, is this question of the 5 per cent. preference, which it is proposed to give to the Lancashire goods. I do not think it can be argued that this is really in the nature of Imperial Preference. The real reason for this 5 per cent. difference between the foreign countries and Lancashire is in order not to tax, and unduly tax, the consumer in India. It is a well known fact that Lancashire goods, or a large proportion of them, are of higher counts than the goods at present being manufactured in India, and the whole desire of this measure is to give the Indian mills protection against other countries in order that they shall better be enabled to start the manufacture of higher counts and compete with Lancashire herself. I maintain that, at the difference of 15 per cent. which there will be as against Lancashire, the Indian mills have got every possibility and every prospect of manufacturing these higher class goods and selling at a lower rate than Lancashire can import at. But if this extra 5 per cent. were removed entirely and Japanese goods or Italian goods were allowed to come into India at the 15 per cent. duty, then I am very much afraid that the Bombay mills and the mofussil mills would not stand very much chance of competing in that market.

A good deal has been said against the Bombay mills, in fact that has been the whole discussion. These poor unhappy Bombay mills have, to put it in vulgar parlance, got it in the neck. Now, Sir, at one time I was under the impression that it was the Bombay mills who are the only mills that were really suffering. But I have lately, within the past few months, received information from other sources, from up-country centres, that they are feeling the pinch every bit as much as Bombay. There is this insidious introduction of goods from a country that is able apparently to spin and weave at a lower cost than we can do, and it is to protect India against this encroachment that this Bill is introduced. If we look at the effect of what the measure means, I find that from the United Kingdom the increase up to 20 per cent. on grey goods, i.e., 15 per cent. and the 3½ annas per pound on grey goods will produce, assuming that the goods still arrive, additional revenue of 28 lakhs. On other higher count goods at the 15 per cent. duty, the additional duty of 4 per cent. will produce 148 lakhs, or a total of 176 lakhs. From other countries the additional 9 per cent. will produce 114 lakhs, or a total of 290 lakhs additional revenue, assuming the imports to be the same as in the past. But we well know that, with these increased duties, the imports will very considerably fall away, and the Indian mills will come into their own and be able to sell their production. Take the other figure. If the higher count Lancashire goods were taxed with this additional 5 per cent. for which it is desired they shall receive protection, it would produce a further revenue of 185 lakhs, and the whole of that would fall on the people of the country, and without any particular benefit to the industry of the country. It is on these grounds that I think this protective measure is most necessary.

Mr. A. H. Ghuznavi: Will it not raise the prices?

[Sir Darcy Lindsay.]

Sir, there is a good deal in some of the points brought out by my Honourable friend, Diwan Chaman Lall, and if in this new reconstruction which we hope my Honourable friend Mr. Mody and his friends will undertake, they could get Diwan Chaman Lall into their conferences, it appears to me that, as a leader of labour, he could give a great deal of help. Rightly or wrongly, Sir, I have formed the impression that the mill labour in India is not as efficient as it is in other countries. It may be perfectly true, as Diwan Chaman Lall says, that labour is neglected in certain directions. If with his assistance, that neglect can be remedied and the mills can get a hundred per cent work for the hundred per cent that they give in wages and comforts, then it appears to me, there will be greater prosperity for the industry. On the whole, Sir, I commend this measure to the House. I again repeat that, in my view, it is not, as made out by some of the speakers on the other side, wholly Imperial Preference. It is not Imperial Preference as such. It is a preference for one particular object only, and that is to keep out the stranger, and endeavour thereby to assist the Bombay and up-country mills to improve their manufacture, first of all, in what one might call the middle counts, and thus remove what is at present the biggest defect in increasing the selling power of the mills, and later on, they may go even to finer counts. With these words, Sir, I commend the Bill to the House.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): Sir, I am very thankful to you for giving me a few minutes to have my say on this question, because I may not be here at further stages of this debate. Sir, I am approaching the question from a layman's point of view. My Honourable friends will forgive me if I do not touch this question as if it related only to so many million yards coming from one country and so many million yards coming from another. In my opinion it is not only a question of such figures. I am looking at it, Sir, as an ordinary layman who has a certain political vision, and who judges such questions on certain well recognized tests. If I were to scan the nature of the debate which has taken place on this Bill so far, I would say, Sir, that on both sides of this controversy there has been a misunderstanding of the point of view of those who are opposed to this Bill on the simple ground that it involves Imperial Preference. I shall not, Sir, quarrel with the expression "Imperial Preference". I am only using it as a very convenient way of conveying my ideas. Possibly it is not Imperial Preference in the strict sense in which Dr. Hyder would have it. I am content to call it discrimination in favour of British goods, if that will satisfy technical experts. There are two points of view which have been urged before this House, namely, that of the millowners, and the other of those who are opposed to Imperial Preference, I do think that these two might have been reconciled at an earlier stage. I, Sir, a humble Member of this House, tried to have the two points reconciled, and I do maintain it is still possible to have the two points reconciled, but unfortunately we are living in an atmosphere in this House, Sir, when Government feel that, with the help of the millowners, their position is so strong that they need not listen to any proposals of compromise however reasonable. I attempted to have a talk with a Government Member, who with great politeness told me that he was very busy. I am therefore not moving any amendments, Sir, for I have no hope of any such

amendment being accepted in this atmosphere. But I do propose to put before this House a few considerations. These possibly would have had more weight if the House had not been so unevenly divided as it is at present. Speaking for myself, Sir, I should have liked very much to respond to the note which was struck by Sir George Schuster in his speech, and which was couched in the following words:

"It is obvious that any gesture of friendship which India can spontaneously and without compulsion make to the British Government in their present great industrial trouble is bound to strike a responsive note."

Speaking for myself, Sir,—I am not committing my party to it—I say that I should have liked to respond to this note, if the Government had made it possible. I am very anxious, Sir, to indicate, so far as my humble voice can reach across the oceans, that, having regard to the eventful things which are expected to happen within the next few months, we on our side are willing to respond, provided the Government make it possible. I should therefore have liked to have one year as the period for this Bill, so that we might have reviewed the position again at this time next year, before which date the expected events would have happened. I was anxious that we should give England some opportunity to prove the *bona fides* of the appeal the British Cabinet has made. Supposing, Sir, this Bill was confined to only one year, we would have given the opportunity to England to prove that she really wanted to play the game and was really anxious to do something for India at the next opportunity. I do not like to use the expression "Round Table Conference" for in the events which have happened and since the date of its announcement, that expression has acquired an uncertainty of occurrence, but it is clear that at the proposed confabulation between the representatives of India and England, whether it is at a round or a square table, important constitutional issues will be settled; and I am willing to agree that both countries should create an appropriate atmosphere for it. I should therefore have agreed, if it was possible to do so, that this Bill might go forth for one year only with the united vote of this House as an opportunity to England to prove that, in making this appeal to India, she was in earnest. I know, Sir, that I will be criticised in many quarters for expressing these sentiments, and for desiring to prove, as I wished to do, that when India has Dominion Status, it will very judiciously use its economic privileges so as not to do any injury to the people of England, consistently with India's welfare. ("Hear, hear," from the European Group.) From this point of view, Sir, it was eminently desirable to arrive at some such compromise as I have indicated but the Government, in the full consciousness of their strength, have not made it possible. I shall not therefore tire the House by speaking long on this part of my case. I have said enough to make clear my own confession of faith on this question.

Now, the other point of view is this, that as coming from Bombay I quite agree with my Honourable friend, Mr. Mody, that a grave necessity exists for giving protection to the mill industry. I agree with the main points made in his speech by Diwan Chaman Lall. My only difference with him is this, that he chose the wrong occasion for making that speech. This Bill was not the time for making that speech, raising acrimonious controversies between capital and labour. However, I am glad, that he has spoken and made such a brilliant speech. I do hope my Honourable friend, Mr. Mody, will profit by what Mr. Chaman Lall

[Mr. M. R. Jayakar.]

said. I am bound to say, Sir, that, in the past many millowners of Bombay have shown great apathy to the well-being of their operatives. I personally have been a witness to such apathy. I am therefore glad, Sir, that Diwan Chaman Lall has voiced the point of view of labour. I do not belong to any labour organisations, though my sympathies are entirely with what Labour does in a constitutional manner to improve its position.

Now, Sir, coming to the most important question of Imperial Preference, there again I am confessing my own faith. My own view is this, and I voiced it on the last occasion when the same question was before the House in connection with the Steel Protection Bill when we had not the benefit of the presence of Sir George Schuster in this House. At that time, the House will remember, we were told exactly what we are being told now. That Bill, Sir, very cleverly, and surreptitiously introduced the principle of British preference, just as this Bill does. At that time my own view was shared by many Members of this House, and that was, that we should not accept British preference, although it involved giving protection to a necessary national industry, namely, the steel industry of India; on this main ground some of us voted against that Bill, as the Honourable Members are aware. The position today is exactly the same. We are entirely in favour of giving protection to the mill industry of India. Speaking on behalf of the Benches to which I belong, there is not one amongst us, who will say that this industry should not receive full protection. But the question arises, Sir, whether it will be wise for us to give it at the sacrifice of a very valuable economic asset,—I call it an economic asset—namely, India's power to accord Imperial Preference. I regard, Sir, the power of consuming things which 320 millions of Indians possess as a very valuable asset. The power of India, with all her poverty, to consume through her 320 million inhabitants the goods of this world, I regard, as a politician, as a very valuable economic asset whose value is especially in the hands of a poor country like India, something like the solitary rupee in a poor man's pocket. We know India is a very poor country, and as such, the power of her inhabitants to consume the goods of the world, which constitutes her trade and commerce, is a very valuable asset. I am therefore very anxious that she should not fritter away this economic asset for small concessions here and there. Today a part of it is frittered away for the protection of the steel industry; tomorrow another part of it is frittered away for the protection of the mill industry, and before long another industry may have to be protected on similar grounds. We will thus fritter away in dribblets the entirety of this economic asset in our hands for the protection of one industry after another. I am anxious, Sir, that when India sits across the bargain table, with freedom to make dealings as she chooses, she should be able, with the aid of the whole of this asset, to adjust her economic relations in a spirit of give and take for a full price for this asset. In other words, I want to have an adequately big price for that. My opposition to Imperial Preference does not arise, as may be supposed in certain quarters from a hatred of England or from a desire to injure England or her trade. My opposition is based purely on economic and political grounds, and I am one of those who would retain this economic privilege, in his hands, whole and unimpaired, till the day of free bargaining comes. I want to keep this asset absolutely unfrittered by small concessions now and again for the protection of the industries of this country, which it is the duty of any Government, which calls itself the Government of this country, to protect. I want to preserve this asset like

a good bargainer in my hand until we come to that conclave where I can say to England and the Empire, "Give me the full price for preference for your goods and I will agree to it". I see nothing wrong, Sir, in one country accepting a preference in favour of another country. It is commercial bargaining which goes on everyday in all our departments of life. It is a business proposition. I do not think that the principle is vicious; I do not think that it is even unpatriotic. But, Sir, in the present dependent position of India and especially in the present constitution of this House, which cannot be said to be truly representative of non-official India, with the official block sitting there with their nominated colleagues,—I mean no offence to anybody,—we cannot accept this principle without danger of underbidding. I would like to deal with this principle when this House is fully representative, *i.e.*, when it is wholly elected. (*An Honourable Member*: "It may be too late.") Sir George Schuster pointed out the case of the British Dominions; he cited the case of Australia; he pointed out Canada, he mentioned South Africa. My short answer to Sir George Schuster is, "Let India become a self governing Dominion like Australia, Canada and South Africa, and we shall give you Imperial Preference". I am anxious that that day should come very soon, and I have no doubt that it will very soon come, looking to the march of events in the country. When India will become like South Africa, we shall certainly then bargain not only with England but with other parts of the Empire as well.

Sir Hugh Cocke: It may be too late.

Mr. M. R. Jayakar: I don't think so. Therefore, my confession of faith is this, that in the present state of the House and in the present dependent condition of India, and also having regard to the price that we are getting, if my millowner friends will forgive my saying so, we are frittering away a very valuable privilege like the poor man who has only one rupee in his pocket, and in his hunger and dependence is unable to judge how he should spend it, whether one anna in gram, another anna in groundnuts and so on, instead of keeping the rupee tightly in his hand in order to make freely a good bargain. That, Sir, is the reason why I am opposed to Imperial Preference. And speaking for myself, again, Sir, I am anxious that we should hasten the day when we shall be able to decide this question in a spirit of freedom. I entirely appreciate the observation of Sir George Schuster who said, "We want this House to decide for itself". We are thankful to Government for this attitude, and we should decide this question in a spirit of freedom. I shall once more repeat that this House is unlike the Legislature of a free country; it cannot be said to enjoy complete freedom. Nor is India yet in the position of a Dominion. Therefore, Sir, all talk of analogy gathered from other Dominions is absolutely out of place. We should therefore be careful not to barter away a valuable possession for a small price; I am anxious that when the time comes, as it is bound to come in the near future, we should get the fullest price, and as we sit across the table, ask Canada, "What are you prepared to give to India for the sake of preference?", or ask South Africa, "Are you prepared to take my nationals on terms of complete political equality? If so, I will accept your coal on a preferential basis." So also we would tell Canada. "Are you prepared to treat Indian religions with decorum and respect? If so, I will accept your apples and oranges on preferential tariff". I want to reserve this liberty to myself and I want to keep this asset in my hands to be able to bid

[Mr. M. R. Jayakar.]

effectively. When the day of that liberty is reached, then, with the force of public opinion behind me, and guided by the one impulse of patriotism, and national self-respect I have faith that I would get for India the full price for Imperial Preference. Let us wait till that day arrives.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadian Rural): Mr. President, my Honourable friend, Mr. Jayakar, in his usual eloquent and impressive manner, asked us to keep tight, like the poor man, the last rupee in our hands, but, Sir, I feel like the poor man who has got a rupee in his hand but who has been starving for the last one week, and the question now before me is, am I to part with a part of that one rupee, so that I can get some food and live, or am I to sit on that one rupee and face certain starvation and death. That is the position in which the Indian textile industry, is placed today and in the few observations that I intend to make, I do not propose to look at the question from the point of view of a politician, but from the point of view of a practical man who is faced with facts.

Mr. M. R. Jayakar: Is not a politician a practical man?

Mr. R. K. Shanmukham Chetty: As my Honourable friend the Commerce Member said the other day, the principle underlying this Bill is simple, namely, whether the Indian textile industry ought to be granted some protection. In discussing that principle, I would like to follow the excellent line of argument adopted by my friend Diwan Chaman Lall, in his very brilliant and masterly speech, but a line of argument leading to conclusions very different to those that my friend drew from it. I propose to look at the question from three aspects—does the Indian textile industry require and deserve protection, secondly, is the scheme of protection proposed by Government adequate and effective; and thirdly, what is the effect of the proposed British preference on the Indian textile industry? I propose to confine my remarks to these three aspects of the question arising out of the present measure.

Whatever my friend, Diwan Chaman Lall, and adherents of free trade might say to the contrary, I am convinced, Sir, and it does not require very much argument to convince at least the majority of Honourable Members of this House, that the Indian textile industry, in which over a hundred crores of Indian money are invested, in which over 400,000 Indian labourers are employed, and which supplies a vital necessity for the Indian people, is certainly a national industry. I do not think arguments are needed to convince Honourable Members of this House that the Indian textile industry is a national industry. It can be proved that this great national industry is in a perilous state and would simply be killed if adequate protection is not granted. That the Indian textile industry needs protection has been amply proved by the findings of the Textile Tariff Board and also by the Report of Mr. Hardy. It has been the contention in India, Sir, that we are suffering from unfair competition on the part of the Japanese textile industry. At the time the Tariff Board reported, after elaborate inquiry they came to the following conclusion:

“The third test is that of unfair labour conditions, and here we think that the element of unfairness undoubtedly exists.”

At the time the Tariff Board reported, the Board was satisfied that unfair labour conditions existed in Japan, and my friend Diwan Chaman Lall asked this House to believe that, at least now, such unfair conditions have disappeared. What has happened in Japan since the Tariff Board reported? Their new factory law came into operation on the 1st July, 1929; but I maintain that, in spite of the coming into operation of the new factory law, labour conditions in Japan are still unfair. My Honourable friend Mr. Mody referred to the Washington Convention, and my friend Diwan Chaman Lall flung at him a bulky volume containing the Washington Convention. I have got the Washington Convention here in a more handy form and what do I find? One of the articles of the Convention is this:

“Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.”

Diwan Chaman Lall: The Washington Labour Convention is the hours convention and the Honourable Member knows it perfectly well.

Mr. R. K. Shanmukham Chetty: My friend construes the Washington Convention in that restricted sense when it suits him. Now, Sir, this convention was adopted in Washington in 1919. What is the definition of the term “night”? For the purpose of this convention, the term “night” signifies the period of at least 11 consecutive hours, including the interval between 10 o'clock in the evening and 5 o'clock in the morning. My submission to this House is this that, neither in spirit nor in letter, has Japan adhered to this convention.

Diwan Chaman Lall: Has India done so?

Mr. R. K. Shanmukham Chetty: India has done so.

Diwan Chaman Lall: The Honourable Member knows perfectly well that there is no legal sanction to that particular convention as far as India is concerned.

Mr. R. K. Shanmukham Chetty: I am surprised to hear my Honourable friend Diwan Chaman Lall making that statement.

Diwan Chaman Lall: It is made on the authority of the Government of India.

Mr. R. K. Shanmukham Chetty: I am surprised to hear that the Government of India should have made such hasty statements as my friend Diwan Chaman Lall. I said that Japan, neither in spirit nor in letter, has been following this convention even from the 1st July, 1929.

Diwan Chaman Lall: This is what the Government of India themselves say:

“Article 7 of the Convention has not been formally applied to any part of India and the Government of India were under the impression that, in practice, a rest period of full eleven hours, as required by the Convention, was being secured for women operatives. Recently however it has come to notice that this is not the case.”

Mr. R. K. Shanmukham Chetty: I would give my Honourable friend a statement from the Tariff Board's Report. Comparing the adherence of Japan and India to the Washington Convention they say:

"In India the employment of women and children by night is entirely prohibited."

What is the effect of the so-called adherence of Japan to the Washington Labour Convention? It comes to this, that they employ women and children under 16 years in night work between the hours of 11 P.M. and 5 A.M. That gives them 18 hours in the day, with the result that they work two shifts of 9 hours, with half an hour interval, employing women and children under 16 years of age. That is the unfair competition that exists between Japan and India even today.

Diwan Chaman Lall: How would that be unfair if the wages are higher?

Mr. R. K. Shanmukham Chetty: Now, my friend is shifting his ground.

Diwan Chaman Lall: Will the Honourable Member explain how it is unfair if the wages are $1\frac{1}{2}$ times the wages here.

Mr. R. K. Shanmukham Chetty: I take it that the Honourable Member agrees that, so far as the application of the Washington Labour Convention is concerned, Japan is competing unfairly with India.

Diwan Chaman Lall: I have already informed the Honourable Member that the Government of India themselves say that it is not so, as far as India is concerned. . . .

Mr. R. K. Shanmukham Chetty: I do not care what the Government of India say. The Tariff Board has definitely found that, even after the new factory law has come into operation in Japan, there still exist unfair conditions of labour in Japan, and the conditions about which the Tariff Board spoke in 1927 exist even in 1930.

Diwan Chaman Lall: Where is the unfairness, if the wages are higher?

Mr. R. K. Shanmukham Chetty: Sir, so far as the unfair competition is concerned, it certainly exists. Now, what are the other arguments that my Honourable friend Mr. Chaman Lall used to show that the Indian textile industry does not deserve protection? He took page 20 of the Tariff Board's Report, where there is a table in which is given, from the year 1917 to the year 1925, the percentage of dividend to the paid up capital. He added all this up, and came to the conclusion that, in 9 years, the Bombay textile industry gave away 177 per cent. of its paid up capital in dividends. Well, when I listened to my Honourable friend Mr. Chaman Lall's harangue on this point, I was inclined to think that it would do good to read the whole of a report instead of reading only a part of it. Now, this argument of my friend was advanced to show that, as compared with Japan, Bombay was extravagant in distributing the dividends during this period.

Diwan Chaman Lall: No.

Mr. R. K. Shanmukham Chetty: Then my Honourable friend agrees that Japan was equally extravagant in those days.

Diwan Chaman Lall: My point was this, and the Honourable Member knows it perfectly well, that India has distributed dividends amounting to

177·9 per cent. during these years. Therefore the industry can stand on its legs. If, instead of distributing that money, they had conserved it, they would have been better off today.

Mr. R. K. Shanmukham Chetty: My point was that, from 1917 to 1925, there was a boom throughout the world, and if Bombay has given 177 per cent., the Bombay textile industry was not the only industry that gave this dividend. On page 84 of the Tariff Board's Report we find:

"In justice to the Bombay mill industry, it must be pointed out that, as will be seen from the tables we attach, the dividends paid by the mills in Bombay were on the average not on a higher scale than those paid by mills in Japan during the same period."

But my friend says that Japan has built up huge reserves. Let me tell my Honourable friend that, from 1917 to 1925, if Japan built up huge reserves it is not because they withheld dividends, but because they speculated in the purchase of cotton in those days. Here is the Report of Mr. Pearce, about which my Honourable friend Mr. Chaman Lall spoke. Speaking about the various causes that have contributed to the prosperity of the Japanese industry, he says:

"I would attribute as a second cause for Japan's rapid advancement what we in Europe would call speculation."

And he goes on to say that the profits made in this way, namely, by speculation in cotton during the war have enabled them to build up huge reserves. That was how the reserves were built up in Japan in those days.

Diwan Chaman Lall: I may remind the Honourable Member that cotton went up from 30 yen to 100 yen at the commencement of the war and after Japan bought at 30 yen and made millions.

Mr. R. K. Shanmukham Chetty: Making such purchases without hedging them is called in the commercial world speculation. It is from that kind of speculation that Japan built up those huge reserves.

My Honourable friend, after saying that Bombay dissipated her profits by giving huge dividends, had the usual fling at the Managing Agents of Bombay. Sir, I do not propose to take any brief for the Managing Agents, but in fairness to the managing agency system, which has been so much abused and so much misunderstood, I would again refer my Honourable friend to what the Tariff Board itself found on that point:

"Except to the extent that defects in the managing agency system, such as undue conservatism and lack of initiative, have contributed to the present depression, that system cannot be held to be responsible for existing conditions."

That was the finding of the Tariff Board on the inherent defects of the managing agency system, after making very elaborate inquiries on the point. If the question whether the textile industry in India deserves and needs protection is examined without passion or prejudice, Honourable Members can come to only one conclusion, namely, that the faults of the textile industry, and especially those of Bombay, have been exaggerated and are still being exaggerated, and that the Indian textile industry is now in a position which justifies this House in granting to that industry an ample measure of protection.

[Mr. R. K. Shanmukham Chetty.]

I would now come to my second point. Having satisfied myself that the textile industry in India does deserve an adequate measure of protection, I ask myself whether the protection proposed in this Bill is adequate and effective for the purpose of the Indian industry. My conclusion, to state it at the outset, is that, so far as the requirements of the Indian industry are concerned, this measure of protection is both adequate and effective. Sir, in the note that has been circulated to Honourable Members by the Honourable the Commerce Member, a comparison has been given between the imports from Japan and the United Kingdom to show that the real competitor for India is Japan and not the United Kingdom. My Honourable friend, Diwan Chaman Lal, again, in reading these figures, came to the extraordinary conclusion that these figures show that the Indian textile industry does not deserve protection. But, that is not the conclusion that ought to be drawn from these figures. Whether you take the progress of the trade in *dhotis* or in long cloth and shirtings, or in coloured goods, what you find is this that, during the last 10 or 15 years, the Indian industry, even with an advantage of 11 per cent. against Lancashire, has been able to capture a great deal of Lancashire's trade. But the entry of Japan into the Indian market during the last eight or nine years has resulted in this position, that the greatest competitor for India in maintaining her present position is Japan and not the United Kingdom. That is what these figures show. Take the *dhoti* trade. In 1924-25, Japan imported just one million yards, and in 1928-29, 35 million yards. In long cloth and shirting, in 1924-25 it was five million yards, in 1928-29 it was 191 million yards, and in the calendar year 1929 it was 325 million yards. The same is the tale whatever classification of goods you might take up. In the Report of Mr. Hardy it has been pointed out that over 80 per cent. of the cloth produced in the Indian mills is from counts of 25 and below, and taking the quality of goods imported from Lancashire, it is clear, that only about 12 or 13 per cent. of the cloth imported from Lancashire would come into direct competition with Indian manufactured goods. What the House has therefore to satisfy itself about is this, whether the measure of protection proposed in this Bill is adequate to meet the demands of the Indian industry. It is not necessary, I think, to weary the House with more figures to prove how the present measure of protection is both adequate and effective.

I would now come to my third point. What is the effect of the proposed scheme of British preference on the Indian industry? That there is an element of British preference in this scheme, it is idle to deny. When I examine that scheme of British preference, what I am concerned about legitimately is whether that preference will adversely affect the Indian industry. I am not going to reject British preference on the ground that I cannot bear the sight of the United Kingdom also benefiting by a scheme of protection. Sir, in my budget speech the other day, I gave out what my attitude towards Imperial Preference is. I consider Imperial Preference purely as a business proposition. It is as unreasonable to advocate Imperial Preference on sentimental grounds as it is to reject it on grounds of prejudice. Viewing Imperial Preference as a business proposition, I am not satisfied at the way in which the Honourable the Finance Member has asked us to look into that question. The Honourable the Finance Member has offered to us the possibility of a political advantage that we might gain in return for this preference that we give to British goods.

An Honourable Member: Bargaining.

Mr. R. K. Shanmukham Chetty: I say it is as unworthy of British to ask, as it would be unwise of India to exchange, an economic for a political benefit. The political demand for Dominion Status must stand or fall on its own merits and not be linked up with economic bargaining (Hear, hear). Dominion Status is as much an economic necessity for India as political necessity; and Dominion Status or even Independence acquired for India by bartering or mortgaging India's economic rights will not be worth a day's keeping. I am not therefore prepared to exchange any amount of political benefit for an economic benefit. If Great Britain is asking for Imperial Preference from India, she must be prepared to offer to her in return an economic benefit and not a political benefit (Hear, hear). I know from the history of Great Britain itself, from the prejudice of the British elector against food taxes, that it will not be possible for any British Government to ask the British public to agree to any great scheme of Imperial Preference; for Imperial Preference for Britain carries the necessary implication that there will be taxation on foodstuffs. I am not therefore afraid of this talk of Imperial Preference. I would simply ask a plain question. What has England, Australia, or Canada for the matter of that, to give me in exchange for the economic benefit that I give; and if I am satisfied I can get back enough return for this concession that I give, then, I, for my part, would not be swayed by any sentiment or prejudice on that question. It is in that spirit that I view the whole question, and viewing the question from that point of view, I am convinced that the scheme of protection formulated by Government, while it certainly gives a certain amount of advantage to Britain, does give to the Indian industry an adequate and effective protection that it is in need of. Inasmuch as the scheme gives that adequate and effective protection that the Indian industry needs, I have not the slightest hesitation in supporting the measure that is before us. (Applause.)

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadian Rural): I was listening very attentively to the eloquent speeches delivered by my Honourable friend, Mr. Shanmukham Chetty, as well as Mr. Jayakar, and I was a little perplexed, being neither an economical nor a political expert, as to the best conditions under which the best bargain we may make from what has been called the rupee which the poor man holds in his hands. Sir, may I humbly remind both my Honourable friends over there that, after all, the argument based on analogy is not always the very strongest of arguments. My Honourable friends know there are four kinds of arguments in logic; and the argument of analogy as well as the argument based on mere verbal authority come lowest in value. My Honourable friend, Mr. Jayakar, said, "I have a rupee in my hand—the poor man's rupee—and I am not going to dispose of that rupee except in terms of something valuable politically, as valuable as I can possibly get in return for the rupee". My Honourable friend, Mr. Chetty, rather inadvertently I thought, was trying to make capital out of that analogical argument and said, "There is the poor man's rupee, but the poor man is hungry and starving; then why not spend a little portion of it to relieve the poor man's hunger?" But he forgets that the rupee that the poor man has is only to relieve the poor man's hunger and not to relieve his neighbour's hunger; that in this case, the rupee is not that of the poor textile industrial workers or of the employers or capitalists, but it is that of the consumers'; and the consumers' one rupee cannot be given away to relieve even a little

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portion of the hunger of the textile industrial managers of Bombay or of any other city. That is the flaw in his argument. It is not the hunger of the poor man that my Honourable friend wants to relieve, but is another not-poor man's hunger; it is his neighbour's hunger that he wants to relieve with this rupee for the latter's own benefit; and that is a proposition which, I think my Honourable friend, Mr. Chetty, himself would admit, is not under either the old ethics or new morality a sound proposition. However, Sir, I suppose economists and politicians are not always as keen as we old philosophers are about moral principles.

I will now go to what may be called the more worldly portion of the business; and here I do not find my Honourable friend, Sir Darcy Lindsay, in the House. I should like to congratulate Sir Darcy Lindsay for the very great concern which he now shows for the textile industry and mill-owners of Bombay. I have always entertained, Sir, very great respect and very great regard for Sir Darcy Lindsay. He is not a European merchant of the old type at all, and therefore, I did expect from him greater sympathy in these days for Indian industries than probably a hundred years ago his ancestors had for the then Indian industries. Therefore, that comes very naturally from a very good gentleman, like Sir Darcy Lindsay. Then, when I listened to my Honourable friend, Dr. Hyder, up here,—and he too is not to be seen in his place—I thought he was lecturing to some of his students about the principles of Imperial Preference and things of that kind. All of us thought that he could spare us these theoretical principles, because we do not happen just now to be his students attending his lectures. Today we do not happen to be in one of his class rooms as students to whom he would lecture upon the various aspects of Imperial Preference and things of that kind.

Now, Sir, I have been trying to follow, as far as I can, the debates in the House, with a view to make up my mind, because I was one of those who were a little terrified by the budget speech of the Honourable the Finance Member. And here I must confess, rather I must protest, that I never had the slightest doubt that either the Honourable the Finance Member or the Honourable the Commerce Member, for whom I thought my good friend Mr. Jinnah made great advocacy the other day, I never doubted that they had very great intelligence, not only as much intelligence as I have, but indeed far greater intelligence. And that is exactly my difficulty. These gentlemen have such an abundance of intelligence and cleverness that they can easily manage to make the worse appear the better reason. Therefore, I have to be very careful. With all the humour that the Honourable the Commerce Member possesses in abundance, Sir, and I enjoy it certainly even when that humour comes from an old bachelor like the Honourable the Commerce Member—but when he puts his humour on, I have to be ten times more careful that I do not swallow all that enjoyable humour for good arguments; and that exactly is my difficulty. Arguments on this side of one kind are supposed to be flung, arguments on the other side of another were poured forth; and humble folks like myself are very greatly perplexed what the really sound arguments were and what the rather specious were. That was in fact what I was pondering over, when my Honourable friend, Mr. Chetty, was speaking. Here is one doctor that says one thing, there is another doctor who says another thing. One great economic expert says one thing; he says this is a very good Bill that is

placed before us. Another equally great economic expert, who knows many more things, says it is not a good Bill, and we poor fellows are left in the lurch. We have to scratch our heads and see, after all, where are we landed, by the truly sound arguments whether on the side of the Government or on the opposite side.

Sir, in this dilemma, I have been trying to read the thing a little for myself; and I wish, Sir, that we were given more figures, more statistics and more arguments than were contained in the Honourable the Commerce Member's speech. I wish, Sir, he had told us, for instance, what were

5 P.M. all the corollaries in rupees, annas and pies that would follow from the acceptance of the Bill. It is a little difficult for me, an ordinary Member such as I am, to look into these various trade returns and make out the various quantities of various kinds of goods that have got all those technical names which are not easy to swallow, like bleached, unbleached, dyed and undyed,—D-Y-E-D of course,—and all this mass of figures relating to them. In a general way, I have been trying to work out some of these facts and figures, and they have been rather perplexing. I wish, therefore, Government had put this matter before a committee; if not before the Tariff Board, at least before a Select Committee of this House, and had asked them to scrutinise all the various implications of the various portions of this Bill before telling us, in a very indefinite manner, that if we want to help the cotton industry or the textile industry of Bombay, we should take the whole Bill, and they would allow probably a small verbal amendment like that proposed by Mr. Chetty over there; but that if we don't want it, they will give us nothing. That is a position that is equivalent to rather taking us at a disadvantage. There may be, after all, still a third way out of it, a third alternative, and perhaps a better alternative, than taking the whole Bill or rejecting the whole Bill; and it is on that aspect that I should have liked a discussion in this House, instead of going into these rather broad questions of the past virtues or misdeeds of the Bombay millowners. After all, Sir, you will pardon me when I, in my own philosophical way, say that human nature is the same everywhere, and the Bombay millowners are not superhuman. They have all their many faults; but there is a soul of goodness in things evil also. They must have, after all, a little bright side along with their dark side as well. I should have told my Honourable friend, Mr. Chetty, if he were here, that I was not impressed with the quotations he gave, as he thought to his advantage, from the Tariff Board's Report or any other Report; and I think there is a great deal of truth in what a great writer once said that statistics can prove anything in the hands of a clever man. The same set of statistics gives one sort of inference to Diwan Chaman Lal, the great Labour leader; while the same set of figures gives another sort of inference to a great capitalist leader, like Sir Purshotamdas Thakurdas, or my equally capitalist friend, Mr. Chetty. Therefore, to a man like myself, who is neither a capitalist leader nor a labour leader,—and Heaven knows I have no ambition of becoming any either—it is very difficult to accept either the conclusions of the labour leader or the conclusions of the capitalist leader or any other leader. I find that these gentlemen were talking not to enlighten us, but to perplex us all the more. I wish that my very matter-of-fact and esteemed friend, Mr. Jinnah, had appeared on the scene, and put in his own usual way what we call the common sense point of view, so that he could help us to understand really what is the practical issue before us.

Mr. M. A. Jinnah: I hope to speak if I get an opportunity, and I hope to convince my learned friend about the views I hold.

Mr. M. K. Acharya: I hope we shall have an opportunity of hearing my Honourable friend before we finally vote upon the motion before the House. In any case, not having had so far the benefit of his speech, I can only say that, so far as I am concerned, I am very anxious to find out the truth. I tried to study some of the figures, and I tried to send up some kind of amendments too. I am very anxious to find out if there could not be some other alternative—other than accepting the whole Bill or rejecting the whole Bill. It may be said, however, that that must lead me to vote for this motion and go to the consideration stage. But before I do vote one way or another, I must enter my emphatic protest, in my own humble way, against the manner in which Government have thrust this Bill upon us, and the short time we have had for its consideration and scrutiny. They ought to have known, at least in January, that there would be a deficit Budget both for revenue as well as for protective purposes, and that they would be called upon to impose some heavy tariffs and things of that kind. If they did not know it in January, I do not think they are entitled to be called a sensible Government. Therefore, my charge is, unless it is rebutted, that they did know in January that they were going to have a deficit Budget, and that, chiefly for revenue purposes, they would be called upon to increase the tariff duties. Having known this, they ought to have given more time to this House, instead of coming up in the first week of March and saying that they must get this through in the course of the following three or four days. For that one reason, if for no other, I should be prepared to vote against Government, because they have not given us ample time and ample facilities to study the various aspects of the Bill, and take it into consideration on all its merits. That, Sir, is one very strong protest I wish to make against Government. I hope in future they will give us more time, more facilities and more statistics, because we on this side do not have huge departments working for each one of us at our disposal, such as the Honourable the Finance Member and the Commerce Member have. We, of course, had something circulated, which contained some facts and figures, but I have not been able to study them thoroughly yet, for being handed to us at such a late hour it rather spoils the game altogether. Therefore, I protest against the lateness and the very hurried manner in which Government want to thrust this legislation upon us with a pistol in their hands, saying, "If you do not pass it, your Bombay millowners will suffer". Yes; the way they want to put the vested interests against the general taxpayer is, in my vocabulary, rather immoral. I am very sorry that Government should play this game.

Now, the other day Sir Purshotamdas Thakurdas protested against what he lightly called our sense of irresponsibility. Sir, I have my poor sense of responsibility, which is to my electors, to the poor man, to the hungry man, not necessarily to the labourers of whom my Honourable friend, Diwan Chaman Lall, is the advocate. But I am here to look after the ordinary taxpayer and to see how much more he will have to pay for the ordinary cloth that he wears next year than he pays now. I have calculated that there will be an increase of one-eleventh, that is to say, for every 11 annas he will have to pay 12 annas. It is a very easy calculation which any schoolboy can make, for the Government in this Bill proposed to

raise the tariff duty from 11 per cent. to 20 per cent. or by one-eleventh more. So for every cloth priced 11 annas till now, the consumer will have to pay one anna more. And I have not been told what advantages he will get for himself in return for this extra expenditure of one anna. It may be good for you or Mr. Chetty to say that the Bombay millowners are very poor people, and they want this protection very badly, and for the sake of the Bombay millowners, my dear voters from Conjeevaram, Chingleput and Chidambaram and so on, they had better pay one anna more for every 11 annas for which they purchase the cloth now. Would my very esteemed friend, Sir Purshotamdas, say that that will be showing a sense of responsibility to my electors, if he were in my place? He charged us the other day that we did not vote with him, and we were showing a great sense of irresponsibility. I may not be as great as he is in commercial matters, and I do not wish to be a capitalist at all as he is. I do not use the word in any offensive sense. I do not wish to be a capitalist, for my wishes are for the wealth in heaven above and not for the riches below. I hold with Jesus Christ as my reverend friend there will say, that it is as easy for the rich man to enter the gates of Heaven as it is for a camel to pass through a needle's eye. However, I know that my friend, Sir Purshotamdas, is both rich and good. I wish he would show a greater sense of responsibility than he did the other day, and realise that there are various grades, various standpoints, from which to show our sense of responsibility or irresponsibility, and although I am not as rich as he is, I certainly can claim to know and speak as good English as he.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Better.

Mr. M. K. Acharya: I accept the compliment as one who has had to teach English for many years to students in High School and College classes. Probably I might have forgotten much of it in my non-co-operation days; but I probably know, even now, better English than he, and I cannot accept the charge that I am lacking in my sense of responsibility, not even that I am unable to hear and scan the facts. I wonder if my Bombay Knight knows what we philosophers call the Law of Relativity. The Law of Relativity governs all things under the sun, including all tariff Bills and millionaires, and therefore it is that the capitalist looks upon it in one way, the worker in another way, and I look upon it in a quite different way from all these people. I repeat the law of relativity does apply to all our thoughts, and so to what he calls the sense of responsibility. And it is because I wish to show my fullest sense of responsibility to those people by whom I am sent here that I desire to examine this Bill very closely.

Now, what is the Bill? So far as I am able to claim—I am trying to finish as quickly as possible, and trying to speak as fast as I can, but after all the burden falls on the poor Reporters, that I know always—as far as I am able to make out, the returns show that there has been a gradual decrease in the imports from England into India and a gradual increase of imports from other countries into India. I speak subject to correction, because I always disclaim being any great authority in statistics and economics and that sort of things. It has been something like this, taking the past five years for which the figures are available in the huge

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Commerce Member goes to the help of the Finance Member naturally, and he necessarily comes into this House with this proposal for raising the tariff in order to get revenue; and incidentally, he tells us all these stories about the declining mill industry, the national industry of India. Sir, speakers before me have already urged how, if this great charity had been granted earlier, it would have been more philanthropic; that had it not been at the cost of the poor man, but in some other fields, it would have been more welcome. But whatever it is, the offer of protection, coming as it does as a great temptation in order to induce us to accept the present tariff proposals, coming also in order to give more money to the Government at this stage, coming as it does, coupled with the bargain that we shall have the protection only if we agree to the increased taxation and to the increased expenditure. I am afraid, Sir, that it is neither very charitable nor fair.

Now, looking at them from this point of view, Government's proposals are of a mixed character; they are primarily not for protection, but for revenue purposes. There is a small bit of protective advantage no doubt. It is not for me to say exactly what will be the immediate effect of the protection proposed. I leave that matter to be settled between the economic experts on the capitalist's side and the economic experts on the labour side, as to whether this measure is adequate, whether it is absolutely necessary, or whether it will be effective. I have got my own suspicions. Probably our experts later on will come and say that there were some flaws in the calculations somewhere—not made by them, they will urge, but made by somebody else! And therefore the whole thing has gone wrong, and they may want some other kind of protection, for this thing or something else. I could have understood, as my Honourable friend, Mr. Jayakar, very seriously suggested, if the proposal was only for one year, and if at least, before the 31st March, 1931, Government would afford ample facilities either for an examination by the Tariff Board or otherwise, and put this House in possession of all the facts, such as we are not in possession of today, we could perhaps then have swallowed the pill with some amount of grace. But the proposal is for three years. I know it will be said that one year is too short a time to examine the effects of the whole proposal. What is the difficulty? Could it not be found out, even in the course of a year, what is happening in Japan and the rest of the world, so that this protection could, if necessary, be continued for another year? Why should it be now alone put up for three years necessarily? When a similar Bill was brought before this House three years ago, it was said that there would be no need to ask for protection after three years; and yet it has come again. The old Bill comes back to us and it is to be for three years once again. Now, what guarantee is there that, in 1933, Sir George Schuster and Sir George Rainy or Sir George Rainy's successor, whoever may happen to be here, may not come here and say, "You good boys, you agreed to our proposal in 1927 and again in 1930, you give us another Tariff Bill for another three years, for protecting this other kind of industry which badly needs protection". So, Sir, this is setting a bad precedent; and unless therefore a very strong case is made out for setting up such a precedent, it is incumbent on us, who are the guardians of the poor taxpayer, it is incumbent on us to say that we are not going to put this power of taxation into the hands of the Commerce Member to do what

he pleases within the next three years. Therefore, Sir, as I have said, if the proposal is restricted to only one year, we may be less anxious to scrutinise every portion of the Bill very much in detail; but the proposal being for three years, it is our duty to see that nothing passes our scrutiny which can possibly be brought within it.

Sir, I do not wish to refer to the eloquent speech of my friend, Mr. Jayakar, at any length because I am half in agreement with him, though I am half in disagreement. I am neither a political, nor an economic bargainer; and therefore he is the best judge as to whether at the Round Table Conference he can get his full rupee's value, or whether he will not. I do not believe that will move me one way or another. My friend, Mr. Chetty, thinks that, for one rupee of economic asset, we should have one rupee of economic value; but there again he does not tell us what is the economic value he can be sure of for one rupee of our economic asset. What is he going to get from England in economic return for this preference? He may say that we are protecting our industry by this additional taxation. That does not necessarily mean that we are not throwing away to the British Empire the economic asset which has been recognised by Mr. Chetty himself. But if there be an asset, it is good to get the full rupee's value before throwing away our asset. Now, Mr. Chetty wants some economic value for it, while Mr. Jayakar would like to have some real political value in return. Perhaps I would say I would like some spiritual value for the rupee from materialistic Britishers even. I would like to see that their hearts are touched, and that they realise the superiority of soul force over brute force; because that always, as it seems to me, is the lesson that India has to teach to the world, that spiritual force must rule over brute force in every concern, political, economic, industrial or commercial. Therefore, Sir, I would like to give this one rupee to any part of the world where they will learn this great lesson that, poor as we are, hungry as we are, the millions in this country, they are still believers in the old saying:

"diking, me kshatriya balaṁ, brahma-tejo balaṁ balaṁ."

"Fie upon warrior's strength of arms—the Brahman's spiritual strength."

And yet to such spiritual strength the Honourable Sir James Crerar will not pay his homage. Yet that, Sir, is going to be our protection, and no Tariff Bill. How willingly we pay homage for spiritual worth is the lesson that Mahatma Gandhi is teaching by his great campaign today. (Interruptions.) Well, we may have our quarrels with Mahatma Gandhi over many details of his plan, we shall settle them with him in due time. That is not the point now. But, Sir, we know that Mahatma Gandhi wants, through his self-suffering, to crush or beat down the brute force of his enemies; and I say, through our suffering, through our non-violent soul force, we shall bring down the most powerful Government under the sun to its knees. There is considerable force in what Gandhi says, and it cannot be gainsaid by anybody. Therefore, Sir, the question is not, as Mr. Chetty would have it, what is the economic value we are going to have—I am not going to barter away my birthright for a little economic protection; nor would I care to barter away my birthright even for paltry Dominion Status, because, Sir, I agree with the late Mr. C. R. Das that if tomorrow Dominion Status is given to us as is demanded by Mr. Jayakar and others, I would reject it straightaway, because it will

[Mr. M. K. Acharya.]

not give true power to the poor masses of people, because it will only mean the substitution of a brown bureaucracy in place of a white bureaucracy. So long as the system itself remains radically unchanged, Dominion Status will not be true Swaraj. Therefore, Sir, my real question will be whether this Tariff Bill, which we are asked to pass, which you say is going to be passed, will give us a better value than the political value which Mr. Jayakar wants, or the economic value which Mr. Chetty wants. Mr. Chetty is a commercial man and therefore he wants to get his full pound of flesh in return for what is—I hope it is not flesh, but something dearer—and Mr. Jayakar wants his Dominion Status, because he is a politician.

Now, coming to the Bill again, the real question is as Mr. Chetty put it, is the mill industry of Bombay prepared to take action today? I do not believe that Mr. Mody has done his duty by us today. He has not supplied us with all the materials. It was his duty to supply us with all the materials and facts and figures. He said that he met half a dozen party leaders. But who are these party leaders or partisan leaders? We have formed a party which has no leader. (Laughter.) I hope the other parties will learn a lesson from us. Somebody calling himself a leader goes and talks to half a dozen Members; and the leader on one side talks over these matters with some Members over a cup of tea or in the smoking room and exchanges a lot of ideas and proposals. Probably the personality of my friend, Mr. Jinnah, may enthrall his followers to accept whatever he says; or there may be some bad fellows like me who would tell him plainly "Why should we accept things of that kind?" Then probably from the Independent Party absolute independence will be given to everybody in his place to express his own view. I say, Sir, it was Mr. Mody's duty, if he wanted us to give our support to this Bill, to supply us with full materials in time for us to study them. When he knew that a man like myself, who had no particular fads to serve except the fad of Satyagraha or soul force, when he knew that I had no particular axe to grind in this House, he ought to have given us the full facts and figures for the past 8 or 9 years, and put before us the full facts of the case in support of the Bombay millowners. He might say that, in his Bombay speech, he has given full facts and figures, but with all respect to him, I may say that we read, probably, telegraphic summaries only. We do not have all the patience, especially a man like me has not all the patience, to read all the full speeches and to search in it for the facts and figures. Therefore, I say it was his duty to have supplied me with all the facts and figures for the past 8 or 9 years, and then my friend, Diwan Chaman Lall, would have given us all his facts and figures; and then we could probably have invited Mr. Mody and Mr. Chaman Lall (*An Honourable Member*: "Over a cup of tea?") (Laughter), and we could have listened to both these gentlemen with patience and tried to come to some conclusion. My friend, Mr. Mody, is the man who is more concerned in this matter than my friend, Diwan Chaman Lall, because the latter has no concrete proposals to place before the House for the benefit of the workers; while Mr. Mody, who was interested in getting our general approval to this measure, ought to have given us full facts and figures. As it is, I feel, Sir, that the millowners have not been doing things very well. It is said they have been guilty of many things. To a certain extent this might

be true. This, Sir, is my psychological reading, that when a big charge is made there must be some truth in it to a certain extent, and to a certain extent it may be exaggerated. But to whatever extent there is truth in the charge that is made, I think, Mr. Mody, on behalf of the millowners of Bombay, ought to have explained the position fully to us. Neither have the Government on their side have given us full facts and figures, nor has Mr. Mody given full statistics; and on these three or four short sheets containing the Bill and the amendments, I am asked to make up my mind. Probably the Government do not care if we get a few votes more or less, because they know that they have got the strong official block with their nominated Members to go with them into the lobby, and they can threaten the nominated Members that they would be unseated if they don't go with the Government into the lobby. And so, whether through threats or persuasion or otherwise, they go about the business, unmindful of what we do on this side. I say, Sir, it is entirely unjust to decide matters by the logic of votes, neglecting the logic of arguments. The Government and the millowners together should have placed before us all the facts, and in their failure to do this, I say they have entirely been negligent in their duties to the Members of this House.

I have calculated that, according to the present proposal, and I am glad to find that my friend, Sir Darcy Lindsay, who is a much better calculator than myself in these things, has practically accepted my conclusions, the total increase in duty on British imports will be, according to my calculation, about two crores of rupees. I have simply put it in round figures. The value of the imports will be, say, 50 crores; then 4 per cent. off that will give you about 2 crores; and I am glad that my friend, Sir Darcy Lindsay, who has calculated perhaps more exactly, tells me that it will be 176 lakhs, and I am wrong only to the extent of about 24 lakhs. Similarly, Sir, the imports from non-British foreign countries will be about 17 crores, and the increase in revenue, at the rate of 9 per cent., I believe, would be about 1½ crores and together it will give us about 3 crores, and Sir Darcy Lindsay's figures come to 290 lakhs. That is very nearly correct. But I will take it roughly at 3 crores, that is going to be the additional revenue. That is exactly the immediate result of this Tariff Bill. Of course, the Honourable the Finance Member will be mightily pleased if he gets an additional 3 crores.....

The Honourable Sir George Rainy: I might point out, Sir, that Government cannot accept any of the figures the Honourable Member is giving at the present moment.

Mr. M. K. Acharya: I say, Sir, it was the plain duty of the Government to put all these figures before us, instead of allowing us to probe in the dark. Why does he not bring this measure up in Simla, and meantime circulate all the relevant papers to us? Of course, Mr. Chetty's speech will be printed and Mr. Jayakar's speech also will be printed, and all the various arguments, financial, economic, political, tariff and protection and things of that kind, will be put there; but it would give us more time and leisure to consider patiently, weigh deliberately and judge dispassionately all the facts of the case. If the Honourable Member will give us this undertaking not to press this motion in this Session, but bring it up in Simla, I can undertake to give him ten votes more. I am prepared to sit down, Sir, if he undertakes to bring this motion up in

GRIEVANCES OF RAILWAY EMPLOYEES IN MORADABAD.

631. ***Maulvi Muhammad Yakub:** (a) Are Government aware that last year Mr. Hayman paid a visit to Moradabad in order to investigate the grievances of the railway employees in the Moradabad Division?

(b) Will Government be pleased to state what was the nature of the grievances which were investigated by Mr. Hayman, and what was his finding about those grievances? What steps were taken by the authorities on Mr. Hayman's report?

(c) Are Government aware that the Divisional Superintendent, East Indian Railway, Moradabad, refused to grant an interview to the responsible officers of the Railway Employees' Union to discuss the grievances of the railway staff?

(d) Will Government be pleased to state what action was taken in the matter by the Railway Board?

Mr. A. A. L. Parsons: (a) Yes.

(b) Mr. Hayman investigated the general grievances complained of and also examined some of the complaints made that particular individuals had not been properly treated.

A memorandum showing the action taken to remove the general grievances has been placed in the Library. Mr. Hayman did not consider it necessary that the discretion of the Agent should be interfered with in regard to the individual cases he examined. He suggested, however, that some of them should be re-examined by the Agent, and my Honourable friend, the Deputy President, who is the President of the East Indian Railway Union, Moradabad, was informed by the Railway Board, last January, that he should apply to the Agent, East Indian Railway, for any information he desired on this subject.

(c) Yes.

(d) The attitude of the Railway Board in this matter is contained in Railway Board's letter No. 101-L., dated the 5th March, 1930, to the address of the President, East Indian Railway Union, Moradabad, a copy of which has been placed in the Library.

Maulvi Muhammad Yakub: Are Government aware that the President of the Moradabad Railway Union asked the Agent of the East Indian Railway to give him information about the report of Mr. Hayman and they did not send in the report but said that necessary action had been taken?

Mr. A. A. L. Parsons: No, Sir; I was not aware of that fact, but I am content to take it from the Honourable the Deputy President.

LACK OF SUITABLE LADIES' WAITING ROOMS AT MORADABAD STATION.

632. ***Maulvi Muhammad Yakub:** (a) Are Government aware that the third class ladies' waiting hall at the Railway Station, Moradabad, is very inconvenient for the ladies?

(b) Did Mr. Hayman pay a visit to this hall in August last when he was in Moradabad?

(c) What steps, if any, were taken to remedy the inconvenience of the women?

(d) Are Government aware that there is no intermediate class ladies' waiting hall at the Moradabad Railway Station?

(e) Do Government propose to direct the construction of an intermediate class ladies waiting hall at the Railway Station, Moradabad, on the main platform?

Mr. A. A. L. Parsons: The answer to part (b) is in the affirmative.

Parts (a), (c), (d) and (e). The matters raised in the other parts have been referred to the Agent, East Indian Railway, and I will communicate later with the Honourable Member.

PAY OF STAFF OF CURRENCY OFFICES.

633. ***Mr. S. C. Mitra:** Will Government be now pleased to answer in this House my unstarred questions Nos. 185 to 189 and 192, the reply to which they promised on the 23rd September, 1929, to send to me as soon as possible but which remain still unanswered?

The Honourable Sir George Schuster: Replies were despatched to the Honourable Member on the 6th March. A copy has been placed in the Library of the House.

EXCESSIVE HOURS OF WORK IN THE GOVERNMENT OF INDIA PRESS, DELHI.

634. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that the workers in the Government of India Press, Delhi, are forced to work more than 12 hours on any one day against the provisions of the Indian Factories Act?

(b) Is it a fact that on the 26th and 27th February, 1930, a large number of workers were forcibly detained by the Manager of the Delhi Press and made to work for 18 to 20 hours on each day?

(c) Will Government be pleased to state the number of workers who were forced to work for more than 12 hours on each day on the 26th and 27th February, 1930?

(d) Is it a fact that the Manager of the Delhi Press breaks the rules of the Factory Act and no notice is taken of his conduct by Government or the Inspector of Factories?

(e) Is the Government of India Press, Delhi, under the administrative control of the Government of India, Department of Industries and Labour? If so, why does that Department allow the Manager of the Press to break the Factories Act?

The Honourable Sir Bhupendra Nath Mitra: An enquiry is being made and the result will be communicated to the Honourable Member in due course.

COMPLAINTS AGAINST THE MANAGER OF THE GOVERNMENT OF INDIA PRESS, DELHI.

635. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that, in the Delhi Press a number of Anglo-Indian and Christian readers have been promoted from Rs. 60—4—100 grade to Rs. 110—8—150,

and then to Rs. 160—10—200 grade within a period of 18 months over the head of a number of more senior Indian readers? If so, who is responsible for racial and communal discrimination observed in departmental promotions?

(b) Will Government be pleased to furnish a statement showing the number of proof readers employed in the Delhi Press in each grade and their university qualifications, if any?

(c) Is it a fact that the Manager of the Delhi Press is promoting temporary copyholders of one or two years' service as proof readers and is ignoring the claims of permanent copyholders with considerable service to their credit?

(d) Will Government be pleased to state on what considerations is the Manager of the Delhi Press allowed a rent free bungalow, and what is the value per mensem of the concession?

(e) Is it a fact that the Manager of the Delhi Press has recently been granted honoraria during the last two years for supervising budget work? If so, was an honorarium granted for the same work to Messrs. Hall and Aylmer, who held charge of the Delhi Press for years? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: An enquiry is being made and the result will be communicated to the Honourable Member in due course.

EMPLOYMENT OF CADETS TRAINED ON THE "DUFFERIN".

636. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that His Excellency the Governor of Bombay and the Naval Commander in Bombay and other high officials have spoken in highly appreciative terms about the cadets on the "Dufferin"?

(b) If the answer is in the affirmative, will Government be pleased to say whether cadets receive special training for three years on the ship in meteorology, astronomy and engineering, in addition to the other school subjects, and if so, whether those cadets who do not wish or are medically found unfit to follow the sea career after passing out of the "Dufferin" and before obtaining the Board of Trade certificate, will be given special preference in securing appointments on land, say in the Meteorological Department, in the Railway engineering workshops as first class apprentices, or in the Railways as Crew Inspectors, or some such executive appointments as the cadets are trained as officers to hold executive appointments?

(c) Do Government contemplate to entertain some of the cadets, who are medically disqualified, to continue the sea profession in the ministerial establishment of the Marine Department of the Government of India and of the Local Governments or in the Preventive Customs Service? If not, why not?

The Honourable Sir George Rainy: (a) Yes.

(b) and (c). The "Dufferin" has been established by the Government of India to give a preliminary training to Indian youths who desire to follow the profession of Deck or Executive officers in the Mercantile Marine. This training includes instruction in Meteorology and Nautical Astronomy but not in Engineering. Should any cadet finally decide not to follow a sea career, it will be open to him to apply through the usual channels for an appointment under Government in the Departments referred to by the

Honourable Member. In making those appointments, however, Government do not contemplate that the cadets should be given any special preference over other applicants.

APPOINTMENT OF INDIANS AS DREDGER MASTERS.

637. ***Mr. Gaya Prasad Singh:** (a) What are the qualifications of Dredger Masters?

(b) What are their emoluments?

(c) Are there any Indians holding posts of Dredger Masters in India; if so, what are their emoluments?

(d) Where do the Dredger Masters receive their training?

(e) Do Government contemplate training some of the "Dufferin" cadets, after completing their three years' course as Dredger Masters?

The Honourable Sir George Rainy: (a) to (d). The required information is being obtained as regards the major ports in India and will be supplied to the Honourable Member in due course.

(e) No, Sir.

APPOINTMENT OF A JOINT SECRETARY AND A DEPUTY SECRETARY FOR EMIGRATION WORK.

638. ***Mr. Anwar-ul-Azim:** (a) Have the Government of India appointed a Joint Secretary in the Education Department only to deal with immigration work?

(b) Was the appointment made, because the immigration work was too heavy for the Secretary, or was it made to secure expert knowledge for the Department?

(c) What is the number of letters and telegrams received and despatched by the Department per day?

(d) Are Government contemplating the creation of a new post of Deputy Secretary to the immigration department?

(e) If the answer be in the affirmative, will Government state the reasons for making the new post?

(f) Is it due to the heavy work of the department or to add to the dignity of the Joint Secretary, or to provide an expert for him?

(g) Is this new post created to provide a living for a particular individual under contemplation?

(h) Are Government contemplating to advertise the post and secure the service of a person who possesses expert knowledge of immigration conditions?

Sir Frank Noyce: (a) No. A Joint Secretary was appointed in December 1927, in order to give the Secretary relief which became necessary owing to heavy increase in the general work of the Department. Besides "Emigration", the Joint Secretary deals with Forests, Archaeology, the Survey of India and the Botanical and Zoological Surveys.

(b) I would refer the Honourable Member to the answer given by me to part (a) of this question. Special knowledge is of course required for dealing with overseas questions.

(c) The average number of letters, etc., received and despatched by the Department of Education, Health and Lands per day is 82 and 48, respectively.

(d) Government have decided to add from 1st April, 1930, a post of Deputy Secretary to the Department of Education, Health and Lands for a period of two years.

(e) and (f). The new post has been created primarily to enable the Joint Secretary to do touring, which is essential for the satisfactory discharge by the Government of India of their obligations in respect of Indians overseas, and to train an officer for handling overseas problems. The new Deputy Secretary will also assist in dealing with the general increase in the work of the Department.

(g) No.

(h) No.

Maulvi Muhammad Yakub: Is the Honourable Member aware that the Budget of this year is a deficit Budget and there is hardly any room for such expenditure?

Sir Frank Noyce: The budget proposals are carefully scrutinised by the Standing Finance Committee and they have agreed to this expenditure.

Pandit Hirday Nath Kunzru: Are Government aware of the importance of questions connected with emigration, and are they aware that questions on emigration are coming up every day?

Sir Frank Noyce: That is borne in upon them almost every day.

Pandit Hirday Nath Kunzru: Is it a fact that, in the last Session of the Assembly, it was proposed to consider, in consultation with the Emigration Committee, whether it was desirable to have a permanent arrangement of the kind which Government have instituted on a temporary basis only so far?

Sir Frank Noyce: In view of the impending changes, which will probably affect the whole constitution of the Department and the Secretariat generally, temporary arrangements seem advisable in present conditions.

Nawab Sir Sahibzada Abdul Qayum: Is it a fact that this new appointment has chiefly been created for the sake of half a million Indians who have migrated from this country while the whole 300 millions of Indians were up to now quite efficiently looked after by one Secretary?

Sir Frank Noyce: I do not think it is necessary for me to add anything to my answer.

STATEMENTS MADE BY SIR CECIL WALSH REGARDING INDIAN TRAINED MEDICAL MEN.

639. *Lieut.-Colonel H. A. J. Gidney: (a) Has the attention of Government been drawn to the remarks that have been widely circulated in the Press, both in England and in India, by Sir Cecil Walsh regarding the Indian trained medical men?

(b) Is it a fact that the author of this letter is in receipt of a pension from the Government as an ex-Judge of the United Provinces High Court?

(c) Are Government aware of the fact that the statements made by this ex-Judge have caused serious discontent among the people of India in general and the medical profession in particular?

(d) Will Government please state what action they propose to take in the matter?

The Honourable Sir James Crerar: (a) and (b). Yes.

(c) and (d). Government are aware that these expressions of opinion have been much resented. They are not, however, so far as I am aware, actionable.

Mr. N. C. Kelkar: Is it a fact that, as stated by the *Statesman* of Calcutta, Sir Cecil Walsh is the President of the Anglo-Indian Association, London, and that this Association has been recognised by the Secretary of State for India. If so, will the Honourable Member please convey to the Secretary of State for India the feelings of Indians towards this ex-Judge for his efforts to create racial hatred and contempt, and inform him that, unless he mends his ways, the Secretary of State would refuse to recognise him and his Association?

The Honourable Sir James Crerar: I have not the information on which the Honourable Member's supplementary question is based.

Mr. Lalchand Navalrai: In view of the discontent that is created here, will the Honourable Member please consider why Sir Cecil Walsh should not be prosecuted under section 153A, Indian Penal Code?

The Honourable Sir James Crerar: As I said, Sir, I do not think that the remarks attributed to Sir Cecil Walsh, though no doubt calculated to create a great deal of resentment, are actionable.

Mr. M. R. Jayakar: Do Government approve of pensioned officials of theirs, who have held exalted judicial posts in this country, in their retirement joining in press communications of this character?

The Honourable Sir James Crerar: However regrettable individual expressions of opinions may be, between that and taking action against them there is necessarily a distinction.

Mr. M. R. Jayakar: I only wanted to know whether Government approve such behaviour. I never spoke of any action in courts. I only wanted to know whether Government approve of such behaviour.

The Honourable Sir James Crerar: I think the Honourable Member's question goes very near to asking an expression of opinion.

Mr. K. C. Neogy: Have Government made enquiries into the allegations made by this gentleman with regard to the competence of Indian doctors?

The Honourable Sir James Crerar: I do not think an enquiry of that kind is in any way necessary.

Mr. K. C. Neogy: Do I take it that the answer of the Government is a commentary on the veracity of this gentleman?

Mr. K. C. Roy: May I ask the Leader of the House whether the Secretary of State has taken no action to refute the allegations made by Sir Cecil Walsh?

The Honourable Sir James Crerar: I have no information on the point.

Mr. K. C. Roy: Arising out of the answer given by the Leader of the House, may I enquire whether the Government of India has a policy to refute allegations against the Governor General in Council and against the people of India, made by retired officials like Sir Cecil Walsh in the British Press and platform?

The Honourable Sir James Crerar: Any action taken would depend on the circumstances of the case.

Mr. K. C. Neogy: May I draw the attention of the Government, particularly to the observation made by Sir Cecil Walsh with regard to the incompetence of Indian doctors in the domain of forensic medicine? Do the Government realise that, if his charges are correct, then the administration of justice is suffering from a severe handicap in this country?

The Honourable Sir James Crerar: That I think is a hypothetical question.

Mr. K. C. Neogy: May I read out the passage to which I want to draw the attention of the Government? This is what Sir Cecil Walsh says:

"I heard it often said in Court that at *post-mortems* some of them will not go inside the dissecting room, but look through the window and examine the parts when shown to them by the menial who does the dissecting under their direction. Appellate Judges in the High Court have had to complain of the inadequacy of the reports,"

—meaning the post-mortem reports,—

"when Indian gentlemen have done the work."

Does the Honourable Member in charge of the Home Department think it any part of his duty to make inquiries from the different High Courts and different Provincial Governments to find out whether this charge is correct or not? (Applause.)

The Honourable Sir James Crerar: I think if the High Courts had any doubts on this point, they would themselves have taken action.

Mr. Lalchand Navalrai: Will the Honourable Member kindly say why the Government is not going to undertake an enquiry whether it was merely his opinion or whether he made that statement to create racial hatred in this country?

Pandit Hirday Nath Kunzru: May I ask whether the Honourable Member is aware that this gentleman, when he was a Judge of the High Court, wrote a book animadverting on the professional morality of Indian lawyers, and that this book formed the subject of a heated discussion in the United Provinces Legislative Council?

The Honourable Sir James Crerar: I have no information, but I am prepared to accept the statement in the latter point of the Honourable Member.

Pandit Hirday Nath Kunzru: Will the Honourable Member bring to the notice of the Secretary of State the habit of this gentleman to inveigh against Indians in public capacity?

The Honourable Sir James Crerar: I have no doubt that the questions and answers on this subject will receive the attention of the Secretary of State.

Pandit Hirday Nath Kunzru: Since this gentleman has expressed his opinion about Indian doctors, may I ask the Honourable the Home Member whether he is aware of what was thought of the Judge himself by the Indian Bar while he was a Judge of the Allahabad High Court? (Hear, hear.)

Mr. President: Colonel Gidney.

Lieut.-Colonel H. A. J. Gidney: A supplementary question, Sir?

Mr. President: Next question.

APPOINTMENT OF COVENANTED NURSING SISTERS IN THE BRITISH FAMILY HOSPITAL, CHAKRATA.

640. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government kindly inform this House of the expenditure incurred on the nursing staff of the British Family Hospital, Chakrata, during the years 1928-29 and 1929-30?

(b) Is it a fact that an Anglo-Indian matron, who was working in this hospital from 1927 to June 1929 was replaced by three covenanted Q. A. M. N. S. sisters on about Rs. 400 per mensem each?

(c) Is it a fact that the Anglo-Indian matron had been discharging her duties for a period of 2½ years with occasional and temporary outside assistance?

(d) Is it a fact that there are seven sisters in this hospital today?

(e) What was the staff of this hospital during the years 1927 to 1929?

(f) Is it a fact that these covenanted sisters are sent to the hills every three months and are given free conveyance?

(g) Will Government kindly state the reasons for engaging these three sisters on such high salaries and higher expenditure?

(h) Were these posts advertised in local newspapers, and were any efforts made to recruit them locally? If not, why not?

(i) Are Government prepared to consider the advisability of making every effort in future to recruit locally the nursing sisters required for British military family hospitals in India before covenanting them from England?

Mr. G. M. Young: (a) The expenditure incurred on the permanent staff was about Rs. 1,160 in 1928-29, and about Rs. 690 in 1929-30.

(b), (c), (d) and (e). The facts are as follows. Throughout 1928-29, a family hospital matron was employed on a salary of Rs. 87 per mensem.

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LEGISLATIVE ASSEMBLY.

[18TH MAR. 1930.]

A sister and a staff nurse of the Queen Alexandra's Imperial Military Nursing Service were temporarily transferred to the Military Family Hospital, Chakrata, for urgent cases of diphtheria. They remained there for one month and ten days (30th April, 1928 to 10th June, 1928). As these two lady nurses were found from the permanent cadre of lady nurses for the British Military Hospitals in Eastern Command, strictly speaking, no extra expenditure was involved in their employment at Chakrata. The matron continued to be employed in 1929-30 up to the 16th June, 1929, when she was transferred to Muttra, where a matron was required. The services of a sister of the Queen Alexandra's Imperial Military Nursing Service, who was employed at the British Military Hospital at Chakrata, were then utilised in the Family Hospital for 3 months. On the withdrawal of the Military nurses from Chakrata on the closing of the Military Hospital there, a family hospital matron (an Anglo-Indian) was employed on Rs. 80 per mensem plus Rs. 10 for rations, from the 29th October, 1929. This matron is still serving at Chakrata, and is in sole charge of the Hospital. Lady nurses of the Military Nursing Services are transferred in batches to military hospitals in the hills for periods of about three months in the year. They travel at Government expense.

(g) and (h). Do not arise.

(i) Nursing sisters are not recruited for British Military Family Hospitals. The permanent nursing staff of such hospitals consists of a matron only, who is invariably recruited locally.

Lieut.-Colonel H. A. J. Gidney: Is it the opinion of the Honourable Member that the difference between Rs. 80 and Rs. 400 signifies the qualities of duties performed by these two classes of nurses?

Mr. G. M. Young: I think, Sir, that that is a direct invitation to express an opinion.

Lieut.-Colonel H. A. J. Gidney: Is it a fact then, Sir, and not an opinion that these two classes of nurses who are equally well qualified—in fact the Indian one is better trained—are paid Rs. 80 in the one case and Rs. 400 in the other?

Mr. G. M. Young: I must ask for notice of that question.

Mr. B. Das: May I enquire if Hindu and Mussalman nurses are serving in any of the military hospitals? If not, are they allowed to apply for such posts?

Mr. G. M. Young: I should like to have notice of that question; and I should be glad if the Honourable Member, in giving notice of the question, would specify the hospitals he refers to.

GRANT OF FURLOUGH PREPARATORY TO RETIREMENT TO CERTAIN ASSISTANT SURGEONS.

641. ***Lieut.-Colonel H. A. J. Gidney:** (a) Do Government recognise the grant of two years' furlough pending retirement to Officers and Warrant Officers of the Indian Medical Department?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to explain why this privilege was not granted to those Military Assistant Surgeons of the Indian Medical Department, who were retrenched in 1923-24 under the Inchcape Committee's scheme and who had more than 15 years' service to their credit?

(c) Have Government considered the question of the advisability of compensating these men who were denied this privilege for no fault of their own?

Mr. G. M. Young: (a) Under the existing rules, 12 months' leave pending retirement is admissible on completion of service. This period may be extended to a maximum of two years at the discretion of the Government of India.

(b) and (c). The Assistant Surgeons whose services were terminated prematurely on account of retrenchment were granted special concessions appropriate to them. There would be no justification for granting them the ordinary retirement terms as well.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member kindly say why there was no justification?

Mr. G. M. Young: I have already said, Sir, that the reason was that they were granted special concessions appropriate to them.

Lieut.-Colonel H. A. J. Gidney: May I know whether these concessions were better or worse than the concessions stated in part (a) of the question?

Mr. G. M. Young: The concessions differed in kind, because the services of these Assistant Surgeons were terminated prematurely.

COMPENSATION FOR CERTAIN ASSISTANT SURGEONS RETRENCHED.

642. ***Lieut.-Colonel H. A. J. Gidney:** (a) When Military Assistant Surgeons of the Indian Medical Department are granted study leave to England, is it the intention of Government to encourage them to obtain a registrable qualification?

(b) Is it a fact that certain Assistant Surgeons of the Indian Medical Department who were in England on study leave were retrenched on the recommendations of the Inchcape Committee?

(c) Is it a fact that these officers had to return before completion of their studies without any registrable qualification?

(d) Have Government considered the cases of these men and do they propose to compensate them adequately to enable them to go to England to complete their studies? If so, with what result?

Mr. G. M. Young: (a) Yes.

(b) Yes. Four were retrenched compulsorily and six volunteered for retrenchment.

(c) I am unable to say whether any of these officers returned to India without completing their studies. One at least of the four who were compulsorily retired, obtained the diplomas of M. R. C. S. and L. R. C. P.

(d) All retrenched officers received pensions and compensatory gratuities. Further, under orders issued in 1926, retrenched Assistant Surgeons are eligible for re-employment, provided that they are under 50 years of age; and every Assistant Surgeon who fulfilled that condition and applied for re-employment has actually been re-employed.

X-RAY TREATMENT AT THE LADY HARDINGE HOSPITAL, DELHI.

643. *Mr. M. K. Acharya: (a) Will Government be pleased to state the reasons for the X-rays Department of the Lady Hardinge Medical College and Hospital for Women, Delhi, being available only for indoor female patients?

(b) Under what circumstances are the X-rays not made open for out door female patients on payment of the usual fee?

(c) Are Government aware that there is prejudice against seeking admission into the hospital among the orthodox Hindus as indoor patients?

(d) Are Government aware that there is no other X-rays' hospital where female patients can go in Delhi?

Sir Frank Noyce: With your permission, Sir, I shall answer questions Nos. 643 and 644 together.

The necessary information has been called for and will be supplied to the Honourable Member on receipt.

X-RAY TREATMENT AT THE LADY HARDINGE HOSPITAL, DELHI.

†644. *Mr. M. K. Acharya: (a) Is it a fact that, even male patients have been given X-ray and electrical treatment in the Lady Hardinge Medical College and Hospital, which is supposed to be exclusively for women?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state, the circumstances in which the Principal made this departure?

QUARTERS FOR INDIAN CLERKS AT SIMLA.

645. *Khan Bahadur Sarfaraz Hussain Khan: Will Government be pleased to state, how many classes of quarters with their respective dimensions exist at Simla for accommodating the Indian clerks?

The Honourable Sir Bhupendra Nath Mitra: It is presumed the Honourable Member seeks information about quarters in Simla for married Indian clerks. There are three classes of such quarters, viz., A, B and C. The accommodation provided in each type and the dimensions thereof are shown in the statement which I place on the table.

†For answer to this question, see answer to starred question No. 643.

Married Indian Clerks Quarters at Phagli and Tooti Kandi with average dimensions.

Class of quarter.	Main Rooms.	Servants Room.	Kitchen.	Store	Bath.	W. Cs.	Verandah and passages.	Average Plinth area.
Class A	$\left\{ \begin{array}{l} 13'9'' \times 11'7\frac{1}{2}'' \\ 13'4'' \times 9'7\frac{1}{2}'' \\ 13'9'' \times 9'7\frac{1}{2}'' \\ 13'9'' \times 11'7\frac{1}{2}'' \end{array} \right\}$	1—(11' 9" x 8' 9 $\frac{1}{2}$ ")	1—(8'9" x 6'9")	1—(8'10" x 4'4")	1—(6'4" x 3'0")	$\left\{ \begin{array}{l} 2- \left\{ \begin{array}{l} 2'9'' \times 6'4'' \\ 2'9'' \times 6'4'' \end{array} \right\} \\ \text{in 2 blocks but only } 1\frac{1}{2} \text{ in the 3rd.} \end{array} \right.$	$\left\{ \begin{array}{l} 36'4'' \times 4'5'' \\ 38'0'' \times 4'5'' \end{array} \right\}$	1443 square feet.
Class B	$\left\{ \begin{array}{l} 13'0\frac{1}{2}'' \times 11'9\frac{1}{2}'' \\ 13'9\frac{1}{2}'' \times 9'7\frac{1}{2}'' \\ 13'9\frac{1}{2}'' \times 11'7\frac{1}{2}'' \end{array} \right\}$	1—(9'7 $\frac{1}{2}$ " x 6'7 $\frac{1}{2}$ ")	1—(8'9" x 7'3")	1—(6'9" x 4'6")	1—(6'4" x 5'3")	1—(6'3" x 3'3")	$\left\{ \begin{array}{l} 25' \times 5'2'' \\ 32' \times 5'2'' \end{array} \right\}$	1174 square feet.
Class C	$\left\{ \begin{array}{l} 11'6'' \times 13'6'' \\ 11'6'' \times 13'6'' \end{array} \right\}$	1—(9'7 $\frac{1}{2}$ " x 6'7 $\frac{1}{2}$ ")	1—(9'6" x 7'9")	1—(5'6" x 4'6")	1—(7' x 5'6")	1—(7' x 5')	$\left\{ \begin{array}{l} 14'9'' \times 5' \\ 16'9'' \times 5' \end{array} \right\}$	967 square feet.

REFUSAL OF LEAVE IN THE FOREIGN AND POLITICAL DEPARTMENT.

646. ***Maulvi Muhammad Yakub:** (a) Is it a fact that, in the Foreign and Political Department, the employees are denied their privilege leave, without any apparent reason, while those applying for sick leave are required to submit, in support of their application, a medical certificate from the authority higher than that they are entitled to under the rules?

(b) If so, are Government prepared to put a stop to this practice?

Mr. E. B. Howell: The answer to the first part of the question is in the negative. Enquiries have failed to discover any instance of the practice to which the Honourable Member refers, but if he can give me any further information, inquiry will be made into any facts which may be disclosed.

POWERS OF THE FINANCIAL COMMISSIONER OF RAILWAYS.

647. ***Mr. E. F. Sykes:** With reference to the definition of the powers of the Financial Commissioner of Railways quoted by me during the general discussion on the Railway Budget, will Government please state what operations of the Railway Board do not involve expenditure or affect railway revenues?

Mr. A. A. L. Parsons: I am afraid it would be impossible to compile an exhaustive list of the matters which come before the Railway Board which do not involve expenditure. But as examples I would mention the posting of officers, regulations to secure the safety of the public, and much of the technical work both on the Engineering and Traffic sides which is carried on in the Board's office.

USE OF STUCCO IN THE FACE-WORK OF THE ATTIC STOREY OF THE COUNCIL HOUSE.

648. ***Mr. E. F. Sykes:** (a) Will Government be pleased to state how much was saved by the substitution of stucco for stone in the face-work of the attic storey of the Council House?

(b) Was this substitution made with the object of saving money, or of expediting the completion of the work?

(c) If the former, have Government, on seeing the result, been satisfied with it?

The Honourable Sir Bhupendra Nath Mitra: (a) The additional cost of stone surfaces for the exterior of the attic storey would have been Rs. 1,50,000.

(b) The drawings submitted by the architect showed plaster surfaces and the question whether stone should be used was not considered by Government who were satisfied that the plaster surface picked out with stone would be in keeping with the design as a whole.

(c) Yes.

APPOINTMENT OF A MUHAMMADAN TO A GAZETTED POST IN THE OFFICE OF THE FINANCIAL ADVISER, MILITARY FINANCE.

649. ***Mr. Abdul Haya:** (a) Will Government please state the total number of gazetted appointments in the office of the Financial Adviser, Military Finance, and the number of Europeans and Indians, respectively, holding these appointments?

(b) Is it a fact that there is no Muslim holding any of these appointments?

(c) Will Government please state whether any steps have been taken to secure some representation of Muslims for these appointments? If not, why not?

The Honourable Sir George Schuster: (a) The total number of appointments is 16 permanent and 2 temporary. Of these 7 are held by Europeans and the rest by Indians.

(b) The reply is in the affirmative.

(c) Of the 18 appointments mentioned, the appointment of Financial Adviser, Military Finance, is ordinarily reserved for a member of the Indian Civil Service. The four appointments of Deputy Financial Advisers are filled by senior officers of the Military Accounts Department. The remaining appointments are ordinarily filled by promotion from the clerical establishment, on the principle of selection by merit with due regard to seniority. Up to the present time there have been no Muslims in the Department eligible for selection.

PERCENTAGE OF MUSLIMS IN NON-GAZETTED POSTS IN THE OFFICE OF THE FINANCIAL ADVISER, MILITARY FINANCE.

650. ***Mr. Abdul Haya:** Will Government please state the sanctioned appointments of non-gazetted ministerial staff in the office of the Financial Adviser, Military Finance, and the percentage of Muslims holding these appointments?

The Honourable Sir George Schuster: The sanctioned strength is 102 and the present percentage of Muslims is 10.

PERCENTAGE OF MUSLIMS IN NON-GAZETTED POSTS IN THE OFFICE OF THE FINANCIAL ADVISER, MILITARY FINANCE.

651. ***Mr. Abdul Haya:** Will Government please state the number of permanent, temporary and officiating non-gazetted ministerial appointments which fell vacant in the office of the Financial Adviser, Military Finance, after the issue of the Home Department Memo. dated July 1925, regarding the representation of minorities in the services? What percentage of these appointments has been given to the Muslims?

The Honourable Sir George Schuster: The Home Department orders of 5th February, 1926, regarding the redress of communal inequalities, to which I presume the Honourable Member intends to refer, apply only to fresh recruitment to fill permanent vacancies. I therefore confine my reply to that class of appointments. The total number of vacancies in the period mentioned which involved fresh recruitment was 13. Of the 13 recruits, 4 (or roughly one-third) were members of the minority communities and, of these 4 members, 2 were Muslims.

PERCENTAGE OF MUSLIMS IN NON-GAZETTED POSTS IN THE OFFICE OF THE FINANCIAL ADVISER, MILITARY FINANCE.

652. ***Mr. Abdul Haya:** Will Government please state whether any attempt has ever been made to ask the Public Services Commission to recommend Muslims for the Upper Division appointments, in the office of the Financial Adviser, Military Finance?

The Honourable Sir George Schuster: The answer is in the negative. Since the Home Department orders of 1926 were issued, there has been no occasion to ask the Public Service Commission to nominate candidates for direct appointment to the Upper Division of this Office. Vacancies have been filled by the promotion of qualified clerks already on the establishment.

RECRUITMENT OF THE STAFF OF THE OFFICE OF FINANCIAL ADVISER, MILITARY FINANCE.

653. ***Mr. Abdul Haya:** (a) Will Government please state the names of the Assistant Financial Advisers in charge of Establishments who have been responsible for recruitment of the staff in the office of the Financial Adviser, Military Finance, after the issue of the Home Department instructions regarding the representation of minorities in the Services? Is it a fact that none of these officers has ever attempted to reserve 33 per cent. of the vacancies for the minority communities?

(b) Will Government please state whether they have considered or propose to consider the desirability of appointing a special officer to investigate and fix responsibility for ignoring the Home Department instructions? If not, why not?

The Honourable Sir George Schuster: (a) The officer responsible for the recruitment of staff for the Office of the Financial Adviser, Military Finance, is the Financial Adviser himself. This question does not, therefore, arise.

(b) As I have just stated in reply to a previous question by the Honourable Member, out of 13 vacancies filled by direct recruitment since the Home Department orders of 1926 were issued, 4 were filled by members of minority communities. The proportion of 33 per cent. has therefore been practically worked up to. Consequently, this part of the question also does not arise.

RECRUITMENT OF THE STAFF OF THE OFFICE OF THE FINANCIAL ADVISER, MILITARY FINANCE.

654. ***Mr. Abdul Haya:** (a) Will Government please state whether it is a fact that recently some temporary clerks in the office of the Financial Adviser, Military Finance, have been confirmed without their having passed the prescribed test of the Public Service Commission?

(b) Is it a fact that the exemption for these clerks has been secured on account of their technical qualifications? Will the Government please state the nature of the technical qualifications? Were these so-called technical qualifications acquired before entering the Government service or after working for some time as temporary clerks?

(c) Will Government please state how many of the clerks in question are near relatives, e.g., sons, brother-in-law, etc., of Superintendents and senior assistants already working in that office?

The Honourable Sir George Schuster: (a) Yes. The Public Service Commission recently agreed that four temporary third division clerks might be exempted from passing the test prescribed for that Division and they have since been confirmed.

(b) The ground on which exemption was asked for and was agreed to was that by four years' experience of work connected with the maintenance of the Medical, Engineering, Artillery and Scientific Stores Vocabularies, a class of work which involves the laborious acquisition of detailed knowledge of the meaning of technical terms, these clerks had acquired special qualifications for that particular type of work. It would, therefore, have been detrimental to efficiency to replace them with new men who would, in their turn, have to acquire this detailed knowledge by experience before they could pull their weight.

(c) One of the 4 clerks so appointed had a father, one a brother, and one a cousin in the department. I may add that one of the 4 clerks so appointed was a Muslim. In giving these particulars I must make it clear that any implication that exemption was sought because some of the clerks happened to be relatives of men already working in the office is entirely without foundation.

INDIANISATION OF THE ARMY.

655. ***Dr. B. S. Moonje:** (a) Has the attention of Government been drawn to a question recently asked in the House of Commons by Commander Kenworthy and answered by the Secretary of State for India, regarding the extension of the present system of Indianising the Army?

(b) If the reply to part (a) is in the affirmative, is it a fact, as reported in the *Hindustan Times* of the 7th March, that Mr. Wedgwood Benn gave the following reply?

"He was ready to consider the extension of the scheme when the Government of India felt justified in recommending it on the basis of the results already achieved."

(c) If the reply to part (b) is in the affirmative, will Government please state:

(i) if they are satisfied with the results so far achieved; and

(ii) if they are prepared to recommend the extension?

(d) If the answers to clauses (i) and (ii) of part (c) are in the negative, will Government be pleased to place on the table copies of the reports of the Commanding Officers under whom Indians holding the King's Commission are serving, and also copies of reports received from the Interview and the Record Board about the Indian boys who had appeared before the Board for selection for admission to the Cadet Colleges in England?

Mr. G. M. Young: (a) Yes.

(b) The report is substantially correct. The full text of the supplementary question and answer referred to is as follows:

"Question.—Is the Secretary of State considering the extension of the present scheme of Indianizing 8 units of His Majesty's Army in India?

Answer.—I am ready to consider an extension as soon as the Government of India feel justified in recommending one on the results actually achieved."

(c) In the opinion of Government it is early as yet to pronounce upon the results of the Indianization scheme as a whole. But progress has lately been satisfactory, and the last half-yearly entrance examination for Cadet Colleges showed an improvement in the quality of the candidates

as compared with previous examinations. The Government of India are continuing to watch closely the progress of the scheme, and the question when a further move should be recommended is under consideration.

(d) Government are not prepared to publish the confidential reports of individual officers, as these reports would then cease to be confidential and would no longer serve their purpose. Any report that may be made by the Interview and Record Board is presented not to the Government of India but to the Civil Service Commissioners, who conduct the whole examination.

Dr. B. S. Moonje: Have Government seen the opinion of the Skeen Committee in their Report that, so far, the Indian officers serving under the British Commanding Officers have served very well and have earned very good opinions?

Mr. G. M. Young: I am not sure if my Honourable friend's quotation was absolutely correct, but something to that effect was said in the Report.

Dr. B. S. Moonje: That part was quoted in my speech the other day and I trust it is correct.

Munshi Iswar Saran: Will the Honourable Member give us a rough idea of the time when the Government of India will be prepared to report for an extension of the Indianisation scheme?

Mr. G. M. Young: I am afraid I cannot make any definite statement at the present moment.

Munshi Iswar Saran: May we take it that the Government of India will be prepared to make that recommendation after a century or 50 years or two centuries?

Pandit Hirday Nath Kunzru: May I ask whether the Government of India have decided to replace the Viceroy's Commissioned officers of the eight Indianised units by Indian King's Commissioned Officers, in order to test further the results of Indianisation?

Mr. G. M. Young: The Government of India propose, at a later stage, to reorganise the officer establishments of Indianising units on the British model. That involves the disappearance of the Viceroy's Commissioned officer and a large increase in the number of King's Commissioned officers.

Pandit Hirday Nath Kunzru: May I ask whether the Government of India will wait till the Viceroy's Commissioned officers have been replaced by the Indian King's Commissioned officers before expressing any opinion on the results of Indianisation?

Mr. G. M. Young: I cannot say that that is what the Government of India will do.

Pandit Hirday Nath Kunzru: May I take it then that the Government of India will express their opinion with regard to Indianisation of the eight units simply on the substitution of Indian officers for the present Company and Squadron officers?

Mr. G. M. Young: I am afraid I have not been able to follow that question.

Pandit Hirday Nath Kunzru: How do the Government of India propose to test the results of Indianisation in the eight units that are to be Indianised?

Mr. G. M. Young: I have already stated that the question when a further move should be undertaken is now under consideration. I cannot enter into any argument as to the precise direction that further move should take or when it should be made.

Pandit Hirday Nath Kunzru: May I take it that the Government of India are satisfied that the results that have been achieved so far are satisfactory?

Mr. G. M. Young: I have already answered that in my answer to the original question.

Dr. B. S. Moonje: Does the Honourable Member mean to say that he is not prepared to accept the recommendation of the Skeen Committee of creating four vacancies every year?

Mr. G. M. Young: The decision on that point was taken at the time when Government's decision on the Skeen Committee's Report was announced two years ago.

Dr. B. S. Moonje: My point is, are the Government of India prepared to create four vacancies every year, as recommended by the Skeen Committee, in order to accelerate Indianisation?

Mr. G. M. Young: I have already answered that. A decision on that point was taken two years ago and announced in this House.

Mr. K. C. Roy: May I ask if any further move is to be made on the basis of the Skeen Committee's Report or on the basis of a new proposal made by the Government of India?

Mr. G. M. Young: That is under consideration and I am unable to forecast it.

UNSTARRED QUESTIONS AND ANSWERS.

APPOINTMENT OF BACHELORS OF COMMERCE IN THE POSTS AND TELEGRAPHS DEPARTMENT.

253. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the letter published in the *Hindustan Times*, dated the 5th March, under the caption "an anomaly"?

(b) Is it a fact that the Posts and Telegraphs Department do not recognise B. Com. diploma holders as graduates?

(c) If so, will Government please state why this distinction is being kept?

(d) If the reply is in the negative, will Government please state why the grade of Rs. 50 allowed to graduates of other universities is denied to B. Com. diploma holders?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) to (d). Government are already considering whether for purposes of appointments to clerical posts in the Posts and Telegraphs Department Bachelors and Diploma holders in Commerce should receive the same treatment as that accorded to graduates and intermediates in Arts and Science.

CONSTRUCTION OF A BUND ACROSS THE RIVER TUNGABHADRA.

254. **Rao Bahadur B. L. Patil:** Will Government be pleased to state whether the Government of Madras and the Government of Bombay are negotiating as to their jointly undertaking the construction of a bund across the river Tungabhadra for the purpose of carrying out irrigation schemes within their respective territorial limits?

The Honourable Sir Bhupendra Nath Mitra: I am not sure whether it would be correct to say that the Government of Madras and the Government of Bombay are negotiating with a view to undertaking the construction of the work referred to. From enquiries which I have made, I have ascertained that the position is that in 1927 the Madras Government asked the Bombay Government what their attitude would be to such a project. The latter Government asked for certain particulars some of which have since been given, others will be given as soon as certain investigations which are now being made have been completed.

REMISSION OF LAND REVENUE AND TAQUAVI IN THE DELHI PROVINCE.

255. **Pandit Thakur Das Bhargava:** (a) Is it a fact that, during the last months, five conferences of village people in the Delhi Province have passed resolutions requesting Government to suspend the collection of *taquavi* and to remit land revenue for the last harvest which has totally failed? Is it also a fact that more than 100 petitions have been submitted with the same request during this period and about seven deputations have waited on the authorities concerned and laid before them their request in this particular?

(b) If the reply to the above is in the affirmative, will Government kindly state what action, if any, they have taken or propose to take in this matter?

Sir Frank Noyce: The information is being collected and will be supplied to the Honourable Member in due course.

DEMOLITION OF A BAZAAR IN AMBALA CANTONMENT.

256. **Pandit Thakur Das Bhargava:** (a) Has the attention of Government been drawn to an article headed "The Regimental Coffee Shop Contractor" in the *Cantonment Advocate* of November, 1929?

(b) Is it a fact that the N. C. Line Bazaar, Ambala, is going to be demolished to benefit the coffee shop contractor of the regiment stationed near the bazaar? If the reply is in the negative, what are the reasons for its proposed demolition?

(c) Since when has the bazaar been in existence?

(d) Have the shopkeepers of the bazaar protested against the demolition? What action has been taken on their protest?

(e) Do Government propose to compensate them for the sudden dislocation of their business, established there for several scores of years?

(f) How do Government intend to proceed in case of the refusal of the shopkeepers to vacate the shops?

(g) Has the regimental bazaar at Nasirabad been put out of bounds for months together? If so, why?

(h) Has the All-India Cantonments Association approached His Excellency the Commander-in-Chief, for an interview in this matter? If so, has His Excellency been pleased to grant the interview?

(i) What is the coupon system prevailing in the regiments? Since when has it been introduced? Does it affect the interests of the soldiers in the way referred to in the article?

(j) Do Government propose to go through the whole question of coffee shop contracts with a view to safeguard the interests of shopkeepers, who have settled for generations in the cantonments?

Mr. G. M. Young: (a) Yes.

(b) No, Sir. The demolition of the bazaar forms part of the project for the reconstruction of the Harding Line.

(c) The Government have no information.

(d) In December 1929, the shopkeepers submitted a petition praying that they might be given a further six months' notice of vacation as they had understood that the notice issued in February 1929 had been withdrawn. The original notice had *not* been withdrawn, and they were informed that they must vacate before the 10th February, which date was later extended to 10th March, 1930, as an act of grace.

(e) The bazaar is the property of Government. The shopkeepers are tenants and have been given adequate notice. The question of compensation does not therefore arise.

(f) I cannot answer a hypothetical question.

(g) Yes, Sir, for reasons which Government consider good and sufficient. The Officer Commanding the station has full discretion in the matter.

(h) The Association sent a memorial to His Excellency the Commander-in-Chief in October, 1929, but did not ask for an interview. The last part of the question does not therefore arise.

(i) The Coupon system is a system under which a soldier buys a book of coupons from the contractor, the cost of which is debited against his pay, and uses the coupons instead of cash in making purchases from the contractor. The system has been in force in India for very many years, and Government have no reason to believe that it affects the interests of the soldier in the manner referred to.

(j) No, Sir.

POWERS DELEGATED TO THE EXECUTIVE OFFICER, CAWNPORE CANTONMENT

257. **Pandit Thakur Das Bhargava:** (a) Is it a fact that the Cantonment Authority of Cawnpore has delegated some of its powers under the Cantonments Act, to the Executive Officer? If so, will Government state specifically what the delegated powers are?

(b) Under what section of the Cantonments Act, has the Cantonment Authority delegated its powers to the Executive Officer?

(c) Does the Executive Officer, Cawnpore, sanction all prosecutions and launch them himself on behalf of the Cantonment Authority without reference to it? If so, under what section of the Cantonments Act he has been permitted to do so?

(d) Are Government aware that there is considerable discontent in Cawnpore Cantonment, owing to the Executive Officer's sanctioning prosecutions without the Board's sanction?

(e) If the delegation of powers by a Cantonment Authority to the Executive Officer be not legal, do Government propose to take steps to issue instructions that this is not to be done?

Mr. G. M. Young: Government have no information.

I am making inquiries and will let the Honourable Member know the result.

REJECTION OF A RE-BUILDING APPLICATION BY THE EXECUTIVE OFFICER, CAWNPORE CANTONMENT.

258. Pandit Thakur Das Bhargava: (a) Is it a fact that one Kaloo Mohant, a resident of Mirpore Street in Cawnpore Cantonment, applied last year for the rebuilding of his house, No. 394?

(b) Is it a fact that the Executive Officer returned his application and refused to entertain it on the ground that the land under his house had been resumed?

(c) Are Government aware that Kaloo Mohant protested that the land was still in his possession, that no legal proceedings had ever been taken for its resumption, and that his application should be laid before the Cantonment Board for disposal under section 181 of the Cantonments Act, 1924?

(d) Is it a fact that, in spite of his protest and repeated requests, the Executive Officer did not lay his application before the Cantonment Board and refused to entertain it?

(e) Under what section of the Cantonment Act did the Cantonment Authority refuse building applications on the ground that the ownership of the land is disputed by Government?

(f) Is it a fact that Government have issued instructions to every Cantonment Authority in India that it should not use its municipal powers of sanctioning building applications to establish Government rights in land? If so, what action do Government propose to take for the infringement of their instructions in this case?

(g) Under what section did the Executive Officer dispose of a building application submitted to the Cantonment Authority? Did the Cantonment Authority delegate its power under section 181 of the Cantonments Act to the Executive Officer? If so, under what section?

(h) If the delegation is not legal what action do Government propose to take in order to undo the act of the Executive Officer, Cawnpore?

Mr. G. M. Young: I am inquiring into the facts of this case, and will inform the Honourable Member as soon as I am in a position to do so.

RESUMPTION OF BAZAAR SITES IN CAWNPORE.

259. Pandit Thakur Das Bhargava: (a) Has the attention of the Government been drawn to an article headed "Resumption of small Bazaar sites in Cawnpore", in the *Cantonment Advocate*?

(b) If so, will Government be pleased to state for what purpose these petty sites have been resumed? What procedure was adopted in resuming the same in each case?

(c) Are Government aware that the owners of these sites are very poor people, rendered homeless by the alleged resumption, and that they hold regular sale deeds for the property standing on these sites?

(d) Are Government aware that the only reason for resuming these sites was that the houses standing thereon were in a dilapidated condition and that there was some delay on the part of the owners to rebuild them?

(e) Is it a fact that, when these owners applied to rebuild their houses, they were informed that their applications could not be entertained as their sites were resumed?

(f) Has the All-India Cantonments Association made a reference about this subject to Government? If so, what reply has been sent to the Association?

(g) Do Government propose to consider the question of cancelling the alleged resumptions?

Mr. G. M. Young: The Honourable Member is referred to the answer given by me on the 22nd February to unstarred question No. 172.

LEVY OF A PROFESSIONAL TAX IN DALHOUSIE CANTONMENT.

260. Pandit Thakur Das Bhargava: (a) Are Government aware that the Cantonment Authority of Dalhousie, which is a corporation sole, has proposed to levy a professional tax on the people?

(b) Will Government state what has led to the proposal of this new tax?

(c) What is the total civilian population of Dalhousie Cantonment at present? How does it stand as compared with the last census?

(d) What is the estimated yield from the new tax?

(e) Is it a fact that, even a petty shopkeeper selling petty goods not worth Rs. 40 in all, will have to pay an all round amount as professional tax under the proposed rates of the Cantonment Authority?

(f) Why do Government not give some grant-in-aid to the Dalhousie Cantonment, if there be some deficit to justify the new tax?

Mr. G. M. Young: The Government of India have no information. Taxation in Cantonments is the concern of the Local Government, to whom a copy of this question and answer will be communicated.

ELECTION OF MEMBERS TO THE COMMITTEE ON PUBLIC ACCOUNTS.

Mr. President: I have to inform the Assembly that the following three Members have been elected to the Committee on Public Accounts, namely:

1. Mr. S. C. Mitra.
2. Mr. G. Sarvotham Rao.
3. Mr. Anwar-ul-Azim.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR ROADS.

Mr. President: Members will now proceed to elect six Members to the Standing Committee for Roads. There are 14 candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

THE INDIAN FINANCE BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the Bill further to amend the Sea Customs Act, 1878, to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary certain duties leviable under the Indian Tariff Act, 1894, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax, to vary the excise duty on kerosene leviable under the Indian Finance Act, 1922, and further to amend the Indian Paper Currency Act, 1923, and the Indian Finance Act, 1926, be taken into consideration."

It is not necessary for me at this stage to add to the general explanations as to the purport of this measure which I have already given to this House in my budget speech. There are two points on which I desire to convey certain information to this House. In the first case, I have to inform Honourable Members of the decisions taken by the Governor General in Council as to the cuts in Demands for Grants which have been passed in this House. It has been decided by the Governor General in Council to restore the amount of Rs. 5,46,999 cut from the Demand under Army Department. The other three cuts will be allowed to stand.

The second point on which I would like to give certain information to the House is in connection with the import duty on silver. I have had the advantage, since the introduction of the Budget, of receiving certain suggestions from non-official Members as to the implications of the proposed import duty on silver. I am glad to take this opportunity of acknowledging the value of the suggestions which I have received. As a result, Government have decided, in the first place, to introduce a Bill imposing a counter-vailing excise duty on silver, and in the second place, I can say that Government have decided to accept the amendments to be moved by my

(1882)

Honourable friend, Sir Purshotamdas Thakurdas, for increasing the import duty on silver thread and silver ware. The object of these amendments is that the imposition of an import duty on silver should not place manufacturers of silver thread and silver ware in a less favourable position than they would have been if the import duty on silver were not to be imposed.

Sir, that concludes all that I have to say in connection with the Finance Bill at the present stage.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, in rising to support the motion made by the Honourable the Finance Member, I need hardly remind the Honourable Members that the Finance Bill is the authority given by this House to the Government to collect certain duties to most of which we have been accustomed for the last few years. In the ordinary course, one would have hesitated to support a motion which involves additional taxation to the tune of six crores of rupees, and feeling as we do on this side of the House that the capacity of the Indian taxpayer to pay any additional taxation has ere now been reached, it is with a heavy heart that I extend my support to this Bill. I feel that, in spite of the explanations which the Government of India have given of the policy which they have till now followed, many on this side of the House are not convinced that the Government of India are progressing towards an exit from the dark forest of depression in which they have put this country—depression which may be due to world conditions, but which certainly has been accentuated by the currency policy that the Government of India have persisted in following since October, 1924, when the 1s. 4d. gold exchange rate was deliberately passed. Sir, this Bill involves change in taxation under seven heads and if one tried to discuss the implication of each new tax or of remission in taxation, I am afraid the discussion on this motion of my Honourable friend might take much longer than has been the case with the Bill which we left behind yesterday in order to catch up time to see the Finance Bill through. I do not know if the House will consider me bold if I suggest that, on this motion, we restrict ourselves only to general observations without going into the details of each taxation, because, on the agenda paper, I see a large number of amendments dealing with each head of taxation. In any case, Sir, I propose myself not to dwell at any length on the various items of taxation, either new taxation or reduction in taxation, and I will make a few observations regarding what I consider to be general observations which cannot be mentioned under the various amendments which will come up for discussion later.

My first complaint, Sir, regarding the Honourable the Finance Member's proposals for new taxation is that he seeks to draw much more from fresh taxation than he needs to balance the budget. Judging from page 6 of the Explanatory Memorandum by the Financial Secretary, it appears that for the Budget of 1930-31 the Finance Department are estimating for an additional net revenue of Rs. 4 crores 10 lakhs under the six heads of taxation mentioned therein, and Rs. 70 lakhs more from income-tax, which must be added to it. This makes it Rs. 4 crores and 80 lakhs, and as a result of this fresh taxation, which will come into force within the current year, another Rs. 35 lakhs more would be raised. The total net receipt to Government from fresh taxation would therefore be about Rs. 5 crores and 15 lakhs during the thirteen months from 1st March, 1930, to 31st March, 1931. Sir, these estimates are very much on the

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over-conservative side, and I cannot help feeling that, on a very modest calculation, of the minimum which the Finance Department should receive by this fresh taxation will be at least Rs. 6 crores during the year 1930-31. A friend behind me, Sir, suggests that it will be more than six crores. I said "basing it on a very modest calculation". I wish to mention, when I give this figure of Rs. 6 crores as my estimate, the fact that, if the Government of India do not sell silver in India during the next year, the revenue under the head silver duty will be considerably higher than what has been estimated by Government. And their estimate is a crore; my estimate is that Government will get a crore and a half at least. But should the Government sell silver here, it must be clear that the price of that silver will include the duty which is proposed, and to the extent of the duty Government will get, though not directly under the head "Customs revenue", in their coffers that extra four annas per ounce in the price of silver which they realise. I am aware that the Honourable the Finance Member has said that he does not desire to commit himself to any particular policy regarding sales of silver, but what we would like is that the Government of India should make a clear declaration of their policy if the savings of the masses of India, which are mostly in silver, are to be saved further artificial depreciation. But I will not dwell on this here; I see that there are one or two amendments in that connection on the paper, and I will now revert to the main theme with which I began, namely, that the Government of India seek to draw more from fresh taxation than is necessary for the purpose of balancing their Budget.

I am convinced, Sir, that it is not necessary for Government to draw as much as six crores of rupees which these various items of fresh taxation indicate. In spite of the hope which the Honourable the Finance Member has mentioned in his budget speech that, should there be a surplus at the end of the year, that surplus may be earmarked for the use of the provinces when the next reforms come to be started. I feel that in spite of this assurance, we owe it to the taxpayer to give to the Government of India only just enough to balance the Budget and no more. As to what exact item or items the Government of India would be prepared to cut out from their proposals, I would like to know from the Honourable the Finance Member himself. Although the various items of additional taxation are not, on the whole, as exasperating as, at times, they have been in the past, there is no doubt that, regarding the question of silver duty, there are two views, equally justifiably held by both sides, the one view being the view held by the Honourable the Finance Member himself, and the other view being that held by the Indian public, and especially by that section of the public which is solicitous of the well being of the masses. Not that I wish to suggest that this latter aspect has escaped the notice of the Honourable the Finance Member. But I wish to warn the Government that the silver duty may be selected for omission. I do not wish to touch upon the merits of the other items, and I will pass on to a few observations which I wish to make regarding one or two special heads of taxation, which I think might very well have received the Honourable the Finance Member's attention.

Sir, I desire to mention to the Honourable the Finance Member a situation which has arisen in connection with the salt trade of India. Thanks to the Honourable Member's anxiety to be responsive to what

may come from this side of the House; he has, as a result of continued representation from us, referred to the Tariff Board the question of the salt industry in India,—I need hardly assure the Honourable the Finance Member that we on this side, and I especially, appreciate his response to our request in that connection. Under the able guidance of the retiring President, Sir Padumji Ginwalla, I understand that the Tariff Board's inquiry is very nearly completed, but I wish to give to the House and to my Honourable friend, the Finance Member, an idea as to how vested interests from abroad begin to work up by anticipating any measure which the Government of India may take in order to make this country self-contained, and I wish to draw the Honourable the Finance Member's particular attention to the necessity of taking some urgent action if real disaster to Indian enterprise in this connection is to be avoided. The Tariff Board have already issued a volume of their preliminary evidence, and I refer to page 172 of that volume, in which are given, under Appendix A, the rates of common salt, I mean the average wholesale prices in Calcutta. It begins with the year 1890, when the rate of salt ex-ship was Rs. 85-12-2 per hundred maunds and goes on till 1929, when the rate is given at Rs. 66-9-0. In February of this year the rate was as low as Rs. 55, and this is the lowest rate for salt during the last forty years. There is a strong suspicion that this drop may have been brought about for the purpose of stampeding out indigenous efforts in this enterprise, and the rate of Rs. 55, which was touched last month, leaves not only no profit to the indigenous producer but almost brings on him a loss of about Rs. 7 to Rs. 8 per 100 maunds. Now, I ask, how long do the Government of India propose to be silent onlookers of such a policy of tiring out efforts at manufacture of salt here? It may be asked here, what is my complaint while salt is available to the people at such a cheap rate? If it was a genuine effort in that direction, none would be more glad than myself, but it is a desperate effort to retain and fortify the monopoly which foreign interests have enjoyed till now. I wish to suggest very earnestly to the Honourable the Finance Member that, if the good work which he has started by referring the salt question to the Tariff Board is not to be frustrated, it is very necessary to ask the Tariff Board to submit an *interim* Report whether any *interim* action is required to be taken whilst the Government of India take their usual time to consider the Tariff Board Report and to come to their own conclusions. Let me say, Sir, that, in the ordinary course of business, such efforts by people who have vested interests are not unknown. I am not complaining against the people who resort to this method of a steady lowering of prices in order to tire out prospective competitors. For, from the year 1927, when the Assembly began unmistakably to assert their opinion on the salt question and it looked likely that some steps would be taken by the Government of India in this direction, the price of salt has dropped steadily. In 1927 the price was Rs. 104-9-0, a rate which left a very good margin of profit to local manufacturers and to those who imported salt in this country; in 1928 the price dropped to Rs. 88-4-0; in 1929 it fell to Rs. 66-9-0, and in February of the current year the price has gone as low as Rs. 55, a rate which leaves not only no profit, but as I said before, involves a loss. It is likely that, with the policy which Government have consistently pursued in the matter of closing down all private enterprise to create their monopoly in salt for a hundred years, it may take some time for Government to get in India all the necessary salt

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works going. The Government of India may take a couple of years or more to come to a decision. In the meantime, are those who have invested in these enterprises to be left at the tender mercies of these foreign syndicates and allowed to be wiped out of existence? I earnestly trust that the Honourable the Finance Member will look upon my suggestion as only a corollary to what he has done till now. If the Tariff Board reports that nothing requires to be done in this direction, I will have nothing to say. All that I am urging is that the Tariff Board may be asked to report on the conditions which have developed owing to the drop in prices, so that the public may be satisfied that the Government of India do not wait to take their decisions until the worst has been done to the Indian enterprise, which appears to be developing in the right direction, as far as my information goes.

Sir, the interests concerned in imported salt are not British interests. India is one of the principal countries to which mostly British salt was exported at one time. This, however, gradually declined since 1888-89 when it was 78.55 per cent. of the imports into Calcutta of British salt, and it has now dropped to 13.65 per cent. in 1927-28, as is shown in the following statement. In 1889, the total imports of salt into Calcutta

12 NOON. were 366,565 tons, of which the import from the United Kingdom was 287,945 tons. It steadily declined till in 1927-28, the total import into Calcutta was 596,220 tons, of which the United Kingdom's share is 81,225 tons, being a percentage of 13.63. I need hardly say that salt from Aden cannot by any stretch of imagination be included in foreign salt, but if this import from the United Kingdom is as small as these figures which I have just now quoted indicate, may I ask whether it is necessary to hesitate to find out exactly why these foreign interests, which control the price of salt—and that is being done from Calcutta—should have any special consideration from the Government of India.

The Honourable Sir George Schuster: Does my Honourable friend suggest that we are less ready to inquire if the imports are from the United Kingdom?

Sir Purshotamdas Thakurdas: I am very glad to have this assurance from the Honourable the Finance Member. I wished to mention that, as in this particular case the trade of the United Kingdom with India is not to be affected, it may be easier to have an inquiry without delay. I am grateful to my Honourable friend that he has put me a question which carries its own answer, that whether salt came from the United Kingdom or from other countries, the attitude of the Government of India would be the same. I therefore leave this subject with this earnest appeal to the Government of India to follow up the good work which they have started by reference of the salt question to the Tariff Board.

Sir, I wish to know why the Honourable the Finance Member did not turn his attention when he wanted more revenue by import duties to imports of wine, liquors and spirits. Every year during the last two or three years during the discussion on the Finance Bill I have indicated the great responsibility which lies on the shoulders of the Government of India in connection with very prompt action about the question of prohibition in India. I know the question is a provincial one, but I also know that many provinces who wish to progress in this connection have found

themselves rather badly fettered when they find that side by side with their prohibition policy imported liquor and wine have a free field in their provinces. Naturally they felt that their self-denial, as far as their province was concerned, only happened to be the gain of the Government of India. Sir, I cannot believe that the Government of India, or the Honourable the Finance Member, can possibly be anxious to earn the reputation of blocking the efforts of the Ministers in the provinces, who are making genuine and self-sacrificing efforts in the direction of prohibition. Why have the Government of India not taken any steps to find out what the provinces desire, and why is wine, liquor and imported spirit, left completely untouched in this Finance Bill? Is it the apprehension of the Government of India that they would be hitting the consumer of these, if they raised the duties beyond a certain point? Or, is it that they apprehend that, if they raise these duties above the present figure, they would not get more than what they get at present? What is the consideration given by the Honourable the Finance Member to what sane India—I particularly use the word “sane” in its fullest significance—has been pleading to stop the intoxication of our masses? Can it be the anxiety of the Government of India not to make liquor as costly as possible? I would very much like to hear from the Honourable the Finance Member why this one head of revenue has not yet attracted his attention? Even if Government get half a crore, it would be such a healthy indication given to the various provinces of the sympathy of the Government of India, that I am very much inclined to suggest to the Honourable the Finance Member, just for the purpose of giving a heartening gesture to the provinces, that this duty may be thought of even now. It would be more welcome to this side of the House than any of the duties which he has got in his schedule. I do not wish to say more about it. I am convinced that the Honourable the Finance Member only needs a little more pressure from us here, in order to enable him to do his best in this connection. May be this year, he has concentrated his attention on what will bring in crores and not attached much importance to multiples of ten lakhs.

Now, Sir, regarding the import duty on silver, may I congratulate the Honourable Member on the completion of his scheme by introduction of the Bill which he introduced yesterday in connection with the excise duty on silver. Regarding income-tax, I, for one, feel that, if taxation has to be increased, those who pay income-tax on incomes over Rs. 15,000 may well bear their share of the additional taxation. My Chamber do not support this, but I am sure that they would support this increase in income-tax and super-tax but for sound reason for their not doing so. That reason is this. They feel that the Finance Department have not attended to the bare requirements in justice of those who pay income-tax and super-tax. In England there is a very useful provision that, if a man has incurred loss in the previous year, for the purpose of assessment of income-tax he is allowed to write-off the previous year's loss up to a certain extent. The Government of India had perceived the equity of this, and my Honourable friend the Finance Member has told us before now that he will try and have it introduced in India hereafter. Surely, Sir, if the Government of India feel that those who pay income-tax and super-tax should carry their burden of the additional taxation, is it not up to them to see that, side by side with that call of duty, they also do bare justice to those who at present are being treated very unfairly? A man may have lost, say Rs. 1,00,000 last year, and naturally there is no taxation which

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he has to pay. He may make a profit of Rs. 2,50,000 this year and he is assessed to it. He may again make a loss of Rs. 2,00,000 next year and he finds that taking the period of three years as a whole his loss in business, viz., Rs. 50,000 is increased by the payment of income-tax and super-tax on Rs. 2½ lakhs profit in the second year. Now, I ask the Honourable the Finance Member whether he does not owe it to this class of taxpayers that he should do them justice side by side when he asks them to increase their burden. We of the commercial community are prepared to bear our burden of the additional taxation which may be required, but we do expect that the Finance Department should first attend to our genuine grievances without trying our patience and then ask us to shoulder a fresh burden of taxation.

I feel, Sir, that I should not take up more time of the House today, and I will only say one word regarding my amendment on the silver duty, namely, the readiness with which the Honourable the Finance Member saw the point of view which I put forward marks a welcome departure in the mentality of the Government of India as exhibited till now. I will develop this point later on when my relative amendment comes.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, my friend, Sir Purshotamdas Thakurdas, has said that he is prepared to give the Government what is enough to balance the Budget. I rise to strike quite a different note, namely, to oppose the motion that the Bill be taken into consideration. And as I am going to explain my purpose presently, it is necessary that I should follow this method at the beginning rather than at the end. It is much easier to oppose a motion that the Bill be taken into consideration than to oppose it when the Bill has been amended and practically the House has expressed its opinion upon its details. My opposition is based on principle and I think I must raise that opposition at the very beginning. By this Bill the Finance Member, of course, asks for supplies to this Government which, as I said on a previous occasion, is irresponsible to the Legislature and therefore in my opinion it does not deserve any supplies at the hands of the Legislature till it becomes responsible to it. Therefore, I oppose this Bill.

Sir, there are three recognised occasions for the opposition in this House to comment upon the Finance Member's policy or the policy of the Government. In the general discussion of the Budget we are supposed to criticise mainly only the financial policy of the Budget. In the discussion on the Demands for Grants we give out motions. There we discuss the merits of a thing here and a thing there, though, of course, even those cuts are intended to a certain extent to express our censure upon the departmental administration, or at least certain aspects of it. But that, if I may say so, is only a retail business of censure. The Finance Bill, however, is a consolidated measure asking for revenue and supplies and in that sense therefore it is a consolidated measure for asking the confidence of this House. Sir, if it is a consolidated demand for confidence, we must take the earliest opportunity to meet that demand for confidence by a consolidated measure of censure. This, therefore, is a wholesale business and the other was a retail business.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Same man cannot do both.

Mr. N. C. Kelkar: Some people have two shops in one city, one of them is a retail shop and the other a wholesale shop.

Sir, "grievances before supplies" is the common place of parliamentary theory and practice. In these three simple words is embodied a world of political wisdom. It is a consecrated formula and has so been consecrated by the practice of free nations up to this time. Sir, it is not very pleasant to oppose the whole of the Finance Bill, but it is a clear constitutional duty. I may assure the Honourable the Finance Member that I do not like to hear my own voice any more than he likes to hear his own voice. But if he cannot escape from opening his lips for demanding supplies, I cannot escape from opening my lips for refusing that supply, and this process must go on till the Government actually become responsible in course of time. It may be said that our opposition is not going to succeed. I know that, but that is no reason why we should not offer that opposition. Guaranteed success is not the only condition of effort and endeavour in this world. Our purpose will be proportionately served if we can say something about our opinion of this Government which will ring in their ears. We shall make them hear our opinion about them and then leave to their guilty conscience and to their supplies which will be tainted with our censure. The other day Mr. Baldwin said something very similar to the Labour Government. He said: "My censure motion may be defeated, but just as the rains washed out corn laws, so will unemployment wash out this Government." Varying the phrase, I shall say to this Government: My opposition may be defeated, but a day will come when this irresponsible Government will be washed out by the unceasing national agitation of the country. My opposition to the Finance Bill is not irresponsible. My friend Mr. Jinnah rightly described himself as a responsible Member of the Assembly, but even he and the whole of the Swaraj Party, of which I am proud to say you, Sir, were at one time a responsible member, headed by Pandit Motilal Nehru, that astute practical politician, threw out the Finance Bill in 1924 and the Bill had to be restored.

Mr. M. A. Jinnah: I may remind the Honourable Member that I was neither present at the time nor did I vote on that occasion.

Mr. N. C. Kelkar: Did you ever throw out any Finance Bill?

Mr. M. A. Jinnah: No.

Mr. N. C. Kelkar: I will have to verify that. In 1923 the Assembly refused to sanction an increase in the salt-tax and amended the Finance Bill. The Governor General then took the responsibility of restoring it. In 1928 we made large cuts in the expenditure of the Executive Council under Miscellaneous and under Expenditure in England. This year Mr. Jinnah voted to cut down Rs. 5,46,999 under Army expenditure. All this was done with the full knowledge that the present irresponsible Government would restore the items. Also with the knowledge that the administration of these departments in that year would not go on without having much money to spend. If that action was regarded by the authors of that action as responsible, surely there is no reason why my opposition or our opposition to the whole Finance Bill should be regarded as irresponsible. In view of the chances of its failure, our opposition to the Finance Bill may be regarded by some as merely formal. In the first place, it is not formal in the sense of being insincere. By my opposition

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I do exactly mean what I say. But I would like this irresponsible Government to come to grief for want of funds to carry on the administration. But, even supposing it has the appearance of formality, what does it matter? Are not there so many other formalities through which we in this House have to pass from the ushering in of the President to the adjournment of the House? If supply must be asked for in a formal manner, it must also be opposed in a formal manner. They are the two poles, the positive and the negative, of one constitutional action. If Government's administration must go on, so also must the nation's protests and His Majesty's opposition. Sir, we cannot afford to go by default in this matter; for the pretence of Government before the world is that they govern and get supplies for their Government by the free consent of the nation. We must therefore knock down that pretence on the head and as promptly and as forcibly as we can. As in legal practice, so in this Legislature any prejudicial assertion must be met promptly by its denial. The Government may be irresponsible, but we are responsible to our electors and the nation, for a prompt, active and vocal protest. The protest must be put on record point by point, as often and in as many forms as the demands themselves are made upon this House. In offering my protest and my opposition, I am therefore in full earnest, but I shall not however use any strong words of abuse and that will be so, not because this Government does not deserve any such words of abuse but because words of abuse may spoil one's culture. In 1928, Sir Basil Blackett said "Whatever the merits of the censure that was intended, it was obvious that the money was required". In that callous spirit our acquiescence is always demanded for supply and expenditure. No opportunity is wasted by the Government to tell us in effect this, "We shall have our own way whether we get your consent or not". That is in all conscience, a very humiliating position for the nation. And our reply to that callous observation will be this, "Whatever the merits of your demand for supply, it is obvious that the nation must record its uniform protest". It may take some time for us to bring Government to its knees. But we, the elected Members, will be unworthy of our trust, if we ever fail to record our protest at every point of contact where Government is likely to construe our silence into consent.

Sir, in free countries, Cabinets are responsible to the Legislature. And the practice about votes of censure is different from that in this country. There Cabinets are so susceptible of honour and dishonour, confidence and censure that Cabinets resign if any important cut, motion or amendment of a Bill, much more so in money Bill, in respect of a material particular, is carried against them. They keep their official escutcheon so polished and clean that any tiny blot thrown upon it, they regard as a challenge for a fight. They take up their sword and shield and go to the arena to fight a duel in new election with their political opponents. And the whole nation ultimately gives the verdict. The purpose of censure is therefore satisfied in these countries by motions or amendments on details. It very rarely comes to throwing out the Finance Bill. Success in a skirmish on the mere outposts naturally obviates a battle royal. But in this country it is quite otherwise. Here an irresponsible Government is permanently installed in office. Their body, from top to bottom, is covered with a two inches thick hide of rhinoceros of irresponsibility. What effects, therefore, can the slings and arrows of our censure produce on

this pachydermatous beast? We have therefore to take wholesale measures against them. And if we cannot seize upon their throats and kill them, we may at least try to fell them by pulling their legs. (Laughter.) Sir, if I go on pointing out our grievances and the blemishes and weaknesses of this Government and of their failures in duty, it would be quite a long roll and it would be quite tedious. I therefore give up that aspect of the debate in this matter.

I shall only take up the central question, namely, about the policy of Government, and show where the whole policy of the Government is wrong in a number of ways. I shall therefore briefly explain the heads under which I consider the policy of the Government is wrong. The first point about their policy is the exploitation of wealth and resources of India whether it be agricultural or mineral or otherwise. Secondly, they use India as a pivot of the Empire and use her military resources for aggression in other parts of the world unconnected absolutely with the defence of India or the interests of India. The other day I came across a cutting in the *Daily Herald*, which throws a flood of light upon all the activities of the Government of India here and of the English speaking people abroad. This is from the *Daily Herald*:

"In the middle of the Great War it had come about that the British Government was subsidising ex-King Hussein of Iraq while the Government of India was subsidising King Ibn Saud. The British Empire, in fact, was backing both sides to fight while somewhere in the middle the British official, Mr. Philby, was trying to make peace."

This is how the activities in other countries are being financed and helped by the Government of India.

Then my third point of policy is that the Government are allowing other Members of the Empire a free hand in illtreating and humiliating Indians, and for that I need only mention the case of East Africa, South Africa and the latest case about the franchise in Ceylon. Then, the fourth point in their policy is the systematic suppression of Indian talents and abilities. Then the fifth point is the encouragement of disunion among classes, sections and races in India, that is the policy of divide and rule. The sixth point in their policy is the putting of heavy handicaps on industrial and economical development of India. The seventh and the last point is the emasculation of India's manhood by disarming and non-Indianisation of officers' ranks of the Army. The other day in the Library I came across a Red Book containing hundreds of pages giving the names of Indian soldiers who had won the V. C. in the War, and sometimes I feel tempted to fling that book at the head of any man who says that in India they cannot get Indians to man the officers' ranks in the Indian Army. But that subject I am going to leave to my Honourable friend Dr. Moonje who I think will more ably deal with it than myself.

An Honourable Member: Give him that Red Book.

Mr. N. C. Kelkar: Yes, I will give him that book. He will perhaps fling it more forcibly than myself. I say the Government should note one fact, that a gradual change, perhaps not gradual but even a swift change, is coming on political opinion in India. First, during the last 75 years, came the generation of loyalists and toadies in India, and they have had nothing to do with politics. The second generation was of admirers of British rule at a distance, and they were enamoured of that rule, but they were not toadies. That was an improvement. The third generation was

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of believers in reasoning and persuasion only. If they could produce statistics and figures and manipulate them by beautiful arguments, they were sure that the British Government were so reasonable in their minds that their best arguments were their best weapon. That was the next generation. Then came the generation of the sleeper awakened. In the three past generations, neither loyalty nor toadism, nor expressions of admiration and admiration nor sweet reasonableness or persuasive arguments had any effect on the Government. Then came the generation of people who saw that they were sleeping so far and they were now awakened. Then came the generation of people who combined co-operation with strong criticism but who did not go beyond strong criticism. Then came the generation of obstructionists who said—as I am saying now—that whatever the merits of the demands of Government, our duty was to put forward obstruction to Government, because what Government wanted to get out of the Legislature was not really out of the free will of the nation or the Legislature; and they wanted, as we do now, to knock that pretence on the head that, Government has the backing of the Legislature. Then came the passive resisters, men who were not afraid to go to jail. And lastly I may mention the generation of revolutionaries, who are now giving an account of their activities and sacrificing their lives like anything in the different parts of the country. All this change has taken place during the last 75 years. I wish Government to notice the fact that the change has been very swift in this country, and I will further explain by mentioning three or four people who were practically related to one another as teacher and disciple. First take Dadabhoy Naoroji. When he entered public life, he used positively to say and preach that British Government was a blessing to India. Then came Ranade, who was practically a disciple of Dadabhoy Naoroji. He did not like to say in a straightforward manner that it was a blessing, but he was a philosopher and used to say that British Government was a divine dispensation for India. "Divine dispensation" has of course more meanings than one. Therefore he just suggested the idea of blessing and kept something in reserve. Then came Mr. Gokhale, who did not like the interpretation of "divine dispensation" as a blessing for India, but he put the cap on the head of India and blamed India itself for keeping such a bad Government. He did not give up the formula of divine dispensation preached by his *Guru*, but everything bad as well as good is ultimately a dispensation of the Divinity. And so Gokhale improved upon Ranade, by saying that British rule certainly was a divine dispensation, no doubt, but it was neither a blessing nor a curse. But he attributed a double meaning to it and as between the Government and the people he said to the people that they deserved this bad Government. He openly called it bad; and then what is more interesting than all this, is that Gandhiji, who calls himself a disciple of Gokhale, openly came out and said that this Government is Satanic and a curse. This is how a change in political feeling and sentiment in India has come about in 75 years from one generation to another, and I have mentioned these four prominent names in the country who were in a way related as disciple and teacher in this political school of thought.

An Honourable Member: What does Kelkar say?

Mr. N. C. Kelkar: Kelkar does not count; he is neither Dadabhoy nor Ranade nor Gokhale.

Here I will read a few lines from the latest utterance of Mahatma Gandhi:

"British contact may be a good thing, may be a God-send, but British rule may be a curse and we may have the one without the other. My description of the rule as a curse would be accurate even though a knowledge of the good influences of British contact might be present with me at the time of giving the description. Personally I dispute much of the glorification whether of the British contact or the British rule. Is the doubtful character of the moral results on the educated few an ample or any compensation for the pauperisation of the millions? Nor do we fully realise the meaning of economic distress. It is below par in the sense that the distress has reduced the man in India below his species. He is an underfed beast of burden in human form and is daily sinking. The money taken from him is never used for his betterment."

These are the words of one of the greatest patriots that India now possesses.

Now, it may be said, and sometimes it is said, on behalf of Government that the British Government have conferred so many benefits upon India that India would be ungrateful if she did not accept British rule in consideration of those benefits. But here I would just like to quote an American author who looks at the connection between the British Government and India from a detached point of view. Let us see what he says about the so-called benefits of British rule:

"In estimating the true character of British policy in India one should seek rather to discover its ultimate object than judge it by casual results. The deep political purpose of an alien Government is not revealed by the material improvements it makes or those that occur under its administration of a country; railways, roads, imposing public buildings, factories and other betterments conduce and in modern times are essential to profitable economic development, as also are peace and public order. Betterments of this character in a country cannot be attributed altogether to a purpose of the Government to improve the condition of all the inhabitants. They occur in all countries and under all forms of government. The guiding motive may be profitable economic exploitation. It is possible for a policy of economic exploitation and a policy of political and intellectual repression to move side by side."

Now, to meet these sentiments and feelings on the part of nationalist India Government often come out on their part with declarations. This habit of coming out with declarations has been with them for about a century or more. Every declaration by this Government, however, has been very vague and unreal. In many cases it is like the acrostic which is called the Devil's or the Witch's Prayer; read from left to right it is a blessing, but read from right to left it is a curse. Take the Act of 1833. There the words are:

"Equality as between Indians and Englishmen."

The views of Munroe on this point are well known. Munroe was the first English statesman to advise this Government to go on with Indianisation, because he used to say that, if the services were not Indianised and if the Indians were not given a real chance and opportunity to learn the administration, then this Government would be working against its own plan and design. But Government have not yet done that completely for the last hundred years and still we are here in this House at present fighting for Indianisation. In some departments it is 50, in some departments it is 60, a promise in some departments of 75, and yet we are told that the progress must take so many years and so on.

Then came the Proclamation of 1858 and what are the words there? "In their contentment lies our happiness". Now the whole world sees

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what contentment there is and what happiness there is in India. If really that phrase were correct, if that sentiment was correct, then we can say of the present Sovereign in relation to India, "Uneasy lies the head that wears a crown". If the happiness of a King lay in contentment, here is Indian discontent incarnate, and therefore the King Emperor must really be unhappy to see India in such a state.

Then comes the declaration of 1917, and in respect of that, as I have already said, it may be turned into the witch's prayer. "Progressive realisation of responsible government"! It may mean anything and everything. Then I can say the same thing about the latest declaration in which reference was made—I do not say who made it—but the latest declaration about the Round Table Conference and the offer about Dominion Status. But all these are superfluous declarations. What Government really feel in their hearts is something quite different and this American author after having had conversations with many prominent officials in this country has laid it down that Government feel a grudge as it were against even America for setting a bad example by giving liberty to the Philippines. He says:

"I found the British in India, both in and out of the government, in a state of subdued rage about what the Americans were doing and proposing to do in the Philippines. I found that they regarded the introduction of American policy into Asia as an unmitigated disaster. They were not shouting this opinion from the housetops (exigencies of imperial politics inhibited), but it was stated plainly in private talk, and imbued the English administrative and social organisms. I found that ideas of an intensive educational uplift of the natives, of conceding their right to administrative autonomy and hastening it, of perhaps quickly giving them national independence, in short, the extension of American political institutions and ideals to the Philippines were regarded as equivalent to throwing a political firebrand into Asia."

At that distance the Americans were doing it, and how do the British officers lose anything? But they feel that they come into automatic comparison with the American Government which is giving the rights of self-government to the Philippines and therefore they resent it. They not only do not give rights of freedom to the Indians but they resent that sort of behaviour from any other Government in any other part of Asia because they consider all Asia as one, as the one sphere, in which the incompetence of Indians has got to be established by common effort.

Then the latest declaration on the part of the Government about the Round Table Conference. I think here a hare has been started, but I am afraid there will be no kill. This Conference cannot be a success so long as the essential conditions of success are wanting. As my Honourable friend, Mr. Jayakar, is fond of saying, there is no atmosphere of reality about this Conference. Now, if there was a sincere belief on the part of those who offered the Round Table Conference that they are giving something real, then of course they would not evade and avoid the pronouncement of the fulfilment of certain conditions which are essential to the success of this Conference. What they offer is a clean slate and whatever you like to put on that clean table, of course you are responsible for it. So far as the Government themselves are concerned, there is absolutely nothing to be placed on their side on that table.

Then there is the minorities problem. They make difficulties about that. But they do not know that the League of Nations, where the conflict of

minorities is as keen as in India, have solved that problem through certain agreements to which all nations could come together and why was it a success there and not a success here? Because there they were moving in an atmosphere of reality and not in an atmosphere of delusion as we do in India. In Canada, the French and the English came to terms and settlement and agreement. They solved their own racial problems. Why did they do that? Because they were face to face with a reality. They were absolutely convinced in their mind that dominion self-government was coming and as soon as they saw it was coming they came to an agreement and solved their own problems. Then more surprising perhaps is the case of South Africa. In Canada there were two races fighting, but in South Africa there were four republics of different races and yet what happened there? In 1900 South Africa was a Crown Colony. In 1905, it obtained representative institutions and in 1909 it got full responsible government and became a Union. How was this done? Because there was the atmosphere of reality. These people were told on the eve of the Convention, "Whatever you do and settle amongst yourselves unanimously, that will be given the shape of a statute by Parliament without the change of a single comma". I do say to the Government that if the British Cabinet does the same thing for us here, all the problems about minorities' conflict and other things will be solved. But here we are not in that atmosphere of reality. There is nothing real before us, no postulates and nothing of that sort, but only a clean slate put before us to write on. What happened in South Africa? Mr. Brand who writes about the Union of South Africa says this. He wonders, he had been all along wondering, how this Union has been accomplished and how the racial difficulties were got over. He says:

"What would President Kruger have said in 1899 if he had been told that in less than seven years after the complete destruction of the Republics and their annexation to the British Empire, a Constitution embodying all that the Uitlanders had struggled for would have been enthusiastically accepted by all parties and races in South Africa? Would he have believed his eyes had he seen appended to that document, side by side, the names of Dr. Jameson, who raided the independent Republic of the Transvaal in order to overthrow its government, and General Botha, who, then a leading citizen of the Republic, is said to have demanded that Dr. Jameson should be shot as a free-booter."

Here we see two unfriendly people sitting side by side, solving their problems and signing a convention and making a union possible. Why did they do it? Because there was an atmosphere of reality before their eyes and the British Cabinet had told them positively and in so many words to produce a unanimous constitution which they would carry out and give it the form of statute without the change of a comma. I can cite authorities for this from speeches of Mr. Churchill himself. So these are the declarations of our Government. These are the policies of Government and these are their offers for the betterment of our condition and offers also for giving us self-government. Now, side by side with that, I can remind this House of the state of things that obtained in Ireland because there also there was a Round Table Conference as between Ireland and England. I will just read a few words as to what happened there in relation to the round table conference between the Irish leaders and British statesmen.

"It was guaranteed beforehand that full Dominion Status would at once be conceded."

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That undertaking was given.

"Neither in the preliminary talks nor at the round table conference did the Irish Delegation consist of the nominees of the British Government. The North was invited at the preliminary talks but not at the conference. When the peace pourparlars started, it is estimated there were several hundred Irishmen in prison for political offences and a few hundreds were "on the run". As soon as the talks commenced, four Irish leaders of the Dail were released from the Mountjoy Prison to take part in them. As soon as the truce was signed, the Dublin Castle released all the imprisoned Dail members and those hitherto "on the run" appeared freely at public meetings without receiving any notice from the police forces. A general amnesty followed as soon as the Treaty was signed."

Now, here I have given this Government the instances of Canada, South Africa and Ireland. In these three cases the problem of reconciliation has been solved satisfactorily as between the rulers and the ruled, but in India that is not being done, and that explains the change in political opinion that has come in India. A few moments ago I cited the example of Dadabhoi Naoroji who said and preached that British Rule was a blessing in India. But in 1906, that old man of 80, who presided over the Calcutta Congress, and who first propounded the doctrine of self-government or Swaraj for India said, "I have been so much disappointed, driven so much to desperation by the British Government that if I were a young man I would rebel against this Government". In that respect I would give one instance more about America. Dadabhoi Naoroji and George Washington I put on the same level. They were such high and illustrious characters, men of such eminence, men of such pure motives, and such great patriots that for a comparison with Dadabhoi Naoroji I could only give the example of George Washington, the President of the American Republic. Now, George Washington himself, like Dadabhoi Naoroji, was an admirer of the British Government. He was a loyalist; he was counted among the loyalists. But even he was driven to despair, and the world knows that ultimately he took the lead of the Army and was the first President of the American Republic. If Dadabhoi Naoroji also had an army, and if there was a chance for him to rebel, as he himself declared that he would rebel, then, I suppose he would have been victorious and would have become the first President of the Indian Republic. Of course that may or may not have been. That is not the point. But the parallel can legitimately be taken for explaining the change of feeling that has come in the people's mind in regard to politics. And now what Dadabhoi Naoroji could not do, the younger generation is doing. Dadabhoi Naoroji said he would rebel, though he did not actively preach rebellion, and yet, just as when there is a water gallery at a higher level, it springs out at the lower level in unexpected directions, so this rebellion is coming, and therefore you cannot hold this younger generation from what they are doing. You have no right to blame the younger generation for carrying out what Dadabhoi Naoroji himself said at the Calcutta Congress. Now, in order to make the parallel complete, I will say only one more thing. If Government betimes reconsider the whole position and offer sincerely, earnestly and speedily, self-government or Dominion Status to India, things may perhaps be quiet, but if that is not done, then we see—Independence has already been proclaimed, and in that respect I can imagine George the Fifth or perhaps his successor, I cannot say who, will have to be in the same position with India as

George the III was in respect of America. I will cite to you rather an interesting passage on this matter. You all know that George Washington fought and won his country's independence, but what were the relations afterwards between England and America?

"While it was not long after the surrender of Yorktown that John Adams recounted, with as much feeling as any Adams could evince, his first audience at St. James's as Envoy of the new country."

When America became free, England accepted and recognised her stable Government and accepted it as a nation of the World, and then naturally it allowed America to send envoys and ambassadors to England. Now the first envoy happened to arrive in the time of George III himself, who resisted independence, and this is what happened. The ambassador met the King. The ambassador of the nation was one who fought against England and the King was the King who resisted independence. When the interview took place, this is what King George III said: "Sir", said the King, "the circumstances of this audience are so extraordinary; the language you have held is so extremely proper, and the feelings you have discovered so justly adapted to the occasion, that I must say that I not only receive with pleasure the assurance of the friendly disposition of the United States, but that I am very glad the choice has fallen upon you to be their Minister" (because he had taken a prominent part in bringing about the independence).

The Honourable Sir George Schuster: Might I tell my Honourable friend that, if he would hold a class for constitutional lectures, I should be very pleased to attend them, but I suggest, Sir, that we might get on with the Budget now.

Mr. N. C. Kelkar: I shall be very glad to have the Finance Member to be in that class, but I am speaking for a definite purpose. As I said at the beginning, I do want to resist this motion and to say that I do not want to vote this Government supplies unless and until this Government give the assurance—though ultimately it may be in the hands of Parliament—but let this Executive Council come forward with a document in which they tell the British Government that responsible government, Dominion Status, should be given to this country. When that is done, I will gladly give this Government supplies, but so long as that is not done, I am not going to give this Government any supplies. So I am not uselessly giving a harangue or a lecture on politics, but I am saying everything that is pertinent to the present occasion.

Mr. President: The discussion might be cut short if the Honourable Member is prepared to give the assurance asked:

Mr. N. C. Kelkar: I will conclude with three more sentences now. This is what the King said to the ambassador:

"I wish you, Sir, to believe and that it may be understood in America, that I have done nothing in the late contest but what I thought myself indispensably bound to do by the duty which I owed my people. I will be very free with you."

King George says to this ambassador: "I will be free with you. I was the last to consent to the separation; but the separation having been made, and having become inevitable, I have always said, as I say now, that I would be the first to meet the friendship of the United States as an independent Power".

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Therefore, I say, if the British Government grant Dominion Status, we are prepared to take it; if they fail to grant it, I have cited their own history, which will give them an idea of what may happen—and the future Sovereign of England will receive the ambassador from India and say to him, "I will be very free with you; I accept you as my ally".

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, it

1 P.M. is somewhat awkward for me to stand here to oppose this Bill just after my Honourable friend Mr. Kelkar has spoken. He

opposed the Bill on constitutional grounds. That is ground enough in itself on which all supplies should be refused. But, Sir, as the Bill relates to the entire Indian finances, and the financial policy of Government, I feel I should oppose this Bill as far as possible on financial grounds too. I shall first begin with the aspect of financial policy. In this Bill my Honourable friend the Finance Member adopts what he calls radical measures. It appears he is always living in a glass house, through which he sees the Indian Empire, and whatever radical measures he might introduce, they will have nothing to do with the real conditions prevailing in the country. The consumer and the taxpayer are the people by whom we, as their representatives, as well as the Members opposite as Members of the Government, have got duties to discharge, and I may say briefly that it is not by imposing duties in season and out of season that we discharge those duties. If we want to realise our duties by them, we must be acquainted with their real condition. Certain theories have cropped up during the course of ages, especially in a country like England, a country which has got to live by selling its manufactured goods, and our Government as well as many of us, on account of a tradition set up in this country, are fighting, on the strength of those much-made-of theories, for the development of our resources in a country which is agricultural and whose people to that extent have practically nothing in common with the people of England. There are also certain sentences in the Finance Member's budget speech which I may call budget baits. Some political advantages which may accrue from our agreeing to certain mischievous measures have also been pictured to us. His main burden of speech again seems to me to be that, like a very good housewife, he is after reserves. Last year he created what I may call a military reserve. It practically continues; and even when it began, the remark was made that these reserves are not only unnecessary considering the conditions prevailing among the taxpayers in India but they speak of a very bad future. There is also the ever-open sore called the Railway Reserve, on which any further discussion here would simply be tautology. Now, there are being created other reserves such as the debt redemption reserve and some other reserves, which I have forgotten, and they will be set apart, like untouchable individuals, in the dark corners of our public treasury. I do not know for what purpose they will be applied or invested in the meantime so long as they are not actually required for purposes for which they are reserved. It is, so to say, a kind of temporary embezzlement so far as the taxpayers' interests are concerned. Reserves may be *prima facie* very good things, but we must understand the real nature of the difficulties among the masses when we are going to impose fresh taxation to the extent of about 6 crores, and when, in the same breath, the Finance Member has himself said that the purchasing power of the poor peasant and the taxpayer in this country has gone down to a very

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large extent, and it is a fact. At such a time to fall upon reserves like these is not only unnecessary and bad, but it is criminal, to say the least.

Then I come to what the Finance Member calls economy. The first item of economy that I wish to touch upon is the curtailment of expenditure in railway capital investment. Apparently it is a very good thing, but I may observe that, in effect, it will go to kill many of our new enterprising industries in this country. Last year this subject was discussed in connection with the stores purchase policy. After the war times were over, the manufacturers of railway materials in England wanted support, and ready purchasers to sell their articles at very high prices. For this purpose the then Member in charge of Commerce wanted to create a separate railway fund, and committed this Government, as well as this House, to an expenditure of 30 crores new investment each year for five years in the name of development of the country. This fund yearly set apart was so enormous that, in spite of inefficiency and lavish expenditure and mismanagement, the entire money could not be spent. What was at the bottom of all this? I deliberately say it was not for the development of India. It was to help the British manufacturer. In the Imperial Economic Conference in which Sir Charles Innes, the predecessor of the Member for Commerce represented India, he said so in so many words. Those words have often been repeated in this House and they will bear eternal repetition, as public memory is short. He said:

"Large sums have been set aside for the rehabilitation of her (India's) railways and I hope that we may be able to embark on some new construction. On railway material alone we spent last year, almost entirely in this country, more than 8½ millions sterling. Other development schemes are in contemplation, and in one way or another the Government estimate that something like 70 millions sterling will be spent on imported stores during the next five years for the railways and other development schemes. As in the past, so in the future, I have no doubt that the skill and enterprise of the British manufacturers will see to it that the vast bulk of their moneys will be spent in this country."

Again he says:

"The Government of India were required by rule to buy their imported stores through their Stores Department in London, which was under the control of the High Commissioner for India. The High Commissioner had to accept the lowest satisfactory tender; not necessarily the cheapest, for he has been given a wide latitude for selection."

Again:

"The practical result has been that between 90 and 95 per cent. of the value of the purchases made through the High Commissioner during the past year had been expended in England on articles produced by British manufacturers."

That is the result and it speaks for itself, I do not know whether there is, on the non-official side, as much anxiety to see to the promotion of the iron industry as there is for the cotton textile and other industries which are very well represented in this House. It was quite impossible even to divert at least 5 or 10 per cent of this money to the Indian market. If they had done so, many young industries would have come into being here, and if they went on progressing, perhaps this Government, led by the nose by a band of people six thousand miles away, would have come with a begging bowl in one hand and a pistol in the other for a preference, or even bounty to the British manufacturer for our railway purchases, with a view to kill our industry and re-establish the market which their forefathers had prepared for them in this land.

I put a pertinent question to my friend Mr. Parsons last year. I asked him, in course of the Railway Budget debates, whether it was not a fact

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that some of these firms (Indian manufacturing firms) were encouraged in this business (of making railway materials), and they are now no more, because they were starved out for want of orders. His clear answer was, "At any rate that is the position". What was wanted to be done in the interests of the British manufacturer was being achieved in this way.

I had the honour of being a member of the Railway Finance Committee last year. I went into this question very searchingly. I spent the entire year practically on this iron industry and the purchase of railway materials. I have tried my best constitutionally to impress my view on the Railway Board. But we have no power in that Committee. It is not a statutory committee and we can only recommend, and we do not know what becomes of our recommendations. I persistently pointed out the state of the iron industry in this country, and I wanted the Chairman of the Committee to divert the purchases to the Indian manufactured articles. Not only that. I wanted him to devise means so that railway materials that are not now manufactured in this country might be manufactured here in future. We are spending about 30 to 35 crores every year, both in open line and new construction, and if this money be properly diverted to the Indian markets, with the collaboration of the Members in charge of Industries and Labour, both here as well as in the Provinces, if need be, and if this money could also be utilised for the development of the iron industry in this country, it would not take ten years to stop purchasing in the British market each and every article that we purchase for our railways and even for Military and other purposes.

Mr. President: Was not the Honourable Member in the House when the Railway Budget was under discussion?

Pandit Nilakantha Das: Unfortunately I was not a Member of this House then. This Finance Bill is claimed to be for the development of the country, but I am shortly going to show that it is not for the development of our industries but for killing them, that these economies are going to be made. They are not real economies.

An Honourable Member: Convince the House.

Pandit Nilakantha Das: I shall convince the House, but unfortunately conviction carries no vote in this House.

I said just now that it would not take more than 10 years, and in order to bring matters home in this connection you will permit me, Sir, to enter, as briefly as possible, into the history of the iron industry in this country. Practically, it is the Tata Iron Works of Jamshedpur alone which provide raw materials to other iron industries, and that is the only Indian concern. I have used the word "Indian" deliberately, as there are other firms like the Bengal Iron firms, etc., which I call non-Indian. Of course, I am not now dealing with the textile industry, to which I shall come on some other occasion if you will permit me to do so. I am dealing with iron industry for the present. I made my headquarters at Jamshedpur in order to study this problem thoroughly from the point of view of labour, management of the industry, Government encouragement, and from every possible aspect I tried to study the question, though I was not in the beginning of my life an economist. What did I find there?

Today we see that people are coming for the protection of their industry at home, and, at the same time, instructions are being issued that India should participate in a Round Table Conference for self-government if, at

the expense of Indian development, England could be supported. Three years ago, in the case of the steel industry, the same plea was advanced. Now Imperial Preference is in its naked form, but then, as my Honourable friend Mr. Jinnah told me, it was not Imperial Preference as such. Be that as it may, we were asked to give the British manufacturer a chance. But what about the development of our own industry? We were asked to try to protect our own industries side by side with those of England and the taxpayer spent his money like water in order to do so. But what did I find after all this? After my searching inquiry and investigation, I came to know that no protection was necessary at all in India. It is simply a *camouflage* and a subterfuge to protect the manufacturers at home. Any protection that is given to our iron industry in the name of development of India is simply misdirected, manipulated and what I may call criminally abused. In this connection you will permit me, Sir, to read out to the House a Resolution which some Members have tabled to be moved in this Assembly. It runs thus:

"This Assembly recommends to the Governor General in Council that he may be pleased to appoint a Committee of officials and non-officials to enquire into and report and recommend remedial measures on the working of the Tata Iron and Steel Works of Jamshedpur with special reference to the following points:

- (a) Whether and to what extent the protection granted to save the Company is justified.
- (b) Whether and how far the Directorate and the Managing Agents, ultimately responsible for the control of the entire business, are in Indian hands as originally contemplated.
- (c) Whether and how far the present controlling agency is actually working for the Indianisation of the Industry with a view to promoting Indian economic and industrial interests.
- (d) Whether and to what extent the manufacture of Steel policy involved in the sale of products and scraps and the purchase of materials and machineries as well as the loan policy of the concern are justifiable.
- (e) Whether the State is doing whatever it can in its purchases and otherwise to encourage this basic Industry.
- (f) Whether and how far, if any, the management and the controlling agency are responsible for the danger of labour troubles kept up under manipulations of people interested in matters other than labour."

There is also a confidential memorandum which I hold in my hand. It shows that not only are the members of Government dictated to from Whitehall, but there are agencies throughout this country, even today, to strangle our industry or to use them for their home purposes.

In the course of my speech, I shall be compelled to use the word "Englishman" in a rather undignified manner, but I know there are exceptions and that all Englishmen are not alike. They are not all interested in killing other nations and filling their own pockets. Therefore, whenever I will use the word "Englishman", I will use it with this reservation.

This Tata Iron Industry is known to be an Indian industry, and its scope for development is enormous. I told you in the beginning, Sir, that, if properly nursed and looked after, in 10 years' time our industrial development would have killed the Indian market for all other nations outside India. Let me illustrate this with a reference to the Tata Works.

Who made this huge industry at Jamshedpur? Now, if you go inside the Tata Iron Works, you will find that almost every important branch of it, from top to bottom, is practically in the hands of or are controlled by Englishmen. (Mr. B. Das: "Americans.") I know they are not Americans, except the General Manager, Mr. Kinnen. Is Sawday American, is Peterson

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American? The business is practically now in English hands, and these English hands and English brains are responsible for and clandestinely and surreptitiously manufacturing and selling articles and managing the entire concern for the benefit of the people of the British Islands and the interests of the Imperial British race.

All honour to the name of Jamshedji N. Tata. He was a great patriot—a great man with great conceptions. His idea evidently was to build an Indian industry ultimately to be run by Indian hands for the benefit of India. So with that view perhaps it was well begun, as I shall presently show. During the last world war, it also did yeoman service to the Empire, and that at an enormous sacrifice—a sacrifice of several crores of rupees, which the concern could have made for itself if it so desired. But what came in return for all this? Now the plan is to let it pass into English hands anyhow by manipulation. Or if it is to remain Indian in name, it must be allowed to remain in a moribund state, burdened with heavy interest bearing English debentures, to supply raw materials to English concerns in peace time, and to be kept in readiness and reserve for war purposes, if ever any war threatens England so as to make that country depend on India for war materials. This is the clear position. It must be allowed to live, but it must never be allowed to contribute in any way to the development of Indian industry and Indian resources, which evidently was the object of the great mission of Jamshedji N. Tata.

Now what was primarily responsible for the original success of the Mission when Sir Dorab Tata started the concern in 1907?

Sir Purshotamdas Thakurdas: Mr. Jamsetji Tata was the first to conceive the idea!

Pandit Nilakantha Das: No, it was Sir Dorab Tata. Jamshedji Tata had been dead by that time. In 1907 shares were issued by Sir Dorab Tata and Mr. Padshah. The money market was then very tight in England. It is unfortunate that we have come to such a perverse state of culture that we have no strength to depend upon ourselves for anything. We turn our eyes to England. That is the subjugation of the culture or cultural subjugation, as I have often said on the floor of this House and elsewhere. So naturally, Sir, Sir Dorab Tata and his friends turned their eyes to England for money to establish an industry in India. Where can the money come from? It cannot come from India, you must go to England. The English money market was then tight. If only an Englishman had entered into that project, things would have been different. So the project was going to be abandoned. Mr. Lovat Fraser, in his book on Iron and Steel in India—a Chapter from the Life of Jamshedji N. Tata,—says:

“The Swadeshi movement which on its more praiseworthy side meant the cultivation of the doctrine that the resources and industries of India ought to be developed by the Indians themselves, had reached its height. All India was talking ‘Swadeshi’ and was eager to invest in ‘Swadeshi’ enterprises. Sir Dorab and Mr. Padshah, who had spent weary months in the City of London without avail, after their return, conceived, in conjunction with Mr. Billimoria, the bold idea of appealing to the people of India for the capital needed. The decision was a risky one, and many predicted failure, but it was amply justified by the result. They issued a circular which was practically an appeal to Indians. It was followed by the publication of a prospectus, which bears the date August, 27th, 1907. Mr. Axel Sahlin, in a lecture delivered to the Staffordshire Iron and Steel Institute in 1912 has described the instant response. He says: ‘From early morning till late at night, the Tata offices in Bombay were besieged by an eager crowd of native investors.’”

In fact all the money was subscribed by seven to eight thousand Indian shareholders in three weeks. I need not tire the House by reading further quotations. This was how the company was financially begun, and then for the working capital the Maharaja of Indore purchased all the debenture shares. This is the whole fact about the huge financial starting of this concern. Money for enterprise is not wanting in this land. But the spirit is wanting—nay, it is being killed every day. The Honourable the Finance Member looked perhaps for money in England in vain the other day. The London money market is tight. Will he care to tap the “Swadeshi” spirit in India? Will he nurse it? Will he depend on it? No, he knows only to put his mailed hand into the almost empty pockets of the helpless and unwary taxpayer.

Then, let us see, who made it possible for the Tatas to fix the place of that industry in Jamshedpur. The American, the English and all other experts in geology and industrial mining and technics were requisitioned into service by Mr. Tata, and they had been looking into all the survey maps and geological atlases available, and moving in several places for years and years. After several years of weary labour, they could come to no conclusion, when at last an Indian, a Bengali, by name Mr. P. N. Bose, then in the geological research service of Mayurbhanj State of Orissa, boldly gave the uncalled for information that there were hills and fields of good iron ore in Gorumahisani in Mayurbhanj within better reach of the Jharia fields of cokable coal. As the results of the investigation on this information, the concern was finally established at Sakchi, now re-named Jamshedpur. The same author, Mr. Lovat Fraser, in the same book gives his appreciation of the practical character of Indian genius in these terms:

“In the story of the industrial development of India, Mr. Bose is assured a permanent mention. His enquiries were the prelude to the discoveries of Mr. Weld in the Durg area, and he now pointed the way to still more promising results. His work is one more refutation of the current criticism of Bengalis (and Indians, for that matter, I may say,) on the supposed ground that they are not practical men.”

We are often told that we are not practical men, that we are not businessmen. So, the other day when I was discussing, in the Railway Finance Committee, the appointing of Trade Commissioners for the development of the Indian market elsewhere, I asked whether these Trade Commissioners—and my Honourable friend Mr. Fazal Ibrahim Rahimtulla was one with me in this—would be Indians. It was with much difficulty that we could make our friend the Chairman of the Railway Finance Committee, appear to agree for the time being to the reasonableness of the argument for appointing Indians for those posts abroad. But he said, that could only be achieved in course of time, for the one post under discussion had already been fixed for an Englishman. Now, I understand that six or eight Trade Commissioners will be spread all over the world with fat salaries, and I am sure, there will be no Indians amongst them, for Indians are not businessmen. These Trade Commissioners are all to be from the Indian Civil Service. Here are the Members of the “steel frame” who are *subjanta*, capable of looking after and managing all the affairs in the world, political, administrative, civil, military, educational, social, economic, commercial, industrial and what not. Apart from other considerations of manipulation, etc., I ask, what will other nations think of us and think of our “Dominion status in action”, when not we, but

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foreigners, especially Englishmen in our pay will sit as our Trade Commissioners in their lands? The Indians, after being under the tutelage, as they would like to call it, of Britain for over 150 years, have not been fit enough to be appointed their own Trade Commissioners in foreign countries. For this idea of our own unfitness has been sedulously and perpetually instilled into our minds so that we have come to the habit of believing ourselves that we are unfit. So I say, if the policy changes today, if the Government come into national hands, if a bold policy of development of industries and resources is undertaken in the proper way, then in 10 years' time, the entire phase of the country and the standard of life of the people, or whatever you call it, would change completely. India is not potentially a poor country. Year after year the Finance Member comes into this House and tells us that India is a poor country. We agree, for we have no other way but to agree under the present conditions and circumstances, as the development of the country is not in our hands.

I must now turn to the development of this iron industry and the question of how it is manipulated. I may be allowed, in this connection, to read this confidential document which I have in my hand, and in the course of reading, I will explain the points for the benefit of my Honourable friends. This document says:

"The firm is in name Indian, but both general management and sales are perfectly and in detail controlled by Englishmen, some of whom were Members of the Indian Civil service."

Here again the Members of the steel frame come in, because they know everything. The document continues:

"The directors seem to be practically powerless,"

and of course my Honourable friend Sir Purshotamdas Thakurdas will excuse me for pointing this out. The proprietors of the company, I am afraid, do not take note of that. The document continues:

"The company is burdened with a heavy debenture raised in London. The outstanding debenture appears to be more than the share capital."

This is all after the war.

"The rates of interest are 7 to 8 per cent., and this interest is responsible for the fact that the shareholders get no dividends for a number of years. For these debentures the assets of the concern are liable."

And my Honourable friends in this House may well realise how it can be manipulated very easily, if, as the phrase is often put, we do not put our house in order, so that the entire concern will pass into English hands on account of these debentures, if for nothing else.

Mr. B. Das: What is that confidential document? Who is the author of that document?

Pandit Nilakantha Das: What is there in a name? Suppose it is yourself who is the author of the document. What is in a name? You may see it. Then it goes on:

"A Labour Federation has sprung up, with Mr. Homi as President, and this Mr. Homi is well known to the members of the Assembly. His activities have not benefited the concern while the labour troubles originating in his activities may lead to non-payment of the debenture, the result of which is likely to be disastrous and may cause the concern to pass to English hands."

Time and again this question has been raised on the floor of this House that even English officials are siding with him in creating troubles over put up grievances. For, as a matter of fact, the grievances for which all this trouble arises are practically non-existent today in Tata's. I must be excused by my Honourable friend, Mr. Chaman Lall, when I say this. There is of course plenty of room to improve, but I must say, in fairness to the heirs of that great man, Jamshedji Tata, that comparatively with other labour centres, here the labour is well cared for and well housed. When I come to labour, I shall compare them with the coolies in English firms. The name cooly is significant. It is humiliating and insulting to the Indian to hear that name applied to human beings. In Tata's they are not called coolies but they are called by other better names. Now coming to Mr. Homi, these English officials and even Englishmen at the helm of affairs in the management and in the other affairs of the Company are also secretly siding with him. This has often been said on the floor of this House, and I was myself responsible for publishing a document in the *Capital* of Calcutta in which there was a challenge. The whole publication of mine and the editorial comments of the *Capital* and other papers that followed in publishing the same was based on a letter from Mr. Homi to some Bombay share speculators, whereby his entire interest, as exposed in that letter, was to speculate in shares for which he used this labour trouble as a handle.

Sir Hugh Cocke (Bombay: European): Sir, on a point of order, may I ask whether there is any limit to the range of this discussion and whether the affairs of a public company can be discussed on the Finance Bill?

Pandit Nilakantha Das: Is it very trivial?

Mr. President: Perhaps the Honourable Member would like to take a few minutes more?

Pandit Nilakantha Das: Not a few minutes only. I shall have to finish this document. I had no other occasion to speak and I must finish the entire national and industrial development scheme, and show how it could be developed and how it is being developed. All this is relevant to the Finance Bill.

The Assembly then adjourned for Lunch till Five Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Five Minutes to Three of the Clock, Mr. President in the Chair.

Pandit Nilakantha Das: I was speaking about the chief iron industry of Tatas and how it is being manipulated by Englishmen and officials for Home purposes, and in this connection I have stated how the labour problems are affected by this manipulation through a gentleman named Mr. Homi. Now, I shall analyse it. In the manufacture and management, sale, public tender, contract and buildings and all these departments the same manipulation is going on, which if not prevented, however much we

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may impose duties on our poor consumers, we cannot relieve the industry of the present situation, nor will there be any development of the industry in this country. This is a principle which requires no argument to be accepted.

Now, Sir, the inner working and management are carried on in such a way as to prevent the concern from using its own pig-iron for manufacture of steel articles, and it becomes a source of supply of raw material to foreign countries. This pig-iron is a technical name, and I may be excused if I attempt at a little explanation of what pig-iron is. Pig-iron is a basic material for steel industry. It is a first product from the iron ore. Then in course of progress it comes to a stage where it is called billets. Out of these billets the steel articles are made. These are the three stages with which I shall deal. To have some idea of the management of business, the following points may be noted. The pig iron, which is the basic material for all steel industry, is produced very cheaply by the Tata Iron and Steel Company. Perhaps it is the cheapest pig iron produced in the whole world. It is sold in foreign countries in enormous quantities at a very low rate, at half the price at which it is sold in India to the home consumers. It may be attributing motives, but I am not going to do it all at once. There are two practical effects of this. Now they do not make steel, and their only object is to prepare that raw material, the pig-iron and to export it to foreign countries as raw material. The second effect is that other small iron industries, including the village artisan, are starved.

Now there is a combine of three firms, including the Tatas, for selling pig iron to the Indian consumer at an abnormally high fixed price. Tatas have no option to take a reasonable price, even if they desired. I do not know why the Tatas went to enter into this combine. Combine is a commercial term. It is something like an arrangement among the members of the combine themselves that they will sell pig iron at a certain rate to the Indian consumer. The Tatas, who sell very little of their pig iron in this country, have come to join this combine with the Bengal Iron Company and the Indian Iron and Steel Company Limited. These two latter make pig iron and their interest lies in the combine. These two are practically English concerns, English managed. One has sterling capital and the other rupee capital. I do not attach much importance to the difference between rupee and sterling capital. External capital is external capital all the same, and this theory was exposed in its naked reality when we were discussing the tin-plate labour strike in this House at Simla last. Therefore the only interest of these two *de facto* English firms is to make profits out of the pig iron, to manufacture castings out of pig iron, if need be, at a good margin of profit, to oust all Indian competition, and to keep the English manufacturer untouched. The Tata Iron and Steel Company joins this combine, nobody knows why. It is stated that its profit out of the arrangement is insignificant. It sells very little of its pig iron in this country, as I have stated. This subject was discussed last year during the discussion on the Railway Budget, and this way of crippling the home manufacturer and depriving our village artisans of the cheap raw material and supply of raw material to the manufacturer abroad was sufficiently criticised and condemned.

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Then there are the steel billets. After selling out all this pig iron, what is the next stage? Steel billets. Steel billets are purchased by the Tatas from Europe at a cost of Rs. 95 per ton, whereas they sell pig iron at Rs. 36 to 40 per ton in foreign countries. This is a curious industrial phenomenon. They have got an arrangement with the Tin-plate company for steel sheets and bars and these tin sheets and bars are prepared out of these billets purchased at Rs. 95 per ton, but the tin sheets and bars are sold at Rs. 84 per ton. The State has got an arrangement for purchase of rails and probably steel sleepers at Rs. 110 per ton. An English Company pays Rs. 84 per ton whereas we taxpayers pay Rs. 110 per ton as price for the finished products of the Tatas. Steel joists and other finished products are sold to the Indian consumer at the rate of Rs. 130 per ton. It seems wonderful. I do not like to say now with what object the Company is running.

The Honourable Sir George Schuster: On a point of order. Is this at all relevant to the Finance Bill? Could the Honourable Member explain how it is relevant to the Finance Bill?

Pandit Nilakantha Das: I am just giving an idea to the Honourable Member how he could enter into all these things and how he could help to develop the iron industry. (Hear, hear.) This kind of superfluous measures of imposing duties and so on and sitting in glass houses will not do. I am explaining how things are working so far as the Tata Company is concerned, and I hope, instead of getting tired, my Honourable friend will bear with me. It is with a view to keep up a show of justifying protection that a figure of Rs. 130 per ton is perhaps maintained, but this has been instrumental in giving a sound and substantial market to English steel manufactures in India. The English steel industry cannot reasonably compete otherwise.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): On a point of order, Sir. Can the Honourable the Commerce Member go out of the House when an Honourable Member is speaking about his Department?

Pandit Nilakantha Das: Without this manipulation, the English manufacturer can never compete with the steel manufactures of the world, much less with those of India. No protection was necessary. I do not know about the textile industry. I have not studied it. It may be the same. There is definite information in this confidential document to the effect that, even today, the Tatas are negotiating with an iron firm in England for sale of enormous quantities of pig iron on a contract extending over a good number of years. In this case the price will be even lower, say, about Rs. 30 per ton. It is, however, not known yet if any contract is contemplated with the same firm for the purchase of billets at more than Rs. 95 per ton.

Then comes the sales department, which is under an I. C. S. Englishman. The whole management is under this I. C. S. Englishman. This is how things are going on there. This department sells all scrap, that is second class products, to a private firm, not by public auction or by public tender, but by private arrangements. A very interesting thing I shall divulge in this connection. This firm has got among its staff some who had been officers in the Tata sales department itself. It is a big firm. Some of the Tata Company's officers have left their jobs in the sales department

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and have come to this firm as members or shareholders. Many of the articles sold as scrap are again not scrap, but finished products passed as scrap. All these articles are sold away every year, for about 20 lakhs of rupees, whereas the same articles are calculated to bring yearly double the money in the ordinary Indian market. The detailed working of this department is mysterious, as may be suggested from the single fact that the officers (Englishmen) in charge of the department found it more profitable to give up their lucrative jobs in the department to become members of the purchasing firm.

Then comes another department managed by one Englishman, the town administration department, which has to do with contracts for buildings and other engineering works. Here I may refer to the fact that purchase of plant and machinery is also made not by tender but by private arrangement. The town administration is, as I have said, in charge of an Englishman. I shall inform Members here that the town was planned by an Indian engineer of the Bombay Public Works Department, Mr. Godbole, but afterwards it has come into the hands of an Englishman, who knows nothing of engineering or planning. It is said that contracts by the town administration department are given privately to a selected few, whereas, if tenders had been invited, the cost would have been much less. Here I would cite an interesting example. There was a building belonging to an Indian club; the town administrator wanted to acquire it very urgently for the works of the Steel Company; it was purchased for Rs. 7,000, but soon after it was sold for Rs. 4,000 to one of the subordinate officers of the town administration department.

Then I come to the fourth point with which I shall finish this subject. Coal which is one of the biggest items of purchase is also, in several places, in the hands of Englishmen. The Tatas are being sued by various English coal concerns for specific performance of contracts, damages and on various other items for which the Company is being made legally liable for huge sums of money. All this has been the subject of Press criticism, and it is expected the whole thing will be laid bare in its savage reality and nakedness if an impartial inquiry is undertaken.

The authorities of the Company always say that there is profit in every sale they make. They make a profit in the export of pig iron and the sale of steel products. Even according to their own statement, there is a clear margin of profit in the sale of sheeting and bars for the Tin-plate Company, which are sold at Rs. 84 per ton, not to speak of rails which are sold to the taxpayer at Rs. 110 per ton, and joists tees and angles and other sections of bars and rounds, which are sold in huge quantities to the ordinary consumer at not less than Rs. 130 per ton. They also make large savings in freight at the expense of the taxpayer. With all this, the concern is so conducted as to be perpetually in heavy debts without paying any dividend to the shareholders. As a result, the growth of steel industry in this country, is not only discouraged in this country, but many living industries as well as the village artisans are being prevented from getting any advantage out of our primary steel concern. Thus the country is in danger of running into a great economic disaster, coupled with discredit to the Indian hand and the Indian genius, which were responsible for the very finest steel in the very dawn of civilisation.

These are a few suggestive hints given in this memorandum, and if an inquiry is undertaken everything will be laid open, more astounding facts in the detailed working will come to light exposing more vividly how some Englishmen in the concern are primarily responsible for this state of things for purposes which have nothing to do with the interests of Indian industry.

It may be said however that the directors, who are the *de jure* controlling authorities may intervene to set matters right. But unfortunately for the Indian taxpayer and the Indian Nation the directors, as I have said, are either powerless, or are indifferent in the matter. The Managing Agents have delegated all their powers to Mr. J. C. K. Peterson, an I. C. S. Englishman and the entire affairs of the concern are in his hands. An Englishman cannot ordinarily be trusted in the business of our industrial economy or development, particularly in a concern like the Tata Works, which, sincerely managed and developed, is well calculated to ruin the British steel market in India. Oftener than not, his sole and primary concern is to guard the interests of his Home manufacturer. Mr. Peterson is moreover a member of the "steel frame" of the Empire to boot. This simple truth the directors of the Tata Company may well be expected to realise. But they don't. The result is the ultimate ruin of our industrial prospects. Crores are being demanded today in this Bill to protect and develop so many of our industries. So they were often demanded and voted for to protect the Tata concern. But a thorough investigation, I am sure, will prove it beyond doubt that our ruling masters for their own purposes dupe the taxpayer into protections of this kind. The Tata Industry, for instance, never was really in need of protection, nor is it in need of protection even today. Even in spite of our giving unintelligent protection to the industry, it is today suffering from dangerous manipulation portending ultimate ruin to all our industrial and economic future. For as a clear indication of the effect, Indian money and enterprise has already grown suspicious. The Indian is daily losing his sense of self-reliance in business. It is high time for the Members of the Assembly to take the matter seriously, and demand an inquiry into the whole situation, which has been long overdue, and solve the problem once for all as to how we can develop our industry and resources to our own national ends.

We have complained all these years that the State has not really helped any industry. With all their apparent solicitude for putting a protective tariff on steel, practically no development has taken place. Here I may refer to the State purchases, by which a huge market could be provided for Indian industries very easily, and at the very door of the industry. Has the Finance Member thought of it? No purchase has ever been scientifically directed to this end. Still, in spite of the Government, some purchases could not but be made in India, and consequently some firms raise their head. They are to be killed by sharply cutting down and raising and then cutting down Railway capital expenditure. That expenditure is raised in the name of development of the country, and cut down in the name of economy to dupe this House.

One of the best recommendations of the Industrial Commission was the creation of the Indian Stores Department, which was established to give a perpetual stimulus and encouragement to Indian industries which would thereby be developed by regulating purchases, and diverting them

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to the Indian market. The object of the Indian Stores Department was that all our main purchases should be made through this Department, so that this Department would be directly and indirectly responsible for the development of Indian industries. But let us see what has happened on account of the purchase policy of the State, before Government imposes heavy duties. My friend the Finance Member calls the imposition of this duty a radical measure, but before imposing this duty, I should like to ask him to take some radical measures to direct these purchases in a manner which would help the development of Indian industries. That is our first duty. But what has happened? Last year I was mistaken, because the figures that were given were misleading. I was given a Report for 1927-28, where I found that the loss to the Indian Stores Department was only Rs. 53,000. But now I find it is four or five times that for the self same year. I am coming to that. The Department was started in 1922. All these years it has been working at an enormous loss to the taxpayer, for little Government purchase is made through the Department. There are favourite manipulators among the officers everywhere to make purchases for the Government Departments and even Railways. Who cares for the helpless Stores Department? This Stores Department is not only not paying its way, but has all along been a heavy burden on the taxpayer, though it always gets some percentage for inspection and some commission on our purchases and sales, and though our entire State purchase for the Army, the Railways and for various other Departments are articles worth hundreds of crores of rupees. This is how the Indian Stores Department serves its end. Last year I was rather gratified to find that the loss was much less. In the Report for 1927-28, I found it was something like Rs. 53,594, whereas in two previous years it was over two and four lakhs of rupees respectively; and in the new Report I was expecting it to be still less for this year. Instead of that, I find there is a small note to the effect that the accounts were not complete last year, and the figures were wrong, and instead of Rs. 53,000 and odd loss, the nett deficit in 1927-28 comes to Rs. 2,39,699, or rather in round figures it is about 2½ lakhs. In the previous year the deficit was given as something like 2 lakhs and 18 thousand, and in the year under review, i.e., 1928-29, I find the figure given for the deficit is Rs. 4,96,733, that is practically 5 lakhs, and this is the charge on the pockets of our taxpayer for developing our industries. After this charge, we are again putting our hands into his pockets by imposing new duties. How can we bear it, being the representatives of those people whose purchasing power has diminished and is diminishing very considerably day by day? Sir, we have been made a poor people, and it is now the duty of the Government to see that we are first made rich so that we might be able to pay those duties which Government demand. Where there is a Government there is taxation, I quite admit, but such actions as the present which the Government are taking in this matter can be expected from no reasonable Government of modern times.

Before finishing this subject, Sir, I should like to bring to the notice of the Honourable Members a particular instance to illustrate how our investments and purchases are not only being manipulated for British purposes but mismanaged and passed over and even probably countenanced wherever there are English officers in the service of this Government . . .

Mr. President: Is the Honourable Member not going to deal with the ratio?

Pandit Nilakantha Das: I will come to it presently, Sir, (Laughter.) if I may not have been already too long. I am in a very awkward position. I hope my friends will bear with me for a few minutes. (Some Honourable Members: "Certainly, go on, go on.") I will try to be brief.

In the last Simla Session, Sir, I put some questions relating to the purchases of the Bengal Nagpur Railway. I need not read those questions and weary the House, because it will take a long time. My Honourable friend knows it over there. They will be found at page 573 of the Simla Debates . . .

Mr. B. Das (Orissa Division: Non-Muhammadan): But the Honourable the Railway Member is not present in the House.

Pandit Nilakantha Das: I am sorry all our suggestions and all our criticisms are treated in this fashion, but we have got to make them, but whether our suggestions are considered by those in authority or they are thrown into the waste paper basket, I do not know. (An Honourable Member: "Most likely.") If it is likely, that is why we come to bid good bye, and we do not want to give them supplies, because they are not responsible. These are not small matters relating to the Bengal Nagpur Railway; they are sufficiently serious to merit the anxious consideration of the House as a whole. Let me tell the story briefly. The Agent, now retired, with three Chief Engineers of the Railway and some members of their family and one Member's wife, came together and formed a company called Henry Williams (India) Limited. I have got records to prove that the company is registered in their name with a very small capital, and it was said,—I do not understand what exactly it means.—that the paid-up capital was about 3 lakhs and Rs. 6 lakhs was to be considered paid-up for considerations other than actual payment or something like that. Anyhow, these people formed themselves into a registered company, and on a piece of land which belonged to the Bengal Nagpur Railway, at the cost of the same Railway, they got a wall and a siding line put up. After doing all this, the said company came into existence as a private company. Some of the members of this firm are still working as Chief Engineers in the Bengal Nagpur Railway. They somehow managed to get some patents, and under those patents they want to supply iron and steel sleepers, styling them as "Universal" sleepers. And what are these sleepers? How are they made? I found in course of my inquiry that the old steel sleepers were condemned as unfit by the Chief Engineers, who are members of this firm. They were purchased as scrap iron by the firm of Henry Williams Limited. They made slight cuts at the end and other alterations in these sleepers and passed them on as patented new sleepers at a huge profit. I am told the profit per sleeper is about Rs. 5. This thing has been going on for the last four or five years. (Some Honourable Members: "Shame".)

The other patent is for cast iron sleepers, for which the Bengal Iron Company got a monopoly by private arrangement perhaps of profit sharing. These cast iron sleepers were being purchased for the Bengal Nagpur Railway at a monopoly price which is decidedly much higher than the normal market rate.

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In the last year's Report on the Appropriation Account for Railways it was found out that the whole plot of land which is now possessed by Henry Williams has been rented at a very low rate, and it is calculated there that there is a loss of Rs. 52,000 in rent alone for the land in a year. When I saw this in the Report, I myself investigated into the matter, and I gave the whole thing in the questions. In reply I was promised by the Honourable Sir George Rainy a statement at Simla. I was not a Member of the House for so long here, and the statement that was promised has not been laid on the table. I have put a question on that, and I expect to get a statement. As my Honourable friend Sir Purshotamdas Thakurdas and other friends on the Railway Advisory Committee know, I gave a complete memorandum on the subject in that Advisory Committee. The Honourable Sir George Rainy said that it was a matter of detail and not of policy. But I must express my sincere thanks to my Honourable friend Sir Purshotamdas that on that contention he readily stood out to support me, and ultimately a departmental enquiry and a statement to be followed by an enquiry committee, if necessary, was promised by the Honourable Sir George Rainy. But nothing has yet been done. When the Government somehow feel the craving for an inquiry they appoint a Tariff Board or direct the Board to inquire, or set up a committee, and in a couple of months a report is made, considered, action is probably taken, and in fact everything is done. Crores of rupees are being made by swindling by some officers of the Company. I know what I say to be true. Still the heads of the departments are sitting tight, and the statement is not forthcoming. This is how the money that we are spending on railways is being mismanaged. I have got other instances which I may produce, but this one instance will illustrate the whole situation, and in the face of all this, we are today going to be taxed to the tune of 6 crores.

I shall discuss later on the effect of the textile tariff proposals and Imperial Preference on the handloom industry and the village artisans. May I ask the Government what is being done to help the agricultural population? These gentlemen on the Treasury Bench come from a country where village artisans and agricultural population are scarce. They live on their manufacturing industries. When do the Government propose to organise the village industries and small village factories? Here again in the name of agricultural improvement we are faced with heavy duties on sugar. A sum of 10 lakhs is also thrown away as a bait in the name of sugar industry, research. I was not present in the House when the budget speech was made, and it reminded me of an old adage "You kill my cow and make a present of a pair of shoes to me". Now, I trust that my friend, Mr. Mukhtar Singh, will excuse me. I am not against the development of the sugar industry for which he is so keenly anxious, but I am apprehensive of the poor peasant who has no money, and you have deprived him of his sugar by this duty which now comes to be practically prohibitive to many. My Honourable friend the Finance Member compared the price of sugar in India with that in different countries. In England it is, say Rs. 11, in France it is, say Rs. 10 and probably it is Rs. 9 and Rs. 8 per maund in some other countries, and in India it must be the same. It is already a Dominion "in action", and I am afraid this is how we should prove our equality with other nations. But remember, Sir, we are taxing the poor man's sugar, which is an article of

food and a necessity of life. Why is not a bounty ever contemplated by the Government on such an item? In a country where opium is dealt out, salt is taxed, why should sugar expect a bounty?

Then, Sir, there is a provision for agricultural research. I do not understand this agricultural research. In the name of agricultural research, as I quite apprehended last year, some entomologists will be brought on fat salaries from across the seas. They will examine a few, say, half a dozen pinned insects under two or three microscopes for three or four years and then perhaps give the expert verdict that such and such an insect is a pest to such and such a crop and to make your fields free of them you must inundate your fields with the strong solution of potassium permanganate. This is what is done in the name of research. We suffer more from the mentality of importing foreign experts and that is more than anything else responsible for our cultural and moral subjugation.

In pursuance of my last budget debate remarks, I put a question during the last Simla Session and I was mortified to learn from the reply that foreign experts were actually recruited for agricultural research. The foreign Government are playing their game all right. We are eternally fit for nothing, and still development is smoothly going on in this country in every way. These are self-contradictory statements. But nothing is perhaps self-contradictory in handling the affairs of a subject race meant to be of use for the purposes of the conquering nation.

Then, Sir, money is being provided for the Banking Inquiry Committee. I am not a banker myself, but I am a representative of the people who are going to be benefited by it. Sir, I have seen many committees and I know what their value is. Of course, this Committee, like other Committees, will commit mistakes, as the Finance Member has admitted, but apart from the mistakes, I am quite apprehensive that this is a measure to carry the State usury to every door. (*An Honourable Member*: "This is an Indian Committee.") Yes, it is true that it is an Indian Committee, but this is not an Indian Government. That is my complaint. We shall take an illustrative lesson from the co-operative societies, which are also considered to be managed by our own committees. I have seen the co-operative societies working in the villages of which many of the Honourable Members have no idea. I will give you the credit, Sir, of having some knowledge of the village life, but you will excuse me if I say that many of my friends have not come in direct touch with the villages as such. If you will read the literature of the co-operative credit system in India, you will find as though the millenium were to come to this country within a period of five years. But what is happening in practice? I know of one society which is presided over by a favourite of the Deputy Magistrate of a sub-division. That favourite gentleman has since become a Rai Bahadur, or a Rai Sahib in recognition of his services in co-operative work. What was he doing in his co-operative society? He would ask the villagers to become its members, and to borrow the money provided easily. Then there is the *kist* time (payment of instalments) and when the *kist* time comes the borrowers who had spent the money in marriages, funerals, or such other items, as is usual in villages, could not pay back the instalment of the debt as stipulated. Then the Deputy Magistrate would bring in Kabuli moneylenders and would compel the villagers to borrow from them at the rate of 12 annas per rupee per annum, and pay the *kist*. Thus the accounts were clear and creditable. (*An Honourable Member*: "Where

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did it happen?") This was happening in Banki in the Cuttack district in my province. I am sure Mr. B. Das knows it and knows the man also. This is how your co-operative societies are working in many villages. People have no education, no enlightenment and no sense of responsibility or thrift, and you do not make them understand that this country is theirs, that this State is theirs and that this money is theirs. Why are you planning here to carry this State usury to every door? I know in the Puri Central Bank members are themselves usurers. You may ask, as to why we do not change them. I may at once say under this system of Government it is not possible or easy. We have thought of this very often, but votes are manipulated and those persons are not allowed to get in who have a nationalistic bias, tendencies or leaning. I have made a very clean statement, and I know you do not like this. If people having nationalistic views are debarred from such institutions, how can you expect that people will ever be benefited by any committees that you may set up. Your committees must be managed by your own men and those who will manage them can alone be expected to have an intimate knowledge of their inner conditions. Could you give me the name of one Provincial Banking Inquiry Committee even today where all these conditions do not prevail? If I had time, I would have analysed the very Bihar Committee person by person. But I do not like to tire the House out, nor do I wish to attack any persons.

Then money is provided for the Labour Commission. We are always between Committees and Commissions but nothing comes out of them. This Labour Commission has already been boycotted by perhaps the most influential section of labour, and I am very glad that this has been done. It is a mountain in labour but even a mouse is not expected. Mouse is food to some classes of people, but that which these committees will produce will be poison. First of all, my Honourable friends must realise that this is not a land of labourers. If there are labourers, they are not all collected in some industrial centres, but they are scattered over throughout the country. And we have contemplated no measure of relief to the labourer or the wage-earner in the vast number of villages in India.

Even for the collected labour in industrial centres, no measures of relief, I am sure, will affect the English concerns like the Tinsplate company or Clive Jute Mills, but fresh money may on the recommendation of the Commission be demanded from the poor villager, the taxpayer to cripple concerns like the Tata Company. Even for this commission the taxpayer is not paying a small amount.

This idea of fresh expense brings me to the question of the ratio. By raising the ratio, we have simply brought the purchasing power down to a very low level. And my Honourable friend Diwan Chaman Lall will excuse me when I say that we are doing this spade work for labour at an enormous cost for about 18 lakhs, which number, I believe is the same as that of the labour population of India. He will correct me if I am wrong.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): May I ask my Honourable friend, what does he mean by labour population?

Pandit Nilakantha Das: I mean labour in industrial centres.

Diwan Chaman Lall: The industrial population of India in industrial centres is somewhere round about 20 millions.

Maulvi Muhammad Yakub (Rohilkund and Kamaon Divisions: Muhammadan Rural): Including the Members of the Labour Commission.

Diwan Chaman Lall: One of whom happens to be the Deputy President.

Pandit Nilakantha Das: My friend perhaps thinks of the entire population in industrial centres. This population may perhaps be larger than the labour population. I do not know about that, but all the same, I do not wish to contradict my Honourable friend Diwan Chaman Lall. Whatever that be, the greatest misfortune is that labour has no Indian or even human outlook. We have lost that under the benign tutelage of our task masters for these 170 years. The atmosphere in the British Empire is surcharged with old worn out English ideals, which are perverse, to say the least of them. Commissions and Committees are surely not expected to help us out of that ideal or outlook. Let me explain this first.

Maulvi Muhammad Yakub: Not the labours of the Honourable Member who makes long speeches in this House.

Pandit Nilakantha Das: I had the good fortune of coming across a small book which I have not got here, but I shall give its name. Its name is "Secret of High Wages", written by two Englishmen who were deputed by some industrial concerns in England or the Government of England, I do not remember exactly, who were deputed to America to study the labour and the industrial conditions there and to recommend measures with a view as to what could be done in England to cope with the competition so ruinously keen for England all over the industrial world, specially in America. In America—that was 20 years ago—what the labour was getting. The labour then was getting Rs. 90 a month as the lowest wage, and now the lowest wage of labour is Rs. 600 a month. Well, but in England there is a daily proposal to cut down the wages. If you ask why, I say that book exposes the whole thing clearly. It is the conservative spirit of the English people and the aristocratic way of looking on labour only as means of profit alone and nothing else, that is responsible for the waning of English industry, and if the angle of vision is not changed, if the outlook and attitude of the English industrialists are not properly modified and adopted to the needs of modern times, then there is no hope for the English industries. That is the conclusion of the book. They are two English industrialists. We are labouring under the same disabilities even here in India with the additional disadvantage that oftener than not our employers in management and the labourers do not belong to the same nationality. However much we may think of relieving labour and improving the industries, we have no way out, for our vision is circumscribed and unfortunately we feel subservient to a race whose ideal and culture are daily spreading and pervading the atmosphere to ruin India probably for all time to come. What are we doing for our industries so far particularly as labour is concerned? A labourer is a coolie in India, a very humiliating term applied to our men with a traditional stink about it. Of course, as I was saying in the Tata and other purely Indian concerns the outlook is a little better, the term coolie is not used there. The labourer has a more dignified name, in spite of the fact that there also there are people who do not like to see things better for their own ends.

I once went to visit a jute mill—probably the "Clive Jute Mill"—in Calcutta. Somebody said, "You just want to go to the coolie lines". I was interested in the word "coolie". It always stinks in my nostrils.

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that our people are called coolies. The term, as I have indicated, has a history. It is a very obnoxious term. Well, I went there and what did I find? I found there long uniform rows of huts divided into rooms about 10 ft. by 10 ft. with one small window and one parapet wall just in front of that window. The verandah between the parapet wall and window wall about 2 feet. There in that room six people were living, sometimes including one or two women, who were the wives of some of the inmates. They were cooking near that parapet wall. The outside of the parapet wall is used as a urinal, and there was no other window or anything else. Of course common latrines and pipes were supplied at a distance. I found that even the pigs are treated much better by dealers in pigs than those coolies are treated by the jute magnates there. With this state of things, what can the Labour Commission, or whatever Commission there may be, do for this labour population? Even if they take "radical" measures like the Finance Member over there, how can the labour population be improved? As suggested by my Honourable friend, radical measures mean fresh taxation. If we want money, there is always fresh taxation, with the result that the industrialists will prosper, but the coolie will always remain a coolie. For our idea is once a coolie always a coolie. In India if a man enters as a coolie he is doomed. He must die a coolie. But it is not so in America. A man enters as a labourer and goes out as a manager. He has opportunities for every little stroke of genius that he can evince, but in our industries what do we find? A coolie, as I have said, is always a coolie. Nobody cares for him because he has no learning in English or something of this kind. We are aristocratic, we are Babus, but they are coolies. I have seen some coolies do some very technical work for these 20 years and they are people who are primarily responsible for helping the manager or the head of a department in many very intricate problems. I have seen they were even praised for that. But a coolie remains a coolie so long as this is the outlook, so long as this is the condition. So long as the labourer is not allowed to feel nationally and intelligently interested in industry, in which he has a legitimate share, which he must be able to establish and enjoy by all means. Why do you simply bring down the engines of fresh taxation and fresh oppression under the names of Committees and Commissions when your view-point is always to shelve everything and to think of every new development in terms of fresh taxation and nothing else? Nothing else is being done.

As to money making and national development, I will simply refer to one small point in this speech. I also referred to it last year. I read things between the lines from Bihar and Orissa Budget papers. Last year I said to my Honourable friends—and my Honourable friend Sir Purshottamdas Thakurdas, who was just now talking of prohibition knows it—how the opium curse is being sedulously nursed and fostered in this unfortunate land even for what they called nation building. My Honourable friend knows, as well as I do, that this Government made a war on China to push opium into their country and to make them opium eaters for their own profit and revenue, and they even tried their best in the International Convention to see that Indians never give up both selling and eating opium. That is a very long and painful history which I do not like to repeat. That chapter has somehow been closed, and the opium which this Government was selling in other countries is now

going to be stopped. God help us. It is in spite of these gentlemen, who sit on the opposite Benches, that it has been done. But now they fall mainly upon excise opium with vengeance. Last year I showed how in 1925-26 we were told and since that date we are being told that excise opium is being sold to the provinces at a price which is practically the cost price, that is without any profit. Government make no profit. The Government sell that opium to the provinces at a fixed rate, that is, at the cost of production. But I showed last year that the price realised from the provinces for selling that opium was growing more and more from year to year. This year I expected the Honourable the Finance Member to make a very strenuous attempt to see that it was cut down. But there it is. We see that the consumption of opium is increasing. Under the excise duties in the provinces, it is not easy to calculate whether the consumption has increased or decreased. But here is given the price realised from the sale of opium to the provinces. This small column in the "Explanatory Memorandum" speaks for itself.

But there is not a word in the whole speech of the Finance Member about opium, as if it is not to be cared for; and in spite of all development schemes what do we find? Under Excise Opium and Miscellaneous (less refunds) we find that, in 1926-27, when the scheme of selling at cost price began, it was Rs. 81,65,000; then it decreased next year to Rs. 78,53,000, and in the year after that to Rs. 69,51,000. This was perhaps to show the effect of opium being sold at cost price. Then came an increase. There is no explanation and an attempt is made to keep this out of view by not referring to it, though this is growing to create a very serious situation. In 1929-30 the budget figures increased to Rs. 71,29,000, but actually the amount sold was Rs. 75,51,000, and this year the budget figures are more than the budget figures of the last year, and for Rs. 71,29,000 the figure this year is Rs. 71,65,000.

I am not a master of figures, nor am I willing to quote many, but this is a clear case that the consumption of opium in the provinces is growing from day to day and still the taxpayer is going to be taxed for his own development, God knows how. With these words I oppose the Bill.

Sir Darcy Lindsay (Bengal: European): Sir, I move that the question be now put.

Mr. President: How can I so soon? Pandit Thakur Das Bhargava.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadian): Sir, I thank you very much for allowing me to speak on an important motion like this. Sir, ordinarily on the occasion of the discussion of the Finance Bill the position of Government in all departments is reviewed by non-official Members, and I was simply surprised at the request of the Leader of the European Group on this occasion to stop further discussion.

Sir Darcy Lindsay: Sir, on a point of explanation, I would like to say that I would not have moved for the closure, had the speeches been confined to moderate length.

Pandit Thakur Das Bhargava: Unfortunately I have not caught what fell from my Honourable friend, Sir Darcy Lindsay. Sir, on the last occasion when I spoke on the Finance Bill I remember how the European Group behaved then. I have not so far made any complaint on that

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score, but since this request comes at this inopportune time, I will have a word about it also. Last time when I spoke in this House about the condition of the depressed classes, the European Group had not the heart to hear me. In fact the condition of the depressed classes is one which, not to speak of Government, the European Group even have not the heart to hear. They began thumping their desks and they did not allow me to proceed further. The reason is very clear. The condition of the masses, for whom Government always claim to be the trustees is so deplorable that it breaks one's heart to hear the entire story. These Europeans, who generally live in the cities never see beneath the surface. These big officials, who generally mix with the higher strata of society, do not know the actual condition of the masses; and if it be true that many of them know the real condition, they have not the heart to hear the actual condition from the non-official Members. Sir, the condition of the masses is really heart-rending, and if I were to depict to you the real condition of the district from which I come, I think you will not be able to hear that with equanimity. For about seven or eight years the harvests have failed, and yet the land revenue is being realised from these people. In all these years, if I mistake not, more than two-thirds of the cattle, their only wealth, have died, and yet Government have done very little for these people. At present, if an inhabitant of that place gets one anna a day, he blesses those who provide work for him. I have myself got experience of the condition of those people, and I can say, quite confidently, that if any Member of this House questions anything that I am

4 P.M. saying, he has only to run with me in a motor car a hundred miles from this place, and he will find that what I am submitting is absolutely correct. It is true that what I am submitting is unbelievable, but what I am stating exists in real fact. Sir, I myself did not believe that the *charkha* has got the potentiality for famine relief which is always claimed for it. Now, Sir, I have been convinced by my own experience that the best insurance for famine is the *charkha*, and those who get one anna a day bless those who provide work for them. I myself did not fully believe it when it was being said that one anna and six pies a day was the average income of an Indian, but now I have seen with my own eyes that people can subsist on three pice a day, and as a matter of fact in the Hissar district at present lakhs of people are not spending more than that for their diet. It is a fact that three persons died of mere starvation in Talwandi village in the Hissar district only a fortnight ago.

Sir, this is their economic condition. What have Government done to relieve that? Government appointed an officer drawing a salary of Rs. 2,500 per month, some Superintending Engineer, to find out the conditions in the Hissar district. He came into the district; he went to some villages; he went to some canal irrigated villages, and to some *barani* villages also, and he reported that still the cheeks of some of the children were rosy, that some of the girls were wearing silver bangles, and there was no famine in the district. But the Commissioner of the Division and the Deputy Commissioner, who saw the conditions with their own eyes, were not convinced by the report and they started some famine works in the district. Now, Sir, according to the Famine Code, two annas and three pies are given per day to every adult who is able-bodied and can work. People have to come from a distance of 5 miles or more to get that sum of two annas and three pies per day. They have to

walk for five miles each way and yet get only two annas and three pies per day, and this is regarded as sufficient for their own maintenance or for the maintenance of those who depend upon them, for their clothing and for all that a man requires. Yet, Sir, people in some places flock to those famine works. Sir, this discloses a state of things for which the Government of India or the Government of any country cannot take credit. In fact, Sir, the conviction is growing in me that this Government is most unsuited to the needs of the poor people of India. It is inherently incapable of looking after their needs and bringing comfort to them. Sir, I do not know if many of the Honourable Members have ever visited the house of a *chamar* or *chuhra* in a village. If they had gone there, they must have seen his possessions, his mode of living and other matters connected with him. Any person who has seen him labouring from day to day, labouring day and night, giving *begar** and doing all sorts of things which fall to his lot, must have perceived that, in all his occupations and in all what he has to do, he does not possess the characteristics and the standard of living which the subject of a civilised government should possess. Sir, the British Government always say that they are responsible for law and order, that all these taxes are taken with a view to insure security and peace to the people of India. May I judge this stunt from the point of view of that poor man, a member of the depressed classes, living in a village? What is there of his to be protected? Does he possess any property which has got to be protected? Does he possess any other thing which this Government alone can protect? He has got no possessions to be protected, and, Sir, if you look to the liberty of the person, I think a worse condition prevails. *Begar* is still taken from him not only by the landlord, but by the agents of this Government. Some time back, I put a question to the Honourable the Home Member, if on the occasion of the tour of His Excellency the Viceroy, people were made to stand by the railway line and if they were paid anything for that. The reply given was that it was not so. Sir, I received information from a very reliable source. A gentleman took down the statements of those persons who were asked to stand by the railway line, and he has sent those statements to the Commissioner of the Division as well as the Private Secretary to His Excellency the Viceroy. I do not know from where this information was conveyed to the Honourable the Home Member that there was no foundation so far as this statement was concerned. Now, Sir, an improvement is visible. Last time when the Viceroy went to Ajmer, people were paid 8 annas a day, and I understand that Rs. 18,000 were spent for payment to those who were made to stand on the railway lines and bridges to guard them. I have put in a question now and I hope the reply will be given that the Government do not know if people were made to stand. So that so far as the condition of the poor man is concerned, we find that impressment, forced labour, and all these things which are usually complained of in this House do exist in their primitive rigour.

Now, may I know whether the Finance Member has got anything to say, which would bring comfort to those poor people? The Finance Member has chosen to provide for revenue which he needed in a fashion which cannot be blessed by the poor man. Sir, I do not grudge any protection to the millowners of India. I would wish that this process of building up again the industries which were crushed by this Government itself was taken up with more earnestness. I wish that the industries in India would thrive. But, then, Sir, what will that bring to the poor man

*Forced labour.

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who may not appreciate these things? Will he get the clothing which he wears at a cheaper rate? After all, what is the clothing, Sir? If you be pleased to see the budget of the poor man, he only has got a *dhoti* and a *Kamri* (waist coat) during all the summer and the cold season and that will last him for a year. Will he get it cheaper? The reply is, no. Will he get his salt cheaper than before? The reply is, no. Will he get sugar cheaper than before? The same is the reply.

Mr. President: Who has given that reply?

Pandit Thakur Das Bhargava: Sir, the speech of the Finance Member gives that reply. Does he say a word about the poor man? He speaks of the consumers and he speaks of other things. But where does he speak of the poor man? After all, Sir, when he refers to that matter, he refers to the future in these words:

"In the first place, and above everything, it is necessary to stimulate and improve the agricultural production of the country and, as a supplement to this, to put the poorer agricultural classes into a position in which they can retain a greater proportion of their own produce for their own subsistence. In the second place, it is desirable to encourage industrial development provided that this can be done in conjunction with, and as a supplement to, the agricultural life of the country."

This is a poor solace, I submit. All Finance Members must have given this solace to the dying man. Does it bring immediate solace or does it solve the question at issue? It may happen, after 20 or 30 years, an industry which has not even been started now, may grow up and subsequently some persons may or may not be benefited. But today this Finance Bill is to be judged on its own merits. Now, Sir, the previous Finance Member gave us rosy hopes for the future. I remember the words of the last speech of Sir Basil Blackett, when he said that the future Finance Member would bring relief to India, and no doubt the future Finance Member has come and I do not know whether, when he leaves the shores of India, he will leave a similar legacy to the coming Finance Member. Be it said to the credit of the present Finance Member that, in his budget speech, he has been frank. But his frankness is, I should submit, more fearful to the ordinary man than perhaps some other quality of the past Finance Member, which it would be harsh in me to name in the absence of the past Finance Member. After all, out of his frankness, we get the true position, but the true position itself is very distressing. I know that the past Finance Member concealed certain liabilities and then, on account of the appreciation of the ratio, gave us some surplus Budgets which have not fallen to the lot of the present Finance Member. Anyhow, Sir, what has the present Finance Member done? At one stroke he wants new taxation of about Rs. 5 crores. This cannot bring any sort of solace to the poor man.

Now, Sir, leaving that aside, I will refer to another grievance, the grievance of the members of the depressed classes. Sir, it has been recognised by all economists that land is the chief source of all economic goods, and the right to acquire land is one of the elementary rights of the subject of any civilised government. The members of the depressed classes cannot buy land. I put a question in this House to the Government as regards Delhi, whether the Land Alienation Act has been extended to it or not, and the reply given was that it has been so extended. Now, Sir, it is quite clear that the members of the depressed classes have

agriculture as their chief means of livelihood, and it is by their labour that their landlords get their agricultural produce from land. May I again inquire on account of what policy, on account of what inherent defect in the members of the depressed classes they are not allowed to buy land? Sir, the truth is, this Government only exists to further the interests of British capitalists, and to that end every law is administered, every committee and every commission is appointed. If you will go to the root of the matter why members of the depressed classes are not allowed to buy land, you will come to the conclusion that this Government wants to stereotype divisions among the society. They want to perpetuate the classes and castes for all time to come. This is the result of that policy. Sir, the policy which monopolises the higher services in the Army for the Europeans, the policy which monopolises the railway service for the Anglo-Indians, the policy which divides the classes of this country into military and non-military, agricultural and non-agricultural classes, is responsible for the present state of things, and a foreign Government, which subsists not on inherent right and justice, but whose chief support of existence is favour to one community and disfavour to another, is bound to keep up these differences, and this inherent defect, this disability of the members of the depressed classes is based upon that necessity of a foreign Government. Now, Sir, this is not a complete summary of all the wrongs that a member of the depressed classes suffers from. In social matters he is not allowed to go to those schools to which students from other communities come. He is not allowed entry into certain temples. He is not allowed to take water from certain wells. He is not allowed to pass over certain roads on which others pass. Sir, it may be said that Government are not responsible for these social wrongs, but, Sir, if you will kindly go deep into the matter, you will come to the conclusion that it is the Government which is responsible for this mentality of the other classes towards those depressed classes.

Then, again, a Resolution was passed by this House to the effect that special facilities should be provided for entry into services, especially the Police and the Army, to members of these depressed classes. May I inquire whether it has been done? I am sure, Sir, this has not been done, and with your permission, Sir, I will point out the Administration Report of the North-West Frontier Province, in which it is distinctly stated that efforts were made to see that these persons who had come into the Police force in war time, and who belonged to the depressed classes, were eliminated, and as a matter of fact, I understand, as the result of that policy, members of the depressed classes who had come into the Police force, were expelled from that service. That will be found on page 7 of that Report of the North-West Frontier Province.

Now, Sir, in regard to other places, in regard to other services, this Government, which is the trustee of the depressed classes, has yet to render an account whether, in any case, they have been employed or not. I would submit, Sir, and I presume the reply will be, that the Government have done nothing in this matter. This Government have of late years been trying to rake up some differences between members of the depressed classes and other Hindus. Now the Government have got many arrows to their bow; there is the question between the Hindus and the depressed classes, there is the question between the urban classes and the rural classes, especially in the Punjab, and there are other differences.

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They are all as a matter of fact, bred, nursed and kept up by this Government's policy of divide and rule. Sir, so far as the condition of these poor people is concerned, that by itself is enough to condemn any Government, and if the Finance Member proposes to collect more taxes from the people. I would submit that requisition alone is quite sufficient to make us reject this Finance Bill. I refuse to consider this Finance Bill, because this Government is incapable of looking to the interests of the poor man.

Now, Sir, leaving the poor man, if you come to the middle classes, or the higher classes, you will be pleased to see that the Finance Member has himself admitted in his budget speech that they are not well off. He says, "It is very obvious at present that India is suffering from a general wave of depression". Further on, on page 59, he has said that the price of cotton and the price of wheat have both gone down, and as a result of world depression, or in consequence of certain factors peculiar to India, there is a depression in trade and industry. Now, Sir, if there is a depression in trade and industry, if the agriculturists are not all right, if the trades people are not all right, may I inquire from where the Rs. 70 lakhs of income-tax would come? Sir, in this country, not to speak of the poor man, the middle classes are so very much over-taxed that they are incapable of bearing any fresh burdens of taxation. Sir, every bigha of land tilled by a poor man or by a rich man is taxed in this land. Every person who eats salt, who eats sugar, or who in any way uses anything imported into this country, or even things which are not imported, has to pay tax. Leaving aside the indirect taxation which is levied in this country, by way of customs, even the direct taxation is enough, and when proposals for fresh taxation are made, non-official Members cannot but oppose them.

Sir, the income-tax, as I have submitted, and the super-tax, which was regarded as a special war measure, have come to stay, and an increase in those taxes has to be justified by Government. Now, Sir, it is wrong to say that income below Rs. 2,000 are not taxed in this country. If a Hindu family has got five members, and if the joint income of those five persons comes to more than Rs. 2,000, that income is taxable. I would submit, Sir, that the land tax and other municipal taxes, if collected together, do amount to such a heavy figure that the poor people and persons belonging to the middle classes feel the pinch of those taxes, and I consider that this increase in the income-tax and super-tax is entirely unjustified.

Sir, so far as the present position is concerned, I submit that the step taken by the Executive in regard to the restoration of the Army cut is by itself one which should be condemned by this House. It shows, Sir, unmistakably that the Executive is irresponsible. In any other country, if in the Budget a proposal of this character was rejected by the House, it would have brought about the resignation of the Government. Now this cut has been treated by the Executive Government with such lightness, as if the Assembly has absolutely no power. After all, it was not difficult to provide for five lakhs of rupees in a Budget of 55 crores, and it shows, Sir, that this Government are not amenable to public opinion. Sir, if the entire Budget were framed with the consent of Members on this side of

the House, there would have been some sense in asking whether the cut, as passed by this House, was one for which provision should have been made by Government or not, but when the Government itself do not take this side of the House into their confidence, any cut made by this House should not have been restored on the ground that the House has shown no responsibility.

Sir, so far as the economic condition of the poor people of this country and of the middle classes is concerned, this position cannot be improved unless and until the Government of the day take it into their heads to provide for industrial and commercial development. Now, Sir, generally the impression was that the Government had not funds at their disposal and that they were doing something in the matter, but since I read the speech of the Honourable the Finance Member, I have come to believe that this Government do not want the industrial regeneration of this country, but are only anxious to have the regeneration for a specific purpose. The words of the Finance Member, which I have quoted already, will certainly bear repetition, and they are:

"In the second place, it is desirable to encourage industrial development, provided this can be done in conjunction with and as supplementary to the agricultural life of the country."

Now, Sir, if we look at Japan, and if we read the history of the development of industries in Japan, what do we find? We find that a group of 10 or 15 villages has got its own industries, and there can be no famine in the land, because they have a subsidiary occupation for the inhabitants of those groups of villages, whereas in India there are no industries in which people can fall back in times of famine, and now the only industries, which the Government think they should provide for, are such as can be done in conjunction with and as a supplementary to the agricultural life of the people. Sir, the Government do want that India should be prosperous agriculturally; they want that the people of India should have some purchasing power, so that the manufactured products of England and other foreign countries may be purchased by the people of this country; but apart from that, the Government are not anxious to do anything more for the people of this country.

Now, Sir, in the Finance Bill, we find a reference to the increased taxation on sugar. I for one do welcome protection for sugar, but this protection comes in only incidentally. If protection had come as it ought to have come, I would have certainly welcomed this taxation, and I would have only complained that the provision was not enough but here the taxation comes in only incidentally, not as a protective measure but as a revenue duty. Sir, may I inquire from the Members of this Government why they have fought shy of referring both these questions relating to sugar and cotton textiles to the Tariff Board? Why did they not submit these questions to the Tariff Board for their opinion? Sir, the sugar industry will yield about one crore and 80 lakhs, and only 10 lakhs are given for research, etc. Is it sufficient? Does it mean business? My submission is that this Government do not do these things with a view to help the development of these industries. If as a by-product of its efforts these things will come in, we cannot congratulate the Government.

[Pandit Thakur Das Bhargava.]

official or non-official, who does not wish him victory. Sir, when the entire nation is behind Mahatma Gandhi, it is idle to think that the spirit of Mahatma Gandhi will be crushed. If any Government thinks like that, it requires some sort of treatment. Sir, I can without being a doctor, submit that this Government also require some sort of treatment. This Government are inebriated with power, but they must realise that, after all, the just rights of the people cannot be long denied and the inebriation of power cannot last for long. Sir, for all these reasons I have no option but to submit to the House that this Bill should be rejected.

Mr. President (to Haji Abdoola Haroon): Is the Honourable Member willing to conclude his observations in 10 minutes?

***Haji Abdoola Haroon** (Sind: Muhammadan Rural): I will try, Sir, to finish my speech in 10 minutes.

Sir, I want to say only a few words on this Bill. In this Bill there are about five or six new taxes and many Members have already spoken on them. My Honourable friend, Sir Purshotamdas Thakurdas, has already spoken on silver, cotton and some other things; I want to speak on sugar. There are some Members who have also spoken on the sugar duty, but I want to draw the attention of the House to the fact that, already there is a tax on sugar to the extent of 75 per cent. With the new tax on it, it will go up to 100 per cent. Sir, sugar is consumed mostly by middle class people, and Honourable Members can visualise the hardship which they are already undergoing because of this tax. Of course, when I move my amendment to the Schedule, I will give the whole history of the sugar taxes, sugar industry and what the Government have up till now done so far as this industry is concerned. I do not want to take up the time of the House just now, as I have already promised to the Honourable the President to conclude my speech within a few minutes. Sir, when the Honourable the Finance Member introduced his Budget on the 28th February he raised the sugar tax by Re. 1—8 per cwt. I do not wish to touch upon the sugar trade of Karachi and Bombay which is sustaining many difficulties by the arrangement of the Government of India with the Kathiawar States. I do not wish to open the old history and show how the settlement was arrived at between the Government and the Kathiawar States. But I want to draw the attention of the House and of the Honourable the Finance Member to the fact that, after levying this new duty on the 1st March, the merchants in Karachi, Bombay and Calcutta know very well that, according to the Sea Customs Act, any fresh duty which is levied must be paid on the 1st March, whether the new sugar or any sugar for the matter of that lies in the Indian ports or in the steamers. We think that everybody must pay the duty according to the Sea Customs Act

*Speech not revised by the Honourable Member.

and according to the customary law. But we have learnt that the Government of India have issued a circular saying that the sugar of the Kathiawar States should be passed through the Viramgam chold on old rates.

Mr. President: Is that so? Is there a circular to that effect?

Sir Purshotamdas Thakurdas: Yes, up to the 31st March, 1930.

Haji Abdoola Haroon: Up to the 31st March. Then the people of Bombay and Karachi learnt all these things and immediately sent a telegram to the Honourable the Finance Member. A deputation from the Bombay and Karachi ports, consisting of Members of recognised associations, then waited upon the Honourable the Finance Member, and I was included in the deputation. Not only that, the Chamber of Commerce of Karachi, which consists mostly of Europeans, wired to the Honourable the Finance Member. Besides the Sugar Importers Association of Calcutta, which consists of both Europeans and Indians, complained about these things.

The Honourable Sir George Schuster: I must supplement what my Honourable friend has said. I think he has perhaps given the House a misleading impression. The Government of India's circular referred to sugar imported into the Kathiawar ports before the 1st March of this year, that is to say, the regulation applicable to sugar imported into the Kathiawar ports was to be exactly the same as that applicable to sugar imported into British India ports subject to this, that as regards sugar imported into the Kathiawar ports it is subject to a further restriction. It must not only have been imported and landed before the 1st March, but it must also cross the Viramgam line before the 31st March. So that no discrimination was made in the arrangements specified by the Government of India between sugar imported into the Kathiawar ports and sugar imported into British India ports, but whereas a man who imports sugar into British Indian ports can keep it there as long as he likes an importer who has brought it into India through one of the Kathiawar ports has got to get it across the Viramgam line before the 31st March if he is to escape the higher duty.

Haji Abdoola Haroon: I am very thankful to the Honourable the Finance Member. But I wish to bring it to his notice that the Government of India have permitted the Kathiawar ports to pass through Viramgam sugar which has already reached those ports, that is before 31st March. The merchants of Bombay and Karachi always pay sugar taxes in cash to Government, but the Customs Collectors do not allow us any concessions. Whereas in Jamnagar and Kathiawar ports, I do not know whether the Honourable the Finance Member is aware on what quantity of sugar lying in those ports duty is paid. I have several times asked that question. I know that the Government of India have not got the figures before them as to how much duty is paid on sugar in Jamnagar. I wish to draw the attention of the Honourable the Finance Member to the fact that, whenever the steamers come with sugar, we, the merchants of Bombay and Karachi, have to pay full duty, whereas in Kathiawar ports, we learn that the State's officers are satisfied with taking some sort of security from the merchants and they consider that the sugar duty is paid. I also wish to ask the Honourable Member how

[Haji Abdoola Haroon.]

much sugar has passed through the Viramgam line. I am sure that the Honourable the Finance Member will kindly compare the figures of sugar exports this month, i.e., to the end of March, 1930, with the figures for March, 1929, that is, last year. Then he can understand how things are coming to pass and how the British Indian merchants in the ports have suffered. Of course, it may be said that everybody is agitating according to his own wish. But in this case, I wish to emphasise the fact that, not only Indian importers but also European importers, are complaining about this treatment of the British Indian ports and this discrimination between British Indian ports and Kathiawar ports. When I led the deputation of Bombay and Karachi merchants to the Honourable the Finance Member, he heard us very patiently and he treated us very kindly and we submitted a memorandum after that. I do not want to open all those matters now. But I wish to draw the attention of the Honourable the Finance Member to the fact that, since entering into an agreement between the Government of India and the Kathiawar States, we, the merchants of Bombay and Karachi, have specially suffered very heavily on account of this agreement. Not only that, not only have we suffered, but the Government of India also have suffered very heavily in the recovery of their duties. I am sorry, Sir, that my time is coming to an end

Mr. President: The Honourable Member might go on if he has got anything more to say.

Haji Abdoola Haroon: Thank you, Sir. I want once again to make it clear that the merchants of Bombay and Karachi are of opinion that, not only do the Government of India lose the duties, but also the State people, who are employed in the sugar trade, are enjoying an advantage at the expense of the British Indian Government. Their sugar trade is flourishing. It comes to this, that they are getting three months' credit to pay the taxes to the Government of India, after passing the Viramgam line, whereas we, people in British India, have to pay before taking delivery of sugar a minimum tax of Rs. 9, before, and now, Rs. 12 per bag immediately. Besides that, we also understand that a sort of sugar called *bura*—crushed sugar—is passing through the Viramgam line. That sugar is not taxed on the Viramgam line, because it is sugar manufactured in the State. I know very well Sir, that not a single State in Kathiawar manufactures sugar. On the pretext that it is locally manufactured the Java sugar is converted into *bura* sugar, and that passes the Viramgam line without paying a single pie as duty. I have no objection to the States benefiting by this, but the British Indian merchants are the losers in the bargain. You can understand, Sir, how in this manner the British Indian merchants of Bombay and Karachi have to compete with the State. Besides, the Rajas of the States are helping their subjects, and coupled with the help that they indirectly get from the Government of India, they become too great a rival for us, and I do not think we can successfully compete with them in this way. Besides that, this new duty has risen, and according to the circular, which my Honourable friend has accepted, they have allowed sugar to pass till the 31st March. I want to say in this House that, with this condition, the sugar market could not rise along with the raising of the duty; and

therefore the Jamnagar people and the Kathiawar people are selling in Upper India, Delhi, the whole of Rajputana, and half of the Punjab and we are suffering on account of that. We have approached the Finance Member and told him that the Jamnagar people have been allowed to pass till the 31st March, sugar which was landed till the 28th February. Of course, according to the Customs Act, we are bound to pay the excise duty, but we should be given some facility. That means that, with regard to the sugar which has already reached the ports of Karachi, Bombay and Calcutta, and this sugar which is already lying on the shores of India, we should be relieved of that small amount of duty, namely, about 24 thousand tons. I hope he is considering the best way, and that he will give some little relief in this matter to the Karachi and Bombay people.

With these few words, I hope that, in the near future, these things will be properly considered by Government.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 19th March, 1930.

LEGISLATIVE ASSEMBLY.

Wednesday, 19th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

PROTESTS AGAINST THE CHILD MARRIAGE RESTRAINT ACT.

656. *Mr. M. K. Acharya: Will Government be pleased to state:

- (a) whether they have received, since the 1st of February, 1930, any telegrams protesting against the Child Marriage Restraint Act of 1929; and if so, how many?
- (b) whether they have received any resolutions or any memorials or petitions, since October 1929, desiring the repeal of the Act, or the exemption from the Act of any community or sub-community in British India?
- (c) what is the total number of these resolutions; how many have come from each province?
- (d) what is the total number of signatories to the above memorials or petitions?
- (e) what response do Government propose to make to the above representations and when?

The Honourable Sir James Grerar: (a) Yes. 543.

(b) Yes.

(c) 494.

Madras 73. Bombay 51. Bengal 68. United Provinces 86. Punjab 60. Burma 16. Bihar and Orissa 59. Central Provinces 39. Assam 23. North West Frontier Province 9. Delhi 4. Ajmer 1. Baluchistan 1. Mysore 4.

(d) 39,886. It may be observed that in many cases the same petition bears a large number of signatures in different scripts which it is not possible to verify.

(e) Government are aware that there is considerable feeling regarding the provisions of the Act. They trust, however, that the difficulties at present felt may be resolved on further discussion and consideration of the problem. There are several Bills pending bearing on the subject which Government propose to circulate for opinion.

APPOINTMENT AS TOWN INSPECTOR OF BABU SUDHAKAR BOSE, IN SUPERSESSION OF SENIOR CLERKS IN THE GENERAL POST OFFICE, CALCUTTA.

657. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state whether it is a fact that Babu Sudhakar Bose is an employee in the Calcutta General Post Office?

(b) Has he been recently confirmed as a permanent clerk of the Calcutta General Post Office?

(c) Has he passed the departmental examination for promotion to the lowest selection grade in the Post Office and Railway Mail Service?

(d) Is it a fact that he has been appointed to act as selection grade Town Inspector in Calcutta in supersession to eleven hundred clerks of the Calcutta General Post Office and its town sub-offices who are senior to Mr. Bose?

(e) Will Government be pleased to state the reasons for such supersession if the reply to part (d) above is in the affirmative?

(f) Is it a fact that, owing to his very junior position, Mr. Bose was not allowed to sit for the last selection grade examination?

(g) Is it a fact that many officials, who are senior to Mr. Bose, and have also passed the selection grade examination, are available for appointment in the lowest selection grade posts?

(h) If the reply to part (g) is in the affirmative, will Government be pleased to state why special treatment has been accorded to Mr. Bose in supersession to the passed and qualified officials who are all senior to Mr. Bose?

Mr. H. A. Sams: The information required by the Honourable Member has been called for and will be furnished to him in due course.

†658*

EXAMINATIONS BY THE PUBLIC SERVICE COMMISSION.

659. ***Mr. S. C. Mitra:** (a) Will Government please state the total number of men who sat for the Upper Division test of the ministerial selection branch examination of the Public Service Commission held in November 1929? What number has been declared qualified? What is the percentage of passed men to the total number?

(b) Is it a fact that an overwhelmingly large number of these men are stenographers?

(c) Is it a fact that a pass percentage of marks was fixed for each individual paper? If so, what was this percentage? Was this procedure of fixing a percentage in individual papers ever adopted by the late Staff Selection Board, or even the Public Service Commission, in similar examinations held in the past? What were the special circumstances that led the Commission to adopt this novel procedure for this particular examination?

(d) Are Government aware that this was the last qualifying examination for departmental candidates?

†This question was withdrawn by the questioner.

(e) Will Government please state the number of candidates who obtained 60 per cent. or more marks in the aggregate and have not been declared qualified for the First Division of the Secretariat?

(f) Are Government aware that this result has created great discontent among the Secretariat Staff? If so, how do Government propose to redress it?

The Honourable Sir James Crerar: (a) 425 candidates appeared for the upper division, of whom 17 were declared qualified.

(b) Eight of the successful candidates are stenographers.

(c) and (e). The matter was left to the discretion of the Public Service Commission and Government are not in possession of the details asked for.

(d) Yes.

(f) Disappointment must, of course, be expected among those who have not been successful.

AGE LIMIT FOR CERTAIN EXAMINATIONS BY THE PUBLIC SERVICE COMMISSION.

660. ***Mr. S. C. Mitra:** (a) Will Government please state the age limit fixed for the candidates who took the November 1929 examination of the Public Service Commission for the Ministerial Selection Branch?

(b) Will the departmental candidates be allowed to take the future competitive examinations irrespective of their age-limit provided they are educationally qualified? If not, what will be the age-limit and other conditions which the departmental candidates will have to fulfil to enable them to take the examination?

The Honourable Sir James Crerar: (a) 35 years.

(b) No. The ordinary age limits and other qualifications will apply.

EXTENSION OF SERVICE OF SIR NORMAN BOLTON, CHIEF COMMISSIONER, NORTH WEST FRONTIER PROVINCE.

661. ***Mr. Mukhtar Singh:** (a) Will the Government be pleased to state as to when the term of office of Sir Norman Bolton the Chief Commissioner, North West Frontier Province came to an end?

(b) Is it a fact that he has already been given one extension and the Government are taking steps to grant him a further extension of two years from next July?

(c) Are Government aware that the aforesaid gentleman's administration is not popular and the public feeling is against granting him any further extension?

(d) Will the Government be pleased to state the special reasons for granting an extension to the said gentleman?

Mr. E. B. Howell: (a) 6th July, 1928.

(b) The reply to the first part of the question is in the affirmative and to the second that no decision has been reached.

(c) Government has no such information, and have, on the contrary, ample evidence of the degree to which the Chief Commissioner's services have been generally recognised as contributing to the peaceful state of the frontier in a very critical time.

(d) The interests of the public service.

THE DISTRICT JUDGE AT DERA ISMAIL KHAN.

662. *Mr. Mukhtar Singh: (a) Will the Government be pleased to state the name of the gentleman who acts as District Judge at Dera Ismail Khan? What are his educational qualifications and since when has he been there?

(b) Is it a fact that the said gentleman is a resident of Dera Ismail Khan, and are Government aware that his appointment there is resented by the public?

(c) Do Government contemplate his transfer from that District? If so, when is he likely to be transferred?

Mr. E. B. Howell: (a) Khan Sahib Muhammad Nasir Khan, who has been holding the post since 8th December, 1925. He was educated in the Imperial Cadet Corps and his educational qualifications are considered adequate.

(b) Yes. Government have no information that his appointment is resented by the public.

(c) No.

REPRESENTATION IN THE LEGISLATIVE ASSEMBLY OF HINDUS IN THE NORTH WEST FRONTIER PROVINCE.

663. *Mr. Mukhtar Singh: (a) Will the Government be pleased to state as to how the minority communities of the North West Frontier Province are being represented in the Assembly since the time of the reforms?

(b) Has any Hindu been ever nominated to represent the minority community since the beginning of the reforms? If not, will Government be pleased to state their reasons for so doing?

(c) Is it the intention of the Government to nominate a Hindu representative to the Assembly in the next formation of the new Assembly?

The Honourable Sir James Crerar: (a) There is no provision for representation of any community or class of persons resident in the North West Frontier Province on the Legislative Assembly.

(b) and (c). Nominations to the Legislative Assembly are made by the Governor General.

SUPPLY TO MEMBERS OF ACTS IN RESPECT TO WHICH BILLS ARE INTRODUCED IN THE LEGISLATIVE ASSEMBLY.

664. *Mr. Lalchand Navalrai: (a) Are Government aware of the fact that non-supply of Acts in respect to which Bills are introduced and considered in the Legislative Assembly is causing difficulty and inconvenience to the Honourable Members in the preparation of their speeches and debating in the House?

(b) Have Government taken any notice of the complaint the Honourable Mr. Jayakar made in respect thereof in the House on 6th March, 1930, when the Bill to amend the Special Marriage Act was being considered?

(c) Do Government propose to supply the Honourable Members with the copies of the bare Acts when they are supplied with the Bills amending the same?

The Honourable Sir Brojendra Mitter: (a), (b) and (c). A complete set of the Unrepealed General Acts of the Governor General of India in Council corrected up to date is available to Members on the table of the House. Another complete set, also corrected up to date, is available to Members in the Library. Government do not propose to maintain any larger number of copies, because the labour of keeping them up to date would involve a considerable additional staff for which Government feel there is no justification.

ACADEMICAL QUALIFICATIONS OF CANDIDATES FOR GOVERNMENT SERVICE.

665. *Mr. Lalchand Navalrai: Will Government be pleased to state:

(a) Whether any orders have been issued regarding the rank of graduates and non-graduates in the Government service and whether these orders have been acted up to?

(b) Whether any vacancies—temporary or permanent—occurred in the grade of Rs. 85—5/2—100 and higher grades in the Sind Salt and Excise Department from 1st April 1929 to date?

(c) If so, how many of these vacancies were given to graduates and how many to non-graduates?

(d) In the case of the latter how many graduates were superseded and what were the reasons for doing so?

The Honourable Sir George Schuster: (a) The establishment to which the Honourable Member refers is a combined one, under the control of the Government of Bombay, who act, so far as the subject of Salt is concerned, as agents of the Government of India. Recruitment to and promotion in it are governed by the orders issued by the Local Government. The Government of Bombay have issued certain instructions governing the seniority, for the purposes of promotion, of graduates and non-graduates in the Government service in the grade of Rs. 30—5—80. The Government are informed that these instructions are being followed in the Salt and Excise Department, Sind.

(b) Yes. In the combined Excise and Salt establishment, one acting vacancy of Accountant for a period of three weeks, in the grade of Rs. 115—5—150. In the temporary Salt establishment—

(i) One vacancy of Head Clerk in the grade of Rs. 105—5—145;

(ii) 2 acting vacancies in the grade of Rs. 85—5/2—100.

(c) All were given to non-graduates.

(d) Three graduates were superseded in filling the short vacancy in the combined Excise and Salt establishment because the non-graduate appointed to act had experience of accounts work. Three graduates were also superseded in filling the vacancy in the higher grade in the temporary Salt establishment for the same reason. In filling one of the two

vacancies in the temporary Salt establishment, no graduate was superseded. In filling the other, three graduates were superseded because the non-graduate had longer service and experience.

INTERESTS OF SIKHS AND "UNTOUCHABLES" IN THE RAILWAY BOARD.

666. ***Mr. Lalchand Navalrai:** In view of the statement made by the Railway Member, Sir George Rainy, on the 24th February, 1930, at the time of the discussion of the cut No. 21 on the Railway Budget, Demand No. 1, to the effect that, in order to make larger employment of the Mussalmans, staff officers of that community will be appointed to vouchsafe their interests, will Government be pleased to state if a similar arrangement will also be made to secure the interests of the Sikh Community and the untouchables? If not, why not?

Mr. A. A. L. Parsons: The Honourable Member has not represented the Honourable the Railway Member's remarks with entire accuracy. But no bar is laid down against the employment of officers of any particular community and in making selections for these posts every care will be taken to be fair to the interests of each community.

SAFEGUARDING OF THE INTERESTS OF SINDHIS FOR RAILWAY EMPLOYMENT.

667. ***Mr. Lalchand Navalrai:** (a) Is it a fact that the Head Office of the North Western Railway, Sind Section, is at Lahore in the Punjab?

(b) Will Government be pleased to state if there are any staff officers belonging to Sind in the office of the Agent to represent and vouchsafe a due share of services for Sindhis in Railway employment? If so, who are they?

(c) If not, are Government on the same principle as stated in the preceding question, prepared to appoint some Sindhis on the staff of the Agent, North Western Railway, for the same purpose?

Mr. A. A. L. Parsons: (a) The headquarters of the Agent, North Western Railway, who is the Chief Administrative Officer of the Railway, is at Lahore.

(b) and (c). There is one Sindi Officer at present in the Staff Branch of the Agent's Office. In the discharge of his duties he is expected to be fair to the interests of every community.

AGE LIMIT FOR ENTRY INTO GOVERNMENT SERVICE.

668. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state what is the age limit for entry into Government service?

(b) If the answer be 24 years of age, will Government be pleased to state if it is for all classes of service?

(c) Is it a fact that entry into the Judicial line by double graduates (LL.B.), is allowable up to the age of 30 years?

(d) Are Government prepared to raise the age limit of recruitment to Government service to 25 years in order to give sufficient opportunity to the candidates to acquire a higher education before entering into the Government service?

The Honourable Sir George Schuster: Provincial Governments have power to prescribe age limits for appointment to Government service except in respect of certain services, whose rules of recruitment are made under section 96B of the Government of India Act. So far as Government servants under the administrative control of the Governor General in Council or serving in a Chief Commissioner's Province are concerned, the general rule is that a person whose age exceeds 25 years may not ordinarily be admitted into the service of the State in superior pensionable service without the sanction of the head of a department. The ordinary limit is extended to thirty years in the case of a person appointed to a Judicial office.

This answer covers all four parts of the Honourable Member's questions.

INTERFERENCE IN GENERAL POSTAL WORK IN SIND OF THE ASSISTANT DIRECTOR, RAILWAY MAIL SERVICE.

669. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if it is a fact that the Director of Posts and Telegraphs for Sind and Baluchistan has at present two Assistant Directors, one on the Postal side, and the other on the Railway Mail Service side?

(b) What special allowance do they get?

(c) Does the Assistant Director, Railway Mail Service, do or interfere in, work other than that belonging to the Railway Mail Service Department? If so, why?

(d) Are Government aware that the interference of the Assistant Director, Railway Mail Service, in the work of the Postal side is causing dissatisfaction amongst the subordinates on the Postal and Telegraph side and the public?

Mr. H. A. Sams: (a) No. There is no Assistant Director on the Railway Mail Service side.

(b) The Assistant Director on the Postal side gets a special pay of Rs. 100 per mensem.

(c) and (d) Do not arise.

DUTIES OF THE ASSISTANT DIRECTOR, RAILWAY MAIL SERVICE, SIND.

670. ***Mr. Lalchand Navalrai:** (a) Is it a fact that the main post of the Assistant Director on the Railway Mail Service side is that of the Superintendent, Railway Mail Service, Sind?

(b) If so, is it a fact that his own work of Railway Mail Service Superintendent is subject to revision in his office?

(c) Do Government propose to relieve the Railway Mail Service Superintendent of the additional duties of the Assistant Director?

(d) Will Government be pleased to state if it was intended to appoint a second Assistant to the Director, Posts and Telegraphs in Sind, to work on the Railway Mail Service side when the Railway Mail Service work was being transferred to the Director?

(e) If the answer be in the negative, will Government be pleased to state why any necessity has arisen now and what is the additional expenditure on that account?

Mr. H. A. Sams: (a) The fact is not as stated. The Superintendent, Railway Mail Service, K Division, whose headquarters are at Karachi, helps the Director of Posts and Telegraphs, Sind and Baluchistan, in matters concerning the Railway Mail Service.

(b) The question is not very clear, but it is a fact that the Superintendent, Railway Mail Service, K Division supervises the work of his Division and of his office.

(c) I see no reason for making any change in the present duties of the Superintendent.

(d) No.

(e) So far as I am aware there is no proposal to this effect and accordingly no additional expenditure is contemplated.

HEADQUARTERS OF THE SUPERINTENDENT, RAILWAY MAIL SERVICE, SIND.

671. ***Mr. Lalchand Navalrai:** (a) Are Government aware of the rules in the Posts and Telegraphs Manual, Volumes V and VIII providing that the headquarters of the Superintendents of Posts and Telegraphs have to be located at a central place in the Division?

(b) Are the headquarters of the Superintendent, Railway Mail Service in Sind Division, located not in the central place at Sukkur but at the extreme end at Karachi? If so, why?

(c) Is it a fact that the office of the Superintendent, Post Offices, Lower Sind and Persian Gulf Division, had to be removed from the office of the Director of Post Offices to make room for the Superintendent of Railway Mail Service?

(d) Is it a fact that the building of the office of the Superintendent of Post Offices, Upper Sind Division at Sukkur, is large enough to accommodate the office of the Superintendent, Railway Mail Service also?

(e) Do Government propose to remove the office of the Superintendent, Railway Mail Service to Sukkur? If not, why not?

Mr. H. A. Sams: (a) Yes, but the term "central" has an administrative as well as a geographical significance.

(b) Yes, because this arrangement is more economical and convenient.

(c) and (d). I have no information, but inquiries will be made and the result will be communicated to the Honourable Member.

(e) No, in this connection the Honourable Member's attention is invited to the reply given by me to a supplementary question arising from the answer to question No. 1164 in this House by Mr. Jamnadas M. Mehta on the 20th March, 1929.

CONSTRUCTION OF THE SIND RIGHT BANK FEEDER RAILWAY.

672. ***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if it is a fact that R. B. Kulkarni, B.A., was appointed by Government to investigate in detail the railway projects which had been recommended by the Government of Bombay?

(b) Is it a fact that the special officer recommended the Sind Right Bank Feeder Railway from Sita Road to Jacobabad?

(c) Is it a fact that, on the recommendation of Sind Communications Board, stating that the line would be remunerative, it was proposed to construct the loop-line, Larkana Dost Ali-Jacobabad Railway, immediately?

(d) Are Government aware that the narrow gauge railway now working between Larkana and Dadapur was intended to be constructed right up to Jacobabad?

(e) When was the above line between Larkana and Dadapur completed, and why is it not yet being extended upto Jacobabad?

(f) Is it the opinion of experts that this narrow gauge railway between Larkana and Dadapur is not quite strong for service and may give way at any time, specially at the bridge over the Norang Canal?

(g) Do Government propose to give effect to the aforesaid recommendation of the Sind Communications Board and construct the loop line between Larkana and Jacobabad immediately?

(h) If the answer be in the negative, will Government be pleased to state how much would this portion of the Right Bank Feeder Railway cost?

(i) Will Government be pleased to state when this portion of the line is expected to be taken in hand?

Mr. A. A. L. Parsons: (a) Government are aware that Rai Bahadur Kulkarni, B.A., was appointed by the Government of Bombay to investigate projects on their behalf in the Bombay Presidency.

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

(d) Yes.

(e) From Larkana-Shadadkote on the 16th February, 1922, and from Shadadkote-Dadapur on the 1st November, 1923. The line was not extended up to Jacobabad as the funds at the disposal of the Company were not sufficient for this purpose at that time. Sanction to the curtailment of the original project was given on the understanding that the Company would be required to complete the line to Jacobabad if subsequently called upon to do so.

(f) Government are not aware of this. The line is inspected annually by the Senior Government Inspector of Railways and in his latest report he makes no mention regarding any weakness in the line.

(g) I would refer the Honourable Member to my reply to parts (b) and (c) of this question.

(h) No separate estimate of the loop between Larkana and Jacobabad has been prepared.

(i) I regret that it is not possible to say at present when funds are likely to be available for construction of the Sind Right Bank Feeder Railway.

NON-ATTENDANCE AT RALLY OF INDIAN GIRL GUIDES.

673. ***Pandit Thakur Das Bhargava:** (a) Is it a fact that there was a rally of Delhi girl guides on the 27th February, 1930, to collect funds for the Girl Guides' Headquarters in London?

(b) Is it a fact that many girl guides did not attend the rally where the Union Jack was to be saluted and patriotic British songs were to be sung by Indian girls?

(c) If the reply to part (b) is in the affirmative, will Government be pleased to state how many girl guides did not attend the rally?

(d) Is it a fact that the names of such girl guides as did not attend were scored out of the rolls of the girl guides' register?

Sir Frank Noyce: (a) The rally was the annual rally held every year by the girl guides. The occasion was utilised to collect funds for the purpose stated.

(b) and (c). No. The approximate total of girl guides attending the rally was 250. Nine guides only absented themselves.

(d) Yes.

ALLEGED DISCRIMINATORY TREATMENT OF NEWS AGENCIES.

674. ***Pandit Thakur Das Bhargava:** (a) Has the attention of the Government been called to the statement of Mr. S. Sadanand, Managing Editor, Free Press of India, appearing in the issue of the *Hindustan Times* of Sunday, March 9th, on page 4 of the paper?

(b) Are the facts stated therein substantially correct in respect of late delivery of telegrams?

(c) Have Government approved of the policy of discrimination of this character between one news agency and another news agency?

(d) How much money has been provided in the Budget for payment to news agencies, and how much out of that sum is proposed to be paid to Reuters, Associated Press and the Free Press Agencies?

(e) What was the amount budgeted last year, and how much was paid to Reuters and the Associated Press out of this amount last year?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) No.

(c) No; definite orders exist to the contrary.

(d) The amount provided for in the Budget for 1930-31 under Demand No. 75, Miscellaneous, is Rs. 71,400 of which Rs. 55,200 is payable to Reuter's Agency and the balance to the Associated Press. No payment is made to the Free Press Agency.

(e) The amount voted by the Legislative Assembly for 1929-30 is Rs. 75,200. Of this a sum of Rs. 47,000 was paid to Reuter's Agency up to the end of January, 1930; and Rs. 14,500 is payable to the Associated Press.

HOURS OF DUTY OF ASSISTANT CONTROLLERS ON THE NORTH-WESTERN RAILWAY.

675. ***Mr. Lalchand Navalrai:** (a) Is it a fact that the Assistant Controllers, North Western Railway line, have to perform eight hours' duty daily, week in and out, or fifty-six hours' duty in the week?

(b) Is it a fact that, during these eight hours, the Assistant Controllers do their duty continuously without any relaxation?

(c) Is it a fact that other Railways—the East Indian Railway, the Great Indian Peninsula Railway, the Bombay, Baroda and Central India Railway, the Burma Railways and the Bengal Nagpur Railway—have already reduced the hours of work for Control offices to six hours daily?

(d) Do Government propose to give relief to the Controllers by curtailing their duty hours and giving them some rest during their duty hours? If not, will Government give full reasons for not coming to their relief?

Mr. A. A. L. Parsons: I have called for information and will communicate with the Honourable Member when it is received.

TERMINATION OF CONTRACTS OF CERTAIN COMPANY-MANAGED RAILWAYS.

676. ***Sir Purshotamdas Thakurdas:** (i) Will Government be pleased to state the latest dates on which notices have to be given by the Government of India to (a) the Assam Bengal Railway Company, and (b) the Bengal and North Western Railway Company, to enable Government to acquire these Railways as early as possible?

(ii) Will Government be pleased to state what steps they propose to take to ascertain the wishes of the Assembly in connection with the advisability of acquiring these Railways?

(iii) Has the attention of Government been drawn to condition No. 9 of the convention approved by the Legislative Assembly on 20th September, 1924, between the Assembly and the Government of India, regarding the separation of the Railway Budget from the General Budget?

(iv) Will Government be pleased to state when they expect that the committee appointed by the Legislative Assembly to report on the question of the revision of that convention is likely to submit their report to the Assembly?

(v) Will Government be pleased to state if, in the meantime, they are prepared to accept the construction of condition 9 of the said convention as including the question of acquiring Company-managed Railways, agreements with which may fall due until the said convention of 20th September, 1924, is revised?

The Honourable Sir George Rainy: (i) (a) 31st December, 1930.

(b) 31st December, 1931.

(ii) It will certainly be the desire of Government that, before any decision is reached not to exercise the option to purchase in the case of either Railway, an opportunity should be given for a discussion on the subject in the Assembly.

(iii) Yes.

(iv) I regret that I cannot yet say when the Committee appointed to review the Convention will be able to submit its report.

(v) Government cannot accept the construction which it is proposed to put upon clause (9) of the Convention. But it is inevitable that the

Convention should come under revision in connection with the constitutional changes, and no question can arise of the continuance of the existing Convention for any long period.

PRIVATE TUITION UNDERTAKEN BY THE HEADMASTER, GOVERNMENT HIGH SCHOOL, AJMER, AND THE PRINCIPAL, GOVERNMENT COLLEGE, AJMER.

677. *Mr. Abdul Latif Sahib Farookhi: (a) Is it a fact that the Headmaster of the Government High School, Ajmer, engages in private tuition? If so, will Government please place on the table of the House a list of the private tuitions undertaken by the said Headmaster, stating in the case of each private tuition: (i) the remuneration for it, (ii) the amount of time spent in it, (iii) whether the pupil privately taught lives with the Headmaster in the Government bungalow for the Headmaster or not, and (iv) whether the pupil privately taught is a pupil of the school under the Headmaster or not?

(b) Is it a fact that the Principal of the Government College, Ajmer (who is not only the principal of a university degree college but also the principal of what is called the "Government Intermediate College, Ajmer," at page 723 of the United Provinces Gazette, Part IV, dated June 22, 1929), is engaged in private tuition? If so, will Government please place on the table of the House a list of the private tuitions undertaken by the said Principal, giving against each private tuition (i) the remuneration for it, (ii) the amount of time spent in it, (iii) whether the student privately taught lives with the principal in the Government bungalow for the principal or not, and (iv) whether the student privately taught is a student of the Government College, Ajmer, or not?

(c) If the replies to the question in the first part of part (a) and to the question in the first part of part (b) are in the affirmative, will Government please state if it is a fact that, under Chapter IV, paragraph 152, note (ii) of the Educational Code in force in Ajmer-Merwara, Headmasters of Government Schools, Principals of Government Intermediate Colleges and Superintendents of Government Hostels are not allowed to undertake private tuition?

(d) If the reply to part (c) is in the affirmative, will Government please state whether the Headmaster, Government High School, Ajmer, and the Principal, Government College, Ajmer, are engaged in private tuition with the permission of the Ajmer-Merwara administration? If so, why was permission given and under what rule of the Educational Code rule?

Sir Frank Noyce: (a) and (b). Yes. Statements giving the information asked for, so far as is immediately available, are placed on the table.

(c) The Educational Code of the United Provinces is generally followed in Ajmer-Merwara, but it has been applied in its entirety for purposes of grants-in-aid and stipends only; the Local Administration has discretion in other matters though the rules of the United Provinces Code are generally observed.

(d) The answer to the first part of the question is in the affirmative. The answer to the second part is that the permission was given under the discretion which is vested in the Local Administration.

Statement showing private tuition undertaken by the Head Master, Government High School, Ajmer.

Year.	Name of pupil.	Monthly remuneration.	Where the lessons are to be given.	School and class in which the pupil reads.
1914	Son of Diwan Bahadur M. Damodar Lal.	Rs. 75	At the Head Master's bungalow for one hour daily except on Saturdays and Sundays.	Student of the 1st Year Class in the High School under the Head Master.
1924	Son of Maharaj Nahar Singh of Ameleta and his cousin: aged 14 and 13 years.	200	To help them with their English; boys to live only with Head Master, who supervises the work of the Tutor of the boys.	Students of School classes under the Head Master.
1929	Two sons of the Thakur Sahib of Mitri.	250	The boys to live with the Head Master, who does no teaching work but is only responsible for the guidance and general supervision of the work of their tutor.	Students of the school under the Head Master.

Statement showing private tuition undertaken by the Principal, Government College, Ajmer.

Year.	Name of pupil.	Monthly remuneration.	Where the lessons are to be given.	Class in which the pupil reads.
1928	Kanhaya Lal Mehta, s/o Devi Lal Mehta of Udaipur.	Rs. 150	Private tuition for 6 hours a week.	Student of the 1st Year Intermediate Class of the College.

DATE OF APPOINTMENT OF CERTAIN ANGLO-VERNACULAR TEACHERS IN AJMER MERWARA.

678. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government please place on the table of the House a statement showing all the appointments of Anglo-vernacular teachers, temporary, permanent, officiating, and substantive, made in the Government Anglo-vernacular schools in Ajmer-Merwara from April, 1927, to December 1929, giving for each appointment (i) the date on which the officer appointed began to work in the appointment, (ii) the date on which the officer competent to make the appointment issued the appointment order, (iii) the date on which the first disbursement of the pay of the appointment was made to the officer appointed?

(b) Is it a fact that in the case of a number of appointments mentioned in part (a), the appointment orders were issued and the first disbursements

ELECTION OF GOVERNMENT OFFICERS TO MUNICIPAL COMMITTEES.

†684. *Mr. Abdul Latif Sahib Farookhi: (a) How many paid Government officers in Ajmer-Merwara were members of the Municipal Committees as elected non-officials during the last five years?

(b) Do Government propose to stop this practice? If not, why not?

APPOINTMENT OF MR. TARLEKAR AS HEADMASTER OF THE MOINIA ISLAMIA HIGH SCHOOL, AJMER.

685. *Mr. Abdul Latif Sahib Farookhi: (a) Are Government aware that important Muslim press organs, like the *Ittfaq*, Ajmer, the *Haqiqat*, Lucknow, and the *Inqilab*, Lahore, protested against Mr. Tarlekar's appointment as Headmaster of Moinia Islamia High School, Ajmer?

(b) Is it a fact that in connection with the proposed long leave of the Headmaster, Government High School, Ajmer, the Superintendent of Education, Delhi and Ajmer-Merwara, has proposed the appointment of Mr. Tarlekar again to the Headmastership of the Moinia Islamia High School, Ajmer? If so, why?

Sir Frank Noyce: (a) No.

(b) Proposals regarding personnel are confidential.

EXPENDITURE, FEES, ETC., OF THE MOINIA ISLAMIA HIGH SCHOOL, AJMER.

†686. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government please state (i) the total expenditure of a recurring nature incurred in maintaining the Moinia Islamia High School, Ajmer, in the financial year 1928-29, (ii) the total amount of fees received by Government from the pupils of the said school in the said year, (iii) the total amount of contributions of a recurring nature received by Government for the said school from the funds of the Khwaja Sahib's Durgah in the said year, (iv) the expenditure of a recurring nature incurred by Government on the said school after deducting amounts of revenues mentioned in (ii) and (iii)?

(b) Is it a fact that more than 75 per cent. of the Muslim Anglo-Vernacular School boys of Ajmer-Merwara are taught in the Moinia Islamia High School, Ajmer?

(c) Are Government aware that a resolution was passed in the All-India Muslim Educational Conference held at Ajmer in December, 1928, to the effect that the Moinia Islamia High School, Ajmer, should be under a Muslim head of the institution?

(d) Do Government propose to appoint a Muslim Headmaster of the Moinia Islamia High School, Ajmer, when the present Headmaster vacates the Headmastership of the said school permanently or temporarily? If not, why not?

ACADEMICAL QUALIFICATIONS OF CERTAIN ASSISTANT MASTERS IN AJMER-MERWARA.

†687. *Mr. Abdul Latif Sahib Farookhi: (a) With reference to the list of trained graduate assistant masters in the employ of the Ajmer-Merwara

†For answer to this question, see answer to question No. 683.

†For answer to this question, see answer to question No. 678.

Educational Department in 1926, with their names, qualifications, and grades, placed by Government on the table of the House in reply to starred question No. 279 (d) in the Legislative Assembly on the 10th September, 1929, will Government please state if it is a fact that Mr. Abdul Rashid Khan was a B.A., B.T., and not a B.A., L.T., as given in the statement?

(b) If the reply to part (a) is in the affirmative, is it a fact that B.T. was a university degree, and L.T. was a university diploma? If so, will Government please state why the qualifications of the said teacher were not shown to be as they were?

(c) Is it a fact that at the time for which the list referred to in (a) was asked for, Mr. Mohammad Ishaque Qureshi was not a M.A., L.T., as stated in the list under reference but a B.A., L.T.? If it is not a fact, will Government please state in which month and year the said Mr. Mohammad Ishaque Qureshi sat for the M.A. examination and in which month and year he was declared successful in the said examination?

(d) Is it a fact that Mr. Muzaffar Hussain was a B.A., B.T., and not a B.A., C.T., as stated in the list referred to in (a), at the time for which the said list was asked for?

(e) If the answer to (d) is in the affirmative, is it a fact that C.T. was a university certificate lower than B.T. which was a university degree? If so, why were the qualifications of the said teacher shown to be lower than they actually were?

(f) Is it a fact that Mr. Gauri Datt Durgapal had, at the time for which the list was asked for, *no lien* on any Government post?

(g) Are Government aware that the name of Mr. S. C. Chatterjee, a permanent incumbent in the grade of Rs. 120—5—145 in the employ of the Ajmer-Merwara Educational Department at the time for which the list was asked for, was *not* mentioned in the list referred to in (a)?

(h) Is it a fact that the grade of Rs. 120—5—145 mentioned against Mr. Nand Kishore Joshi in the said list *was not his grade*, at the time for which the list was asked for, but the grade of the teacher in whose place Mr. Nand Kishore Joshi was officiating?

(i) If what is stated in parts (a) to (h) above are facts, will Government please state why the list under reference was not freed from errors and defects before it was put on the table of the House?

EXAMINATION RESULTS OF CERTAIN SCHOOLS IN AJMER.

†688. *Mr. Abdul Latif Sahib Farookhi: (a) Are Government aware that the figures for the results of the Moinia Islamia High School, Ajmer, for 1927-1928 (*sent up 12, passed 9*), given in the "Comparative statement of results for 1927-28 and 1928-29 in the Government Educational Institutions in Ajmer-Merwara", put on the table of the House by Government in reply to starred question No. 275 in the Legislative Assembly on the 10th September, 1929, do not agree with the Government affirmation, in the Legislative Assembly on the same date in reply to starred question No. 280 (c), in which the figures for the result of the said School for the said year are given to be 8 out of 13? If so, will Government please state why the said two Government replies on the same date differ with each other in regard to the result of the same examination of the same school for the same year?

†For answer to this question, see answer to question No. 678.

(b) Is it a fact that in the "Comparative statement of results" referred to in part (a), figures given for the C. T. Examination result of the Normal School, Ajmer, for 1927-28, *exclude ex-students* appearing as compartmental candidates, whereas the figures for the result of the same examination of the same school for 1928-29 *include ex-students* appearing as compartmental candidates? If so, why was not the same principle adopted for the statement of the result of 1928-29 as for 1927-28?

SUPPLY OF INFORMATION ASKED FOR IN QUESTIONS *re* EDUCATION IN AJMER-MERWARA.

689. *Mr. Abdul Latif Sahib Farookhi: (a) Are Government aware that Government's reply to majority of questions relating to Education in Ajmer-Merwara in the Legislative Assembly in the Delhi Session of 1929 and the Simla Session of 1929 was to the effect that the information asked for was being collected?

(b) Will Government please state why the collection of the information asked for in questions referred to in (a) was generally delayed?

(c) Do Government propose to make arrangements that the information asked for in questions relating to Education in Ajmer-Merwara may generally be communicated to the House on the days fixed for Government replies?

Sir Frank Noyce: (a) Yes.

(b) The required information is not usually available at headquarters and has therefore to be obtained from the local authorities who are often not in a position to furnish the detailed information asked for at short notice.

(c) Every effort is being made in this direction.

UNSTARRED QUESTIONS AND ANSWERS.

STAFF OF THE DELHI MUSEUM OF ARCHÆOLOGY.

261. Mr. Mukhtar Singh: (a) Is it a fact that, in the Delhi Museum of Archæology, the entire staff including the Gallery Assistant and his clerk are Muhammadans mostly from Moradabad, the native place of Khan Bahadur Maulvi Zafar Hasan?

(b) Will the Government kindly state why no Hindu is employed there?

Sir Frank Noyce: (a) The entire staff is Muhammadan, but only the Gallery Assistant and one peon come from Moradabad.

(b) One Hindu was appointed but he resigned his appointment.

STAFF OF THE DELHI MUSEUM OF ARCHÆOLOGY.

262. Mr. Mukhtar Singh: Is it a fact that the Gallery Assistant of the Archæological Museum, Delhi, is a brother-in-law of Khan Bahadur Maulvi Zafar Hasan? If so, what are the reasons for having two close relatives together in one office and for a number of years, i.e., from 1924 to March 1929?

Sir Frank Noyce: Yes. The nature of their work and their respective qualifications for it have sometimes required their employment in the same circle. They are, however, not employed in the same office, and for a considerable period they were employed in different circles.

EXHIBITS IN THE DELHI MUSEUM OF ARCHÆOLOGY.

263. Mr. Mukhtar Singh: Will Government be pleased to state whether most of the exhibits in the Delhi Museum of Archæology have been purchased at the recommendation of Khan Bahadur Maulvi Zafar Hasan and his brother-in-law, Maulvi Ashfaq Ali? Have the Government devised any means of checking and finding out that the articles recommended for purchase are genuine? Is there any check to find out periodically that no manuscripts, paintings, etc., have been replaced or are short?

Sir Frank Noyce: A considerable number of antiquities have necessarily been purchased on the recommendation of the Superintendent, but no such purchases are made without the approval of the Director General of Archæology. The question of devising checks on the genuineness of the articles purchased and against loss of the contents of the Museum is under consideration.

RECRUITMENT OF STAFF FOR THE FRONTIER CIRCLE, ARCHÆOLOGICAL SURVEY.

264. Mr. Mukhtar Singh: Will Government please state whether Khan Bahadur Maulvi Zafar Hasan, on his transfer from the Northern to the Frontier Circle, Archæological Survey, had to recruit a large staff in connection with the reorganization of the latter Circle?

If so, will Government please state the number of persons the Khan Bahadur has recruited since April, 1928, from each of the Hindu, Sikh and Muhammadan communities on permanent pensionable and non-pensionable posts, as well as those who receive their pay out of the conservation grant but are nevertheless, to all practical purposes, equivalent to persons holding posts of a quasi-permanent nature such as mistris, bankatis and chaukidars?

How far is the recruitment carried out by the Khan Bahadur in consonance with the orders passed by the Government of India during the last four years?

In the event the Government orders on the subject having been ignored, what ~~measures~~ do the Government propose to take against the Khan Bahadur for committing a breach of the rules and to ensure non-recurrence of such irregularities in future?

Sir Frank Noyce: The information asked for by the Honourable Member is being collected and will be communicated to him in due course.

SALE OF WOOD TO HIS PEON BY KHAN BAHADUR MAULVI ZAFAR HASAN.

265. Mr. Mukhtar Singh: Will Government please state whether:

(a) In 1928 Khan Bahadur Maulvi Zafar Hasan sold wood in the Lahore Fort to his peon Ahmad Husain?

(b) Is it also a fact that on 8th February, 1928, 33 rafters and 252 square feet of planks were sold to his peon for a trifling sum at Sambhal by the said Khan Bahadur?

(c) Was any notice for the sale of wood and rafters referred to above issued in time and widely circulated?

(d) Will the Government kindly state whether the practice of selling things to the members of the office is not opposed to Government orders?

Sir Frank Noyce: Information is being obtained and will be communicated to the Honourable Member in due course.

CONTRACT FOR THE PURCHASE OF STORES FOR AKBAR'S TOMB AT SIKANDRA.

266. **Mr. Mukhtar Singh:** Is it a fact that in 1926-27 a contract bond relating to the purchase of stones for Akbar's tomb at Sikandra was tampered with by means of erasures and overwriting of dates, etc. Have Government examined the document? If so, with what results? If not, what action do they now propose to take in the matter? Is it also a fact that, in 1926-27, Khan Bahadur Maulvi Zafar Hasan retrospectively enhanced rates over those which were tendered by a contractor and in respect of which he had been paid already? If so, what were the reasons for so doing?

Sir Frank Noyce: Government have no information but will make inquiries.

APPOINTMENT OF MEMBERS OF MINORITY COMMUNITIES IN THE ARCHÆOLOGICAL DEPARTMENT.

267. **Mr. Mukhtar Singh:** Is it a fact that the Archaeological Chemist, the Assistant Archaeological Chemist and their Head Clerks are all Muhammadans? If so, will Government kindly state why no members from the Hindu, Sikh or Christian community were recruited to maintain the proportion between members of the majority and minority communities in the public services?

Sir Frank Noyce: The Archaeological Chemist and the only clerk employed in his office were appointed before orders for avoiding the preponderance of any community in the public service were issued. The Assistant Archaeological Chemist was recruited through the Public Service Commission not because he was a Muslim but because he was best qualified for the post. I may add for the information of the Honourable Member that two Hindu laboratory assistants are employed in the office of Archaeological Chemist.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR ROADS.

Mr. President: I have to inform the Assembly that the following six Members have been elected to the Standing Committee for Roads, namely:

1. Mr. B. Das.
2. Mr. Muhammad Ismail Khan.
3. Mr. Adit Prasad Singh.
4. Mr. S. C. Mitra.
5. Mr. Anwar-ul-Azim.
6. Khan Bahadur Haji Abdullah Haji Kasim.

THE INDIAN FINANCE BILL.

Mr. President: The House will now resume further consideration of the following motion moved by the Honourable Member, Sir George Schuster, on the 18th March, 1930:

"That the Bill further to amend the Sea Customs Act, 1878, to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary certain duties leviable under the Indian Tariff Act, 1894, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax, to vary the excise duty on kerosene leviable under the Indian Finance Act, 1922, and further to amend the Indian Paper Currency Act, 1923, and the Indian Finance Act, 1926, be taken into consideration."

Mr. T. Prakasam (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural): Sir, I rise to oppose this Bill. It is an annual function to present this Finance Bill on the part of the Honourable Member for Finance, and it is also usual for the representatives of the people to oppose it to the best of their ability. It does not come with a good grace that this Bill should be introduced with a proposal of preferential tariff in favour of England. It does not come with any grace, the proposal for some little protection with regard to sugar when, for over ten years after the Sugar Committee Report had been published, it is not shown what steps had been taken by the Government to improve the sugar industry on the lines suggested by that Committee. And the Finance Bill stands almost self-condemned with regard to the claim on salt. It is, Sir, two or three years now since I had had the opportunity of moving for the reduction of the salt duty in the final stages of the Finance Bill from Rs. 1-4-0 to 0-10-0. By some fortune we succeeded in this House, and it was reversed in the House of Elders and finally it was certified. This demand for repeal has been going on for such a long time and the Government feel that it cannot continue to exist in this world unless this salt tax is maintained. Over seven crores of rupees are demanded on that account. If there should be a proposal to appropriate this seven crores of rupees for the free education in the country, for the education of the masses, perhaps there would have been, at least a counterbalancing factor. There is none such. Any Government in the world, however absolute it might be, however despotic it might be, considers it its duty to look to the education of its subjects, to the promotion of the industries and to the general benefit of the people. This is a Government that has been continuing in a most callous manner without caring in the least for the education of the masses or for the promotion of the industries or for any good generally of the people at large. With a top-heavy expenditure, it has not been possible for the Government to direct its attention, even in 1930, towards the education of the masses. What is the percentage of education in India according to the books of the Government? Over 6 per cent. Is it to the credit of this Government, a Government that has been in office for over 160 years, without having done anything for the promotion of the education of the masses? Was the country so illiterate, Sir, I question this of the Finance Member and also the Government here, was it in this stage during the Muhammadan period when the Moghul Kings were ruling here? What was the percentage of education in the country, in the provinces, amongst the masses then and what is the percentage today after the British Government have undertaken to rule this country? How has it gone down and what is the reason? Nobody to think of the masses. When a demand is made for self-government

[Mr. T. Prakasam.]

or for Dominion Status, they consider it proper to turn round and say, "The masses are not educated! It is not in the interests of the masses that we should hand over the reins into the hands of the people's representatives". That is the answer which this Government have been giving. When there was a high percentage of education in this country before the English people came, and when it has been reduced to 6 per cent., it is for them to say what became of the vernacular education in each province that was existing before they came here. Does it lie in their mouth to say that, because the masses are not educated today, the country is not fit to have self-government?

The Finance Bill again says that there is a sort of protection offered for sugar; that there is a protection offered for cotton piece-goods. What is the protection offered for sugar? After destroying an industry, to make a trifling and apologetic offer, when it suits them; is that protection? In 1920, the Sugar Committee inquired into the whole subject and published its Report. For ten years before the publication of that Report, Sir, the total quantity of sugar that was imported into India was worth about Rs. 53 crores, when, as a matter of fact, if the total area that was capable of producing sugar in India had been properly used for production, there would have been no need to waste that amount by importing foreign sugar. That will be clear on a perusal of the Report of that Sugar Committee. What was the total extent, Sir, in 1920 of the land that was fit for sugar cultivation in India? The total extent was 2,718,000 acres. This was found to be much more than the area in Cuba that was supplying sugar, and this was held by that Committee to be five times the extent under sugar in Java. With this extent at the disposal of the country, which would have been sufficient to produce sugar not only for the whole of India but also for exporting into other countries, as she had been doing in former times, what is it which the Finance Member has placed before the House and before the country to show that anything has been done since 1920 with regard to the promotion of this industry, even on the lines suggested by the Sugar Committee? This is what the Committee said in brief on page 8 of the Report. "It is our opinion that it should be perfectly practicable to produce the whole of this in India itself." "This" means sugar worth Rs. 53 crores imported at 628,000 tons annually for 10 years. That is what the Sugar Committee said. During the last ten years what has been done, and what is the protection now offered for sugar, after very nearly killing an industry? This is not the only industry that has been killed. Before my eyes, during the last forty years, industry after industry, cottage industries as well as other industries, have disappeared under the benign Government of the British. Fortunately we have got records and the reports of the Committees appointed by the Government itself to show how callous and how criminal has been the conduct of this Government towards the people of this country.

Then, Sir, the Bill says that a small increase is proposed in income-tax. When I moved an amendment for the income-tax proposed in the Finance Bill two years ago, I heard a voice at one time in this House, "Why should we plead for the rich people?" Then I replied that the rich people's money should not be wasted in this manner; the rich people's money should go in the direction of popular causes, when the Government is a most irresponsible one which does not care in the least

for the good of the people, but which is anxious only to collect as much money and spend as much as possible on the scale on which it is spending. Why should there be an increase in income-tax, Sir, when there is every scope for reducing the pay, the salaries and the unnecessary wastage of the money which this Government has been incurring year after year? Not a single attempt is ever made or is even thought of in that direction. They persist year after year, even though it was pointed out by comparative statements, how expenditure is met in a country like Japan; how the national income is spent where men of the country are employed in the services. It is not to the interests of this Government to do any of these things.

Sir, I should not detain this House on the question of salt by narrating the history of salt. It has appeared in the Press during the last few weeks ever since the leader of this country has thought fit and has considered it necessary to break the laws relating to salt. It is such an unholy tax, a tax that touches the poor, a tax which this Government have taken every means in their power to levy and regulate in such a manner that cannot be justified before the world. Salt is the one article that can be produced without any labour, without any trouble, without any expenditure by the poor people. I do not deny that any Government, whether it is this Government or a nationalist Government, should have the power to regulate the market rate of a certain commodity, even when it is produced by the poorest without incurring much expenditure. But what is it that this Government have done? What are the regulations; what is the Salt Act; what are the rules, and how is it controlled? Although I had been a lawyer for a good long time in my life, until I surrendered my practice in 1920, I have not lost touch with the law, but I did not know myself how this salt duty had been regulated and what precautions had been taken for the departmental working of it. What is it they have done, Sir? My friends do not know. I did not know myself until Mahatma Gandhi declared that the salt laws must be broken at any cost. I did not know myself, and when he started it,—notwithstanding the differences I have had either with Mahatma Gandhi or with the Congress on certain matters,—I wanted to know exactly what the real law about the salt duty was and how it could be broken. It is the duty of every patriotic Indian to break the law if it is really an unholy and oppressive law. I hold it, Sir, relying upon the authority of some of the greatest jurists and constitutional lawyers of Great Britain, who refused to administer bad laws when they were called upon to administer them, that it is the duty of every patriotic citizen to ask the Government to revoke such a bad law. If they do not do it, then I consider it will be the duty of every one to break such an oppressive law. With that object in view, I went into the matter to see as to how Mahatma Gandhi was going to break the salt law, how it was possible for us to acquire the salt pans and salt fields by purchasing them, if necessary, for manufacturing salt there and to refuse to pay up the salt duty to the Government. Because it is so simple to manufacture salt, because every poor man can make salt out of the earth by using sea water or even otherwise, the Government took care to frame its regulations in such a manner that it may not be possible for poor men to think of diverting the salt water into their fields for making salt out of it. Look at the huge Department of Salt, look at the whole administration of that department. I had been to

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certain salt depots to see the position. I found that even private owners, who hold a freehold interest in the soil itself, are brought within the catchment area which is put under the custody of these Government officials, I mean the salt police. The whole area is fenced, the fields that are cultivated by the Government on the monopoly system, as well as those that are owned by private individuals, are brought together within one area; the whole of it is fenced, the gates are guarded, and there is a treasury attached to it. Inside the enclosure, after the salt is manufactured, even the private owner who manufactures salt after acquiring the necessary license cannot take it out of his area even after paying the duty. Government have made it a rule that there should be some platforms established within the area for the purpose of storing the salt that is manufactured. The salt manufactured should be removed by these private owners to those platforms which are also again fenced and guarded by the police. These unfortunate people who own the freehold rights of the soil, who hold an inalienable right to manufacture salt after paying the duty,—whether it is heavy or not I will not care to discuss the question now,—are compelled to take it to those platforms which have been specially built for storing the salt. If these private owners want to sell their salt to some one, the purchaser has to go to the platforms, pay the money into the treasury, and the salt must be measured out on the platform which, as I said, is guarded by the police. Now, I ask, is that the way in which the laws should be administered in this country? Is it not clear to one's mind why these precautions are taken? These precautions are taken because it is so easy to manufacture salt, and poor men can live on it without paying for it. Sir, the Government's policy is one of terrorism. They have a department for the administration of salt, and that department is such that it terrorises the people and informs them that they would run serious risks if any attempt were made by them to manufacture salt in any other place. That is the position, Sir, with regard to salt. The reason is apparent, and in our country, as Mahatma Gandhi has said repeatedly, one is still free to breathe the air; in our land this Government have still to levy a tax for breathing the air as well in future. That is the nature of the salt tax, Sir. I will not take the House into the previous history of this question. I say, Sir, that it is most criminal that this Government should persist in levying this salt tax, and in certifying it even when it was voted against by this House. These are all causes sufficient to provoke people to resist the keeping up of this tax. Today over seven crores of rupees the Finance Member wants to levy on salt.

Then coming to the question of cotton piece-goods and Imperial Preference, Sir, what do we find? I was carefully reading through the speech of the Finance Member on the Budget. It is very interesting to find that the Secretary of State and the Government in England should be anxious to give freedom to the Indian Legislature and the Government of India for levying this protective duty, giving them fiscal autonomy. This is the first time, Sir, that this convention is sought to be established by the Government in England, but the Government of India say, "Oh, it is very good that the Home Government has considered it proper to concede fiscal autonomy to India, but we have to exercise our own judgment here". Pandit Malaviya was good enough to elicit an answer

from the Honourable the Commerce Member about the original proposals from this Government which are at variance with the present. To India Government will give protection only under certain conditions. The speech of the Finance Member contains a threat to the effect that, only when that Imperial Preference is recognised, the protective duty will follow. That is what I gathered from the speech of the Finance Member. If it is a right of fiscal autonomy conceded to the Government and to the House here, is it proper, I ask, that they should enter into such a bargain now? And what is the cause for this bargaining? They want a consideration for creating a proper atmosphere in England to consider how far and to what extent favours could be bestowed upon these wretched people in India with regard to constitutional advance in the next one or two years. Now, is that the way in which an Imperial Preference should be bargained for? Is that the consideration for which you are going to give anything by way of a constitutional advance to India? It should not be on such lines.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): On a point of order, Sir. Are we discussing the Tariff Bill or the Finance Bill?

Mr. President: We are of course discussing the Finance Bill. . . .

Mr. M. A. Jinnah: But, Sir, the Tariff Bill is no part of the Finance Bill.

Mr. President: But the Honourable Member knows that the budget speech of the Honourable the Finance Member makes extensive references to the Tariff Bill.

Mr. M. A. Jinnah: We are discussing the Bill now, and not the speech of the Finance Member.

Mr. President: The Honourable Member knows that, on the second reading of the Finance Bill, the whole of the administration of the Government of India can be reviewed.

Mr. M. A. Jinnah: When we have got this specific measure before the House, is it not irrelevant to discuss that on this Bill, Sir?

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): May I further point out that the Honourable the Finance Member himself stated that the revenue duty which was proposed to be levied on cotton piece-goods in the Finance Bill itself was the framework of the scheme of protection.

Mr. President: I do not think we can separate the two questions.

Mr. T. Prakasam: I am surprised that the Honourable Mr. Jinnah should have found so much difficulty to understand the bearing of the tariff provisions upon the Finance Bill. The very basis of the Finance Bill is to a very large extent the Tariff Bill. It may be that the Tariff Bill is considered separately. So also several other Bills are considered separately, but you are stating in this Bill the whole position and consolidating the whole position.

Now, Sir, with regard to the cotton piece-goods, I should not like to take the House to the East India Company. Suffice it to say that the most reprehensible methods had been resorted to to suppress the hand

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spinning and hand weaving in this country which alone enabled India to make the cloth required not only for the whole of India but also to put it in ships and carry it to other countries and bring back gold to this country. The methods adopted were recorded by Mr. Romesh Chunder Dutt in his book. I shall not refer to them now. They are too well known. They have practically brought the whole industry to destruction. Since the trouble arose in Bombay, the premier city in India, the richest city in India (An Honourable Member: "No.") Well, statements have been made in public records, that Bombay was the richest city, the gate and the entrance to India.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): It was.

Mr. T. Prakasam: It was and is still. That position cannot be lost. It may be lost for a while. If Mr. Rahimtulla will be lost to Bombay, then the industry will be lost for ever. Anyway, the industry was nearly killed. I am not a millowner myself. I am not in the line. Today, the Government have suddenly woken up and considerable solicitude is shown to the industry. Mills after mills were closed down in Bombay and various reasons were assigned in the Press from time to time. My friend, Sir Purshotamdas Thakurdas, and my friend, Mr. Birla, have been pointing out that it is the exchange ratio that has been the main cause of the ruin of the industry in Bombay. When there were labour troubles and riots in the streets of Bombay, what was it that was stated in the Press and in the official communiqués of Government? Great Britain, the Indian Government and the Finance Member could not realise what was meant by the closure of mills in Bombay until the mills in their own country began to close down one after another owing to Japanese competition. It is an unfortunate position both for England and India.

At one time, Sir, as a student of constitutional law and history, I was very much enamoured of the constitution of Great Britain, of the constitutional law of Great Britain and the constitutional lawyers of Great Britain. The constitution of Great Britain is considered to be a very elastic one which could be extended to do good to the subjects and to other countries as well. The system of French Government is the droit administrative system, and I had a very great prejudice against the French administrative system. Last year, I had the chance of crossing the sea and visiting a country which is now under the French Government—Indo-China or Cochin-China as it is called. When it is called Indo-China, it refers to the greatness of this unfortunate land at one time. That part of China was annexed by India and ruled by Indian kings for centuries. That part of the country still possesses the great temple of Angkor Wat, which is considered one of the wonders of the world, to visit which visitors from America and from all over the world come. That country has a palace in which those kings resided. The compound wall extends over 20 miles. These buildings remain intact today and the French Government preserves them as living monuments of the ancient civilisation of India. Now, Sir, the French Government have got Crown Colonies, just as the British Government have in the Malay States, and the French Government have also got French protectorates. When I was there, Sir,

the exchange ratio fell all of a sudden. Indo-China or Cochin China was adopting a silver standard under the French Government just as we have been adopting a silver standard under the British Government. The fall of silver is a notorious fact today. Silver has fallen for various reasons and when silver has fallen . . . (Mr. M. A. Jinnah: "Have a share with them.") I cannot divide with them although my Honourable friend offers a division; I will leave him to divide with the Government at the Round Table Conference. Now, Sir, I was referring to the action of the French Government and wanted to contrast it with of the British Government here on the question of the exchange ratio. I am just pointing out that the people had suffered on account of the fall of prices in silver in the French country, and when the contracts entered into by the merchants at the prevailing rates on the date of contract could not be kept up at the time of delivery of goods, and when the whole trade was about to crush, the French Government was good enough, at once, to abolish the silver standard and establish in its place the gold standard. The French Government have established a gold standard in the interests of the subjects, who were about to be ruined on account of the fall in silver prices. What is it that we have been doing here? It was not long before my Honourable friend, Sir Purshotamdas Thakurdas, and other friends invited the Honourable the Finance Member to preside over a certain meeting where there was a reference to revise the exchange ratio, namely, to go back to 1s. 4d. from 1s. 6d. There came the authoritative pronouncement that that could not be done. That was the statement made there.

With regard to cotton piece-goods, I would like to say that it is not only in India that we are suffering with regard to them. We had had some trade in the other countries. In Indo-China, for instance, you will find, Sir, that the cotton piece-goods that were imported once from the Bombay Presidency, particularly from Ahmedabad and other places, were charged the same duty as the other nations were charged. But recently it has been so ruled that while European countries should be charged 20 per cent. of duty on the cotton piece-goods, India is charged with 80 per cent. The result was that, on account of the levying of that 80 per cent. duty, not a single cloth that was made in India for the use of the Annamese people in India-China could be imported into that country. So far as the cotton piece-goods are concerned, therefore, the solicitude is only apparent and not real. I should say, if any protection is to be given in India even 50 per cent. will not satisfy us. If the country should ever get power into its own hands, our English friends can understand that this country would not require even 10 years to make itself absolutely self-supporting by imposing its own tariffs. It will not take even 5 years with regard to that matter.

I would like to say a few words on the question of constitutional reforms. The latest move is the Round Table Conference, about which my Honourable friend, Mr. Kelkar, has said a good deal. The Round Table Conference that is promised today is not a Round Table Conference. My submission to this House is that, if it is a Round Table Conference it must be one at which the representatives of a country would gather together and the Government would be on the other side, and the principles which should be embodied in a constitution should be arrived at

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at that table. But it is not that Conference that has been promised. Mahatma Gandhi and other Congress leaders were led into a mistake at first. You may not agree with me, Sir, but that is what I thought, that this Round Table Conference, about which I read when I was somewhere in Siam or Indo-China, was the biggest hoax that was put forward by the British people. I knew, Sir, that it was the Simon Commission Report that would be ultimately discussed, and this Round Table Conference was referred to by Sir John Simon himself before he left India for good. He said: "You have boycotted my Commission: you have not given evidence before me; but, beware, you will be made to come to England. There will be a Conference in England where you will be glad to come and participate and where you will be stating what you have declined to state now." That is in substance what he stated in one of his statements here before he left India. That is the Round Table Conference that is going to be held now. And, when Mr. Wedgwood Benn was cornered and cross-examined by his opponents to state exactly who had got the power of deciding the principles and embodying them in a draft constitution, he was obliged to say: "Oh, it is only the British Cabinet and it is only the British Government that would be entitled to do it. All that is promised to our friends is an invitation. Come along, please, with all your grievances. You are so many people in the great land of India. There are the Muhammadans, the Hindus, the Christians, the Sikhs and so many others. And then there are the Brahmins and non-Brahmins and so many other communities that are at war with each other now. Each one can send a representative to this Round Table Conference and with open arms we are going to receive you. We are going to hear what all of you have to say. There ends the duty of those who go to this Round Table Conference". That is what Mr. Benn says. I appeal through you, Sir, to the Members of this House who may have been deluding themselves under the notion that this is really a Round Table Conference not to do so. A Round Table Conference was demanded on the floor of this House in a Resolution that was adopted in 1925. It is not that that is promised. Nor is it anything in the nature of the demand made in 1924 on the floor of this House. It is nothing of the kind. This Round Table Conference is only in name. I do not really know what is meant by this. It only means this, that India does not contain any statesman. In India there are good many dandies, some with Gandhi caps and so many without any name. We are all great men in our own way, but the Englishmen always thought, and they think so even today, that it is enough if they can tell these men, the so-called leaders, that it is a Round Table Conference to which they are invited. Never mind the meaning; never mind of the implications; never mind of the power of a Round Table Conference. It is enough if you hold forth that there is a conference to which all of them are invited. We have now commenced the race. Applications are pouring in from the likely candidates. The scramble has begun as to who are the people to go. Each party wants representation. I was shocked to see that even the Congress leaders said that they should have sufficiently large representation there. Is it not enough if one man goes there from the Congress? Is it not enough if one man goes there from each of the recognised parties? How many of you should go there and for what purpose? We have had the music of the Central Committee in England.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Should they go at all? What is your opinion?

Mr. T. Prakasam: I say that, until and unless the British Ministers and the Government of India say that it is a Round Table Conference with its full meaning, with its recognised meaning that when the principles are decided at that table they will be embodied in the constitution—until and unless you have that guarantee—you will be failing in your duty to the country if you go there. You will be committing a crime against your country if you go there. You have no business to go there to represent any community or any communal interests, whether Hindu, Muslim or Christian. India is India. In India there are so many nationalities. If the English should be ruling today without creating another caste, without adding another caste of their own to the castes that existed already in India, if they should have been dispensing justice between man and man without any difference and without any Imperial Preference or without any difference as regards the spending of money, then perhaps Indians would not have been complaining against the British people so much now. It is only representative people that should go to the Conference. Who went when Muhammadans were ruling in this land? Who went when Hindu kings were ruling? Was there no justice in those days when the ruler or the king of the country was of one community? Was there then no justice between man and man? Having known all about India, having known all about its troubles and having themselves been the cause of the troubles to some extent, why should the Government now call upon the people of all communities to a conference which is called the Round Table Conference, when it is not really a Round Table Conference? Is it merely to go and sit there? I was referring, Sir, to my Honourable friends of the Central Committee that attached themselves to the Simon Commission that went to England. It was painful for me to read in the English papers the details of the differences that were depicted as between any two Members of these five Members of the Central Committee, each one telling his own story, each one writing his own long minute of dissent. It is pathetic for India that in 1930 the Members of this House or the Members outside should be agitating for small petty offices, not merely for top offices but with regard to every grade of offices starting from the lowest to the highest. Is that the way in which the constitution can be built up by any one of us? Is that the way in which you can bring about unity amongst us? You cannot even dream of unity under such circumstances. I submit, Sir, it does not matter even if the Englishmen should continue to have the right of ruling over us ultimately if it is a matter of election and by a vote they get into power. Let them have it by all means under a democratic constitution. How can anybody do justice with regard to the distribution of offices if we are diverting our attention into such minor matters and if we are breaking up for such small differences the all-Parties Conferences held time and again both in Delhi and Simla? Up to now, what is the result? The Government taking advantage of our disunion are inviting us to go to the Round Table Conference and represent our case to them. I submit, Sir, that this Round Table Conference is really not a Round Table Conference and I appeal to the Honourable Members of this House who may have any misgiving until now to realise that it will not be a Round Table Conference in the real sense of the term. On the statements made by the Viceroy and on the statements made by the responsible Ministers in England, they should

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dismiss all such wrong notions from their minds. You will find it to your cost, I am telling you today, that unless and until the position is made clear by the Government of India and also by responsible Ministers in England that this Round Table Conference is one at which the claims of India will be considered separately and independently without having anything to do with the proposals made in the Simon Commission Report or the Nehru Report or some other Report, and those principles will be embodied in the constitution, until that position is made clear, if you go there, you will not be serving your country. Well, Sir, this Round Table Conference has got a previous history. It was in 1924 that a Resolution was moved in this House, not by an extremist politician, not by a Congressman, not by Pandit Motilal Nehru but a very moderate old friend of mine, Mr. T. Rangachariar, who was the Deputy President of this House also and was carried. He moved the Resolution and made a speech on it. It was in 1924 and the Resolution moved by Mr. Rangachariar reads thus:

"This Assembly recommends to the Governor General in Council that he be pleased to take at a very early date the necessary steps (including if necessary procuring the appointment of a Royal Commission) for revising the Government of India Act so as to secure for India full self-governing Dominion Status within the British Empire and Provincial autonomy in the Provinces."

The speech made by Mr. Rangachariar in support of his Resolution was really a very good one, and the Leader of the Opposition then, Pandit Motilal Nehru, was quite right in having stated that he had nothing to differ from what Mr. Rangachariar said. Mr. Rangachariar said that he sought election from his constituency on the demands embodied in his Resolution. He said that the electors asked him what he was going to do and it was only on his agreeing to move a Resolution containing that demand, it was only on that promise to his constituency that he was returned to this House. That was the position in 1924. In 1925 again, there was the national demand on the floor of this House, when again it was carried. I am referring to the amendment moved by Pandit Motilal Nehru to the Resolution of Sir Alexander Muddiman *re* the recommendations of the Reform Enquiry Committee. The amendment of Pandit Motilal Nehru runs thus:

"This Assembly further recommends to the Governor General in Council that necessary steps should be taken:

- (a) to constitute in consultation with the Legislative Assembly a convention, round table conference or other suitable agency adequately representative of all Indian, European and Anglo-Indian interests to frame with due regard to the interests of minorities a detailed scheme based on the above principles, after making such enquiry as may be necessary in this behalf;
- (b) to place the said scheme for approval before the Legislative Assembly and submit the same to the British Parliament to be embodied in a Statute."

These were the demands, Sir, that were made in the years 1924 and 1925 and the latest demand was embodied in what was called the Nehru Report in which so many parties joined and which also failed on account of certain small differences. After all these stages during the last ten years, the Simon Commission came here and it was boycotted by almost all the parties excepting a few. I do not know whether they were not merely individuals or some representing certain groups or certain minorities. They were not of any recognised parties. There was no evidence before the Simon Commission from any of the recognised parties. It is now

said, Sir, that the Simon Commission Report would be placed before this very House in June in a special session and to have that blessed in this very House on the floor of this very House in which it was boycotted previously. They would like to have it done now because the 12 Noon. Congress Group that was in this side of the House have gone out, and it was also stated that, after that was done, they would even go to the length of placing it before the electors in the country, taking advantage of the resolution of the Congress that the Legislatures should be boycotted, believing that the Congressmen would not be going to the electors. Is this the way in which matters should be handled when a critical stage has been reached? When we are at such a juncture as this, is it not the duty of the statesmen in England as well as here to do justice? Instead of doing that, the Finance Member says in his speech that the country is threatened with civil disobedience, and the Government will not be afraid of civil disobedience. Civil disobedience can never be a threat. They are the persons with an army, a navy, aeroplanes and all the destructive machinery in their hands which they can call to their aid any moment and drop bombs from above, when they like, even on the innocent masses who may refuse to pay taxes to them tomorrow. How can there be any threat? Civil disobedience is never a threat. It is a submission on bended knees for justice; it is a submission of their head into your hands, to your swords and to your revolvers (I am referring to Government). If you like, take them. This country needs freedom; you shall not keep us in subjection any longer. Civil disobedience is the gentlest and most effective weapon which a subject nation which is not pledged to violence can adopt in any country.

Sir, I do not know why this land has become so very unfortunate and why the rulers have become so hardhearted. Even stones would have melted to see the sacrifices made in this land by men and women during the last 11 years. If it were Englishmen alone that were dealing with us direct today, I should make bold to say, without caring for the consequences, that perhaps Englishmen's minds would have changed much quicker; but in this land Englishmen, who were good when they came here, have been spoiled by us who have become their subordinate officers. We have tainted them; we have spoiled them; we have given them notions of false prestige, and they have now become a curse in themselves, and they think that the only way in which India should be ruled is the steel frame and with the pistol in hand. This country would perhaps never have thought of attaining freedom so soon but for the fact that that worthy individual who had given his life blood to South Africa, had come to his land here again and has given a message to his country. Civil disobedience is not a threat, Sir. I am telling you that it has actually been put into action today again. A man of 60 without much of strength in his body has marched himself to show to this Government that he can call to his aid all the forces behind him in this country, to show to you how he can break your salt laws to begin with. It is not a threat. He has gone there and you are noticing day after day the response on the part of the masses, the illiterate masses who have no education, of whom only 6 per cent. are educated according to your books. Still these masses have got the strength and have inherited the soul power to take a message from above, to adjust themselves to any position, to respond to the call of the leaders and to show to you by the sacrifices they make their determination to give their lives

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in the cause of freedom. I am telling you, Sir, as one who has been with them for the last 11 years, who has lived with them notwithstanding the demoralisation that was brought into existence in the country by terroristic methods and by repression. The masses have known today that they should not get into this campaign in a fit of excitement, 1921 was the year in which there was a good deal of excitement. Nobody knew what would happen and nobody knew whether the people understood the meaning of Swaraj. Today it is quite different. They have understood it. There is no excitement there, they are courting imprisonment with determination. But you must play the game. I say this to the Viceroy and to Government that they must play the game. You must not have recourse to devious methods. This is a straight, honest challenge given,—I do not call this a challenge, I withdraw that word,—this is a straight honest programme given for a subject nation to go through with a view to change your heart. Courting imprisonment is one of things of great sacrifice. In British history you may have perhaps read in your younger days, Sir, it is said somewhere that one great man named **Hampden refused to pay ship money**. How many Hampdens have come into existence in India! How many women have gone into prison for the freedom of their country, how many men have gone to prison for the freedom of the country! And they see today that all their attempts for the last 11 years have failed. This time your Round Table Conference is a hoax. You only draw us there to say that we are quarreling and we are therefore not fit for anything. We shall not go there, but we shall show you to what extent we can make sacrifices. Are you not as sportsmen to take that into account and deal justice? I say deal justice. When I court imprisonment, you must imprison me.

I am told now that when Mahatma Gandhi goes with his 75 volunteers, Government have decided not to lay their hands upon him and his men, but they will go and forfeit the salt that they manufacture. Has not the salt that has been taken for all these years been sufficient for Great Britain? Will this give you more strength, the forfeiture of their salt? The purpose is stated plainly to you. It is not done by anybody else. One man who has worked it out and produced some good results in South Africa has stated to you plainly the purpose of his campaign in India, and he asks you to imprison him and his batch, and then you will find how many people there are in the country to follow him. I am asking you to imprison him and his men and you will know how many people will be courting imprisonment; and the only request I make to the Government of India is to make facilities for receiving all the men that go into the jails and give them food and accommodation. If you have no place to accommodate them, if you cannot find funds to feed them, is it right that you should apply the regulation *lathi* as was done at Guru-ka-Bagh? You might have been present with me, Sir, when we witnessed those Sikh soldiers beaten with regulation *lathis*. Is it fair that you the Government should apply either the regulation *lathi* or say that you will adopt some other method? We want only a test. That test is that we are a determined nation. We cannot wage war with you. We have no army, we have no arms, we have no ammunition. You are the people who are used to the battle-fields; you are the people who will bend only to violence and physical force. We have got none of these things. But, after all, what is the difference between a violent war and a non-violent war? In

the battle-fields you kill your opponents and you get yourselves killed. Like yourselves back to the last war. How many Indians shed their blood in Flanders for the sake of your freedom and for the glorification of Great Britain which Lloyd-George recognised in letters of fire? But he has gone back upon those letters today. As a lawyer and as an solicitor, he is attempting to put his own interpretation on these pledges which he gave then. How can India stand any further? How many men can the British afford to ignore the Indian people's claims?

Well, Sir, if Mahatma Gandhi is not arrested and if his followers are not arrested and if the salt is confiscated, not only there but in every other province where people are ready to go in a non-violent manner and manufacture salt, there are other methods which the people of India will adopt in order to show to you that they can wage an effective war with you without using arms and ammunition. Here is a no-tax campaign. I for one did not approve, did not think it right to have recourse to the programme of a no-tax campaign at this earlier stage. It will come, it did come once and it showed what it was like. It did show what it would be like in Bardoli on a small scale, and I may tell you in Guntur also. There is one Member, a new Member, my friend, Mr. Choudhry sitting here representing Guntur and Nellore today. He may speak on what I say. In Guntur there was a no-tax campaign in 1921. Sixty-four lakhs or sixty-five lakhs was the revenue that had to be collected, and when the Congress called upon the people to suspend payment of the tax, it was suspended for two or three months. It was not paid back until the Congress took stock of the situation, having regard to the terrorist methods adopted by the Government, and advised the people to pay it down, because they would not have been able to stand the repression any further. Out of these 64 lakhs, Sir, the Government could collect only 3 lakhs; 61 lakhs was withheld. That was a demonstration of the spirit of the people. That was a demonstration of the determination of the people. Lord Willingdon was the Governor at that time. Lord Willingdon, after retiring, went to England and in more than one public speech referred to the people of Guntur and said that it was only the people of Guntur during the Gandhi campaign that shook the foundations of the British Empire in India. Suspension of the payment of tax for a few months had its effects, because there was no money to pay to all these officers, Collectors, Revenue Officers and all the other people put together. The money had to be collected and it had to be paid. But such things will happen, if not today, if not tomorrow, if not this year, there will be some day when this will be resorted to by India, when you cannot hold this country in the manner in which you are holding with all the Army and Navy and other forces you can command. I, therefore, say, Sir, that this Government should not ignore the civil disobedience campaign. I am not one of those who feel, Sir, that because there is not that net work of organisations of 1924, there is no life in the country and there are no men in the country. I have taken stock of it and you will know it when you go out with your policy of repression. Do it honestly and arrest as many people as offer themselves to you and you will find that the number will be much more than it was in 1921. (Applause.) They are offering themselves in a cool, calculated spirit and the best of the men will be there and you will not be surprised if I go from this House to break your laws there if you persist in your policy. (Hear, hear.)

Now, Sir, it was Dadabhoi Naoroji with whom I was in London in 1905 and he came over to preside over the Calcutta session of the Congress and

[Mr. T. Prakasam] in his book,—“Poverty and Un-British Rule in India”, he wrote more than 40 years ago about the economic condition of India, he gave the facts and the figures. This is what he said:

“Britain has appropriated thousands of millions of India's wealth for building up and maintaining her British Indian Empire and for drawing directly vast wealth to herself; she is continuing to drain about £30,000,000 of India's wealth every year unceasingly in a variety of ways. She has thereby reduced the bulk of the Indian population to extreme poverty, destitution and degradation. It is, therefore, her bounden duty in common justice and humanity to pay from her own exchequer the cost of all famines and diseases caused by such impoverishment.”

This is what Dadabhai Naoroji said. My friends, the Honourable Members on the other side, and His Excellency, Lord Irwin, might not perhaps take the words of Dadabhai Naoroji at their face value because he happened to be an Indian. But I should like to quote from the letter of one of the Viceroy's of India, Lord Lytton. These are the words from a confidential communication that had found its way into the Press. Speaking of the pledges of the Sovereign and the Parliament of England, he said:

“We all know that these claims and expectations never can or will be fulfilled. We have had to choose between prohibiting them (the natives of India) and cheating them, and we have chosen the least straightforward course.”

Again:

“Since I am writing confidentially, I do not hesitate to say that both the governments of England and of India appear to me, up to the present moment, unable to answer satisfactorily the charge of having taken every means in their power of breaking to the heart the words of promise they had uttered to the ear.”

Now, Sir, these are the words uttered by an ex-Viceroy of this country. It was in a confidential communication. Everyone on the other side and Lord Irwin, the present Viceroy, will have the same heart, although we do not know what they may have been writing and those letters perhaps will not see the light of the day just as this letter has seen until some generations are over. That may be. But it will not be within the power of the present Finance Member or even within the power of the Viceroy to concede to India the freedom that they have been promising so often. The last eleven years' struggle would have extorted freedom of this land even from the worst bureaucrats in the land, even from the most despotic of despotic monarchs in the land. But as the irony of fate would have it, the Englishman's mind both in this land and in their own land has been converted into one block of iron which would not melt ordinarily until it is thrown into a melting pot. We have no arms, we have no power to do anything. The people of India are going to offer themselves to be sacrificed for the freedom of their country and submit themselves to any repression that you might adopt in future. That is the present position, Sir, and I appeal to my friends here on bended knees not to allow themselves to be tempted into this trap of a Round Table Conference. Those who have pledged themselves to it, who have not understood the truth of it and who have made up their minds about it, let them go and they will find out what it is and what they will get. India is entitled to her full freedom, if not fullest freedom. India had been longing to be a partner with Britain and to remain in the Commonwealth; but you have driven India into desperation. On account of their broken pledges they have driven the Congress to change its creed into one of independence, complete severance.

You remember, Sir, the American War of Independence, in which the British lost their position; how they were driven from post to post; how they lost every inch of ground there, and how they built up their Empire by

annexing province after province, state after state in India. Their existence today in the world—if they look into the world's history written by others, they will find that England owed its existence to India. India does not deserve to be treated in the manner she is treated by the Englishmen. Therefore I submit that this Finance Bill does not come with any grace, with any regard for the condition of the people. I feel, Sir, that Members of this House, whether they are non-co-operators or not, owe a duty to their country; they owe a duty to the people who are sacrificing themselves outside.

If we take, Sir, Hindu-Moslem unity—you will pardon me, Sir, if I refer to the year 1922, when you and I happened to be present with Pandit Madan Mohan Malaviya, Hakim Ajmal Khan and others in Multan in connection with the Multan riots. This was the first Hindu-Muslim trouble. As a journalist, as a publicist, and as one who has taken some little part in the country's cause, I noted the causes. Without the fear of contradiction from my Muslim friends or from my Hindu friends here, I will state exactly what I found on my own investigation on the spot, and what I recorded at that time in the Press also. It was not really a communal dispute that brought about the trouble. It was not a religious dispute, strictly speaking, as it was put up publicly in the Press and elsewhere. The real cause of the trouble was a dispute about a seat in the Municipality. Six months later, Sir, there was a dispute again with regard to the Vice-Presidentship of the Taluk Board of some place. I shall not go into further details of what we witnessed then, and what happened. It was a mistake on the part of the Congress also to have neglected its duty after the Multan riots. For nearly twelve months we were engaged in domestic quarrels about no-changers and pro-changers. The fire spread; it came to Saharanpur and to every other place. I visited many centres of disturbance, but I never wanted to add fuel to the fire by publishing all sorts of things in the Press, hoping that the matter would not take a communal turn. I am therefore really surprised that some of the leaders come here to settle the communal differences of these great communities that have been brought into conflict for some reason or other and to settle their disputes in the manner they are attempting to do. The real points of dispute, the real troubles, were not investigated on the spot immediately by many of them. You will be surprised in this House if I tell you that, after the riot in Saharanpur, even on the fourth or fifth day, it was not the British police officers or military who were patrolling the streets; it was the Akali volunteers that came from another place that were patrolling the streets. It pains me very much to see Hindus and Moslems quarreling. What is their quarrel? If they are religious quarrels, they should be settled outside; why should we make political capital of the religious differences? Do we realise how the people, as a whole, are suffering, notwithstanding the fact that you score a few seats here or a few places there? All these things should be forgotten. Our problems should be approached from quite a different point of view, and I appeal to my Hindu and Muslim friends who are already doing their best and are in the last stages of settlement to produce the settlement as quickly as possible. Who was responsible for this Hindu-Muslim trouble? It was not the work of the two communities alone. There were people ready, bent upon breaking the Hindu-Muslim unity upon the basis of which the foundations of Swaraj were laid by that leader of the country, Mahatma Gandhi. Soon after he was locked up, it was thought that the first thing that should

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be done was to break up the Hindu-Muslim unity. The Multan riots came up somehow or other. Later they became communal. Now the poison has spread in every direction, and they have had to fight and measure their respective strength until they have found out that one community could not destroy the other. Now at last they feel that they will have to settle the matter, and the matter will have to be settled in a manner which will be consistent with the dignity of the two great communities.

And now almost every one who has got a stake in the country has made a unanimous demand, but the Government have trifled with the entire nation, they have rejected everything; to the great man who sent a letter on bended knees, a discourteous reply goes forth from some Private Secretary or some officer informing him "Beware of the laws of the land". Laws of the land! Take the heads of all those who offer themselves to the laws of the land in a non-violent manner, and then have your kingdom here established permanently. I say, it shall not be for your benefit. You will be losing India, you will be losing India a thousand times as you had lost America on very small matters, for rights in fisheries and such trifling matters. You took the matter to a breaking point there and you lost the whole of that country, and you will lose India in the same manner if you do not have vision, if you do not have sense to do justice by the people on whose account you have got your Empire, your position, your power and wealth and everything in the world now.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not want to refer today to the important question of the Tariff Bill, because we will have further discussion on it next week. I would develop two points when the question comes for discussion. The first point is that which Mr. Jayakar pointed out, that, under this Bill, we cannot give our consent in principle to preferential duties. We have to consider the case of each part of the Empire separately, and we ought not to concede to this very important principle very lightly. The second point is the protection of our industries. There are two important phases of protection. The first is to impose an export duty, but the second one, which is equally important, is that a portion of the export duty ought to be given as a bounty in some shape to the local manufactures. The industry can be guarded in two ways, by giving some kind of bounty to the local industry, and by imposing a tax on foreign goods. We have tackled only one side of the question in this Bill and the other side is entirely left out.

But today, Sir, I want to bring to the notice of the Assembly a few important points which will affect the Budget, and if they are properly carried out, new taxation may perhaps not be required. The first point I would like to draw attention to is the question of forest administration. I have studied the statistics about forests, and in this book you will find that we have got about 250,000 square miles of forests, yielding an income of 263 lakhs, that is $2\frac{1}{2}$ annas per acre, expressing it in the familiar words of the Indian zamindar, the profit on our forests is only two pies, or half an anna per *bigha*. In the Assembly there are zamindars, and they will at once jump up on hearing that our forests are at present yielding an income of only half an anna per *bigha*. Now, by better administration, you will be able to raise the income by about ten times. Instead of having an income of two crores, we can easily have an income

of over 20 crores. The administration can be improved by following any of the three methods. The first one is, that we should follow the modern European method, the method which is now being followed in European countries, Germany, France and England, and with these improved methods of administration, it would be quite possible for us to raise the income. An Englishman would shudder if he found that his forests were only yielding an income of 3d. an acre; Germany would have no forests if they did not yield more than 60 marks per quadrat kilometer. The second method, which probably is also more profitable than the present administration, is the crude method of the Mogul Empire, that is the method of *Mustajir*. If these forests are let out under proper safeguards to *Mustajirs* or contractors, we will be able to get more than ten times the present income; and the third method is the one recommended by the Royal Commission on Agriculture, namely, that we should have the administration by means of panchayats, because they say that the forests are for the people, and as such they ought to be administered by the people.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): What was the income of the forests under the Mogul Empire?

Dr. Ziauddin Ahmad: I could not tell you exactly now.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): It was about four crores.

The Revd. J. C. Chatterjee: Where does the Honourable Member get that from?

Mr. Amar Nath Dutt: From the "Aini Akbari". You will find it there.

(At this stage Mr. President vacated the Chair, which was taken by Pandit Madan Mohan Malaviya.)

Dr. Ziauddin Ahmad: I cannot enlighten my Honourable friend, but I certainly think that the contract system will yield much more than the present income.

Then the second point to which I wish to draw the attention of the House is the question of the administration of Customs. I always felt that Customs was an All-India question, and like Post Office and Mint, it ought to be administered centrally by the Government of India . . .

Mr. K. C. Neogy: May I interrupt the Honourable Member? I do not know whether he is referring to the small areas of forests that are at the present moment under the administration of the Central Government, or he is taking also the provincial administrations' share of the forests.

Dr. Ziauddin Ahmad: As regards the total figures of income which I have given, they refer to the whole of British India, but I do recognise that a major portion of it comes from the provinces in respect of forests administered by them. But if the income of the forests is increased as a whole, then certainly the Government of India will proportionately be benefited.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Is the Honourable Member aware that forests in Bengal belong to the zamindars?

Dr. Ziauddin Ahmad: I am not talking of the forests administered by the zamindars, but I am talking of the administration of the Central Government. I am sure my friend, who is a landlord, will never be satisfied with an income of half an anna on his own zamindari forests.

Mr. A. H. Ghuznavi: I am sure my friend does not know that we get much more than that.

Dr. Ziauddin Ahmad: That is exactly the reason why I say that we should adopt improved methods, or hand them over to zamindars to manage on the contract system.

Continuing my second point, Sir, Customs should be an All-India subject. I was considerably impressed by the speech of my friend Mr. Abdulla Haroon yesterday. He pointed out the enormous difficulties that are facing the Government at present, because a part of the Customs is administered by the Central Government and a part is left to the States to administer. Some years ago we had the same duplication of work in post offices and mints. Some of the States had their own mints and some had their own post offices and postage stamps, but now, by some kind of understanding, we have got a unified system. I therefore think that it would be quite possible, by some kind of understanding, to bring the entire Customs under the Government of India, and the numerous difficulties that were pointed out by my friend yesterday, and the other complications that are bound to arise in commercial matters can be avoided by unified central administration. Some kind of financial arrangements can be made with the Indian States in the same manner as we made them in regard to postage stamps and mint.

Then the third point which I wish to raise is the question of salaries. I do not want to raise an academic discussion such as we very often have in educational institutions, and which is supported by very subtle arguments of political economy, whether India is getting richer or poorer, but I will mention only two very important facts which will show that India is not so well off as other European countries. The first thing is that the entire Budget of the Government of India is less than the expenditure on education alone in the United Kingdom, whose population is less than one-fifth of the population of British India. In fact it is less than the population of Bengal, even less than that of the United Provinces. So when the educational budget of a country with only one-fifth the population of India is more than the entire revenue of the Government of India, we cannot, in the English sense, call India a rich country. The second characteristic fact is that Germany, with a population of one-fourth of British India, is paying 175 crores of rupees, that is 1½ times the entire revenue of India, as war indemnity, and after paying this war indemnity, their people are more prosperous than the people of any other country except England and America; Sir, these two facts clearly show that India is really a poor country and cannot afford to pay the high salaries which we are now paying. As regards high salaries, I will just quote one or two things from my own book if I may be permitted to do so.

"The lowest salaries in France may be judged by the fact that the Minister of Education gets about £675 a year, that is about Rs. 750 per month. The four Directors under him get about Rs. 400 a month. Now, the salary of the Vice-Chancellor of the University who controls primary and secondary education as well is only Rs. 450 a month, and the salary of the Chief Inspector of a province is only Rs. 300 a month."

That is the scale of salaries paid in France. (*An Honourable Member*: "Are they all foreigners?") Now, the salaries in Germany are slightly better. The professors there get a salary from Rs. 500 to Rs. 850 a month, and the salary of the Inspector of Education is only Rs. 500 a month. I do not wish to tax the Assembly by quoting more figures, but I do maintain that, with the exception of England, the salaries in India are higher than the salaries in any other country in Europe, and after considering our financial position, I would strongly appeal to the Members on the Treasury Benches to consider whether they seriously believe that India can afford to pay such high salaries as we are paying at present.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): What is the difference between an M. P. and M. L. A.?

Dr. Ziauddin Ahmad: This important question we shall discuss on some other occasion.

The next point I want to allude to is the question of the abolition of the Advisory Committees and the Advisers for Indian students in the Universities of the United Kingdom. The Advisory Committees are expected to give advice to the Indian students about the courses and the universities that may best suit their requirements, but the members of the Advisory Committees know very little about educational conditions either in this country or outside India. If they don't understand these conditions themselves, how is it possible for them to give any kind of advice to the students? The only advice which they can give, and I have seen it often and often is, "Read the pamphlet published by the High Commissioner's office". This pamphlet is sometimes quoted to the prospective students. This is all the information they possess. This pamphlet does not deal with education outside the United Kingdom. Sir, the educational conditions change very rapidly each year, and any information which we gather today will be quite obsolete two years later, and therefore it is very desirable that the Government of India should set up at their headquarters a Bureau of Information, as recommended by the Hartog Committee, to give detailed and up-to-date information to the students who desire to proceed to England, and this information may be supplied through the Headmasters of Schools, Principals of colleges and Registrars of universities. This will be a quicker, more efficient and more economical arrangement than the present system of Provincial Advisory Committees.

Now, the second thing is that I should like to abolish the system of appointing advisers to the Indian students in various universities. No other Dominion has got advisers at University centres. These persons are supposed to help Indian students. We are tired of spoon-feeding in our present system of education. We are tired of the constant watch and constant supervision, which is very different from the supervision in a public school or a college in England. Now, if this spoon-feeding for our Indian students continues even beyond the seas, our students will never acquire any of the valuable characteristics of the British system of education, that is, self-reliance and resourcefulness. Some persons may argue that these advisers help the students on their admission. It is just the other way round. If they do anything, they do the work of obstruction. The authorities of the British Universities are very jealous about their power of admission. They would never leave the admission in the hands of any person except themselves, and the only thing which the advisers can do is

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that they can stop the admission of students. They cannot help in the admission of students, and it is not very desirable that the Government of India should pay large sums of money for this negative work and the students will be better off if the system of advisers is abolished.

The next thing I should like to take up is the question of labour. Some Honourable Members in the Assembly no doubt fight with their sleeves up for the protection of labour. Labour should be very thankful to my friends, Diwan Chaman Lall and Abdul Matin Chaudhury, for their advocacy, in season and out of season, for the cause of labour, that the Washington and Geneva Conventions should be applied to India without reservation at an early date. But I regret, Sir, that they do not pay sufficient attention to one characteristic fact, that the Indian labour is not so intelligent as the labour in other countries. (*An Honourable Member*: "Whose fault?") The Government no doubt is to blame, but the facts are there. Our labour cannot produce the same amount of work in the same time. The only way in which our industries can compete with other countries is to have longer hours of work, so that the industry may be run more profitably. I suppose all the persons who are in favour of the amelioration of the conditions of labour will support me in pressing the Government to introduce free and compulsory primary education without the least delay. Our labour should be trained to produce the articles in the cheapest possible manner. If they cannot do that, they only destroy the capitalists and *ipso facto* destroy themselves. At the same time, it is important that labour should derive benefit from the wealth which they help to produce. The capitalists alone should not get the entire profit. This can be done by some arrangement whereby the capitalists could be guaranteed a profit equal to the bank rate, and the employees in the factory, including the shareholders and workmen and managers, should get some kind of bonus out of the balance of the profits left after paying a premium to the shareholders at the current rate of interest. I do not want to enter into the details of this question, but I do maintain that the labourers ought to be benefited by the profits of a factory. (*An Honourable Member*: "75 per cent.?") I would fix no percentage. It may be 75 per cent. if the profits amount to 200 or 300 per cent. This will depend upon the amount of profit a company is able to show. The key to the improvement of labour is the enforcement of compulsory primary education. That is really the important problem of the day. I showed last time that we required only 2½ crores in order to enforce compulsory primary education among the boys in British India. This is a very small sum, and I wonder whether the Finance Member may not be able to contribute something for primary education. The Hartog Committee has recommended this very strongly. The Government always desire to quote the recommendations of committees when they suit them, but they entirely throw them into the background if the recommendations happen to go against them. This is just what happened to the recommendations of the Hartog Committee. No mention was made of it by any Member on the Government side. As regards the total cost, I go one step further and say that, if we accept the recommendation of the Literacy Committee of the United Provinces, that one-half of the schools should be of the old Indian type and the other half of the modern type, the cost of primary education will be reduced from 2½ crores to 1½ crores. The schools of the old Indian type do impart better language instruction, though they don't come up to modern schools in

cultural instruction. This is a very small sum and I wonder why the Finance Member, in spite of increased taxation, was not able to provide even half a crore of rupees to meet this urgent nation-building demand.

The next thing I should like to mention is that the Government of India cannot wash their hands altogether of education even if it be a transferred subject. The administration of education is in the hands of provinces, but I do maintain that the policy of education is a thing in which the Government of India cannot remain mere spectators. Here in this Assembly, we have got the representatives of all provinces. They are familiar with the educational conditions in their respective provinces, and it will be of great advantage if these educational problems are discussed here, so that the people of one province may derive benefit from the successes or failures in other provinces.

Now, one of the topics which the Government of India alone could take up is the question of the system of examinations. Now, it has been proved scientifically that the results obtained by tabulating the numerical marks don't represent the merit of a candidate. There is some element of luck. There are errors which are unavoidable errors, which occur in every examination. Professor Edgeworth, a few years ago, took up this question from a mathematical point of view and he found out five different errors—error due to minimum sensible, deviation errors, errors due to difference of scale, deviation due to speed, errors due to the fatigue of the examiner. Taking all these into consideration, which are quite unavoidable, the error counts to 7.5 per cent. So that a student who has obtained 28 marks, say, in 100 and has been pronounced as a failure, may have been affected adversely by these examination errors and may have really passed. Now, I will give one very good illustration to show how faulty the British system of examination is. Here is the question of the perception of the examiner.

"The perceptions of the examiners are so divergent that the same answer may secure good second class marks from one examiner but less than the minimum number from his colleague. An example of this is recorded by Dr. Ballard. In an examination in History in the year 1920, the papers were evaluated by six professors of History working as a panel. The candidates were required to get 60 out of 100 marks for a pass, and it was agreed that any paper which secured less than 60 marks should be circulated among the examiners in order to ensure fairplay to all border-line cases. One of the professors, who was exceedingly conscientious, began by writing out what he considered model answers to the questions, but inadvertently his model answer-paper got mixed up with the papers of those whom he had ploughed and was sent round to the other five professors for their appraisal. His paper was read by them as a *bona fide* answer-paper of an examinee, and some of his colleagues ploughed him, the marks ranging all the way from 40 to 80."

This is really the way in which the question papers are examined at the present moment. In other words, the success in examination, according to the present system, is more a question of luck than a question of merit. This being so, it is exceedingly desirable that this system should be revised and the Government of India are the only competent authority who can appoint a Commission to examine the systems of examination in other countries and may institute in India a system of examination which may best suit the Indian conditions. We had our own system of examination which the English people condemned, but today we find that Germany has adopted the very same system which we had followed for several centuries; and nobody can say that the German system of examination and teaching is inferior to the system prevalent in any other country.

[Dr. Ziauddin Ahmad.]

Sir, the next point which I would like to mention is the abolition of the Public Service Commission. This is a point which I discussed last time and I shall give two reasons for its abolition. I am going to base my arguments only on scientific grounds, and I will not discuss today the question of the Indianisation of the services or the representation of the different communities, or the representation of the different provinces. That is a point which I will entirely neglect today.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Is this discussion relevant on the present motion?

Dr. Ziauddin Ahmad: If I want to abolish the Public Service Commission, I must give the arguments for doing so. If my suggestion for the abolition of the Public Service Commission is accepted, it will bring in an income of about five lakhs of rupees or perhaps even more.

Maulvi Muhammad Yakub: This point can be brought on the general discussion of the Budget but not on the Finance Bill.

Dr. Ziauddin Ahmad: If you can effect any saving in the working of our administration, then new taxes will not be needed, and it is on account of this reason that I am suggesting this economy. (Hear, hear.) Now, when I recommend the abolition of the Public Service Commission, I base my arguments on two facts. In the first place, I maintain that, by adding the marks in a competitive examination, it is impossible to put down the order of merit. The Calcutta University Commission wrote a memorandum in Volume VI of their Report, in which they discussed this point *in extenso*:

"The determination of the order of merit by the aggregate marks awarded by a group of examiners is not possible. Within a certain limit of valuation, the limits can be calculated. They depend upon the number of questions, the number of papers and the total aggregate marks. The order of merit of the candidates whose marks lie within certain limits should be determined by considerations other than the examination results."

The Revd. J. C. Chatterjee: May I ask the Honourable Member what better method he would use instead of the method of competition?

Dr. Ziauddin Ahmad: I will come to it later.

The second point which I should like to discuss is that it is impossible for any three persons, whoever they may be, and however learned they may be, to sit down as the Selection Committee for the employment in all professions and for all departments. It is impossible for any person, however qualified he may be, to select in one breath an engineer, and in the next breath a doctor and on the following day an accountant and on the fourth day a customs officer and so on and so forth. Therefore, it is very desirable that the Government should institute a kind of qualifying examination and allow any person to sit in that examination whether he does or does not possess a university degree. The list of the qualified candidates may be published, and each Department or a group of Departments working together may form a small committee to make a selection from the list of approved candidates required for their Departments. This

system will work very satisfactorily. Every Department knows its requirements and will be able to make a much better selection than the one which is made by three persons who know nothing about the internal working of that particular Department.

As regards the general question of examination which I was just asked to answer, that is my reply. May I just mention that the recruitment for public services is not restricted to India and to England alone but every country in the world recruits persons for its public services. May I ask if there is any Public Service Commission in France, Germany or Italy? And yet they do select very competent persons for their employment and the method of selection which the French people employ for selecting their officers is far superior to the one which we use either in England or in India. The French system of examination is also superior to the one we follow in this country.

Sir, there are two more points to which also I should like to draw the attention of the House today. One is the cost of education in the Prince of Wales Military School in Dehra Dun. The Sandhurst Committee recommended that:

"The Prince of Wales Royal Military College at Dehra Dun should be gradually expanded to the limit most suitable for an educational institution of this character. Its curriculum and standard of teaching should be carefully tested with a view to securing also that the course of education which it confers should be a qualification recognised by the University authorities."

Now, the number of students in the Dehra Dun military college is 116, and the cost per head is Rs. 2,250. Everybody knows that there is nothing of militarism in this Dehra Dun military college. It is a kind of public school, preparing the students for a military career or any other career which requires general character. I ask all those gentlemen who have been in a public school whether the real spirit of a public school can be inculcated

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): On a point of order, Sir. May I draw your attention to article 16 of the Manual of Business and Procedure which reads thus:

"At the commencement of every session, the President shall nominate from among the Members a panel of not more than four Chairmen any of whom may preside over the Assembly in the absence of the President and the Deputy President, when so requested by the President, or in his absence by the Deputy President."

I find, Sir, that not only is the Deputy President present in the House but that he rose to a point of order. May I have your ruling as to whether the Deputy President is to occupy the Chair now?

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): May I point out, Sir, that the Deputy President was not present in the House when the President asked you to occupy the Chair?

The Chairman: The Deputy President was not in the House when I was asked to occupy the Chair. When he came in, I invited him to take the Chair, but he said he would not. (Hear, hear, and Applause.)

Dr. Ziauddin Ahmad: Sir, it is impossible to inculcate the real spirit of public school life if the number is limited to 116. It is very desirable that the number should be increased, not only from the point of view of economy, but also from the point of view of efficiency. Sir, this question of suitable number for an efficient working of a secondary school was discussed recently in England, and I will just quote a few sentences from my book on "Systems of Education":

"It is impossible to prescribe an ideal maximum enrolment for a Secondary School. A very large school has a distinctive momentum and massive force and it has great reserves to draw upon for the organisation of its advanced work and its games. But the bigger the numbers the more difficult is it for Head Master to know personally the boys under the charge and the harder it is to provide adequate space for assembly, dinner and games. On the other hand, a small school is expensive to staff, as teachers are needed for all branches of the curriculum, whether the pupils are many or few. The London County Council has adopted 450 as a standard figure for its own Secondary schools. The average attendance in France is 1,500 and in Germany 650. The number of Students in Eton College, on the play ground of which the battle of Waterloo was won, is 1,500."

Mr. M. S. Aney (Berar Representative): What is the book that the Honourable Member is quoting from?

Dr. Ziauddin Ahmad: I am quoting from my own book on "Systems of Education". Sir, the proper number by which we can have a real equilibrium between efficient working on the one side and unwieldiness on the other side is 450, that is the figure adopted by the London County Council, and I do recommend that, in the interests of economy and efficiency, the military authorities may see their way to increase this number from 116 to 450. The cost will be reduced from Rs. 2,250 to about Rs. 800 per head per annum.

Sir, the last point which is not educational, to which I should like to draw the attention of the Honourable the Finance Member, is the question of the Post Office Cash Certificates. I recommend today, for his consideration, three points. First, that the minimum face value of the Cash Certificate should be reduced from Rs. 10 to Rs. 5. They will then be within the reach of poorer people, who cannot afford at one time to spare Rs. 7-12-0. Many persons will be able to spend Rs. 3 and a few annas in order to purchase Cash Certificates for Rs. 5. Cash Certificates as the Honourable the Finance Member will bear me out, are not intended for big financiers. They are really intended for persons with limited means, who cannot afford to invest big sums in banks. The second thing which I want to press is that the period may be increased. A person should be able to keep it on, if he chooses to do so, for an unlimited period, after the certificate has matured. The present practice of giving the money back at the end of five years should be discontinued.

Sir Hugh Cocke (Bombay: European): He can keep it, even now, for ten years.

Dr. Ziauddin Ahmad: That was the old rule. One thing about the rate of interest. At present the rate of interest which is awarded on paper is five per cent. If one calculates at compound interest, the interest on a given Certificate comes out to $4\frac{1}{2}$ per cent. only. I calculated this rate of interest entirely in a different way, and I should like to find out from the Honourable the Finance Member whether I am right in my calculation. That is, I have taken the total amount of the cash which the Government have got in their possession for the last five years as given in the administrative reports and I have taken

the amount of interest which they paid on Postal Cash Certificates year after year. Calculating the interest on the total amount in the possession of the Government the rate of interest comes only to $2\frac{1}{2}$ per cent. So according to my calculation the real rate of interest which Government actually pay is $2\frac{1}{2}$ per cent., though the official rate is quoted at 5. I may be wrong in my calculation, but this is the figure which I arrived at by taking the actual amount in possession of the Government for the last five years and the actual amount of interest they paid during the same period. It may be due to the fact that many persons may have cashed their certificates before the prescribed period and failed to get any interest on them. In other words, they got their money back without any interest whatsoever. If this be so, then I think the Government can easily afford to increase the rate of interest to 6 per cent., and perhaps accept only Rs. 3 for a Cash Certificate of the face value of Rs. 5, and in this way it will be a great boon for the poorer people who have not got the capital, and it will also be a source of income to the Government because they might be able to raise this money at a very cheap rate of interest. With these observations, I resume my seat.

Mr. Ghanshyam Das Birla: Sir, in the present atmosphere of this House when the Government have got little regard for public opinion, I would dread to say anything about retrenchment. I have been pressing this point for the last three years, and I feel that if I press it further, I may be called by my Honourable friend the Finance Member a monomaniac. The only consolation, Sir, is that, even the European Group has realised the consequences of the extravagant policy of the Government and has joined me in pressing that economy should be effected in all departments of the Government. The proposal of my Honourable friend, Sir Hari Singh Gour, to retrench five per cent. all round may not be practicable, but I do not think it should have been ridiculed. It is a method which has been adopted in business houses from time to time, and even if it may not be a practical proposition, it should not be without value as offering practical guidance. I hope, Sir, Government will realise, if not today at least some day, the dire consequences of their extravagant policy, and the sooner they realise it the better in the interest of the taxpayers. I propose, however, to confine my remarks entirely to the merits or otherwise of the proposed new taxation.

Sir, I welcome the increased taxation on sugar on the ground that it will afford protection to the producer in the country. It is however an agreeable surprise to me that the consumer's interest, for which Government have been all along so solicitous, has been deliberately ignored. We know why it has been so. We know that, in spite of an already heavy duty on sugar, a further tax on imports has been imposed. All the same, to my mind it should be welcome to every protectionist who feels that, to protect an indigenous industry is to make an investment in the interest of the consumer. I however feel, Sir, that with the same burden which we are proposing to impose on the consumer, we could have protected two industries, and more adequately; for instance, if, instead of putting up the existing duties on sugar which are already heavy, a further burden, say, to the extent of 5 or 10 per cent. had been imposed on the import of piece-goods, we could have, with the same burden on the general consumer, given protection and adequate protection to the two industries.

(At this stage Mr. President resumed the Chair.)

[Mr. Ghanshyam Das Birla.]

But we know why in one case a 100 per cent. duty has been imposed without any regard to the interest of the consumer, and in the other case, when the Indian mills wanted only a 20 per cent. import duty, Government said that, in the interest of the consumer, they could not agree to this proposal. We know why this is so. In the one case, the competitor is not an Englishman; he is a Dutchman in Java and therefore the question of the consumer could not arise. In the other case, it is an Englishman; the imports are from Lancashire, and when it is a question of protecting our industries, whose interests clash with those of English manufacturers, the question of the interest of the consumer comes to the forefront! However, being a protectionist myself, the new duty to my mind should be welcomed and I welcome it.

Coming to the question of increased excise duty on kerosene oil and reduction in the import duty, I again welcome it. My only complaint is that both the duties were not equalised. My English friends sitting opposite may inquire why I grudge such a meagre protection of 9 pies per gallon to the oil producer, when I plead for protection for all other industries. Let me make it clear that protection is nothing like a religious creed; it is a philosophy of bread. If we are to impose a tax on our own consumer, if we are to put a burden on the Indian taxpayer, we can do so with justification only in the interest of the truly Indian industries and not in the interest of those industries in which Indians have no interest. The oil industries in Burma have been paying heavy dividends and they do not require any protection. The companies are not registered in India, the management is not in the hands of Indians, and that being so, I would be the last person to ask Government to impose any taxation which will not benefit real Indian industries. Sir, it was on these principles that this House supported Mr. Haji's Bill. If the Burma Oil Company can be called an Indian concern, or if the Burma producers of oil can be called Indian concerns, I see no reason why the Peninsular and Oriental and other shipping concerns controlled by non-Indians should not be called Indian concerns. Sir, the implications are clear. We want to protect our own industries. If we have to pay for the protection, we should protect only those industries by which Indians are benefited and in which they are interested, and it is on that principle that we supported Mr. Haji's Bill, and it is on that principle that I suggest that the import duty and the excise duty on kerosene should be equalised. Sir, the Indian Chamber of Commerce in Calcutta suggested to the Finance Member that the duties should be equalised at two annas per gallon. They said that this will not only give substantial relief to the consumer but also add very considerably to the revenue of Government. Sir, I congratulate my Honourable friend the Finance Member on his acceptance, although only partial, of our suggestion. We hope that next year, if it suits his financial policy, he will fully accept our proposal and will see his way to equalise the excise as well as the import duties so that, while on the one hand he would be able to give relief to the consumer, he would, on the other hand, be able to add to the revenue of the Government of India.

Sir, coming to the proposal of the duty on imports of silver, let me make it clear that I am strongly opposed to it, and I shall give my reasons for it. What we have objected to and what we have agitated against is the sale of silver by Government. We have maintained that,

on account of heavy sales by the Government of India, the savings of the masses have been very much affected by depreciation of the value of silver; and we still maintain that. Our second objection was that if silver had to be sold, it must be replaced preferably by gold, or if this was not possible, by gold securities. Now, the Government of India maintain that, in the first place, the fall is not due to the sales by Government but to sales by China. In fact, in reply to a question put by my Honourable friend, Sir Purshotamdas Thakurdas, the Finance Member stated that the fall in the price of silver was due to heavy sales by China and Indo-China. Now, Sir, first of all, I want to tell this House that this was a most misleading statement. Ordinarily, the statements made by my Honourable friend the Finance Member are very accurate, frank and candid. But I must confess that in this case, I shall not say deliberately, but quite unwillingly, he misled the House. I will put figures before this House which will show that since 1926, so far as I could see, not one ounce of silver has been sold by China. On the contrary, China took:

In 1927	.	.	.	.	85 million fine ounces.
„ 1928	.	.	.	.	124 „ „
„ 1929	.	.	.	.	137 „ „

In fact, their consumption has been increasing from year to year. The production, so far as the United States are concerned, has been practically stationary. The following are the figures of production in million fine ounces in different countries:

	1927.	1928.	1929.
United States	60	58	61
Mexico	104	108	105
Canada	22	21	22

You can see from these figures that the production from 1927 to 1929 in almost all the countries has been stationary. So far as consumption is concerned, India has been practically taking the same quantity. She took 90 million fine ounces in 1927, 89 million ounces in 1928, and 82 million ounces in 1929. As I have shown to you, Sir, the consumption in China has been increasing. The logical inference is that the actual cause of the fall in the price of silver was, Sir, the heavy sales by the Government of India and we strongly protested that these sales should be stopped because they have been very largely affecting the savings of the masses. That was, Sir, our proposal No. 1. The second proposal was

The Honourable Sir George Schuster (Finance Member): Sir, I must interrupt my Honourable friend if he is going to say no more on the subject of our sales. He has accused me, "unwillingly" he said, of making a statement which has misled the House. He said he would give the figures to show that my statement had been misleading. I maintain that he gave no figures to show that my statement was misleading. My statement was to the effect that the recent fall in price had been mainly due to sales of silver by holders in Indo-China and China. I do not know whether my Honourable friend was present when I made a supplementary statement the other day—I think it was in answer to one of his own questions—in which I explained the position. I pointed out, first of all that, according to my information, Indo-China had actually sold 50 million ounces

[Sir George Schuster.]

during the last three months as compared with the total sales of 67 million ounces by the Government of India during a period of 3½ years. As regards China, I freely admit it that on balance in the last two years China had imported more silver than her average consumption in the previous five years. But in my answer to my Honourable friend, Sir Purshotamdas Thakurdas, I was referring to the causes for the recent fall in the price of silver and my information was that one of the largest contributory factors was the position in China—first, the knowledge that very large stocks of silver far in excess of the normal position were held in Shanghai; secondly, large operations in the market by Chinese interests. Now, Sir, my Honourable friend is perfectly aware that the influences which affect the price of silver are not necessarily physical transfers of actual silver; but operations in the market. He knows perfectly well that the price of silver is fixed very largely by transactions from day to day in the London market. Now, if China has imported, let us say, 130 million ounces of silver and holds those stocks physically in Shanghai or anywhere else, the figures which he has given us will show that those imports—and he will be able to say that China has imported silver. But he knows quite well, that against those stocks one may go into the market in London and sell millions of ounces “forward” and smash the price without moving an ounce of silver from Shanghai or any other place in China. In the information I gave to the House, I was acting on reports which I have received from the London market as to such operations and I maintain, Sir, that the information which I gave was perfectly correct. I do not wish to withdraw a word of it.

Mr. Ghanshyam Das Birla: I can see that the Honourable the Finance Member, while willing to modify his statement in spirit, will not like to withdraw a word. But this does not alter the facts. The exact words he used in reply to the question of my Honourable friend, Sir Purshotamdas Thakurdas, were, “Government are informed that the primary influences causing the drop in the price of silver during the last year were heavy sales by China and Indo-China”. Now, Sir, I have put figures before the House which will show to you that China has been taking more silver than what she was taking before. As I told you, Sir, in 1927, she took 85 million ounces and in 1929 she took 137 million ounces. When does the speculator come in? If he sells short he must cover eventually and put up the market. Speculators can’t produce supplies. I must say the reply was misleading.

Sir Purshotamdas Thakurdas (Indian Merchants’ Chamber: Indian Commerce): Perhaps it will help the Honourable Member if I suggest to him that the difference between what he wishes to impress on the House and what the Honourable the Finance Member is trying to explain is this. The Honourable the Finance Member, replying to my question, gave the impression as if the Government of China had sold silver. What the Honourable Member, Mr. Ghanshyam Das Birla, is trying to make out is that the Government of China never sold. It is possible that speculators in China may have sold. The parallel between the sales by the Government of India and the sales by speculators in China, therefore, is not correct. If this is what my Honourable friend is trying to bring out, perhaps the Honourable the Finance Member will agree with him.

Mr. Ghanshyam Das Birla: I do not think it is a question, so far as I am concerned, of mere words. But the impression which this House got was that the fall in price was due to heavy sales by China. Now either these heavy sales were subsequently covered and therefore could not have affected the price, or the goods were delivered which is not a fact.

Sir Purshotamdas Thakurdas: Sales by the Government of China?

Mr. Ghanshyam Das Birla: He did not say that in his reply.

An Honourable Member: Indo-China.

Sir Purshotamdas Thakurdas: Indo-China does not come in the picture at all. The question is about who is selling from China.

Mr. Ghanshyam Das Birla: I have placed the figures before the House, and if the Honourable the Finance Member agrees with me that he did not mean “actual exports” from China, I do not think there is much difference on that point. And therefore it goes only to confirm what I maintain that the fall in price of silver has been primarily due to sales by Government, and what we wanted to press was that Government should not make these sales at these rates or that at least they should announce their silver policy to the effect that they were not going to sell silver as long as low prices prevailed. That was our contention. I do not know how the imposition of the duty is going to meet this point. My Honourable friend, the Finance Member, will agree with me, that after the imposition of the duty on silver, the world price of silver has fallen further by about 1 to 1½d. and if that is so, surely the duty imposed is not going to help the holders of silver in India. The prices may have been artificially put up in India, but it is the world price which counts. And we should not forget that India imports a very large quantity of silver every year, and that being so, the money going into the pocket of the Government of India through the taxation imposed comes only out of the pocket of the Indian consumer. I do not know how this duty on silver is going to help the Indian consumer or the Indian holder. So far as the world prices are concerned, they have been further depreciated by the imposition of the silver duty and therefore I strongly oppose this new taxation which, to my mind, is neither calculated to help the Indian consumer nor the Indian investor who has invested his savings in silver.

Another point is, the Honourable the Finance Member, in his reply, again to Sir Purshotamdas Thakurdas, stated that the reason for selling silver was that he wanted to replace it by gold, and that as the silver earns no interest, if it is sold and converted into sterling securities, they earn interest and that is to the advantage of the public. Now, Sir, I would not mind if silver has to be sold provided it is replaced by gold. But there again, Sir, we have been misled. Let us examine the figures of our gold securities and see whether the Government has been able to replace the holdings of silver by gold securities. Sir, on the 31st March, 1926, the total holdings of the sterling securities in the Paper Currency Reserve of the Government of India amounted to 29 crores. That was before the Government started selling silver, and what is the position, Sir, today? On 22nd February, 1930, our total holding of gold securities had come down to Rs. 2 crores 93 lakhs; that means a reduction from Rs. 29 crores to Rs. 2 crores 93 lakhs. That is the position, Sir. On the one hand, on account of our heavy sales we have depreciated the value of

[Mr. Ghanshya saD mBirla]

silver; on the other hand we have not replaced it by gold. On the contrary, our gold holdings have been very much dissipated during the last three years. I maintain, Sir, that silver has been sold, and probably the policy of the Government still is to sell silver, for the purpose of putting funds at the disposal of the Secretary of State or for the purpose of contracting money; and that being so, I strongly oppose that policy. I also maintain that the imposition of a duty is not at all going to help us but is likely to put a further 2 crores of rupees into the pocket of the Government of India from the pocket of the Indian consumer of silver.

Now, Sir, my other objection to the duty on silver is that, just as salt is mostly consumed by the poor man, so too is silver. It is for the poor an article of consumption and investment both, and therefore this duty must come out of the pockets of the masses. I do not say that the tax should under no circumstances fall on the poor man, but I would try other expedients before touching these two sources of revenue, salt and silver; I should leave them intact as a last resort. My third objection to this duty is that the estimated revenue which has been mentioned by the Honourable the Finance Member is an under-estimate. My Honourable friend Sir Purshotamdas Thakurdas has already pointed out in his speech that it will bring in probably more than Rs. 2 crores instead of one crore as estimated by the Honourable the Finance Member. Probably, Sir, the Honourable the Finance Member has in mind that if there is a surplus at the end of the season, he would like to make a gift of it to the provinces in some directions or on some conditions, or probably he will put the surplus at the disposal of some department or committee to be spent for constructive purposes in the provinces. Now, Sir, that is not a bad idea, but I am afraid this must inevitably interfere with the fiscal autonomy of the provinces. Sir, the complaint is being made from time to time that the Government of India exercise undue interference in purely provincial matters and now when we are talking of provincial autonomy and the residuary power being left to the provinces I think, Sir, such a proposition must seriously clash with the fiscal autonomy of the provinces. We can, Sir, well imagine the results of the Government of India having at their disposal funds and telling the provinces, "Well, if you agree to certain conditions, we shall pay you so much; if you do not agree to those conditions, we will not pay". In such an advantageous position, the Government of India must be able to exercise a very undue influence, and therefore, Sir, I would be the last person to encourage such a policy. I think, Sir, that we could give relief to the provinces in some directions. For instance, we could allow the provinces to collect some kinds of taxations which are being collected at present by the Central Government, and thus allot them quite different spheres. On the other hand, Sir, what we could do is, that if we find at the end of the season a surplus in the Budget, we might remit taxation in some direction, for instance, the tax on salt. But I would be the last person to recommend that the Government of India, with funds at their disposal, should dictate policy to the provinces and come into clash with their fiscal autonomy.

Sir, before concluding, I should like to join with my friend Sir Purshotamdas Thakurdas in the congratulations which he offered to the Finance Member for accepting his suggestions about imposing duties on silver thread and silver wire. Sir, in this connection, as has been very

appropriately said, there has been a distinct change from the past in the attitude of the Government of India. Sir, while I join with my friend Sir Purshotamdas Thakurdas in congratulating the Finance Member, I must confess that, if my satisfaction is great, my dissatisfaction is still greater. Sir, it is all right accepting a few suggestions here and there, but that is, Sir, really a poor consolation. We find ourselves today being confronted with a situation in which a principle is sought to be imposed on us for the first time in the history of India, that is, the principle of "Imperial Preference". The Government of India, Sir, know very well that the opposition is not in a majority; it is in a minority. They know that it is very easy in the present condition of the Assembly to carry this proposal through, although they realise that, so far as the country is concerned, it is uncompromisingly opposed to this principle. And having regard to the fact that this proposal was very strenuously opposed in 1903 by the late Lord Curzon, it comes as a painful surprise that the Government of India under the present circumstances, when the political situation is so unsettled, should think it desirable to impose on the country a principle which was opposed as far back as 1903. Therefore, Sir, it is not a consolation to find that the Government is accepting a comma here and a semi-colon there. So far as the question of a vital principle is concerned, we find that the Government remains what it was and is determined to impose a principle we have been strenuously opposing for the last so many years. Sir, I must, therefore, confess that I do not feel as enthusiastic in offering my congratulations to the Treasury Benches as my friend Sir Purshotamdas Thakurdas feels.

But, Sir, if we are disappointed, probably it is our own fault. We entertain high hopes; we felt, when the Finance Member introduced his Budget last year that we were to expect from him unalloyed justice so far as the economic interests of India are concerned, and now, Sir, this introduction of Imperial Preference has made it more than clear that, whatever may be the personality of any particular Member, we cannot get full justice from this Government. The only solution, therefore, is, the grant of Dominion Status, and until we get that, we should not expect full and unalloyed justice from the Government of India. I hope, Sir, before the Honourable the Finance Member leaves India, I shall have the pleasure with reasons of expressing my hearty congratulations for the services which he may have rendered. And none will be happier than myself to do it. But, that is, Sir, a pious hope at present the fulfilment or non-fulfilment of which is a matter which rests entirely with the Honourable the Finance Member.

The Assembly then adjourned for Lunch till Ten minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair.

Lieut.-Colonel H. A. J. Gidney: Sir, I desire to take part in this discussion

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, there is no quorum. (Some Honourable Members: "There is quorum.")

Lieut.-Colonel H. A. J. Gidney: Sir, I desire to take part in this discussion with a view to bring to the notice of the Honourable the Finance Member certain matters which I believe have not been prominently emphasised. I do not intend to compete with my friend Mr. Prakasam who has established a record in his heights of oratory or to indulge in a diatribe against the Government for, even if this is a bad Government, a substitute might be much worse. I want to come down to *terra firma* and treat with solid facts, Sir, not celestial politics, and to ask the Honourable the Finance Member,—I am sorry to find he is not in his seat just now,—to listen to a Back Bencher's view on the adjustment between his Budget expenditure and income on lines indicated by a layman and not an expert financier.

Sir, to my mind, this discussion has been remarkable for the absence of any evidence of that original disease—once so much in evidence before in this House—Indianisation. I suppose Indianisation has been carried to such an extent that there is very little room for it to be practised. (*Some Honourable Members:* “Question.”) Anyhow, in its place I have noticed symptoms of another disease which, in the words of my friend Mr. Jinnah, I would call Retrenchment, Retrenchment, Retrenchment, and in doing so the words of Kipling, in his famous “Departmental Ditties” come to my mind:

“And Retrenchment, ah, retrenchment oft I swore,
“But was I sober when I swore?”

And from all parts of this House in this discussion, Sir, I see evidence of the fever of Retrenchment. But no one has said from what ranks and Departments this is to be effected. We have however had from the Honourable the Finance Member so many promises of Retrenchment, especially in his reply to the motion moved by the European group, that I would seriously warn him, not that I desire to emulate my friend Mr. Jinnah who has of late acquired a habit of warning Government,—but a friendly warning against the many promises he has been making to the House—at times rather recklessly, because the indemnity demanded by this House for broken promises is sometimes very heavy. After the demand for retrenchment was exhausted we were treated to Sir Hari Singh Gour's five per cent. decapitation cut from the Demand of every department, and this was followed by my friends Pandit Nilakantha Das and Mr. Aney, who wanted to abolish the Salt Department entirely. This wholesale demand for economy is a wholesome one, but, Sir, let us come down to practical facts. The Honourable the Finance Member has frequently said he is ever ready to effect any practical measures of retrenchment and I need hardly warn him in such matters,—for I am no financier,—that efficiency and economy are very often incompatible factors. I should also like to warn him, in view of his promises, of the many past attempts that have been made by the Government of India, under the guise of retrenchments and which have resulted in creating labour troubles and grave economic upheavals with great loss to Government. I do not intend asking him to consider, as my friend Sir Hugh Cocke said in his speech, the price or the hire of a motor car to Government servants, etc., I want to deal with something much more practical than that. I want to warn the Finance Member against certain attempted measures of retrenchment that have been practised during the past few years and which he will

find have resulted in disturbing the peace and harmony of his employees and which will in the future cause him more anxiety than the time scale system of increment of salary that was introduced some years ago in various departments.

In this connection let me bring to his notice one or two such matters. Let me take the Railways for instance. Retrenchments have lately been introduced in the various staffs of the Railways, which I consider will lead further and further to disharmony and disaffection amongst the employees. To quote only one instance. We have the 1928 new rates of pay that were introduced in the East Indian Railway in the name of retrenchment and economy, rates that were introduced on this Railway by the Railway Board and not by the Railway, rates which, in my opinion, in as far as it affects European and Anglo-Indian employees, do not amount to economy, but a starvation wage and an invitation to every employé to quit railway work. I ask this House to consider how is it possible for an Anglo-Indian employé,—and my friend Diwan Chaman Lall will certainly support me here,—how will it be possible for such an employé to exist, i.e., to live, work and at the same time be an effective member of the Auxiliary Force which with him is a compulsory term of employment on a salary of Rs. 15 a month as a fireman and from which salary reductions of from 2 to Rs. 5 have to be made for his house-rent and other things. It is absolutely impossible, and I would ask the Finance Member to at once enquire into this revised rate of pay and remedy it. Whilst on the one hand we have such absurd measures of retrenchment, on the other side of the picture we had a recent deputation headed by one of our greatest retrenchers and economisers, Sir Purshotamdas Thakurdas, who approached the Finance Member in support of the employees of the Currency Department asking for more pay. Sir, we cannot have our bun and eat it at the same time. But, however necessary it may be to improve the pay of the Currency Department, the 1928 revised rates of pay on the East Indian Railway are an inequity, not retrenchment, and unless remedied at once will lead to serious trouble.

Let me draw the attention of the Honourable the Finance Member to another instance of wrong retrenchment. Honourable Members will bear with me if I refer in some detail to it, because it bears a communal complexion, but this needs no apology from me. I am here to represent my community, and I do so without fear or hesitation. I refer to the revised Indian Medical Department rates of pay that was introduced by the Army Department. Honourable Members will remember that when I discussed the retrenchment motion of the European Group last week, I referred, in brief, to certain measures of retrenchment in the Army Department to which they had turned deaf ears. In addition I referred to a Department in which members of my community are almost entirely employed,—I refer to the Indian Medical Department. Well, Sir, a new scale of pay was introduced in 1929 in this Department. The Secretary of State's permission was obtained, and this House will hardly believe me when under the guise of retrenchment, I tell them of the utter and unparalleled meanness of the Army Department in the limitation of the application of that increased pay, for that increased pay was given only to those members of the Indian Medical Department serving in military and denied to those serving in the civil and other miscellaneous Departments,—an unheard of procedure in the annals of British administration in any part of the British Empire. Let me quote other Departmental increments of pay. Can you for a moment imagine the result if the Government of India when it sanctioned the Lee concessions

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to the superior Military and Civil Services it limited its application only to those officers who were employed in the Government of India offices and not to those in the Provincial Government? Again, can you imagine a similar case of the Army Department sanctioning an increased pay to its King's Commissioned regular officers and limiting this increment to officers working at Army Headquarters or regiments and refusing it to those army officers employed in the Political Department? Or can you imagine the salary of the Civil Service being increased and it being applied only to those in the Government of India offices and not to those employed under the Provincial Governments? Such conduct would never be tolerated in any other Department for a day. And yet this is exactly what the Army Department has done in the case of the I. M. D. And why? Because he knows that in the I. M. D. he has a patriotic, loyal and well disciplined class of men. Such unfair treatment would never be tolerated by any other Department and yet the Army Department have granted increased pay to some men and denied it to others, and all belong to one cadred Army Department. Is this economy retrenchment or meanness and dishonest economy? Is such treatment to be meted out to the Anglo-Indian community only? The Army Member knows he is wrong and he cannot quote another Department which has been so niggardly and dishonestly treated. I call upon the Finance Member and His Excellency the Commander-in-Chief to rectify this injustice for it is wholly wrong to single out this Department for such mean and un-British treatment. Contrast this meanness with the liberality amounting to financial profligacy displayed by the entire Army Department, when, in the teeth of opposition of the Finance Department, it passed the present extravagant rates of pay, allowances and pensions to the India Unattached List and the Indian Miscellaneous List. Then compare this with the dates and rates of pensions and revised pay given to the Indian Medical Department from the year 1919 to date. The Indian Medical Department seems to be a very remote after-thought of the Army Department when improvements are concerned. I have also been trying to impress upon the Government of India the miserable lot of their civil pensioners. I wish I could take the Finance Member to the homes of some of these poor old pensioners, Indians, Anglo-Indians and Europeans, living on mere pittance, most of them on starvation wages, and yet these were the men who laid the foundation stones of the very institutions which you and I are working today. These poor men have not got enough money to pay for medicine and comforts while their successors in office are today living in ease and comfort. The Government of India knows of the terrible plight of these their old and faithful servants and say financial stringency prevents them for giving any relief and yet, I can charge this very Government of India (in the Army Department) with financial profligacy. I refer to the extravagant rates of pay, allowances and pension today given to the ancillary Branches of the Army, called the "India Unattached List". I am almost weary of referring to this point,—a Department recruited from the rank and file of the British Army, poorly educated, occupying positions of no importance and no responsibility and yet given a rate of pay higher than is given to one of your own graduates, highly educated technical even entering the superior services on the railway. Ordinarily a ranker is promoted to a non-commissioned officer and brought into the India Unattached List today on a salary of about Rs. 300 a month including allowances more than is given to a qualified Indian

Medical Department man or most probationers in the Superior Indian Services. Here is an instance in which on the one hand you indulge in financial profligacy and on the other you refuse to give your poor old starving civil and military pensioners a few extra rupees, the difference between starvation and comfort. These are a few of the methods of retrenchment in which Government seem to specialise today and which certainly do not stand to their credit.

Then we have another department over which my friend Mr. Sams presides—the Telegraph Department. It is no use for him or the Honourable Members thinking that this Department or the Telephone Department is happy and contented. I can tell the Honourable Member that they are not happy. Measures of retrenchment are being carried out in this Department which are creating a great deal of unrest and discontent and I solemnly warn the Government not to go too far, to cry a halt or they may create an uncontrollable condition of disruption and eruption in the Telegraph Department. The Honourable Member has given freely of his care and love to the Postal Department a very necessary and pressing provision, but he seems to be starving the Telegraph side. Let him have a care. My friend Diwan Chaman Lall will bear me out when I refer to the grave discontent now prevailing among the labouring classes in the railways. These poor men can barely exist under less. The railway subordinate services are understaffed. They have no leave reserve. They cannot get sick leave for the same reason. There is always a conflict going on in most railway stations between the medical officer and the administration officer, with the result that men are sent out to work in an unfit condition and yet this state of affairs is allowed to exist. The men's health is so undermined that they cannot do their work, they cannot get leave and even when they go on leave, sick or ordinary, they have to live on a starvation wage. I hope my friend Sir Hugh Cocke's motion for retrenchment is not meant to apply to these classes of servants and that the Finance Member's promises are not to be fulfilled by such measures of economy. If they are, I shall use my vote to reject the Finance Bill. But, I know the Finance Member has other measures in view, may be he intends to apply Sir Hari Singh Gour's all round cut of five per cent. and apply the retrenchment to the official classes only. If this is his intention—I agree, for in my opinion Railway Officials are overpaid and underworked. The railway subordinates do the work and the officers get the pay. Retrench in the official grades of the Army and Civil Services. The Lee Commission concessions and free passages have drained and are draining India's revenue. I shall not refer in this speech to the industrial unrest that exists in various parts of this country. My friend Diwan Chaman Lall is more competent to treat with that matter. *En passant*, this Honourable House devotes much of its time to discussing the economic and political troubles of a few thousands of Indian settlers that go to East Africa and the Government of India spend a great deal of money in sending cables to the Secretary of State to obtain redress for these few discontented people. Why not spend a little more time, energy and money in giving comfort and ease to your workmen in this country—both pensioners and active workmen—why not put our own house in order before wasting our energy and money on colonists in far off countries, obtain economic peace and harmony in our own country for it, but you must retrench properly. Do not overpay your officials at rates uncomparable with other countries and at the same time underpay your workmen. I warn the Finance Member against a continuance of this policy especially in the Railways.

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Now, Sir, when I spoke on Sir Hugh Cocke's motion, I referred in general terms to economy in the Army. Many Honourable Members were impressed with certain of my observations and have asked me to dilate on them. Apart from their request, I feel it my duty to recapitulate my points in more detail and I do hope they will receive more response and attention than in the past. In the Finance Member, Sir George Schuster I know we have one who is keen on effecting sound and honest retrenchment, when he sees that it can be accomplished without the sacrifice of efficiency. Let me deal with the Army Estimates: Honourable Members are familiar with the total cost of the Army. Now the total cost of the staff of the Army Headquarters, Divisions, Brigades and lower formations is about 2 crores and 15 lakhs out of a total military cost of 54 crores and 20 lakhs which works out at 1/26th of the total cost for the Army. I should like to know whether any business firm in India could run successfully for more than a few months without going into insolvency with such heavy overhead charges. It may be said that the army needs well trained, well paid and many staff officers. I admit this, but not at such a heavy total comparative cost. Let us go further into the matter and ask ourselves how can this be altered? The remedy is a very simple one. In my opinion if His Excellency the Commander-in-Chief were to issue an order introducing the Washington and Geneva Conventions in the offices of Army Headquarters Departments and make all officers of Army Headquarters not the few enthusiasts on whose shoulders the chief responsibility rests work for eight hours a day, I am convinced that the entire staff could be reduced by one-third with no loss in efficiency. In support there is no need to go into further details than to compare the personnel and cost of the civil administration of the Government of India with the cost of Army Headquarters. Such a comparison which would be very enlightening and most instructive, I commend to the notice of the Finance Member. I now propose to enter into further details and would ask the Honourable the Finance Member to bear with me for a while longer. Being a medical man myself, Sir, I have devoted a considerable amount of study to the Army medical estimates as far as the total expenditure of the Government of India is concerned. I find that the Army medical estimates come to a total of Rs. 146 lakhs. In other words, 1/36th of the total Army cost is devoted to the supply of the Medical Service, I mean doctors and their personnel. Some Members may think this a sound investment for a healthy army, but let me go into details: I do not know whether my friend Colonel Crawford agrees with me when I call it extravagance. And why do I say so and why is it so costly? Honourable Members may not be aware of the details, but I have studied this subject and I will tell you why it costs so much. We have in the Royal Army Medical Corps a class of medical officers numbering about 230 who look after the medical needs of the British troops. Out of this total of officers there are 176 Majors, which means that nearly two-thirds of the Corps consist of Majors, officers who are in receipt of salaries ranging from Rs. 1,200 upwards. Now, what work do these senior officers perform? They do the work ordinarily performed by junior Lieutenants and Captains who are in receipt of salaries from Rs. 500 to Rs. 600 per mensem, about half the pay of a Major. The Army Member will no doubt say in defence: But, we cannot obtain Captains and Lieutenants for the R. A. M. C. in India as they will not come out to this country. My contention is if they will not come to this country, is it fair to ask the Indian tax-payer to pay this excessive and extravagant amount of money for

servants—senior Majors—who are doing the work of junior officers and on twice the salaries? In my opinion it is wholly unfair to ask the Indian taxpayer to pay for this financial profligacy. Here you have a measure in which, if the Army Department did not shut their eyes it could effect real and solid economy. Instead they say we cannot get men to come out from England. I agree with them, for I know that they will not come out here for reasons best known to themselves. But if Mahomed cannot go to the mountains, etc., have you a remedy? I have one near at hand and which will not only save much money, but increase rather than decrease efficiency. It is this: We have in the Indian Medical Department about 70 officers who possess British qualifications—experienced men of proved merit and responsibility. These men are today being denied employment in the various provinces. Medicine being a transferred subject, the Minister in charge claims to appoint whom he likes and most provinces are refusing to accept I. M. D. men into Civil. In olden days a certain proportion of I. M. D. officers were always employed in the provinces, but today these provinces do not want them. The result is that they are coming back to the Military employment which together with the fact that the military revised rates are higher than civil rates will soon result in overcrowding. This overcrowding will soon have to be faced by the Army Department. You cannot compulsorily retire these men. You cannot employ these senior higher paid men on junior assistant surgeon's work. Here you have a body of men—about 70 of them—who have British qualifications and who can well perform the medical officers' duties today being performed at three times the cost by R. A. M. C. Majors. My demand is, employ these I. M. D. men as professional men and not as compounders and glorified clerks as today to do the work of R. A. M. C. Captains and Lieutenants—send back your hundreds of Majors to England—and you will effect great economy without any loss in efficiency. And yet the Army authorities will not accept my suggestions. Why is it that the Vigilance Economy Committee is so blind to this point? Why will the Commander-in-Chief and the Finance Member turn deaf ears to this economy? Why will they not use the excellent material that is at their very door? It is good material which can be had at half the present cost with no passage money to pay and no Lee Commission concessions as are paid to the R. A. M. C. officers, and at the same time just as efficient, if not more so, because they, the I. M. D., know the country and its diseases and they have been the friend, the intimate and respected friend, pal and doctor of Tommy ever since he came to this country over a century ago, who know Tommy better than the apothecary of but a few years ago. Ask him. It is no use of the Army Department talking of "birds of one feather" as the Secretary said the other day, for there were birds of many feathers in his nest during the war. Here is a class of men whom the Finance Member can use with efficiency and still the Army Department refuses to do so. So much for the R. A. M. C. officer rank. Let me go a little deeper into this question of medical economy and retrenchment. We have a corps attached to British Military Hospitals known as R. A. M. C. (Ranks). Now, who are they? They are men recruited either from the rank and file of the army or separately trained as male nurses or as assistants to specialists, e.g., dispensing X-Rays bacteriological laboratories, etc. They are not well educated, but they are selected men from the ranks who in time rise to commissioned ranks. These men about 500 in number do duty as male nurses and are attached to the British Military hospitals at attractive rates of pay and not hard work. I want to know what necessity is there for

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these male nurses to be brought from England for the British soldier when sick in India? Today the cry of economy and retrenchment is being heard on all sides and from all lips. We also see in some stations British and Indian hospitals are being united and worked as one unit. You have Indian hospital orderlies and R. A. M. C. rank working together as friends, but one drawing three or four times the pay of the other. Why cannot you recruit the R. A. M. C. (ranks) in this country at less cost—from men who are more efficient and higher educated than you have today. I refer to Domiciled European and Anglo-Indian lads fresh from our first class European public schools, real good stuff who would do you proudly and well? This is another means of economy and an effective antidote to our present day unemployment. If economy were effected in those two branches alone, it would mean a saving of over 20 lakhs per annum. I go further and refer to the Q. A. I. M. N. Service. I mean the nurses attached to British Military Hospitals. These excellent ladies who come out to this country as nurses on high salaries, are paid at rates much higher than junior Railway Engineer officers. Their total salary including allowances comes to about Rs. 400 a month. I ask why should these hospitals indent on England for their nurses to treat the British soldiers in this country when there are hundreds of capable European and Anglo-Indian nurses in this country jumping over each other for want of employment? Cannot the British soldier be treated by any nurse but a white one—or is it the British officer who demands this need? Our Indian trained nurses are more capable and proved their worth during the war? Here is another measure of economy and yet the Army Department will not listen to it. There are about 300 of these nurses entertained at a cost of many lakhs of rupees—a hospital luxury—not a necessity. I draw the attention of the Finance Member to this.

I shall now refer to a service to which once I had the honour to belong, namely, the Indian Medical Service. We have in the Indian Medical Service today a cadre of over 600, half of this number works in the civil side and half in the military side. About 25 per cent. of them are generally on furlough and there are 120 Indian Medical Service temporary officers working in the Indian Medical Service. In other words, one-third of the military medical needs of the Indian army is today performed by the temporary Indian Medical Service officers and which is an entirely Indian corps. Here, Sir, we have another means by which economy can be effected without loss in efficiency. In the permanent Indian Medical Service there are nearly 300 Majors, in other words the same position obtains in the Indian Medical Service as in the Royal Army Medical Corps. In my opinion there is no branch of the Indian Army in which Indianisation can be extended and applied as the Indian Medical Service. Indeed this is being operated today, but only as a temporary expedient as evidenced in the retention of the temporary Indian Medical Service. And why is it that Government will not make these men permanent? They say we cannot get permanent Indian Medical Service members from England even though they have indulged in extensive propaganda work as also thrown out baits of salaries of nearly Rs. 1,000 per mensem, so as to secure candidates from England, but they will not come out to India and, yet, the Army Department will not recruit in this country. Instead they are retaining a temporary cadre of 120 Indians to fill up the permanent gap in the cadre of the Indian Medical Service and this has been going on since 1914

—16 years ago—surely it is high time that these temporary measures have become permanent and should be accepted as such.

Mr. K. C. Neogy: Do not forget Sir Cecil Walsh?

Lieut.-Colonel H. A. J. Gidney: Thank you. But he is far beneath the notice of this House. Moreover I think we have dealt effectively with him.

An Honourable Member: Where is the Member representing the Army Department?

Lieut.-Colonel H. A. J. Gidney: He is apparently not interested in this, so is absent. Here are measures of practical economy which, if the Government of India and Army Department were seriously disposed to accept, they could effect great retrenchment without any loss in efficiency.

Now, Sir, I come to another point in connection with the Indian Medical Service which refers to the last year's budget. This House will remember that last year, I moved a cut of Rs. 100 which cut was carried by a very big majority and the Government was defeated. That cut related to the redress of certain disabilities in connection with temporary Indian Medical Service officers. As far as we know in this House, the Government have taken no notice whatever of that cut. Now, I want to know from the Government Member what he has done on that motion. If nothing, what is the use of us coming to this House, discussing matters and moving cuts and defeating the Government and the Government turning a deaf ear to it. You may just as well give us our travelling allowance and tell us to go home and not waste our time here. Here is a reasonable grievance—an injustice which this House brought to the notice of the Government and which the Government has ignored though it was censured. Now, what is that injustice? It is this. We have about 120 officers at present employed as a temporary I. M. S. Department composed entirely of Indians. Within the past year their terms of contract have been altered. Formerly they could serve for nine years, but they could not work for ten years; after 10 years' service Captains are promoted to Majors and the Army authorities did not wish these men to become Majors; instead they were suddenly found unfit, discharged and told to go home. Today the contract of a temporary Indian Medical Service officer is renewable every year and the maximum period he can serve is five years. Why? Because in the sixth year the permanent Indian Medical Service officer can retire with a gratuity of £1,000; this is denied to the temporary Indian Medical Service officer and he is suddenly found unfit for further military service at the end of five years and told to go home. He is given no gratuity but his bare pay though he has put in nine years' service, the best part of his life. Compare this niggardly parsimonious treatment of the Army Department to these medical men with the liberal treatment extended by the Railway Board to its temporary skilled workmen who come out as chargemen and foremen in their workshops. These men are brought out on a contract of three years for company managed railways and five years for State Railways. At the end of their temporary contracts they are encouraged, in fact they are asked to take permanent employment and their services are retained and counted for gratuity as if they were permanent servants. I repeat, contrast this magnanimity with the niggardly treatment that is given to temporary Indian Medical Service Officers who have given the best part of their lives and who are today

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LEGISLATIVE ASSEMBLY.

[19TH MAR. 1930.]

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performing one-third of the medical needs of the Indian Army. Is this fair? Is this how you treated those junior British officers whom you demobilised in 1922 at the termination of the War?

Mr. M. S. Aney: The Honourable Member should have voted with us on the censure motion against the Labour Member of the Railway Board.

Lieut.-Colonel H. A. J. Gidney: That, Sir, is beside the mark. I again ask, why do you not deny a gratuity to temporary Indian Medical Service officers? I quote from a circular which was in existence up to the year 1922. Up till 1922, Members of the temporary Indian Medical Service were given a gratuity. I shall now read from the Circular of the Army Department of the Government of India, dated Simla, 2nd May, 1916, to Local Governments and Administrations:

"As the contract of employment of temporary I. M. S. officers is renewable every year, a gratuity of £60 on the termination of employment in their Commission at £60 every year for the period of employment."

This was given to officers from the year 1914 till 1922. It has since been withdrawn. I want to know from the Government why this has been done? Surely the Government cannot treat our censure motion on this matter in this contemptuous fashion? It is wholly wrong for Government to treat us in this way, indeed I find the Army Member is not present here in the House. I only hope he will be made to realise that he is not treating the Members of this House fairly, nor is he treating the Indian Members of the temporary Indian Medical Service in a fair and square way. Here we have the introduction of marked racial distinction, even though the giving of gratuity to permanent Indian Medical Service officers is camouflaged by giving it to Indian permanent officers. Sir, the Army Department seems quite prepared to indulge in financial profligacy in the present rates of pay to the Indian Unattached List. But it refuses to apply the revised Indian Medical Service rates of pay to the entire Department or to use their services in a professional capacity in British Military Hospitals; it also refuses to treat temporary Indian Medical Service officers more liberally. Why?

Now, Sir, I desire to refer to another point and I wish to ask the Honourable the Finance Member kindly to give his attention to it, although it may not directly concern his Department. I wish to bring to the notice of the Government of India that India which is one of the Members of the League of Nations, a country that claims to be a first class civilised power, and that wants to claim equality with the other civilised nations of the world does not possess a Pharmacy and Poisons Bill. Sir, any petty clerk and uneducated possess and open a shop for medicines and himself dispense poisonous drugs without any qualifications. We, in this House, who call ourselves representatives of this country have allowed this disgraceful condition to exist. Why! Little Ceylon and even Iraq has a Pharmacy and Poisons Act, the Straits Settlement has it also and I would not be surprised if China has such an Act too, but India does not possess such a necessary piece of legislation as the Pharmacy and Poisons Bill. I have in my possession a Pharmacy and Poisons Bill which I have taken the trouble to draft and I propose to offer it as a present to the Honourable Member in charge of Education, Health and Lands in this House. Unfortunately he is not in the House just now. It is iniquitous,

indeed it is incredible and, I may add, most deplorable that this vast sub-continent of India, does not possess such a protective measure as a Pharmacy and Poisons Act.

I have another piece of legislation on which I wish to address Government. Every civilised country except India has some means by which it can protect its mental defectives. In India we have the Indian Lunacy Act of 1912.

(At this stage Mr. G. M. Young, the Army Secretary, entered the House and took his seat and he was greeted with Applause.)

I am sorry the Army Secretary is so late. I am afraid I cannot repeat what I have said except to stress an Act to protect defectives. We have in India, Sir, an Act called the Lunacy Act of 1912. The Honourable the Law Member will bear me out when I say that this is the only Act that we have which in any way controls mental defects, the insane and the imbeciles of this country. In this country we have nearly 2 lakhs of deaf mutes alone. According to Dr. Pacheco, a mental expert of the Ranchi Hospitals we have nearly three million insanes, mental defectives and imbeciles in India and yet we do not possess a Mental Deficiency Act such as he and Colonel Berkeley-Hill so strongly advocate. Every other country has such an Act. The Indian Lunacy Act of 1912 deals only with lunatics of all classes, but not with mental defectives. This means that into our lunatic asylums and mental hospitals are admitted on a common footing the worst types of lunatics and imbeciles along with the incipient cases of mental defectives, and which latter patient requires special and entirely different treatment to the lunatic. In our jails we insist on a rigid separation between first offenders and chronic criminals. The same differentiation should be observed with lunatics and mental defectives. This has been brought to the notice of the Government of India, but with no effect. Why this callousness? This is one of the most serious and sacred duties of the Central Government. I seize this occasion to impress this vital duty on Government and ask it to at once introduce a Mental Deficiency Act similar to the 1913 English Bill and so save the country by preventing these mental defects from roaming the country marrying and so seriously impairing the mental condition of future generations. These unfortunate people should be placed under skilled care and treatment. To my Honourable friend, the Secretary to the Department of Education, Health and Lands who has just entered the House I have much pleasure in presenting this Pharmacy and Poisons Bill. I am also prepared to give a Mental Deficiency Act to the Honourable the Law Member if he would kindly promise to give his serious attention to it.

An Honourable Member: Give him also a copy of the Bill.

Lieut.-Colonel H. A. J. Gidney: I have not yet got ready a copy of the Bill. I am glad the Honourable the Education Member is now in his seat as I now wish to again refer to the importation into this country and the sale in it of spurious drugs. Two years ago, I brought to the notice of this House at Simla the glutting of the Indian markets with spurious quinine and other drugs. Two years have almost passed and we do not know what has been done except one is told that a Committee has sat and another Committee is to sit, but what has actually been done, I know not. Sir, as the chief mover in this matter I have a right to know and I think this House has a right to know what is being done. Every year three to four millions of people die in this country from malaria and, as

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I previously said, if you were to place the corpses of these people side-by-side they would cover nearly 2,000 miles from north to south of India and which for want of a better term, I would call the malarial longitude of India and, yet, what do we still find in India? Our markets are still being glutted with spurious drugs, the bazaars are flooded with drugs, e.g., Ergot Ipecacae-Santonine, etc., at 40 to 60 per cent. below the British Pharmacopœia strength and still the Government of India remains idle and looks on complacently on this situation. Whatever action they may be taking is being done by their quills in the office files. Sir, surely the Government intends to stop this danger, this criminal imposition on an ignorant public, it is a disgrace to any Government calling itself a civilised Government that it should tolerate this imposition on the public of India, the ignorant villager who goes to the chemist to buy his quinine and is given chalk instead of quinine (*An Honourable Member*: "Does he not go to the Post Office?") It is disgraceful that laymen can dispense and with impunity sell poisonous drugs with a license. You demand a license from a doctor, a Barrister, why not exact a similar qualification from a chemist?

They give bad stuff. I would add that Local Boards are similarly duped. They buy these cheap drugs at one-third the real price, e.g., the price of pure quinine sulphas is. I believe, Rs. 18 a pound, but one can buy this spurious quinine sulphate compound in tablet form in the markets of India at Rs. 6 a pound. The man who buys this does not pay for quinine; he pays for a tablet of chalk with a little alum. It is up to Government not to delay any longer in stopping this criminal defrauding of the public; it is up to Government to stop this spurious sale of drugs. It is not fair to the dealer in honest drugs who has to compete with such swindlers. How many mothers' lives are dependent on the administration of pure liquid ergot and yet ergot is sold today in the market at less than 50 per cent. British Pharmacopœia strength, and how many others die for want of proper drugs. I bring this deplorable state to the notice of the Honourable Member in charge, and if he desires to immortalise himself, even if it be in a monument of quinine, I ask him to give serious notice to it and to take action at once.

The other point to which I wish to refer is this. I notice in the Honourable the Finance Member's speech that a certain amount of money, about five lakhs, is being spent on improvement of the Andamans. I should like to know whether the Andamans has ever paid the Government of India any revenue, or has it always been a loss to the Government of India? And whilst on this question I should like to bring to the notice of my Honourable friend Mr. Gwynne a certain statement said to have been made by Colonel Ferrar, the Chief Commissioner of the Andamans, when he gave evidence before the Standing Finance Committee on the 14th January last. This officer made a statement (the truth of which I challenge on the floor of this House) that the Anglo-Indian settlers who went to the Andamans to colonise were an utter failure. Sir, on the floor of this House I deny that any Anglo-Indian went to the Andamans as settlers. The twelve men who went to the Island in 1924 were ex-service men unemployed and were sent by the ex-Service Association for 12 months and they did not give a pice to any of these men except for their food.

Mr. C. W. Gwynne (Home Department: Nominated Official): Sir, I should like to explain that, in the proceedings of the Standing Finance Committee, the statement attributed to Colonel Ferrar does not occur. There is nothing to that effect at all.

Lieut.-Colonel H. A. J. Gidney: I have seen there is no reference to this in the official report, but, it appeared in every newspaper in India. I must therefore ask the special correspondent of the *Statesman* in which paper this statement appeared, as also the Editor of the "Occasional Notes" of this newspaper to explain the reason why it commented on a thing which was not true and never stated as Mr. Gwynne states. I have with me, Sir, the newspaper report, a press cutting from the *Statesman* in which it states, in unequivocal language, that Colonel Ferrar said that the Anglo-Indian colonists were an utter failure, and if he said that, it was not a true statement. No Anglo-Indian was sent to the Andamans as a colonist. These twelve unemployed men went at the mercy and the good grace and kindness of the ex-Services Association as an unemployment relief measure for 12 months only. Thirty rupees were given to Colonel Ferrar, at the rate of one rupee a day for their food, and not a pice extra. How can you make bricks without straw? How can you expect to make anyone a colonist without providing him with bullocks, seeds and a plough, or even takavi, to say nothing of clothing, etc.? That statement in the press, Sir, is grossly untrue and I deny it on the floor of this House with all the emphasis at my command.

Sir, the next and last point I wish to deal with is on European education. I will not enter into a learned dissertation on the subject as my friend Dr. Ziauddin Ahmad did. My desire is to refer to and criticise in general terms education as it is taught in our European schools today. I consider that the system of education as taught in European schools today has as its two chief objects a continuance of the importation into India of expensive European Headmasters and the alienation of the European and Anglo-Indian community from the Indian community. In short we live as two peoples poles apart. Times are changing, Sir, and the time has come when we Europeans, Anglo-Indians and Indians must come together more closely, and learn more of each other and where can this be better achieved and developed than in our schools? And yet European education as it is being taught today by the imposition into this country of a system called the Cambridge system of education has nothing else as its object but to alienate us from each other. This system was brought into this country twenty years ago, because it was then thought that the Indian University matriculation examination of this country was not good enough for us. Sir, it was good enough for me and many others who have made good in India, but it was brought into this country, first of all into La Martinière College of Calcutta, from where it has disseminated throughout the length and breadth of India in our European schools. With this system we are taught more of English history and little or nothing of Indian history. We are taught more of the capital towns of Europe and nothing about India. In short the superiority and inferiority complexes are developed and kept alive to our loss. Moreover we have to stop in our schools for two years longer than if we go to schools which accept

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the matriculation standard. In short it means that the Anglo-Indian is handicapped by two years in the race of life in his own country. We are today called upon to run a level race with the rest of India. The Anglo-Indian boy passes his Senior Cambridge at the average age of 18, the Indian boy passes his Matriculation at the age of 16, which means that he has two years' advantage over the Anglo-Indian boy in his post graduate and graduate life. If I am asked by Government to run a level race, I think it should be one of the sacred duties of the Government of India who have an Educational Commissioner to advise them in matters of education to forcibly bring home to all provincial Governments and Government educational institutions that the Senior Cambridge is foreign to this country, that it leads us to nowhere and to nothing in this country especially for Government employment. The Chairman of the Public Service Commission, I hear, chucks candidates possessing the Senior Cambridge qualification away from his consideration by the bucketful when selecting candidates for employment. He is neither a graduate nor an under-graduate. The parents of this child are called upon to pay for two years' additional education than an Indian lad and he is in addition given a system of education which is of very little practical value and use to him except as a clerk or a *Chota Sahib* in some firm in Calcutta. To graduate on equal terms we have to swim in the same educational stream as the rest of India, though we would prefer to have our own schools indeed—our religious faith and culture assist on such a segregation. But even so I submit with all respect to the Government of India and the Member in charge who is now sitting in this House that it is the duty of the Government of India to indicate to the provincial Governments that it is time the Senior Cambridge system was forthwith stopped and the Anglo-Indian and European lad in the European schools in this country were allowed to appear for the same examination as the Indians and run a level race, i.e., the Cambridge system be replaced by the Matriculation, and that we should not be so seriously handicapped, in that many of our parents are in a measure forced to send their children to hill schools for the chief reason that it is only in the Hills that European teachers can teach and not in the plains, which in turn considerably adds to the cost of our education and which with reduced wages we cannot afford to meet. This is the chief reason why the majority of Anglo-Indian children cannot go up for higher education as compared with the cheapness of Indian education. The cost is too heavy, the overhead charges of our European schools are most excessive and with our daily lowering wages we will find it increasingly difficult to educate our children in any of our expensive European school. Indeed I can visualise a near future when our meagre wages will result in an emptying of our present European schools and Europeans, Anglo-Indians and Indians will be found attending common cultural schools.

Sir, these are few of the various matters I desire to place before the Honourable Member for his personal and serious consideration. Sir, there are certain matters on which I have specialised and there are other points on which I have generalised. But I would ask the Finance Member to give these various matters his serious consideration. I beg of him to give his personal consideration to the economies and retrenchments I have suggested in the Army Department. I would ask the Member in charge of Education to abolish this distinction that exists today in the

systems of education of Europeans and Anglo-Indians on the one hand and the Indians on the other. Let us swim in the same stream though in our own schools; if you want us to run a level race with the Indian, let it be on equal terms, not unequal as it is today. But if you handicap us and compel our parents to spend money for an extra two years, you cannot expect us to have a fair race with the rest of India.

Dr. Ziauddin Ahmad: Sir, may I ask the Honourable Member if he is speaking on behalf of himself or on behalf of the European Group?

Lieut.-Colonel H. A. J. Gidney: I am speaking on behalf of the community which I represent here.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Sir, from the time the conviction has been forced upon me that the Government of India will not be likely to yield to our demand for our birthright, my attitude towards such measures has been undergoing a tremendous change. I was a young man when, in the company of my *Guru* Lokamanya Tilak, I was very hopeful. We were so hopeful that my *Guru*, though old and even broken in body owing to the rigours of the imprisonment he had to go through for his patriotism, went all the way seven thousand miles over the seas and appealed to the Labour Party to see that at least their conscience could be roused to see the rights of the people of India. He returned disappointed; he returned heart-broken. He did not survive long. His disciples have the experience of their *Guru* running in their blood. They have come to feel that there is no hope from this British Government. When this conviction has come upon us, then the mind naturally goes in for a critical analysis of the situation, and after analysing it, we find that we Indians, including also the Mussalmans, not to speak of Hindus alone, but we both, Hindus and Muslims, are essentially a spiritual people, and are moved essentially by spiritual motives. But on the other hand, we find the Britishers, in contradistinction to us, are equally essentially a material people. They are moved essentially by material motives. They cannot understand the spiritual force. They cannot understand the soul force. They can only understand what is material force, and they appreciated that material force when it was brought against them for the first time on the face of the world by most intelligent race known as the Germans. They understood the material force then. (*An Honourable Member*: "Brute force.") You may call it brute force. But every human being has also the brute in him along with his God. Fortunately for us, our spiritual nature has prevailed or has overcome our brutish nature. I will not use that word brute in respect of my British friends. The Britishers have already specialised in cultivating material force. I admire them for that. I am the greatest admirer of an Englishman for the development he has brought about of his material force, and therefore, after having analysed the state of things in this way, it is our duty first to see if we can infuse some part of our spiritualism into the British, so that the Britisher might see that there is some such thing as right which need not be backed up with might for its assertion and might come with his soul in his heart to see the right and grant the right which we regard as our birthright. We are trying to do that, and Mahatma Gandhi is experimenting in that. I wish him all success, because soul force incarnate as he is. I hope he

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Did I not make out a point when I was making my budget speech the other day, that the military machine of India is much in excess of the present needs of India?

Diwan Chaman Lal: Our friend, Colonel Crawford, does not subscribe to that view.

Dr. B. S. Moonje: I am speaking of an officer who is a far greater authority than the Honourable Colonel Crawford.

Lord Rawlinson said that he was shocked. Can you imagine the shock it gave me when I read it for the first time? Can my Honourable friend, Mr. Young, bring himself into communion with the spiritual soul of mine and imagine and appreciate the amount of shock I could have received when I read that?

Mr. G. M. Young (Army Secretary): I do not know whether I can respond to that invitation exactly, but I can inform the House that, as the result of Lord Rawlinson's efforts, about two thousand officers were retrenched in the Indian Army.

Dr. B. S. Moonje: I am so thankful for that information. Does it not prove my point to the hilt? Does it not indicate wastefulness in the Army? But when were they retrenched? I call for that information.

Mr. G. M. Young: During Lord Rawlinson's time.

Dr. B. S. Moonje: Say about 1924. So from the time of the Mutiny up to 1924, or to be more accurate, from the time war was declared in 1914 to 1924, so many officers over and above our needs were being maintained, were receiving pay at our cost. But Lord Rawlinson was a kind-hearted Englishman; he said he was shocked; his honest conscience was biting him, and he could not refrain from expressing his frank opinion. Somehow he had to explain away the point and ameliorate the shock he received, and he says, "They were taken on when they were wanted during the war, and we cannot simply kick them out". That is the explanation. My friend, Colonel Gidney, gave an example of Indian officers of the Indian Medical Service who were similarly recruited when wanted during the war but who were and are now being kicked out heartlessly. But if Lord Rawlinson had been living today and if this fact could have possibly been brought to his notice, I am sure my friend would have had no occasion to complain as he is doing now. Now, Sir, I can quite understand the humane sentiment that, since we engaged them for war, they should be kept and paid and not be kicked out unceremoniously. That is human nature, and human nature is everywhere the same but blood is thicker than water. The question, however, is why should the cost be debited to India? Why should they be dumped into India? Have you not got your own British Army in England, your colonial Army of your own kith and kin? And why didn't you distribute these people amongst them, and why did you keep them here? That is the question. You know we have been paying, according to Lord Rawlinson's calculations—my calculation however is different—but I will speak according to the calculations of Lord Rawlinson, we had been paying these two thousand officers yearly at the rate of Rs. 4,000 each, that is to say we

have been paying Rs. 80 lakhs per year for the last seven years. It comes to Rs. 5.60 crores. And we have been told that to give effect to the Skeen Committee's recommendations is a question of money. It is a question of money, they say, to establish an Indian Sandhurst. Now the excuse of Indian cadets not coming forward of required quality and in sufficient quantity has disappeared because I have proved by actual facts that there is no ground for the excuse, I have also quoted from the Report of the Skeen Committee that the Indian Commissioned Officers have given every satisfaction. The other day my Honourable friend, Mr. Young, was saying that I did not quote correctly. Without quarrelling over the point, I am repeating it now. The Skeen Committee says:

"There are a number of King's commissioned officers already in the Indian Army who were pronounced by their Commanding Officers to be efficient according to the single standard of efficiency which the Army recognises."

"Single standard of efficiency", mark the words; no two standards of efficiency, one for the Indian and one for the Britisher, single standard of efficiency by which Indian officers have been judged and pronounced to be competent officers equally with the Britishers, by the Commanding Officer, and further the Committee says:

"Many of these have reached their present position in the face of far greater disadvantages and difficulties than the British boys."

What higher test for Indian boys can any body conceive of? Indian boys have to contend against greater disadvantages and difficulties than the British boys, and yet they have proved their worth as tested by the single standard of efficiency applicable equally with the British boys. I have brought to the notice of the House a handicap of one student who had competed for admission to the Cadet College of England last November. He was chucked out, he was failed; he was not accepted for admission simply because he failed to get three marks more in the combined subject of mathematics and physics, to come up to the level of pass mark in those subjects while in the aggregate he had got 157 marks more than pass marks, and in the Interview and Record test which is regarded as the most important of all, he has obtained 210 marks; that is 70 marks more than the pass marks. Passing in this Interview and Record test is regarded as of such high importance that no boy who may have got the highest or even cent. per cent. marks in all the other subjects, but has failed to get at least 140 marks, which is the minimum fixed for passing in the Interview and Record tests, can be accepted as fit for the Army or the Air Force. A boy with a fine body, fine appearance and fine development and very fine record of proficiency in manly sports such as riding, shooting, games, etc., certified by no less a man than the European Principal, Mr. Garrett, of the Lahore Medical College, was turned down because he obtained three marks less than the pass marks in the combined subject of physics and mathematics. We have no right to ask that a favour should be done to him. No, we have no right, because he has failed by three marks in physics and mathematics. His career in the college has been so good that he has been getting about 75 per cent. of marks in mathematics in his class, and if I remember aright, in his first turn of appearing for the competitive examination of the June session of the Interview and Record Board in 1929 he got more than the pass number of marks in mathematics, but was failed in the Interview and the Record test. I was

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surprised when I heard that such a boy could not pass through the Interview and the Record. However, the fact is there, that there is a single standard of efficiency by which Indian boys should be judged, and therefore I might make a suggestion. In this instance, if the boy had passed in all other subjects, and only for want of three marks, he has failed in mathematics and chemistry combined, let him be given a chance to appear for that paper alone when the next examination comes in June, so that he may try again to pass in mathematics, and after he has passed in mathematics he could go to England along with the boys who had been declared eligible in the November examination. That is a reasonable suggestion. I do not ask for a lower standard of efficiency. Besides, if the Skeen Committee's recommendation had been given effect to, the vacancies that should have been available to Indian boys last year should have been 24, that is 20 for 1928 and 4 additional for 1929. So that

12 boys should have been taken in the June examination and another 12 should have been taken in the November examination of 1929; but only 10 boys have been accepted though there ought to have been 12 vacancies for Sandhurst, for which 18 boys have been declared to have "passed the examination but are unsuccessful". That boy had passed very well all the tests for Sandhurst. He had given his first preference for Woolwich for which he unfortunately failed for want of three marks in mathematics and physics combined, but he had also given his second preference for Sandhurst, and that boy should have been taken in for Sandhurst. My question, therefore, to the Government, whose soul I am trying to rouse and quicken at the present moment, is, that, as the boy had passed in the Sandhurst examination completely, according to your standard, and if there ought to be two more vacancies to be filled in, according to your own admission, that the recommendation of the Skeen Committee had been given effect to, why did you not take that boy for Sandhurst though Sandhurst was his second choice because he could not get through for his first choice, Woolwich?

Sir, I find I went a little astray, so I will come back to my original theme of wastefulness of the Government of India which I characterise as heartless. I am not going to cite many instances of this wastefulness, because they are so many in number. A few instances were quoted by my friend, Colonel Gidney, and I could quote several more, but I shall not tax the patience of the House by citing any more instances. I shall therefore address myself now to the possibilities of economy in the department of Army. If, for instance, Lord Rawlinson had been alive today as our Commander-in-Chief, or if any other gentleman like him had been our Commander-in-Chief today, he would have taken action. I hope this matter will be brought to the notice of our present Commander-in-Chief—I know him, he is a very high-minded chivalrous sportsmanly and yet very considerate and very sympathetic gentleman,—but the only question is that his attention should be drawn to the matter engrossed as he is in the midst of his several other arduous duties—(An Honourable Member: "Have an interview with him.")—Well, I will have an interview with him, but I should have liked to tell him face to face on the floor of the House, if there was an opportunity for it,—as I said if Lord Rawlinson had been in our midst today, he would certainly have taken effective action. In his life-time Lord Rawlinson recognised the

wastefulness that was going on in the military department and had suggested several ways and means of economy. And what does he say in this respect? He says, "The only effective economy on the military side"—of course his views must be respected by every one of us—"must come from the reduction of the British troops, the cost of which is still rising". Therefore, our own point of view, before we had read this report in the diary of Lord Rawlinson that the British Army is too big for India and therefore it could effectively, safely and without any undue danger be reduced, has been established beyond contention. That spontaneous appeal of ours for reduction of British troops has been substantiated and supported by no less a person than Lord Rawlinson.

To this evidence of Lord Rawlinson, Lord Roberts, another still more distinguished Commander-in-Chief of India adds his own testimony in support of our appeal. And what does he say? "When the mutiny broke out"—and what kind of mutiny it was I shall describe presently in his own words,—“when the mutiny broke out, the whole effective British force in India only amounted to 36,000 British men against 2,51,000 native soldiers”. This mutiny took place—the House must remember this fact,—at a time when there was no Arms Act in India, at a time when the Kingdom of my warlike Sikh friends in the Punjab was conquered only just seven years before, at a time also when the Mahrattas had lost their India-wide empire—hardly 73 years ago, and at a time when the only deciding weapon on the battlefield was either the sword or the rifle—but the rifle was not so well developed as it is today, and ultimately the deciding factor on the battlefield was the sword on one side and the bayonet on the other. At that time, the Indians had been weaned away from their martial spirit. At that time of the fierce mutiny the Britishers could maintain their Empire in India, when the whole of the Indian Army had revolted, with only 36,000 British troops. And now after about 75 years of complete disarmament, when the Maharatta has practically completely lost his warlike colour, when the Sikhs though still maintaining their martial spirit had completely lost their former soul of Ranjit Singh, because as the House will see it was hardly seven years after their final defeat and the surrender of their kingdom to the British that the martial power like that of the Sikhs had accepted the divine superiority of the English and submitted themselves to serve as soldiers to save their Empire during the mutiny of 1857, I ask—now after the lapse of 75 years, during which science has revolutionised both the weapons and methods of warfare to which Indians are absolute strangers now—I ask, where is the need for such a large British Army of Occupation? I repeat—I ask—where is the need today for as big a British Army as 69,513 strong, that is, almost double of what they had in 1857 with which they were able to tide over the mutiny? Is it not wastefulness to have such a big army beyond our needs? In those days we were not emasculated; we were in full possession of our martial spirit, when nobody could dare say that there was no martial character in our boys; we justified our fitness for the army career because we waged wars, fought, battled and built our Empires. Of course, in those days all—the utmost—that one could say was that our boys were not initiated in the western modern methods of warfare, the western methods of Drill and Discipline, but the martial spirit was there, the military character was there, and nobody could challenge it. Giving a very vivid description, a very heart-touching description of the

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Mutiny of 1857, Lord Roberts says this in his interesting book, "41 years in India", "Happily"—please mark the essentially spiritual nature of the Indians and contrast it with the essentially material nature of the English,—even at that time when the country was in the throes of a revolution when Englishmen and Indians were running at each other's throats, when every one was trying to kill the other, when the Indians were trying to drive out the British people from India

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

Speaking about the mutiny of 1857, this is what Lord Robert says, "Happily"—there is no need to be nervous. We are at the present moment in a mood to own the Commonwealth and to be equal members thereof with the Britishers. That is our present mood, I know, that my sons and my grandsons are in that mood now. But as I was disappointed after my Lokamanya Guru died, so my children will be disappointed and they will say "Oh, this fellow has become too old. A firebrand of his time in his youth has now become a moderate in his old age." I will certainly take pride if I can develop in my sons and grandsons a more martial, a more aggressive, a more materialistic spirit, and an ambition of an Empire of their own and if I succeed in it I shall have ample reason to be proud of such an achievement. "There is no happiness greater than the happiness which a teacher feels because the taught, his pupil, is proving himself superior to the teacher". That is the happiness I am feeling in my old age, because I see my young boys, my grandsons and children proving superior to me; for a Sanskrit Proverb says:

Shishyadichchheta parajayam.

Lord Robert says:

"Happily this feeling (of racial antagonism) did not last long. Even when things looked blackest for us."

—look at the spiritual eminence of the Hindus,—

"even when things looked blackest for us it was softened by acts of kindness shown to Europeans in distress and by the knowledge that, but for the assistance offered by the natives themselves, the restoration of order and the suppression of the fierce military insurrection would have been a far more arduous task."

How arduous it would have been he himself describes later on:

"Delhi could not have been taken without Sikhs and Gurkhas. Lucknow could not have been defended without the Hindustani soldiers who so nobly responded to Sir Henry Lawrence's call."

Their soul force supervened and intervened.

"And nothing that Sir John Lawrence might have done could have prevented"

—note this remark—

"our losing for a time the whole of the country north of Calcutta, had not the men of the Punjab and the Derajat remained true to our cause."

Such was the spontaneous outburst of our soul force and what did we get in return? How did the Britishers reward us? By the promulgation of what is known as the Arms Act which has emasculated us so thoroughly. But I should prefer to speak in the language of our late Commander-in-Chief, Lord Rawlinson:

"I have agreed to recommend the reduction of 3 British cavalry regiments and 5 British infantry regiments when the internal condition and the state of the Frontier admits. This is rather faster than I had intended to go in the first instance; but I could not resist the pressure when it came to considering the fact that we had 28 British and only 21 Indian battalions allotted for internal security. It was impossible to defend this proportion which dates from the post mutiny days. Now that we have decided to trust the Indians and lead them to Self-Government, we cannot justify an army of occupation." P. 295. Life of Lord Rawlinson.

Now, the Frontier is quite safe. We have our khassadars. We have made roads. We are giving the young men over there a rupee a day so that they may not feel the need to loot and they may cultivate the habits of civilised nations. So there is no fear of the Frontier now.

Now during the mutiny our people helped the British. They fought for them. The Gurkhas fought for them. The Hindustanians fought for them. The greater portion of Hindustan showed kindness to them. What is the return that we got for all this kindness? India got 28 British and only 21 Indian battalions. This is the reward that have been given to us for our kindness to the Britishers and for our help given to them during the dark days of the mutiny by which they could save their Empire in India. It means that the British troops were enormously increased beyond the real needs of India and we were made to pay crores and crores of rupees every year for their maintenance. What a waste. Can anybody challenge my statement that it is a huge waste and that 28 British battalions were beyond the needs of the defence of India. Now,—Lord Rawlinson asks—that you have decided to trust the Indians and lead them to self-government, how can you justify this army of occupation?

Lord Rawlinson further says:

"I have agreed to reduce the peace establishment of British battalions to 882; it was 1,003 in 1914."

That means that we had 1003 minus 882, that is 121 British battalions more for which we had no need. Is that not waste?

Now, let us ask a radical question. Do we really need the British soldiers for the defence of India? I will not speak in my own language. Again I would prefer to speak in the language of British Authorities. Lord Roberts our former Commander-in-Chief found that for the internal security of the country, so that no rascal might rise up in the country to subvert British rule, 36,000 British soldiers were proved to be enough to tide over the difficulties of the kind of the mutiny of 1857. Now, in this era of mutual trust, when Indians are fighting the battles of England all over the world, when science has vastly improved the Ways and Means of Communication and also the weapons of warfare, none of which are now in the possession of the Indians, is it not pertinent to ask, "Do you really need the British soldiers for the defence of India from foreign aggression?" I shall leave it to my Honourable friend, Sir Abdul Qaiyum, to reply as he may think fit from his own point of view as he did the other day. But,

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let us see what Lord Roberts says: Writing about the Umbeyala pass expedition, Lord Roberts says:

"The Expedition was an admirable school for training men in outpost duty. The Pathans and Gurkhas were quite at home at such work and not only able to take care of themselves but when stalked by the enemy were equal to a counter stalk often most successfully. The enemy used to joke with Brownlow's and Key's men on these occasions and say 'We don't want you (the Gurkhas). Where are the Lal Pagriwallas or the Gora Log (European). They are better Shikar (sport)'."

They are better Shikar, the Pathan says, the Lal Pagriwalla and the Gora log then the Gurkhas. (*An Honourable Member*: "Who is the Lal Pagriwalla?") I do not want to tell you who is the Lal Pagriwalla. Perhaps my friend the Army Secretary may prefer to enlighten you on the point. It does not matter much. What I am concerned with at the present moment is the Gora log which means the Britishers and therefore I shall deal now with the Gora logs. Pathans are born Shikaris. I have seen Pathan boys, quite kiddies coming out of their houses with their rifles on their backs going about and looking after their sheep in the mountains.

(At this stage Mr. President resumed the Chair.)

I have seen also beautiful flowers in His Excellency's garden over there. They are so lovely that one is tempted to pluck them; but does anyone feel any compunction or a bite of conscience while plucking a beautiful flower. In the same way the Pathan goes about and when he comes across a man tempting enough for the money he may have in his pockets he chops off his head with the same ease with which you may pluck a flower from the Viceroy's garden. (*An Honourable Member*: "Has he got spiritual force too?") Yes, he had but 900 years ago when the Pathans were Hindus like us Brahmins, Kshatriyas, Vaishyas, etc. If you will read the history, you will find that in Kabul and Kandahar upto 1,020 Brahmin kings and Kshatriya kings were the rulers. They were our own blood relations and we did not have in those days the caste-ridden society as we have now. So, Afghanistan is a country which is a province of India being populated by our own kith and kin, though they may call themselves Mussalmans now. Just as an Englishman in England may be a Christian or a Mussalman or a Hindu and yet he is an Englishman and none else than an Englishman pure and simple. The only thing that is required is that we should begin to recognise them and own them as our own and they should begin to do similarly and as this consciousness shall grow the Bureaucracy will lose all their trade in India and will then begin to imbibe the spiritual force from us. Lord Roberts further on says:

"The tribesmen soon discovered that the Sikhs and the Europeans, though full of fight, were very helpless on the hillside and could not keep their heads under cover."

We have the Gurkhas and the Marathas to fight battles on hilly and mountainous country; the Sikhs, the Jats, the Rajputs in other places; then where comes in the need of British soldiers? And what is the immunity we have got after spending such huge sums ever since the British came here? The military threat from the North-West Frontier is perpetually kept before us. My friend Mr. Coatman is not here. Perhaps

he has resigned and is going away to England. But his book on India which he has written for presenting to the Parliament has been very useful to me. His latest report is for 1928. According to him, after spending so many crores, what immunity we have got is somewhat as follows: "The Indian Government have conducted 17 active operations against the Pathans since 1852." That is to say, on the average about one expedition in every four or five years during the last 75 years; "and four expeditions since 1911". And what was the immunity that India had when our friends the Sikhs were the rulers of Punjab? And, mind you, they did not have such a wealth to spend. They did not have the machine guns or the aeroplanes; neither did they have electricity or steam to serve them. They did not have the whole of India behind their back. It was a small province and so long as that province was governed by the Sikhs, there was no military threat from the Frontier. The Pathans recognised their brother Sikh as their equal. And, though there were skirmishes between these two equals, each respected the power of the other and therefore peace was maintained. And yet Mr. Coatman says in his Report that the British people did not receive any kind of sound frontier policy as a legacy from the Sikh kings. Well, I do not know that. It may be that none is so blind, as one who will not see; but I see a very clear and sound policy which the Sikhs were following. Not only do I see it but I have been trying my very best to get the Government to give effect to that policy. And what was that policy? It was this that if every Pathan a boy, a young man or an old man was a sharp shooter and knew well how to wield the sword, so was every Sikh in the Punjab, and thus they were both equalised. And that is the reason why ever since I have been in this Assembly I have been impressing upon the Government the wisdom of the Sikh policy. Wisdom does not lie in spending crores and crores in maintaining a standing army of the Britishers which cost us five times more than an army of Indian soldiers on the frontier to protect us against the threat of hardly 7 lakhs of people over there in the Hills armed with only 140,000 modern rifles. You are today much better furnished than the Sikhs. You have machine guns, heavy artillery and aeroplanes. Sikhs had none of these and they were merely a handful compared with what you have in your support throughout the whole of India. I say take a lesson from the Sikhs who ruled in the Punjab and initiate that policy here. Your policy should be that every boy in India between the ages of 10 and 20 should undergo compulsory physical training, military drill and rifle practice. This is the only remedy for the so-called perpetual threat of the North-West Frontier, and there is no other, so cheap and yet so radical. Every boy should be made to undergo this training so that when he grows up to be a man of 20, we shall have more than three crores of people in India ever ready to defend their country. Will there be then any trace even of the threat of which so much is made? You may not know how many crores of soldiers we will thus have but if I calculate them here as I have been calculating in my speeches outside this House, we shall have trained fighters between the ages of 20 and 50 to the tune of more than 3½ crores. India's population is estimated at 30 crores. Leave aside 15 crores of females. Out of the remaining 15 crores of males, leave aside also 5 or 6 crores of children and boys below the ages of 20 and also an equal number above the ages of 50 years. You have thus from 3 to 5 crores of young men between the ages of 20 and 50 who, if trained, as I suggest, will reduce the Frontier threat to nil. Will not these from 3 to 5

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crores of trained young men be able to stand against 7 lakhs of Pathans? In that case we can employ the Sikhs, the Jats, the Rajputs for our warfare on the plains of India, the Gurkhas and the Marathas on the hills and the mountains.

After all this, I am tempted to quote one more instance to give you an idea of the immunity that we are receiving. Mr. Coatman says in his book:

"The Third Afghan War in 1919 sent along the whole frontier a new wave of unrest which broke in Waziristan in the bitterest and most determined fighting which the Government of India ever had to undertake on the North-West Frontier Province."

Well, Sir, after spending so many crores, after having been ruling in India for nearly 150 years, or at least 100 years the British people found out as late as 1919 that the Waziri really revels in fighting, that shooting a man is a mere pastime to him. I do not say that the result of the Afghan war of 1919 in so far as it culminated in the acceptance of independence of Afghanistan was a bad thing in itself; but the defeat of our army over which we have spent crores and crores is not a thing to be proud of. I do not say that will always happen. But we can at least say that money will not give us the immunity if it is not spent on the training of the people as suggested by me. You must train the children of the soil who shall always stand by you, who shall stand by the Indian Empire and who shall form the bulwark of defence against any military threat of any country that may dare cast an evil eye on India. Also about the result of the modern development of warfare, Mr. Coatman has given a very nice instance, which I am tempted to quote. I hope the House will bear with me for a little while, for I have not been getting enough time within the twenty minutes allotted during the general discussion of the Budget to say all that I have to say to my heart's content. I do not know whether I shall again be coming to the Assembly, and so I request the House for, and I hope the House will allow me, some latitude to speak at length. I hope that I am not boring any one.

Several Honourable Members: Go on.

Dr. B. S. Moonje: Mr. Coatman says:

"In June 1927 certain sections of the Mohmand tribe crossed the border and attacked the British post line."

(At this stage, Pandit Madan Mohan Malaviya entered the House and seated himself in one of the back benches behind Dr. Moonje.)

I wish the Honourable Member, Pandit Madan Mohan Malaviya, would come and sit in his usual seat in front of me, for I get inspiration from the reverential Pandit.

(The Honourable Member complied with the request.)

Now that my Elder has occupied his usual seat, it gives me great inspiration. I have known only two persons in all my life before whom

my head bowed spontaneously. One was the late Lokamanya Tilak, and now Pandit Madan Mohan Malaviya. Well, Sir, coming to Mr. Coatman's book, he says:

"In June, 1927, certain sections of the Mohmand tribe crossed the border and attacked the British post line. Air action was taken against these hostile tribesmen and they were dispersed after suffering about 30 casualties. The Royal Air force incurred no casualties and the ground troops which had been gathered had no need to go into action owing to the refusal of the enemy to show himself after his introduction to the Air force."

I am reminded here of one little action fought during the Third Mahratta War. The military drill and discipline on modern lines was not known to us then but it was found to be so very effective that a company of 3,000 Indian soldiers trained by British officers stood their ground for three hours against the Peshwa's soldiers. I may profitably repeat here what I had quoted in my speech on the Budget, British General Sir Ian Hamilton's words. He said:

"A thousand men standing up in the open with arms in hand, each anxious to fight himself but each uncertain of how far his fellows meant to fight, were liable to be scattered like chaff by a mere handful of soldiers hypnotised by habit into responding as one individual to the order of their Sergeant."

That had happened to the Peshwa army during the Third Mahratta War, and here is an instance of how a few aeroplanes cowed down a body of well known sharp-shooters, determined fighters, fanatic fighters, known throughout the world for their fighting capacity, being armed only with rifles. Having noted this fact, Mr. Coatman's soul and spirituality were also quickened. He says:

"Though the circumstances were perhaps too unusual to permit the drawing of sweeping conclusions, food for thought is given by the swiftness with which this minor campaign was brought to an end and also by the fact that the rising was suppressed with no casualties on the side of the Crown forces and very few on the side of the enemy."

Is not this most demoralising? The biggest fighter he may be, the most determined fighter he may be, but if he is not armed as his enemy is, after a time he gets demoralised. When a man has only a *lathi* to fight with, and if he is pitched against a man with a modern rifle, what can he do? I say that at the present time the only weapon with which our neighbours the Pathans in the trans-frontier country are armed is the modern rifle, and as against them you have got your modern air force, you have got all these scientific implements of war. Therefore, I ask can you justify this huge yearly expenditure of 55 and more crores of rupees that you have been spending up to now? Therefore, I think I am fully justified in saying that the Government of India is wasteful in its policy—heartlessly wasteful.

Now the second charge of mine against the Government of India is lavish extravagance.

An Honourable Member: That nobody questions.

Dr. B. S. Moonje: I will give you only one instance and that ought to suffice. It is an instance of money spent on what is called civil aviation. In this year's Budget you have provided 24.5 lakhs of rupees. Up to now

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from the time the hobby of civil aviation had taken hold of the Government, nearly a crore of rupees has been spent and yet to the children of the soil it has offered no advantage. I submit that from our point of view this civil aviation is a hobby, a luxury. But I think I am not wrong in saying that, in spite of the fact that you have spent such a huge sum as 80 lakhs, nearly a crore of rupees on civil aviation, still you have not got one single school for the training of Indians either in civil aviation or military aviation. Look at Japan. Japan sent only two of its men to Europe and got these two of their nationals trained there and they brought with them back to Japan two European expert officers to train their countrymen in aviation, and like a magic, in a few years Japan has raised an effective Air Force and established civil aviation, which had made Japan a power to count. The whole money that was spent in rearing up that force in Japan was spent among the Japanese. But here, we have been crying ourselves hoarse, at least I have been crying myself hoarse for the last three years; will the Government of India be pleased to grant us, as a concession, air force training to our Territorial forces? If not to the Territorial forces in general, at least to the University Training Corps, which are composed of well educated people, who are graduates and who are in every way equal to the Britishers in intelligence and some even superior to them as regards bodily development? This has been my question to the Government. I pause for a reply on the floor of this House. Let any body examine these University Training Corps boys and if they are found fit, why don't you choose them and give them training? How many people are you going to train if you insist on sending them to England? I do not think up to the time of the last November examination, you sent even one man to England for training in the Air Force. It was merely a fortunate circumstance that at the last November examination we were successful in selecting six men.

And now let us see what is being done in England in this respect. The whole of England's air forces have been a growth practically of the last 15 or 16 years. I am giving the authority of no less a person than Brigadier General Thompson, the Secretary of State for Air in England. He said that, before the war, the ordinary private people used to make experiments and used to build aeroplanes and flying ships and other things. When the world war broke out and when they found that the Germans were effectively using aeroplanes against them it was then that a tremendous impetus was given to aeroplaning. Money was lavishly spent in building aeroplanes and thus the whole air force of England is a growth of hardly 16 years. In India lakhs of rupees have been spent in the last 5 or 6 years and we do not yet see anything tangible for us. If you go to England now you will hardly find one or two Indian boys,—there will be six boys at the end of next October,—receiving air force training there. England has made a great name as a great military power in Europe and therefore it can be said that there is no such military threat to England as is said to exist for India. And yet what does England do for being ever prepared for any emergency? Brigadier General Lord Thompson, Secretary of State for Air says: "One thousand boy apprentices are required every year by the Royal Air Force". We here have got a concession of sending two boys yearly from 1928 and a proportionate increase in number every year. I do not know what would be the proportionate

increase in number of boys over two. If the proportion of yearly increase of 4 to 20 boys fixed for the Sandhurst be taken as a guide then, I do not think we can have an increase of more than one-third of a boy every year. And in England one thousand boy apprentices are required every year by the Royal Air Force. Says Lord Thompson:

"Boys of promise between the ages of 15 and 17 are accepted; they are drawn mainly from the secondary schools, technical schools, continuation day or night schools. Entry is by competitive examination for the majority of candidates except in the case of a limited number of boys whose fathers' services entitle them to exemption."

And now look at the care with which these boys are trained. You will see with what fatherly care these British boys are trained in England.

"All skilled Air Force tradesmen are taught a basic trade to ensure them as far as possible against unemployment when their term of service has expired. Boys are accepted between the ages of 15 and 17 and whenever possible, their own wishes and those of their parents in regard to choice of trade are followed."

He further says:

"Thus it is possible for a boy to receive a good technical training and general education at practically no cost to his parents; then to enter a Cadet college where the normal charges are almost entirely remitted; and eventually to get his feet on the bottom rung of a ladder by which he can climb to the highest rank."

So the British boy receives his training in the Air Force practically without any cost, and we in India had to pay 80 lakhs or a crore up to now for civil aviation and an Indian boy's parents are required to spend more than Rs. 7,000 for his training in England. Similarly an Indian boy in the Dehra Dun Military College has to pay a fee of Rs. 155 per month for a training course of 7 or 8 years—what extravagance this! I am determined to see that this is stopped and that an arrangement is made that the monthly fee in the Royal Military College at Dehra Dun does not exceed 50 or 60 rupees.

Mr. President: How will the Honourable Member see to it?

Dr. B. S. Moonje: God is great and my hope is great; there is a spiritual soul on one side and there is a material soul on the other. They will accommodate themselves some how to bring about this change.

I am reminded here at this stage of a little incident that had happened on the floor of this House three years ago. When I was an inexperienced man in the Assembly and when I had not had much reading of the subject, I found through what little I had read at that time, that in other countries civil aviation and military aviation are interdependant so that boys trained in military aviation can go to join civil aviation, and boys trained in civil aviation would form reserve forces in the military. That was my information at that time, but our Honourable friend Sir Bhupendra Nath Mitra at that time contradicted me. At that time I was inexperienced and I had not got full facts and figures with me. But I have got them now and I am going to present them to my Honourable friend. I am placing before my Honourable friend

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what Brigadier General Lord Thompson, the Secretary of State for Air in England, says:

"In Great Britain the Air Ministry is responsible for much more than the Air Force; it exercises a measure of control over aviation in all its branches. . . . Military and civil aviation are closely interdependent and an efficient Air Ministry will reflect this condition."

Therefore I said at that time that my Honourable friend over there who is in charge of civil aviation should make friends with the military authorities and see that civil aviation and military aviation are made inter-dependent in India.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, as my Honourable friend, Dr. Moonje, has been specifically referring to me, I think it is only desirable that I should tell him what, to the best of my recollection, I placed before him at that time. The Air Force as it is now constituted in India cannot produce an Indian service suited for civil aviation. If we had an Indian Air Force with a reserve service, things might be different. On the other hand, if we develop civil aviation we may be able to create a number of reservists which will be useful from the point of view of military aviation when an Indian wing of the force is started. But at the present moment there cannot possibly be any inter-dependence between the two in India.

Dr. B. S. Moonje: That is exactly what I was saying and I was appealing to the Honourable Member at that time to make friends with the military authorities and bring it home to them that it is in their interests that civil aviation should develop in India in conjunction with military aviation. If he had used his position in the Cabinet, perhaps his voice would have carried greater weight than mine. Brigadier General Lord Thompson, Secretary of State for Air, says:

"In this connection likely casualties in aerial warfare will be as high as 80 per cent. per month. . . ."

This is worthy of note because you want to relieve India of the perpetual military threat:

"In this connection likely casualties in aerial warfare will be as high as 80 per cent. per month in pilots and machines and obviously no ordinary system of reserves to replace losses will meet attrition on this scale and if a nation were to depend entirely on the standing Air force to meet the exigencies of a war, say, for the first six months, it will have to maintain in time of peace nearly five times the air force considered requisite for national defence at the beginning of hostilities. The expense for training and maintaining this standing air force in peace time will be so heavy that no nation, not even the United States is rich enough to finance such a policy. . . ."

It is this thing that I am trying to impress upon the Government, that however much India will be milched of her crores every year, no amount of money will be found sufficient if it is desired to make India free from the military threat so far as the air force is concerned. Then:

"Another solution has therefore to be sought and one of the most promising avenues of approach to it is the encouragement of air craft manufacture and Civilian aviation."

So, I say whatever money on civil aviation, 80 lakhs or a crore of rupees, has been spent during the last 5 or 6 years has been wasted, ed, wasted.

The Honourable Sir Bhupendra Nath Mitra: If I may interrupt my Honourable friend again, the bulk of the money which has been spent, has been spent on ground organisation and that ground organisation would have been required in any case. In fact, we are more or less compelled to incur that expenditure on account of our international obligations.

Dr. B. S. Moonje: Not that I have not got intelligence enough to understand it. I have been a member of the Advisory Committee of the Honourable Member's Department. But, Sir, there are illustrations and instances for us to copy. That was not done in Japan. What was done in Japan was, the boys were trained along with that ground engineering work. (Hear, hear.) Was that done in India? Why was ground preparation done by British engineers imported from England? Is it meant to convey that India cannot produce engineers? There is the Roorkee College and I am even prepared to say that you can import one expert engineer from England and have the other engineers from the Roorkee College under him. Japan is doing that.

The Honourable Sir Bhupendra Nath Mitra: That is precisely what is being done. In the Civil Aviation Department we have got one Royal Engineer, who is the expert adviser. Otherwise the work is done through the agency mostly of Provincial Governments and therefore largely through Indian engineers.

Dr. B. S. Moonje: I am sorry I did not anticipate this thing. Otherwise I would have given figures for the edification of the Honourable Member. Now I charge the Government

Mr. President: He can charge the Government only for five minutes more.

Dr. B. S. Moonje: Only five minutes, Sir? Not half an hour? Or shall I continue tomorrow? From my point of view I think this is very important, and I might continue tomorrow.

Mr. President: How long are you going to take?

Dr. B. S. Moonje: Till I have done, perhaps. (Laughter.) Because this is exactly what I wanted to say, and I was waiting for three years for an opportunity to place before the House everything connected with the peculiar ways of the Army Department.

Mr. President: I will allow the Honourable Member to speak up to quarter past Five. Will it suit him?

Dr. B. S. Moonje: I think my suggestion might be accepted.

Mr. President: Then the Honourable Member will come prepared with fresh facts?

Dr. B. S. Moonje: Yes.

Mr. President: I think we had better continue.

Dr. B. S. Moonje: Now, I am speaking about the utter irresponsibility of the Government of India. From the constitutional point of view, my friend, Mr. Kelkar, dealt with it fully the day before yesterday. I am looking at it from the point of view of the Shea Committee's Report and the Skeen Committee's Report. In 1928, 20 vacancies were conceded to the Indians for Sandhurst and it was said that 4 additional vacancies yearly would be granted. So in 1928 the vacancies were said to be 20, and in 1929 the vacancies should have been 24 if this part of the Skeen Committee's recommendations had been really given effect to. If I remember right, my Honourable friend, Mr. Young, said the other day that the Government had accepted all the recommendations of the Skeen Committee except two, that is the Sandhurst for India, and the other about the abolition of the 8-unit Scheme.

Mr. President: Will the Honourable Member promise that he will not take more than half an hour tomorrow?

Dr. B. S. Moonje: Yes.

Mr. President: Not more than thirty minutes?

Dr. B. S. Moonje: Yes, I promise.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 20th March, 1930.

LEGISLATIVE ASSEMBLY.

Thursday, 20th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN.

Kumar Ganganand Sinha, M.L.A. (Bhagalpur, Purnea and Santhal Parganas: Non-Muhammadan) and Mr. G. S. Hardy, M.L.A. (Commerce Department: Nominated Official).

SHORT NOTICE QUESTIONS AND ANSWERS.

DECISION OF THE BRITISH GENERAL MEDICAL COUNCIL NOT TO RECOGNISE MEDICAL DEGREES OF INDIAN UNIVERSITIES.

Dr. B. S. Moonje: (i) Will Government please state if they have seen the news as published in the *Hindustan Times* of 17th March, 1930, page 6, at the top of fifth column, which is as follows:

"The *British Medical Journal* announces that the Executive Committee of the General Medical Council (of England) has decided to refuse to recognise for the time being the medical degrees of Indian Universities"?

(ii) If so, will Government please state if it is a fact and, if so, the reasons thereof?

(iii) Are Government aware that, up to last year, medical degrees of some of the Indian Universities, such as those of the Universities of Madras, Bombay, etc., were recognised as registrable by the General Medical Council of England?

(iv) If so, what has happened in the course of the last year which has led the General Medical Council to come to their above decision?

(v) What do Government propose to do to establish amicable relations between the General Medical Council of England on the one hand and the Indian Universities and the Indian Medical profession on the other?

Sir Frank Noyce: (i) Yes.

(ii) The Executive Committee of the General Medical Council has decided that, in the absence of authoritative information regarding the medical qualifications of the Universities of Bombay, Calcutta, Lucknow, Madras and the Punjab, it is unable, for the time being, to recognise the medical degrees of these Universities as furnishing details of guarantee of possession of requisite knowledge and skill for the efficient practice of medicine, surgery and midwifery in Great Britain.

(iii) Yes.

(iv) Since 1922, the recognition of Indian medical degrees by the General Medical Council has been dependent upon periodical inspection of examinations. The Council, however, came to the conclusion that isolated reports on final examinations had proved, after repeated experience, to be inadequate to enable it to satisfy itself on all important matters, on which it was its statutory duty to be satisfied before assuming the responsibility of recognition for purposes of registration. Pending the confirmation of the appointment of a Commissioner of Medical Qualifications and Standards, the Council agreed to continue recognition until the meeting of its Executive Committee in February, 1930. The Council has now withdrawn this conditional recognition.

(v) The situation which has arisen is engaging the earnest attention of Government.

Dr. B. S. Moonje: Have Government seen the answer given by the Minister of the Bombay Government in the Bombay Legislative Council yesterday which is as follows:

"The Government of Bombay alone objected to the appointment of a Commissioner, but subsequently agreed to the appointment as a temporary measure on the Central Government undertaking to give full consideration to the wishes of the Government of Bombay as regards any permanent arrangement."

Sir Frank Noyce: I have not seen that statement, Sir, but the substance of it is perfectly correct. Might I submit to you, Sir, that there is another short notice question on the paper put by my Honourable and gallant friend, Colonel Gidney, and that it might be convenient if I answer that question before answering further supplementary questions?

Mr. President: Colonel Gidney.

DECISION OF THE BRITISH GENERAL MEDICAL COUNCIL NOT TO RECOGNISE MEDICAL DEGREES OF INDIAN UNIVERSITIES.

Lieut.-Colonel H. A. J. Gidney: (a) Has the attention of Government been drawn to the issue of the *Daily Chronicle*, dated 16th March, regarding the decision of the British General Medical Council to refuse, for the time being, recognition of the medical degrees of Indian Universities?

(b) Will the Honourable Member in charge of the portfolio be good enough to inform the House what the Government of India intend doing under the circumstances, especially in connection with the creation of an All-India Medical Council?

(c) Will Government be good enough to place on the table all the correspondence that has passed between it and the Secretary of State for India on this subject?

Sir Frank Noyce: (a) Yes.

(b) Government have so far received by telegraph only the text of the resolutions regarding Indian medical degrees passed at the meeting of the Executive Committee of the General Medical Council on the 24th February. They will decide what action should be taken when they are in possession of full papers, which are following by mail. Meanwhile I can assure the Honourable Member that every endeavour will be made to proceed with the proposal for the establishment of an All-India Medical Council without avoidable delay.

(c) A copy of the relevant correspondence is placed on the table of the House.

Letter from the General Medical Council to the India Office, No. 112, dated the 12th June, 1929.

Referring to your letter of 14th February, 1929, on the question of the appointment of a Commissioner of Medical Qualifications and Standards, and to the accompanying letter from Mr. Bajpai, the Secretary to the Government of India, of 17th January, 1929, which were considered by the Executive Committee on behalf of the General Medical Council on 25th February, 1929, I beg leave again to call your attention to the resolution of the Executive Committee then adopted and communicated to you.

The several individual reports proposed in paragraphs 1 and 2 of Mr. Bajpai's letter have now been received, and will be dealt with in July.

With regard to paragraph 3 the Committee resolved as follows:

"That the important matters referred to in para. 3 of the Government of India's letter will be subject to a further communication from the Council; but, in the convinced opinion of the Council, the only satisfactory solution to the difficulties of inspection of Medical Colleges and qualifying examinations of Indian Universities, until an All-India Medical Council is constituted, is the appointment of a whole-time Commissioner of Medical Qualifications and Standards by the Indian Government."

This "convinced opinion" was communicated to you in due course, and we gather from your letter of 21st March, that it was referred to the Government of India. We are still awaiting a reply. As regards the "further communication from the Council" indicated in the Resolution, this was intended, should the Government of India still hesitate to offer if necessary the special reasons for our inability to accept, as a satisfactory alternative, the continuance of a series of reports from one or more part-time Inspectors of Final Examinations only. The following are the considerations referred to.

1. The duty of the Council, imposed by statute, is to ensure that the curricula and degrees, which it recognises for British registration, shall be such as to furnish a sufficient guarantee of the requisite knowledge and skill for the efficient practice of Medicine, Surgery, and Midwifery in this country.

2. In order that it may fulfil this duty in this country it is empowered by law to appoint visitors and Inspectors to report on *all* the subjects of the curriculum required by the Home Licensing Bodies. These visitations are continually going on, and thus the Council is enabled to ascertain and to judge of the nature scope and methods of medical education in operation throughout the country, as well as the standards of examination in *all* the professional examinations.

3. In India the Council has no similar powers and the duty of furnishing the necessary guarantee would appear to devolve on the Indian Government indeed *continuous* supervision of medical qualifications and standards, carried out by means of visitations of colleges, as well as by inspection of examinations has now been shown to the satisfaction of the Council, to be necessary for the fulfilment of its functions in respect of Indian degrees. Isolated reports on the final examinations have proved, after repeated experience, to be inadequate to satisfy the Council on all-important matters on which it is its statutory duty to be satisfied before assuming the responsibility of recognition for purposes of registration.

4. The advances in Indian Medical Education which have been noted since 1922 have, the Council is assured, been stimulated and guided more by the visitation of Medical Colleges, and by the free discussion with University authorities, rendered possible by the visits to India of Sir Norman Walker and of Col. Needham, than by any other single factor, repeated inspection of qualifying examinations not excepted.

5. Such visitation of Colleges and discussion with Universities is still, we believe, urgently necessary if the advances noted are to be maintained. The reports of the Inspectors received in the last two years reveal deficiencies which would not be tolerated in this country, and which might and indeed ought to be removed under the counsel and direction of an official Commissioner, impartial as between the provinces, and familiar with home standards and methods. His whole time would properly be occupied with this work, and with the inspection of Final Examinations. The latter might quite well, as in this country, be spread over two years if necessary.

Telegram from His Excellency the Viceroy, Education Department, to His Majesty's Secretary of State for India, London, No. 42, dated the 6th January, 1930.

Continuance of recognition of Indian medical degrees. Local Governments now agree that the only solution of present difficulties is to be found in establishment of all-India Medical Council. We are most anxious to proceed with legislation with least possible delay but, in view of intricacy of subject and necessity for alterations in the Bill as originally drafted to meet criticisms and suggestions received from various quarters, on which it will probably be necessary to consult Local Governments it will not be possible to introduce legislative measure this session. We have given most careful consideration to arrangements which should be made to tide over interval which must elapse until statutory Medical Council is created. Appointment of Commissioner of Medical Qualifications appears to us out of the question in view of strong opposition to proposal manifested both in the Assembly and outside it. Conference of Indian Universities which met at Delhi in October, recorded view that appointment of Commissioner was not in consonance with best interests of medical education in India. It is clear that non-official opinion is very definitely against proposal and in these circumstances we do not consider it desirable to re-open question.

2. Conference of Universities recommended that pending creation of Indian Medical Council a Board consisting of representatives of Government of India and of Medical Faculties of Universities should be appointed immediately as temporary measure for determining and supervising medical qualifications and standards in Indian Universities. We regard suggestion as sound and agree that it is necessary to appoint a Board as preliminary to Indian Medical Council to be created by Act of legislature. We therefore propose to establish Board consisting of our D. G., I. M. S. as President and one representative from each Medical Faculty of Universities in India as members. Board will appoint three Inspectors who will be specialists in their own subjects, namely, medicine, surgery and midwifery respectively, for the purpose of carrying out inspections and reporting on standards of medical education and examinations. Reports of Inspectors will be submitted to and considered by Board which will decide whether guarantee should or should not be given to General Medical Council that possession of medical degrees of a particular Indian University ensures possession of minimum qualifications accepted for registration in Great Britain. As there is little doubt that members of Board and Inspectors will all possess qualifications obtained in Great Britain, they will be in position to make satisfactory comparison between standards in India and those in Great Britain, and we trust guarantee furnished by Board which will be authoritative and competent body, will be acceptable to General Medical Council.

3. Before moving further in matter of constitution of temporary Board we should be glad if action which we propose to take could be intimated to General Medical Council and to be informed urgently of their probable attitude to proposal.

Telegram from Viceroy, Education Department, to His Majesty's Secretary of State for India, London, No. 544, dated the 17th February, 1930.

Immediate. Recognition of Indian medical degrees. Medical Examinations of Rangoon and Patna Universities commence on 27th February and 12th March, respectively. There will not be enough time to arrange for inspection of these examinations under the arrangements suggested in our telegram 42, dated 6th January, on assumption that proposal to create temporary Board meets with approval of General Medical Council. It is accordingly proposed that these examinations should be inspected by *ad hoc* Inspectors whose reports would be submitted to the Council as has been done in case of examinations of other Universities in past. We suggest that if General Medical Council is agreeable Sir Frank Connor should inspect Rangoon examinations and Lieutenant-Colonel Bradfield Patna examinations. Both Officers have inspected medical examinations on behalf of General Medical Council before and are well qualified. We shall be glad to be informed immediately whether General Medical Council agrees as otherwise it will not be possible for Connor to reach Rangoon by 27th. We would express our earnest hope that General Medical Council will accept this temporary expedient.

Medical examinations of other Universities will be held not earlier than April, and it should be possible to arrange for their inspection under new arrangements of General Medical Council agrees to these at its Executive Committee's meeting on 24th February.

Telegram from His Majesty's Secretary of State for India, London, to Viceroy, Education Department, No. 840, dated the 8th and (received 9th) March 1930.

Immediate. Indian Medical degrees. Following Resolutions were adopted at meeting of Executive Committee General Medical Council on February 24th. *Begins.*

(1) That in absence of authoritative information respecting Medical Qualifications and Standards, Bombay, Calcutta, Lucknow, Madras and Punjab Universities, Executive Committee is unable for the time being to recognise Medical degrees of these Universities as furnishing details of guarantee of possession of requisite knowledge and skill for efficient practice of medicine surgery and midwifery in this country and that accordingly conditional recognition hitherto granted to these degrees has now lapsed.

(2) Proposal of Government of India to appoint temporary Board contained in India Office letter of January 11th, 1930, has been carefully considered but Executive Committee is unable to accept proposal(s) as furnishing satisfactory method of supplying Council were authoritative information on medical qualifications and standards in India and with necessary guarantee of sufficiency.

(3) Executive Committee has carefully considered proposal of Government of India to appoint temporary Inspector(s) for qualifying examinations of Rangoon and Patna Universities but find it undesirable for reasons given in Presidents' letters of June 12th and December 6th, 1929, to renew the practice of approving appointment of separate inspector(s) which it has already found inadequate for the purpose of ascertaining sufficient standard for Indian Medical degrees actually required and enforced by Universities. *Ends.*

Papers are being sent by next Air mail.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member be good enough to place on the table of the House or in the Library a copy of the minutes of the proceedings of the Conference that took place last July between the Government of India and the Ministers of the Provincial Governments on the formation of an all-India Medical Council and of other cognate subjects?

Sir Frank Noyce: A copy of the proceedings of the Conference will be placed in the Library of the House.

Mr. Lalchand Navalrai: Will the Government of India, in these circumstances, consider the question why, when Indian degrees are not even recognised, British degrees should be recognised in India?

Sir Frank Noyce: That question will be considered.

Dr. B. S. Moonje: Will the Honourable Member state the reasons for the objections of the Bombay Government's Minister as regards the appointment of the Commissioner as proposed by the General Medical Council?

Sir Frank Noyce: The Honourable Member will find those objections fully stated in the proceedings of the Conference, a copy of which is being placed in the Library.

Diwan Chaman Lal: When did the Honourable Member receive intimation of the decision of the General Medical Council?

Sir Frank Noyce: The Secretary of State's telegram was received on the 9th March.

Lieut.-Colonel H. A. J. Gidney: With reference to the present situation, will the Honourable Member state whether it is a fact that, according to the present decision of the General Medical Council, Indians who receive

their degrees in India and which degrees are registrable in England will be precluded from entering the I. M. S. and whether Indians who do not possess British qualifications will be prevented from entering the I. M. S.?

Sir Frank Noyce: Will the Honourable Member kindly repeat his question?

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member kindly tell us whether, as things stand at present, Indians who are in possession of Indian degrees which are registrable in England are precluded today from entering the I. M. S. and whether Indians who do not possess British qualifications are prevented from entering the I. M. S. as things stand at present?

Sir Frank Noyce: Does the Honourable Member refer to the state of affairs which has ensued from the decision of the Medical Council?

Lieut.-Colonel H. A. J. Gidney: Yes.

Sir Frank Noyce: The position is, I think, Sir, that Indians in possession of Indian degrees up to the date of the General Medical Council's decision are in the same position as they were before, and they are not precluded from entering the I. M. S. I take it that the result of the decision of the General Medical Council is that Indians who do not possess qualifications registrable in the United Kingdom may be precluded from entering the I. M. S.

Dr. B. S. Moonje: We want to know, as a fact, whether, after the refusal of the General Medical Council to recognise the Indian Medical degrees, it will be impossible for people possessing Indian degrees to appear for the competitive examination for the I. M. S.?

Sir Frank Noyce: The legal position, Sir, will require careful examination.

Diwan Chaman Lall: May I ask the Honourable Member whether he has taken any action of protest against the action of the General Medical Council on behalf of the Government of India?

Sir Frank Noyce: I have already stated, Sir, that we are awaiting the receipt of full papers by mail before deciding upon the action which the Government of India should take.

Diwan Chaman Lall: Do I take it then that the Honourable Member means that the Government of India, since the receipt of this information from Great Britain, have not so far lodged a protest against the action of the General Medical Council?

Sir Frank Noyce: That is so. It is impossible to deal with a question of this complexity and gravity without full consideration of the implications of such action as the Government may decide to take, and it does not seem advisable to take that action until the Government of India are in full possession of all the facts.

Diwan Chaman Lall: Is the Honourable Member aware that this matter has been before the Government of India for several months and that they have had ample opportunity to make up their minds as to what action they should take in an eventuality of this nature arising?

Sir Frank Noyce: I think, Sir, the correspondence which I am placing on the table of the House will show that the Government of India have not been inactive during the last few months.

Pandit Hirday Nath Kunzru: May I ask, Sir, whether candidates desiring to compete for the I. M. S. are required to possess qualifications registrable in the United Kingdom?

Sir Frank Noyce: I have already answered that question, Sir.

(At this stage several Honourable Members rose in their seats to put supplementary questions.)

Mr. M. S. Aney: May I know, Sir, when two Members simultaneously stand up, who has got the priority of putting the supplementary question?

Mr. President: Whoever can talk louder than the other!

Sir Hari Singh Gour: About the question of registration of Indian medical degrees in the United Kingdom, it is not a question which has arisen recently. It arose some years back when Colonel Needham was appointed as Commissioner for Medical Education in India. I want to know what action the Government have been taking from that time when the British Medical Council had decided that, unless Colonel Needham was appointed, they would withdraw the privileges of the Indian medical graduates?

Sir Frank Noyce: In the proceedings of the Conference, which I am placing in the Library of the House, the House will find a full account of the history of this question during the last few years.

Dr. B. S. Moonje: Is it a fact that the Bombay Government's Minister did make a proposal to appoint a Committee of Members representing Medicine, Surgery and Midwifery, or in the alternative a Medical Board on the lines suggested by the Conference? If so, what action did the Government take on this proposal? Why was it turned down?

Sir Frank Noyce: There again I must ask the Honourable Member to read the papers. The reasons will be found in the proceedings of the Conference. It will perhaps satisfy the Honourable Member if I tell him what temporary arrangements the Government proposed to make. They suggested to the General Medical Council that a temporary Board should be appointed as a preliminary to an Indian Medical Council being created by an Act of the Legislature. They therefore proposed to establish a Board consisting of the Director General, Indian Medical Service, as President and one representative of each Medical Faculty of the Universities in India as Members. That was the recommendation made by the last Conference of Indian Universities, and with the modification that the Director General, Indian Medical Service, should be President of the Board it was accepted by the Government of India. It was suggested that the Board should appoint three Inspectors, who would be specialists in their own subjects, namely, Medicine, Surgery and Midwifery, respectively, for the purpose of carrying out inspections and reporting on standards of medical education and examinations. That suggestion of appointing three Inspectors was made by the Bombay Government. This proposal was not unfortunately accepted by the General Medical Council for reasons which will appear in the telegram that has recently been reviewed by the Government of India.

Dr. B. S. Moonje: Was it not a sufficient ground for the Government of India to protest against the refusal of the General Medical Council to accept the proposal of the Government of India?

Sir Frank Noyce: I think I have already answered that question, Sir. We have only had the General Medical Council's refusal before us for a very short time, and we are awaiting the receipt of papers before deciding what action to take.

Dr. B. S. Moonje: My point is this. The Government of India made a definite proposal to the General Medical Council, and that proposal was turned down by them. Was it not a sufficient ground for the Government of India to make a protest against their action? Did they make a protest?

Sir Frank Noyce: Until we have full information and heard more about the grounds on which the General Medical Council turned down that proposal, it seems useless to lodge a protest. In any case I find it a little difficult to understand what the use of such a protest will be at this stage.

Dr. B. S. Moonje: One more point of information, Sir.

Pandit Hirday Nath Kunzru: Have the Government of India represented to His Majesty's Government that candidates for the I. M. S. should no longer be required to possess degrees registrable in the United Kingdom, and that Indian medical qualifications should be regarded as sufficient?

Sir Frank Noyce: No, Sir.

Mr. M. A. Jinnah: I want to know, Sir, whether the Government of India are going to act with promptitude in this matter, and whether they are going to act in this matter as a national Government of this country?

Sir Frank Noyce: The Government of India will certainly do their best to act with promptitude.

As regards the second part of the question, I can give the Honourable Member a definite assurance that the Government of India have determined to ensure the autonomy of India in this matter by establishing an All-India Medical Council which will be able to regulate the recognition of medical qualifications on a basis of complete equality and full reciprocity as soon as possible.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Council of State:

I am directed to inform you that the Council of State have, at their meetings held on the 12th, 18th and 19th March, 1930, agreed without any amendments to the following Bills which were passed by the Legislative Assembly at their meetings held on the 23rd January, 27th February and 6th March, 1930, namely:

1. A Bill further to amend the Cantonments (House Accommodation) Act, 1923, for certain purposes;
2. A Bill to amend the law relating to insolvency for certain purposes;

3. A Bill further to amend the Inland Steam-vessels Act, 1917, for certain purposes;
4. A Bill further to amend the Indian Tariff Act, 1894, for certain purposes;
5. A Bill further to amend the Indian Income-tax Act, 1922, for a certain purpose;
6. A Bill further to amend the Indian Railways Act, 1890, for certain purposes; and
7. A Bill to amend the law relating to the fostering and development of the steel industry in British India for certain purposes.

STATEMENT OF BUSINESS.

The Honourable Sir James Crerar (Leader of the House): With your permission, Sir, I desire to make a statement as to the probable course of Government business in the week beginning the 24th March. You, Sir, have directed that the House shall sit for the transaction of official business on Monday, the 24th, Tuesday, the 25th, Wednesday, the 26th, Thursday, the 27th, and Friday, the 28th. Members are already aware of the Government business pending, but it may be desirable to set it forth briefly in the order in which it will probably be taken. Owing to the uncertainty as to the time which will be required for the completion of the Finance Bill and of the Cotton Textile Industry (Protection) Bill, it is not possible to allot particular items of business to particular days, and beginning from Monday, a consolidated list of outstanding business will be prepared for disposal on that day and on succeeding days. The order of that business will approximately be as follows:

1. The Finance Bill, if it is not passed by the evening of Saturday, the 22nd March.
2. The Cotton Textile Industry (Protection) Bill.
3. The Silver (Excise Duty) Bill.
4. The Bill further to amend the Indian Companies Act, 1913, as reported by the Select Committee.
5. The consideration of the formal amendments made by the Council of State in two Bills relating to the amendment of the Income-tax law, which have been passed by this House in this Session.
6. The consideration and passing by this House of two Bills which originated in the Council of State, namely, the Bill to amend the Transfer of Property (Amendment) Supplementary Act, 1929, and the Bill to amend the Destructive Insects and Pests Act, 1914.
7. The Supplementary Demands on the General Budget.
8. The Excess Demands and the discussion of the Report of the Public Accounts Committee.
9. The passing of the amendment to the Standing Orders of this House already reported by the Select Committee.

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LEGISLATIVE ASSEMBLY.

[20TH MAR. 1930.]

[Sir James Crerar.]

10. The Resolution of the Honourable Sir Bhupendra Nath Mitra relating to the recommendations of the International Labour Conference on the subject of the prevention of industrial accidents and the protection of power-driven machinery.

If at any time it becomes apparent that the business set out in this statement will not be concluded by the evening of Friday, the 28th March. I shall approach you, Sir, with a request to direct on what further days there shall be sittings of the Assembly.

THE INDIAN FINANCE BILL.

Mr. President: The House will now resume further discussion of the motion that the Finance Bill be taken into consideration.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Resuming my speech, I say I charge the Government of India with wilful obstructiveness in the way of the Indian people exercising whatever little rights and privileges they have under the present Government of India Act. I would like to illustrate it by quoting an instance. It will be found, I hope, very instructive. I may remind the House of one of the recommendations made by the the Shea Committee. This recommendation is that:

"... military education should commence wherever possible in schools. It should be continued in the universities and colleges by means of the University Training Corps and should be concluded in the units of the Indian Territorial Force."

So if this arrangement is to be given effect to in accordance with the authoritative opinion of an authoritative Committee, then, going backwards from top to bottom, we have got the Indian Territorial Force; then we have the University Training Corps, and the only thing wanted now is that a scheme of military education suitable for the school should be devised so that, that education should be begun in the schools. Speaking on the analogy of general scholastic education we have got for the military education, secondary schools, *i.e.*, University Training Corps; we have got means for higher military education, *i.e.*, the Territorial Force, but we have not at present got the means of primary military education or elementary schools where the military education should begin. Anticipating this recommendation of the Shea Committee, I was intending to introduce a Bill for compulsory physical training, military drill and rifle practice for Indian Boys when I was a Member of the Central Provinces Legislative Council. I was told at the time, *i.e.*, in 1925, that the Bill fell within the scope of section 80A(3)(c) of the Government of India Act, on the ground that the Bill sought to regulate a Central subject, and that the Government of India had refused to grant the necessary sanction and that the measure can not therefore be introduced in the local Council. Fortunately, I soon happened to come to the Central Legislature. I had given notice of a similar Bill in this Assembly in 1927. I was, however, told this time that, "in so far as the training proposed by the Bill was to be carried out by the provincial educational authorities, the measure was one which should be introduced in a provincial Council". The measure was in the first instance introduced in the Central Provinces Provincial Legislative Council and it was shunted off to the Central Legislature and when the

same measure was introduced in the Central Legislature, it was sought to be shunted back to the local Council. I did not however leave the matter there. Taking advantage of this definite expression of opinion, I asked a friend of mine, Mr. Kalikar, B.A., LL.B., M.L.C., to introduce the same Bill in the Central Provinces Legislative Council. He gave notice of it in October, 1928, and was told in the month of November, 1928, that previous sanction of the Governor General was required and that "action is being taken in respect of the requisite sanction". Nothing definite has yet been told us in the matter, although a year and a half have elapsed. I asked a question here in this connection on the 17th September, 1929, and I was told by the Honourable the Law Member that sanction was refused by the Governor General to that Bill of mine, not, as suggested in the question, because the Bill regulated a Central subject, but because it regulated a Central subject "in a manner not acceptable to the Government of India." This was the first time that I was so told somewhat more definitely. I really could not understand the answer at all. The answer was given by the Law Member. Do the Government of India mean that Indian boys should not be subjected to physical training, or drill, or that they should not be trained in rifle practice? I hope the Honourable the Law Member will enlighten me on the point as to how this Bill not only regulates a Central subject but regulates it in a manner not acceptable to him or the Government of India, and then I will reply to him. I pause for a reply. But I might mention for the information of the Honourable the Law Member, that though what was intended by my Bill affected a Central subject, it was already regulated in a manner which is acceptable to the Central Government as well as to the Local Governments. He might know that there is a rule known as rule 32 of the Indian Arms Act, which runs thus:

"A licence for the possession and use of fire arms for the purpose of target practice by the members of any military mess or of any club or association may, with the sanction of the Local Government, be granted in Form XV in the name of the mess, club or association."

So, if the objection of the Government of India related to the handling of rifles by Indian boys, which is a Central subject, then certainly this Bill of mine regulated a Central subject, but to their further objection that it regulates the Central subject in a manner not acceptable to them, the answer is already provided by this rule 32 of the Arms Act. I do not know in which other respects that Bill seeks to regulate a Central subject in a manner not acceptable to the Government of India. I hope the Honourable the Law Member will enlighten us in the matter.

Then, I asked the Government of India whether they proposed to give previous sanction to the Bill of my friend, Mr. Kalikar, and the Honourable the Law Member said:

"The matter has been under the consideration of the departments of the Government of India concerned and in view of the importance of the principles raised in the Bill it has been decided to address all Local Governments before making any recommendation to the Governor General."

The notice of the Bill was given in October, 1928. Up till September, 1929, when I reminded the Government of India by my questions, they did not think it worth their while to expedite consideration of this subject, and when they were aroused to take action, they said, "We shall now think of writing to the Local Governments before making any recommendation to the Governor General."

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): It is a Central subject; what have the Local Governments to do with it?

Dr. B. S. Moonje: The Government of India wanted to know the opinions of the Local Governments before deciding whether previous sanction should or should not be given to the Bill of my friend, Mr. Kalikar. I do not know what connection there can be between the opinions of the Local Governments and the legal opinion of the Honourable the Law Member as to whether the Bill fell or does not fall within the scope of section 80A(3)(e) of the Government of India Act.

Mr. M. S. Aney (Berar Representative): Was the notice given to the Governor General in Council for getting the sanction and does the Honourable Member mean that the notice was withheld by some one in the Secretariat of the Government of India?

Dr. B. S. Moonje: The Honourable the Law Member will be able to reply to that question. I know this much, that an application was made for securing the previous sanction, and the reply was given, by the Secretary of the Central Provinces Legislative Council that action was being taken in respect of the requisite sanction. Let us proceed further. Perhaps they thought at the time, as the supplementary questions and answers were going on, that the time had not yet come for giving a proper or definite reply. Sir, it has been said that language was designed to give true expression to the thoughts and to the sentiments that spring from the heart, but the wily human art of concealing the thoughts and the sentiments of the heart has been so scientifically developed that the same very language can now be twisted and moulded artistically so that it may easily conceal the inner feelings effectively. Fearing that perhaps the language is not being artistically moulded while giving answers to the several supplementary questions that were being asked, the Honourable Sir James Crerar intervened and said that "the matter is one which requires very careful consideration and the Government of India have not yet finally arrived at a conclusion as to the terms in which the Local Governments should be addressed." One year had passed away by this time, and the Honourable the Home Member had not yet come to any decision as to the language in which to address the Local Government. I thought one year was enough for ransacking Webster's dictionary or the Encyclopædias to find out the terms in which to refer the matter to the Local Governments. When still further pressed by a volley of supplementary questions, the Home Member tried hard still further to improve his language and said, "we are considering the terms in which the Local Governments could be addressed in a manner which will cover the whole question adequately". Needless to say that my Honourable friend the Home Member, by this improvement of his language, went into still deeper waters. But I need not pursue the matter any further. I have given this as an illustration. Am I wrong in my indictment of the Government of India on their wilfully obstructive policy in the matter of our exercising whatever little privileges we have been given under the present Government of India Act? Can the Honourable the Law Member or the Honourable the Home Member say that I am wrong in supposing that the Government of India have been positively obstructive in the way of my getting this Bill introduced in the Local Council or in this Assembly? Now, why was I so anxious to introduce the Bill? What are the advantages that my

countrymen would have gained if that Bill had been introduced and passed in my Council? I had a solid majority behind me in my Council as a Leader of the Swaraj Party when I introduced that Bill, and if the Government of India had not been obstructive in the way they have been, the Bill would have been passed in no time. If that were done, I have no doubt similar Bills would have been introduced and passed in several other provinces.

I will now say a few words about the benefits anticipated to accrue from the Bill. I should however prefer to speak in the language of the Encyclopædia Britannica than which no better description could be given of the benefits derived by the Germans by enforcing a training of their boys and youths on the lines as proposed by my Bill. The Encyclopædia Britannica says:

"As years went by, the Prussian military machine was turning out year by year an ever increasing number of men who, by reason of the physical and moral training they had undergone, were head and shoulders above the class whence they had sprung. . . .

Briefly, however, it may be pointed out that under modern conditions of industry the greatest national wealth-producing power resides, not as formerly, in the technical skill of the individual which machinery is gradually superseding but in the power of continuous collective effort of organised bodies, and that physical health and the power of mental concentration are the principal qualities required by the units of such bodies. Now these are the two essential factors which modern methods of military training aim at developing and these methods in turn evolved naturally from the conditions of service which compulsion introduced. The men who have undergone this training leave the ranks with bodies steeled to resist disease and minds capable of prolonged concentrated effort. Hence they not only remain capable of work for a considerably longer period of time but they also do better work throughout the whole time. It has been estimated that on the average the trained German soldier's expectation of life is about 5 years better than the normal of his own class."

Is it not the nation-building programme that I was suggesting in my Bill? If that Bill had been allowed to be introduced and passed, it would have given all the advantages which the Germans are receiving under a similar course of training that is in force in their country. It would have increased the people's expectation of life; people's bodies would have been steeled to resist disease. They would not have died as they do now in India from any little epidemic of infection that might visit this country. Mental capacity and bodily strength of the people for prolonged concentration and for standing the strain of physical exertion for a considerably longer period of time would have been appreciably increased. The people would have produced a greater amount of wealth and enjoyed better health and vigour of body and mind. These are some of the benefits that would have accrued to them as a result of that Bill if it had not been obstructed. If the Government of India had not been so narrow-minded and oblique in vision and given me permission to introduce it in this Legislature, or my friend Mr. Kalikar in the Central Provinces Legislative Council, the whole country would have been blessing the Government of India for doing a good turn to the people once in a way.

Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): What about the insanitary condition of the homes in India?

Dr. B. S. Moonje: That is a matter with which we are not concerned at the present moment. There are several methods by which bodies can be steeled, and this is one, the very best of the methods, and this happens to be exactly the one method which Government have not been able to look upon with favour.

[Dr. B. S. Moonje.]

Now, Sir, let us see what other nations are doing in the same direction leaving aside Germany. I have placed before this Assembly the pattern of Japan, which is a nation of hardly 75 years of growth on modern lines. What has it done? My Honourable friend, the Army Secretary, has been saying that the Government of India have discharged their obligations by establishing one so-called military college at Dehra Dun, and that Government are not bound to do anything more in the line; and the rest must depend on private enterprise. He says in effect if you want more military schools or colleges, let the people start them of their own accord and from their own money. He may be right from his own point of view in India but from my point of view which is nothing else than the national point of view, or the British point of view for British boys in England, he is absolutely wrong, and why he is wrong I am giving you an illustration of Japan to prove as I have already given that of England above. The Japanese Government did not say to the Japanese people, "We have discharged our obligation by establishing one military college and if you want more colleges or schools you may have your own privately". The Japanese Government did not say so. In Japan the military education is organised as follows:

There are military preparatory schools which are the lowest ladder in the scale of education for candidates aspiring to become officers where military education of the most elementary nature somewhat on the lines proposed by my Bill is given. Then come the military cadets' schools, which receive boys from the preparatory schools, and also other candidates. Then, at the top, stands the staff college, which gives the finishing polish to the Lieutenants and Captains. This is the arrangement of education for commissioned officers. Now, let us see what is the arrangement for the education of non-commissioned officers. For the benefit of those who aspire to become non-commissioned officers, three other military training schools have been established which accommodate 600 boys each. In each preparatory school, the general staff is composed of 29 members, students average 250 in number, and graduates that pass out yearly after examination number 50 on the average. In each military training school the general staff is composed of 45 members, students number 350 and graduates that come out, are 280 every year. In the cadets school the general staff is 207, students 1,257 and graduates that come out 428. Whereas if you search here for Indian boys receiving similar training what will you find? How many Indians are there in the cadet colleges of Sandhurst, Woolwich and Cranwell of England? You can hardly find five or six Indian boys taking education there. In a country consisting of 30 crores of men, and giving 55 crores of rupees every year to the Government for the Army Budget, military training is given to hardly five or six boys. How will you characterise the Government of India, which is responsible for this state of affairs? Let us resume our story. The training that is given in these military schools of Japan is given by none other than the Army officers in active service, who are specially detailed by the Minister of War for the purpose. As many as over 1,000 army officers have been selected from amongst the army divisions for the purpose and appointed as instructors in military training in University colleges, other high schools, middle schools, military schools, etc. Suppose, for instance taking the hint of my Honourable friend the Army Secretary, a private Indian gentleman were to establish a military school, will my Honourable friend come

forward and help him in giving him the loan of the service of an Army officer to give the military training in that school free of charge? I pause for a reply. I paused long enough for a reply. I know my Honourable friend will not give me a reply, and therefore I do say, and repeat my charge, my indictment against the Government of India that it has been thoroughly irresponsible and wilfully obstructive in the way of our exercise of whatever little privileges we have got under the present Government of India Act.

Now, Sir, as I promised yesterday that I would finish my speech in thirty minutes today, my last charge against the Government of India is that of being absolutely irresponsible. Yesterday I asked a question, but I did not receive any reply from the Army Secretary. In 1928, the vacancies in the Military College at Sandhurst that were allotted to us were 20, and it was recommended by the Skeen Committee that four additional vacancies ought to be reserved every year for Indian boys. I want to know if effect has been given to that recommendation of the Skeen Committee. If effect had been given to it, I should have expected in 1929, 20 vacancies of 1928, plus four additional vacancies for 1929, that is, I should have expected for 1929, 20 plus 4, or 24 vacancies, and these 24 vacancies to be equally distributed between the two examinations of June and November 1929. I should have therefore expected 12 vacancies for the June examination and 12 vacancies for the November examination. If there were 12 vacancies for the November examination, according to the recommendations of the Skeen Committee, which the Army Secretary said the other day the Government of India have accepted, I should have expected the 12 vacancies to have been filled after the November examination. But on the other hand only 10 vacancies have been filled, and 7 more cadets, though they have been declared to have successfully passed the Sandhurst competitive examination, were turned out and 2 out of the 12 vacancies for the November examination have been left unfilled. I should like to know if it is a fact or not and if so why these two vacancies have not been filled.

Mr. G. M. Young (Army Secretary): I have explained many times in this House what the decision of the Government of India and of His Majesty's Government in regard to these vacancies was. That decision was announced in 1928. At that time we could not get enough recruits of the requisite standard and fitness to fill the 10 vacancies. At that time we said that, although we could make an initial increase to 20, as recommended by the Committee, we would not make any further increase after that, until we were securing a steady flow of candidates of the right quality, who would justify such an increase. At this last examination, we have had more candidates qualified than there were vacancies; that is to say we have not had enough candidates for the existing vacancies until the last examination. At the last but one, we did send 11, but one of these was taken in a vacancy caused by the shortage at the preceding examination.

Dr. B. S. Moonje: I am very thankful to the Army Secretary. But taking that information as correct, I ask why two more cadets were not selected to fill the remaining two vacancies out of the seven passed cadets that were turned down? I want to have a reply on that question.

Mr. G. M. Young: I am afraid I have not understood that question.

Dr. B. S. Moonje: I will explain myself still more clearly. The Army Secretary said that candidates were not forthcoming in sufficient numbers adequately fit, possessing the qualifications as required by the Board. I admit for the sake of argument that a sufficient number of candidates did not appear for the examinations held before the November examination of 1929. But for the November examination there were a sufficiently large number of students competing for the examination and as many as 19 students have been declared to have passed the examination. I therefore ask, why were only 10 vacancies filled and two allowed to remain unfilled, if the Skeen Committee recommendation on the point have been given effect to as my Honourable friend says he has?

Mr. G. M. Young: I think I have made it clear that we do not contemplate extending the original number of vacancies until we have a steady flow of candidates forthcoming in sufficient numbers. As I have just observed, this examination was the first occasion on which we had competition, that is more people qualified than there was room for. It was never the intention of the Government of India to throw open as many vacancies at once as the number of persons qualified; for if that had been done, there would not have been competition at all.

Dr. B. S. Moonje: Therefore, in other words the Army Secretary has not accepted the recommendation on the point of the Skeen Committee to that extent. And he does not believe that there is enough competition even if six or seven times the number of students compete for 12 or 10 vacancies that are allotted.

Mr. G. M. Young: That has been made perfectly clear in March 1928.

Dr. B. S. Moonje: That recommendation has not been accepted by the Army Secretary, and therefore the statement that was made by the Honourable the Army Secretary that all the recommendations of the Skeen Committee have been accepted except two, that is, the Indian Sandhurst and the abolition of the eight units scheme, perhaps is not accurate.

I might also in this connection bring it to the notice of my Honourable friend the Army Secretary the following recommendations of the Skeen Committee which he says he has accepted:

"We recommend therefore that in 1928 eight vacancies should be allotted to Indians at the Royal Military Academy, Woolwich, and two at the Royal Air Force College, Cranwell, and that these members should be increased progressively in due proportion."

If this is so, then how could six boys have been accepted, as they were accepted last November because the Skeen Committee only recommended two? No doubt the proportion in 1929 should have been two cadets plus say about one-sixth of another cadet. Therefore, two and one-sixth of another cadet should have been, according to the recommendation of the Skeen Committee, accepted in 1929, but as many as six were accepted. Therefore, the only inference one can draw from it is, as it seems to me, that the Government of India have no objection to fill a larger number of vacancies, if a sufficient number of cadets equally qualified are available. I therefore ask, when there are or there ought to have been 12 vacancies and 18 candidates have been declared to have passed and when only 10 vacancies have been filled, are the Government of India prepared to recommend that those two vacancies also should be filled up out of the eight that have passed but were turned down? I want an answer to this question of mine if the Army Secretary will be pleased to give me one.

Mr. G. M. Young: I am afraid I cannot reply to the question in the course of this debate. I might perhaps reply later.

Dr. B. S. Moonje: It is my ill luck and the unfortunate condition of India that we cannot get a satisfactory response to a satisfactory claim established by facts.

Let us proceed further. There is one more point on which I may rightfully claim a favourable response from my Honourable friend, the Army Secretary. There is, rightly or wrongly, a feeling, as I said in my budget speech, that still the Army officers are imbued with a prejudice that only boys coming out from certain so-called martial communities alone are to be accepted and boys from other so-called non-martial communities are not to be accepted. I do not know whether this prejudice is there or is not there, but I know that people have got this misunderstanding. Will the Army Secretary be pleased to issue another communiqué to explain to the people that there is no such prejudice and that boys of any community and every community coming forward and found fit and competent for the Commissions will be accepted by Government without any reserve? Will he oblige us by coming forward with that communiqué so that people may know authoritatively that the prejudice which prevails is wrong and not based on facts? Can I expect a reply to that?

Mr. G. M. Young: Judging from the candidates who come forward for the examination, there is no need to issue a communiqué. It is perfectly understood that there is no discrimination in the matter of martial and non-martial classes, as they are called, in respect of officer candidates.

Dr. B. S. Moonje: Is it not one of the recommendations of the Skeen Committee that the duty of Government ought to be to carry on a propaganda to popularise these things among the people? Is it not one of the means of that propaganda to issue a communiqué to remove misunderstandings among the people, and will not Government oblige us to that extent? (*An Honourable Member:* "In England and not in India.") In England when they find that cadets are not coming forward in sufficient numbers they depute officers specially for this purpose to visit the universities, the schools and the colleges, to lecture to them and speak to them and offer all kinds of inducements to them so that they may come out in larger numbers. For India I only ask that, as a means of propaganda, a little communiqué be issued to remove a misunderstanding which I admit is not based on facts but which still does exist, amongst the people, and even that our Honourable friend, the Army Secretary, will not oblige us by doing. I can only say that it is our ill luck that we have to look up to others.

Then another thing is, did the Government give effect to the recommendations of the Territorial Forces Committee?

Mr. President: Order, order. This is not question time.

Dr. B. S. Moonje: I find that though four or five years have elapsed since the Territorial Forces Act has been passed, the Territorial forces are composed of only the infantry units. But in the Auxiliaries,—my Honourable friend, Colonel Gidney, is more fortunate,—I find they have got various units, the artillery, the cavalry, the engineers, the machine gun corps, the Royal Army Service Corps and so on. Will the Government of India be

[Dr. B. S. Moonje.]

pleased to take this into consideration and try to expedite the starting of cavalry corps, artillery corps and machine gun corps in the Territorial forces as early as possible?

It is high time now that the Government should expedite the starting of Air Force units in connection with own University Training Corps.

Mr. President: Order, order.

Dr. B. S. Moonje: One minute, Sir. I promised to finish my speech in 30 minutes, Sir and I will keep my word and finish it very soon. I shall now conclude by explaining the reasons of the apparent indifference of Government. Why should Government not respond to our appeals, however earnest they may be? The late Lord Rawlinson, our former Commander-in-Chief, honest Englishman as he is, has come to our help in divining the motive of the Government. He says:

"The fact is that the Home Government, having introduced the Reforms scheme, are now afraid that they are going too fast. They are trying to put on the brake and the machine is inclined to run away from them. But we must either trust the Indian or not trust him. The schemes have got to be carried out honestly in their entirety with a view to eventual Dominion self-government, or else we must return to the old method of ruling India with the sword. There is no halfway house."

The Honourable Sir George Schuster (Finance Member): Sir, speaking on behalf of Government I have no desire to restrict the fullest discussion on the Finance Bill at every stage; but I venture to submit to you that, as we now have had two and a half days on this motion for consideration of the Finance Bill, and if none of the Leaders on the other side still desires to speak, I should be justified in requesting you to put the question. But as I say, we do not wish, on the Government side, to restrict a fair discussion of the Finance Bill proposal.

Mr. President: The Honourable Member who has moved the original motion makes a request, I think, under sub-order (2) of Standing Order 34, that the Chair should now put the question. It is not really a closure procedure as ordinarily understood but if the request is accepted, the Chair must proceed to put the question. I know there are several Honourable Members still willing to participate in the debate and Government do not wish to gag them. But I would ask Honourable Members to take their turn at a later stage and allow the House to proceed with the amendments. There is the third reading of the Bill when Honourable Members will have their innings. I will now proceed to put the question.

The question is:

"That the Bill further to amend the Sea Customs Act, 1878, to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary certain duties leviable under the Indian Tariff Act, 1894, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax, to vary the excise duty on kerosene leviable under the Indian Finance Act, 1922, and further to amend the Indian Paper Currency Act, 1923, and the Indian Finance Act, 1926, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. President: The question is:

"That clause 3 stand part of the Bill."

Pandit Thakur Das Bhargava: Sir, I beg to move:

"That clause 3 be omitted and the subsequent clauses be renumbered accordingly."

Sir, as the House is aware, clause 3 of the Bill deals with the fixation of salt duty. This amendment says in effect that the
12 Noon. House should not agree to any salt duty being imposed. Sir, the discussion in regard to the salt tax is a hardy annual. In the previous years attempts have been made to reduce the amount of taxation. This year, a motion was tabled by Mr. Anéy while the budget demands were being considered, that the salt tax expenditure be abolished altogether, and when I heard him, as he dealt with only one aspect of the matter, I did not think that that aspect of the matter fully justified the abolition of the tax, because as the Honourable the Finance Member remarked in replying, the political situation could not be eased if this salt tax was abolished, and other laws could be broken. While hearing the Honourable the Finance Member at that time, I thought that the seven crores of rupees, if usefully employed in other directions, might be productive of much good to the country. That was the burden of the speech of the Honourable the Finance Member, and in so far as that speech indicated, in what way those seven crores of rupees should be spent, I do not think any Member of the House will disagree with him.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, in the interest of economy of time, may I interrupt my Honourable friend? I want my Honourable friend to realise what the effect of his amendment will be. For, under section 7 of the Indian Salt Act, the Government have got the fullest discretion to fix whatever rate they choose on salt, subject to certain limitations. All that this clause 3 seeks to do is to control that discretion of the Government of India. My Honourable friend, by seeking to omit this clause altogether, will only be giving the Executive Government the authority to fix whatever rate they can under the present law.

Pandit Thakur Das Bhargava: Sir, I already knew the position. But I thank Mr. Neogy for being good enough to point it out again. But the point at issue is whether we are going to consent to it, whether the Government will do so with our consent so far as this Finance Bill is concerned. That is the point at issue, and as I was remarking, when I heard the Honourable the Finance Member say that the amount of seven crores of rupees could be usefully employed in nation-building departments, I thought that if this possibility could be realised in practice, I would not be a party to the abolition of the salt tax. But this was a mere pious hope. Is it possible that this seven crores of rupees will be utilised in matters in which the Finance Member was pleased to say it could be employed? In fact, the reply that he gave was in the nature of suggestions as to how to utilise the money, and not how to utilise the money recovered from this duty. In his speech, Mr. Anéy referred to a book, "Monograph on Salt", which has been lately issued by the Federation of the Indian Chambers of Commerce and Industry, and I took up the book from the Library and went through that book. After going through the book, the first thing that I have publicly to submit is that we are indebted to the Federation of the Indian Chambers of Commerce and Industry for having produced that book, and I would make a present of that book to the Honourable the Finance Member in the hope that he will kindly go through it. A study of this book will bring home the

[Pandit Thakur Das Bhargava.]

conviction that the abolition of this duty will do much more good than even if the money were at his disposal to be used in the way suggested by himself. Now, Sir, salt is one of the primary necessities of human beings, and the past policy of the Government of India themselves shows that the Government are alive to the fact that this duty has been hampering the due consumption of salt. They themselves have been reducing the duty on the ground that this duty is one which cannot be justified. Now, Sir, a reference to this book would show the history of the salt duty. I do not propose to enter at this stage into that history. Suffice it for me to say that the history in relation to the salt tax is in line with the history of many other industries of this country. In the interests of Cheshire and the British salt industry, the salt industry of India was killed, as so many other industries were killed. In olden times, Bengal used to produce its own salt at a much cheaper rate and, Bengal was almost self-sufficient. Today 30 per cent. of the total amount of consumption of salt in this country is imported from outside, for which Bengal is mainly responsible, which implies that this country cannot produce the salt which is imported from outside. But to any man who has got eyes it is abundantly clear that, in every part of India salt can be had for the mere collection. I do not know of any part of India in which salt does not exist abundantly.

Now, Sir, as I have submitted, the old history of killing all Indian industries was repeated in the case of the salt industry of Bengal. It is a melancholy reading through this book when one comes across the attempts of British manufacturers in imposing their will upon the Secretary of State and arranging matters in such a way that British salt was given preference. The ship industry of England also got a fillip, and it would appear that, in the interests of Great Britain, the salt industry of Bengal was, I should say, crushed out of existence. And then Madras and Bombay salt could have been quite sufficient to supply the needs of Bengal; but this was not allowed, and unjust laws were enacted which disfigure the Indian Statute-book even today. A reference to those laws would show that they are most iniquitous in their nature. They impose very great burdens upon the private owners of lands and the Government have taken undue advantage of their power in imposing those laws upon the people. An illustration of these laws was given yesterday in this House by Mr. T. Prakasam, and a perusal of this book would amply establish that, in the interests of revenue, even rights of private property were sacrificed. Sir, leaving aside the coast line of Madras and Bengal, salt produced in the Punjab is quite sufficient to supply the needs of the whole of India. The rock salt of the Khewra mines and the salt produced in Rajputana, and the possibilities of salt production in Sind are matters which have many times been brought to the notice of the Government in this House. I am glad, Sir, that last year the Honourable Mr. Kelkar submitted to this House that India could be made self-sufficient in the matter of salt, and the Government were pleased to refer the matter to the Tariff Board. I do not know when the Tariff Board will make a report. In this connection I would repeat the warning given by Sir Purshotamdas Thakurdas the other day in this House. But, Sir, if this salt duty were taken away, I think the great question of the unemployment of the poor people would be solved to a certain extent.

(At this stage Mr. President vacated the Chair which was taken by Sir Darcy Lindsay.)

Many poor people would be able to earn their living if this industry was allowed to grow up. It is true that it would cause a great loss to the revenues of this country, say, to the extent of seven crores of rupees, but then the result of the taking off of this duty, in the way of prosperity of the people, in increased agricultural production and the health of cattle would be sufficient to counterbalance the disadvantages to revenue.

Sir, an examination of the history of other countries will be useful. Let us take England. Before the year 1825, in England also there was a salt duty, but in 1825, after a complete inquiry in 1818, that salt tax was abolished, and the advantages accruing from the abolition of that salt duty were so great, that what was lost in revenue was more than compensated in the general prosperity of men, cattle and agricultural production of that country. Now, Sir, it has been pointed out previously many a time in this House that the consumption of salt *per capita* in India is very much below the average of other countries. In this book a table is given, and a perusal of that table will establish that, in other countries as much as 40 lbs. *per capita* is being consumed, whereas in India not even 10 lbs. is consumed, while according to medical authorities, in places where the people have a vegetable diet they ought to consume more. Thus, this salt tax constitutes an obstacle to the consumption of salt by Indians, and past history has shown that, whenever the tax has been reduced, the consumption has increased; from which it follows that for consumption to develop on its normal lines, it is necessary that the salt tax should be taken away.

Now, Sir, this salt tax is a tax upon the poor and the rich alike. It is idle to say that it is not a heavy tax. Two days back I submitted before this House how many poor people get only one anna a day as the wages of their labour of more than ten hours. If the Government calculation is accepted and three annas per head are regarded as the incidence, even then it would appear that labour of three days in the year has to be given for this salt tax alone. If you consider the other taxation along with it, you will find that this salt tax cannot be said to be light. In my humble opinion it is a crushing burden, and a tax of this nature on the very necessities of existence is totally unjustifiable. It may be that such incidence may not be of great consideration in a rich country, but here in India we have to guard against any sort of burden or any sort of tax upon the poor man, as he is incapable of bearing any sort of taxation as his income is very low. Sir, this salt tax does not only tax one of the necessities of life of human beings. So far as cattle are concerned, salt is a necessary ingredient of their diet also. Sir, of late years we do not find in many villages those big pieces of salt which were generally supplied by rich people and put in public places for the cattle to lick. That was an institution which I noticed twenty years ago. Now those big pieces of salt are not put in any village or town, and cattle are not allowed to have their portion of salt. Leaving aside the animal kingdom, Sir, so far as the plant kingdom is concerned, salt is a necessary ingredient in their diet by way of manure. It has been found in many other countries where there is no salt duty that salt is a very good manure, and a perusal of relevant portions from this book, which for economy of time I do not

[Mr. M. S. Aney.]

to the House, as I am sure that some of my arguments must be fresh in the minds of those Honourable Members who were then present and attentive. But there is one point of difference between the cut motion which was supported by me then and the present amendment. The previous motion was for asking this House to sanction certain expenditure with a view to maintain the Department of Salt. That expenditure is however sanctioned by this House. The present motion is for enabling the Government to recover the revenue duty and have the supplies. If you cut off the supply, the result will be the same. The Department will be starved into extinction. Whether you cut off the supply, or whether you refuse the expenditure, the result would in my opinion be one and the same. I am quite sure that when we move these motions, it is not exactly this result which is contemplated by us. The Government have been telling us, and very reasonably telling us, rightly or wrongly, that it is upon them that the constitutional responsibility rests to run this huge machinery of the Government, in accordance with the principles which have been recognised by the Government for the time being. It is necessary to make provision for the expenditure which the Government have to incur to run the administration, and they have to come to this House and ask for the necessary supplies. That is a very reasonable position for the Government to take up. Nobody would deny that, so far as the particular requirements of the Government are concerned from their own standpoint. But we on this side have another duty to perform, namely, to find out what is the actual attitude of the people towards the particular question on which our opinion and vote is asked. It is not merely to see how far a particular opinion which we record on the floor of this House will make it convenient for the Government to run their administration. That is not the only attitude from which we can look at the thing. When we look at this question from this point of view, nobody who is following what is going on in the country at present can have any doubt that public opinion on the salt duty is definitely opposed to it. It has not remained simply vocal. This opposition to the salt duty has been expressed on the floor of this House from the time when popular representatives got the first right of expressing themselves. From that time onward, in one form or another, the opposition to the salt duty has been expressed in a legitimate and constitutional way during the last 50 years.

But people are now thinking that the mere expression of a vocal opinion is not sufficient. As Honourable Members know, a regular campaign to break the salt law has been launched. I believe the opposition of the public to the salt duty could not have been expressed in a more telling manner than the way in which it is being done today. I most emphatically assert, Sir, that the manner in which the popular opposition to the salt tax is being expressed in the form of a no-salt-tax campaign, led by no less a personality than Mahatma Gandhi himself, is a powerful and effective constitutional method of asserting our opposition to it. It is a perfectly legitimate method of opposition. I am fully alive to the fact that no less a person than His Excellency the Viceroy regarded such an agitation as illegal. I do not want to criticise the speech of His Excellency the Viceroy, but for the first time we heard that a no-tax campaign, or a campaign of passive resistance like that, is an unconstitutional one. It is a perfectly constitutional weapon consistent with every sense of loyalty. So long as the agitator is prepared to submit to punish-

ment, every one is entitled to refuse to pay a tax if he feels himself conscientiously opposed to it and is not prepared to submit to it. That being the position, I want this Government to understand the true significance and implication of the no-tax campaign that is being led by Mahatma Gandhi today. When that campaign is being led outside, I feel it my duty,—and I feel it is the duty of everybody who is an Indian, who has got an Indian heart, who professes to have sympathy for the masses, whether he be an Indian or an European, if he thinks that he owes a duty to the people of India to do so also,—to adjust my activity here in harmony with what is going on outside and to reflect and reproduce the opinions that are being asserted in the most emphatic and demonstrative form outside by the noblest of the living Indians. If we do not do that, we are not true to ourselves and to the principles for which we have been working in this House and to the big constituency, the great Indian public, who have sent us here. That is the main line of my attack on the salt duty.

I do not understand the way in which some of my friends are trying to minimise the importance of the big thing that is going on outside. I do not want to go into unnecessary irrelevant diversions like that. I want this House to understand fully that this vocal opposition has been expressed for over 50 years by men known for their sobriety and their responsibility. The opposition has been voiced by men like my friend Sir Purshotamdas Thakurdas, the late Mr. Gokhale and others, about whose sobriety and sanity and responsibility there cannot be the least doubt. After 50 years of this opposition, even the patience of this exemplary patient people of my country has been tired out and they have been driven to despair and to desperate measures. After all, it is only a desperate measure and with that desperate measure I say that all of us have full sympathy. We wish that campaign success, as we have undoubtedly failed in our agitation here to get redress of a petty grievance like this. After all, who are the men who suffer? It is not the man drawing a salary of Rs. 2,000 a month. It is not the man who draws a salary of Rs. 5,000 a month. It is the man whose income per year does not exceed Rs. 50 or 60 that suffers most. I am taking the most sanguine calculations made by the economists of this country in regard to the average income of the Indian. It is that man who suffers. I have already mentioned in my speech during the budget debate that if we take the total consumption of salt produced in this country and the salt imported and the total amount paid by way of duty and freight to the Government, the incidence of taxation *per capita* works to Re. 0-4-8. That is the amount to be paid by a man whose annual income does not exceed Rs. 50 or 60. It can in no sense be described as a small burden. Sir, the Government are taking away something from this miserable man without which he cannot live and support his family. That being the position, the Government have to think seriously. Therefore I suggest that Government should this year inaugurate a policy by declaring that they are out for the abolition of the salt duty within a period of say 5 years. They can certainly make a beginning this year. Seven crores spread over a period of five years works out to something like a crore and 40 lakhs for a year. It comes to about 7 crores, and they could put up with a loss like that if they really are inclined to reconcile public opinion.

Sir, I think that there was no time before, when the need for reconciling Indian public opinion was so supreme and so great and so paramount

[Pandit Nilakantha Das.]

country to come out with its autocratic fiat like that, and throw the convention into the waste paper basket. In that case for the 6 or 7 crores—for we have consideration of crores and crores only in this House and nothing else—I say, for the 6 or 7 crores that is derived from the salt tax, we shall give probably several more crores to the Honourable the Finance Member to fill his pockets with. If crores are the only thing that count with the Government, for these crores, we should like to coerce the Governor General, and the Government of India for the matter of that, to take to these extreme means, especially at a time when, by the greatest man in India, one of the greatest of men in all the world, Mahatma Gandhi, this particular weak spot of the Government is being challenged and attacked in open non-violent national war. I am simply very sorry that our Honourable friends on the opposite Benches lack a little imagination. Some of my Honourable friends have said that this Government have no soul, but I say this Government also lack imagination and therefore intelligence. If only the Honourable Members on the opposite Benches would make a clear breast of it and say that this tax clean goes, we do not know how the way will at once open by a magic wand, as it were, for a prolonged period of peace and prosperity in the land, and the entire agitation fraught with dire consequences will calm down and there will prevail a severe atmosphere of mutual trust and mutual understanding. At least the way will be well paved for this. But the Government not only lack imagination, but they will lack it till this mad Imperialism comes to an end. So, if they lack such imagination, and if they are not out to take to proper means of creating trust and understanding between themselves and the people over whom they rule, let them be coerced into means of repression, oppression and autocracy. With that particular object I gave notice of the amendment that clause 3 be omitted.

But my amendment No. 7, which I am moving, is a constructive measure. If it is accepted the Governor General will have no power to levy any tax on salt nor can any one again say that salt is a monopoly of the Government. That is the constructive aspect of the problem which I put before them. If they have any regard for the constitution which some of their friends call "Dominion Status in action"—I do not understand what it means—if they have respect for this convention, as they call it, let them come forward and accept this motion which will leave the power of taxing salt in the hands of the people, not by makeshift of convention, but under the rights conferred by a real constitution, and the stink of regulation, which still attaches to this salt law, will vanish. For the salt tax is practically levied under a regulation, so to say, for salt is a monopoly. Technically it may not be a regulation, for it is called an Act. But on the adoption of my amendment the entire position will become clarified.

Today salt is the most important subject engaging the attention of the Government as well as of the people. I need not enter into the inhuman and humiliating history of this tax. This has been narrated often and again on the floor of this very House. It is a tax which is felt in every home. When the poor peasant takes his small dish of rice, perhaps once a day, as it is his lot when for want of his purchasing power he cannot provide a little salt which is his only sauce, he remembers Mahatma Gandhi as well as the Honourable the Finance Member on that Bench. That is why the nation is out to attack the Government at its weakest point where it can be first attacked. It has all along remained an open sore in the

nation. In the hands of nationalists, it forms a very good handle for propaganda, and the effects of this propaganda will very easily reach the riff-raff and spread like a prairie fire. People need have no education, people need not attend platform oration, they need not read newspapers, they may be unlettered, but they will understand Mahatma Gandhi's attack on salt. But this Government's perversity is so obdurate and incorrigible that it is still out to levy that tax and keep salt as a monopoly. I say, Sir, this is the time and this is the occasion for this Government to come to its proper senses. They should not lose their heads. Of course it is the tradition of Imperialists to lose their heads in the very hour of their ruin. But we here extend to them a helping hand with this suggestion. I cannot express, Sir, the heaviness of feeling with which I move this my amendment. When I came into this House, I asked myself again why I came; but when I have come into this House, I should like to see that I co-operate at least in the fashion in which I can. That is, if I can put some new outlook into the adamant brains of the Government, I should perhaps be more than satisfied, and it is with that view that I have put down this amendment and I move it.

The Honourable Sir George Schuster: Sir, we have already had a somewhat full discussion on the question of salt policy, and there are certain other amendments which still remain to be discussed. I therefore hope that this House will not take it as indicating that I do not take this question of salt seriously if I confine myself now to a very short reply. I have already indicated to the House my general views on the question, and I feel sure that it is appreciated that the Government at this stage cannot for practical reasons accept these amendments which mean a loss of seven crores of revenue. At the same time I have full sympathy with a great deal that has been said by speakers on this question both now and in previous debates. Generally speaking, however, on the question of salt,

I P.M. I would appeal to Honourable Members to confine themselves to short speeches this year, because, in response to what I believe was an expression of opinion representing the majority of this House, Government have agreed to the setting up of a Tariff Board inquiry into the whole question of the salt industry, and I feel that, whatever views we take on this question, we ought now to await the result of this inquiry before changing our policy in regard to salt. I have already indicated to Honourable Members

Mr. M. S. Aney: May I ask one question? Do the terms of reference to the Tariff Board also include an inquiry into the question of reducing or increasing the present duty?

The Honourable Sir George Schuster: I think that the Report which we shall get from the Tariff Board will throw a very great deal of light on the whole question as regards the salt trade in India. I believe the Report will deal not merely with the question of increasing the indigenous production of salt, but with the whole administration of the salt monopoly in India and with questions which affect the price at which the poor retail purchaser obtains his salt. I often feel myself, in discussing this matter, that insufficient attention is paid to this aspect of the question. After all, what we are out to do is to get into the hands of the people who actually purchase salt a good quality of salt at the cheapest possible price. Now, I feel myself that it is quite possible that changes in administration may

[Sir George Schuster.]

affect the price at which the poor man gets his salt almost as much as a complete abolition of the duty would do. If it is possible to improve matters by measures of that kind, it would obviously be much more in the public interest to work on those lines and retain the revenue for public purposes. It is for that reason that I suggest to this House that the whole question of salt can be better discussed when we have before us the results of the Tariff Board inquiry. For the moment, I can only take up the attitude that we must oppose these amendments.

The Chairman : The original question was :

"That clause 3 stand part of the Bill."

Since which an amendment has been moved :

"That clause 3 be omitted and the subsequent clauses be renumbered accordingly."

If that amendment is lost, I will, after that, put amendment No. 7 of Pandit Nilakantha Das, which is rather different. The question is :

"That clause 3 be omitted and the subsequent clauses be renumbered accordingly."

The motion was negatived.

The Chairman : The question I now put is :

"That for clause 3 of the Bill, the following be substituted, namely :—

'3. In section 7 of the Indian Salt Act, 1882 :

(a) Clauses (a) and (b) are hereby repealed.

(b) In clause (c) for the words 'by or on behalf of the Government of' the word 'in' shall be substituted.'

and consequential amendments be made in other sections of the Indian Salt Act, 1882."

(At this stage Mr. President resumed the Chair.)

The Assembly divided :

AYES—30.

Abdoola Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Farookhi, Mr. Abdul Latif Saheb.
Gour, Sir Hari Singh.
Iswar Saran, Munshi.
Kartar Singh, Sardar.
Kidwai, Sheikh Mushir Husain.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.

Mohammad Ismail Khan, Haji
Chaudhury.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Neogy, Mr. K. C.
Reddi, Mr. T. N. Ramakrishna.
Shafee Daoodi, Maulvi Mohammad.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Talatuley, Mr. S. D.
Venkatakrishnayya Choudhri, Mr. P

NOES—57.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajuarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Chetty, Mr. R. K. Shanmukham.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Dutta, Rai Bahadur S. C.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Jehanzir, Sir Cowasji.
Lamb, Mr. W. S.

Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukerjee, Mr. Saradindu.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan
Bahadur.
Sarma, Mr. R. S.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Singh, Mr. Adit Prasad.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yakub, Maulvi Muhammad.
Young, Mr. G. M.
Zulfiqar Ali Khan, Sir.

The motion was negatived.

Mr. President : Mr. Acharya.

(The Honourable Member was absent.)

Mr. President : Mr. Amar Nath Dutt.

Pandit Nilakantha Das : Sir, my amendment should in order come next. I am afraid it is a mistake that it is printed as No. 10. It is to remit the excise duty to the extent of Rs. 1-4-0.

Mr. President : Does the Honourable Member wish to move his amendment?

Pandit Nilakantha Das : Yes, I wish to move it and get it recorded. Very briefly I shall move it.

The Honourable Sir George Schuster : Which amendment, Sir, is now being moved?

Mr. President : No 10 on the list.

Pandit Nilakantha Das : Sir, I move that :

"To clause 3, the following be added :

'and the said provisions shall, in so far as they enable the Governor General in Council to remit any duty so imposed, be construed as if, with effect from the 1st day of April, 1930, they remitted the duty to the extent of the said one rupee and four annas, and such remission shall be deemed to have been made out of the leviable duty by rule made under that section'."

Sir, section 7, sub-section (a) of the Indian Salt Act gives power to the Governor General to levy a tax to the extent of Rs. 3, as a maximum, on every maund of salt, and then sub-section (b), under which

[Mr. Amar Nath Dutt.]

Honourable Member: "Hear, hear"), because she has given us education, because she has brought peace in this land but we cannot forget that British rule has impoverished us to an extent that we cannot affirm that they had the real interests of this country at heart, and as a friend of England, which at the present moment rules my country, I appeal to the Government to help us, to help the famished millions of India by not taxing this prime necessity of life, namely, salt. As you want some money, I want to offer you 8 annas instead of Rs. 1-4-0 per maund. No doubt, Sir George Schuster's purse will not be full by the method, I suggest, but he should find out other ways and means to make up the deficit, and I hope he will see his way to support us at least in this matter.

This question of the salt tax has been discussed so often in this House that it is not necessary to repeat the arguments over again. The man who does not realise that salt should not be taxed, is either devoid of intelligence or has a heart of stone. There may be various motives which may induce gentlemen to vote against this amendment. It may be to please the powers that be, who can shower many a good thing upon some of them. Some Members may have an eye on titles and honours; some may have an eye upon future offices; some may have an eye for the protection of certain industries in which they are interested either as proprietors or as managing agents; and others may have an eye to please the powers that be; and lastly there is another section who must always support Government because they are the Government themselves and as you know the King of England does not rule India, but India is ruled by those who sit on the opposite Benches (*An Honourable Member:* "Shareholders?") Yes, they are the share-holders of the company that is known by the name of Government of India. But I make an appeal once more, I make a fervent appeal to every Indian, that he should not vote against my amendment, but every one should support it, and I shall be glad if the Government also see their way to support it for I feel it is the duty of the Government to see that the millions of the people in this country over whom they rule get a little salt to eat with the morsel of rice they boil in their pot. With these words, I place this amendment before the House for its acceptance.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Sir, I want to . . .

Mr. President: Is the Honourable Member supporting the amendment?

Mr. Mukhtar Singh: I want to say only a few words, Sir.

Mr. President: There are three amendments in the name of Mr. Amar Nath Dutt.

Mr. Mukhtar Singh: I do not mind speaking on either this amendment or on any of the others.

Mr. President: Which particular amendment does the Honourable Member wish to speak to?

***Mr. Mukhtar Singh:** I want to draw the attention of the Honourable the Finance Member to one important point, and that is why I want to speak. I invited the attention of the Government previously also to the fact that the duty on salt has an effect not merely on man, animal life and vegetable kingdom, but it has also an effect on the chemical industries of this country, especially on the manufacture of sodium compounds. A reference to the latest trade review will clearly show that the imports of sodium compounds are daily increasing. The pre-war figure was 74,44,000 and the post-war figure is 85,71,000, whilst during the last two years we have imported sodium compounds to the extent of Rs. 1,12,35,000, and in 1928-29, we imported to the extent of Rs. 1,13,31,000. That clearly shows, Sir, that the chemical industries of this country are handicapped over the manufacture of sodium compounds. I may mention that I am specially interested to know the views of Government on this point, because mostly the imports of this chemical product come from England, and England being the direct competitor with Indian chemicals, it must be the duty of the Government to refer this matter also to the Tariff Board when they refer to them the point whether any special facilities are necessary for the manufacture of sodium compounds in this country, and in order to do this, whether it is necessary that the factories working in this country should have duty free salt for the manufacture of sodium compounds.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I shall be very brief. I would not have spoken but for the appeal made by my friend, Mr. Amar Nath Dutt, this necessitates that I should not give a silent vote on this motion. I do not feel any less than those of my friends who voted for the amendment of Mr. Nilakantha Das on the last division. But I am convinced that, if we really want that the poor should get not only cheap salt, but also salt of the right kind,—eatable and good salt, fit for consumption and which will not ruin their health,—it is necessary for this House to have a little patience. It is incumbent on this House to ensure people in the outlying districts where salt cannot be manufactured to devise a machinery, which will get them good cheap salt without profiteering by middlemen, for this it is very advisable that we should await the Report of the Tariff Board. The discussion today, and the earnest appeals which have been made to the Honourable the Finance Member, can only convey one lesson and that is that the Report of the Tariff Board should be dealt with by the Government with as little delay as possible. My best hope is that the Government may put before this House, before the Budget Session in 1931, a scheme which will satisfy us that the Government are moving in the right direction to ensure the supply of cheap and good salt for the welfare of man and beast and agriculture in India. I therefore suggest that in the best interests of all of them the Mover of these motions should not press his amendments today but should press for an assurance from the Honourable Member that there will be no delay in dealing with the Report of the Tariff Board. I request my friend not to press any of these amendments today.

The Honourable Sir George Schuster: I am quite ready to give my Honourable friend the assurance for which he has asked, and I trust

*Speech not revised by the Honourable Member.

[Sir George Schuster.]

that all those who have spoken with genuine feeling on the subject of salt during the last few years will feel at least that their efforts have not been entirely in vain if they have resulted in a good Report being prepared by the Tariff Board and appropriate action taken without delay on that Report. It is at least impossible to listen to the speeches that have been made without realising that there is genuine feeling on the subject, and I shall certainly take that into full consideration when dealing with the Report when it is before us.

Mr. President: The question is:

"In clause 3 for the words 'one rupee and four annas' the words 'eight annas' be substituted."

The motion was negatived.

Mr. Amar Nath Dutt: Sir, I move my next amendment:

"In clause 3 for the words 'one rupee and four annas' the words 'twelve annas' be substituted."

We have heard the Honourable the Finance Member and he has asked us to wait till the Tariff Board inquiry is finished, and has assured us that he will take the Report into consideration without delay. I am not going to be duped by these assurances. We have had many such assurances before from Government, which in the long run came to nothing. Even the assurances of Her Majesty the most gracious Queen Victoria is more honoured in the breach than in its observance. I remember one of our great patriots returning from England in the year 1909. We waited upon him at the railway station to give him a right royal reception. He gave us to understand that he had been assured by the Secretary of State for India that Swaraj was coming. We were all young men then. (*An Honourable Member:* "Not all of us.") At any rate, I was a young man. You might have been a child at that time. Well, we got the Morley-Minto reforms, which if they did not do anything else, brought the communal electorates to this unhappy land. However, Sir, that is outside the present discussion. We have been duped many a time by assurances. I hope Sir George Schuster will excuse me if I persist in moving my amendment. He has asked us to wait for one year. I shall make another request to him, and that is to accept 12 annas for one year. With these words, I move my amendment.

The Honourable Sir George Schuster: Sir, my Honourable friend seems to be carrying out a sort of Dutch auction as regards the salt tax, trying to tempt me with various bids, but I am afraid that all I said originally applies to his amendments right down the scale. As my Honourable friend asked that I should bear with him if he persists in moving his amendments, so also I hope that he will bear with me if I persist in repeating my assurance. I fully intend to carry out the assurance which I have given and I would say this, that perhaps it is easier to give effect to recommendations as regards the administration of salt than to carry out political reforms in a country like India. At any rate, I can promise that there will be no delay in dealing with the Report.

Mr. President: The question is:

"In clause 3, for the words 'one rupee and four annas' the words 'twelve annas' be substituted."

The motion was negatived.

Mr. Amar Nath Dutt: Like an unwearied beggar, I again knock at the doors of the Government and move my last amendment that:

"In clause 3, for the words 'one rupee and four annas' the words 'one rupee be substituted.'"

I hope the unwilling giver will now give a dole. It is a very humble and modest thing that I am asking. I am not threatening him. I hope the whole House will support me in this motion, and I shall ask the House to divide on this matter, even if the Finance Member does not agree. Without taking up more time, I once again make a fervent appeal on behalf of the famished people of India and ask the Government to accept this amendment and give as much relief as possible to the poor man in India.

Haji Abdolla Haroon (Sind: Muhammadan Rural): I rise to support this last amendment, as there are no more amendments after that. Side by side he is asking for only four annas reduction in the salt tax. I do not know whether Government are absolutely against reducing the salt tax on principle or because of financial considerations. I find, Sir, that if this amendment of my friend, Mr. Amar Nath Dutt, is accepted, by the Honourable the Finance Member, I will show him one item from which he can get that money. It is this. In the Budget he has estimated from sugar duty only 180 lakhs, whereas according to the explanatory note of the Financial Secretary, I find that, during the last three years, they have recovered an average of about 7 crores of rupees. On that basis I find that Government might recover 233 lakhs instead of 180 lakhs. Last year's income of Government from the sugar duty according to the revised figure of 1929-30 is 835 lakhs and Government probably realized 278 lakhs. The reduction of four annas duty on salt will involve a loss of about 140 lakhs, but Government will have one crore of rupees more than what they estimated from the new sugar duty, thereby they had to lose only 40 lakhs after reduction of salt duty. Considering the present position of the country, I think it is high time that Government should reduce the salt tax by four annas and earn the blessings of the suffering millions of India.

The Honourable Sir George Schuster: Sir, as a new argument has been advanced, I must just say a few words. In the first place, as regards the proposed reduction, I always maintained in the course of the debates last year, that a reduction of 4 annas would really not be felt by the retail purchaser at all. I believe that, if we reduce the salt duty by 4 annas, we should be throwing away about a crore and a half of revenue and should be giving no appreciable benefit to the retail purchaser. With reference to what my Honourable friend who spoke last has said on the estimates for the sugar duty, I should be very glad indeed to believe that he was correct. But I think that in his calculations he has failed to take into account two factors. Firstly, that in the current year we are dealing with a year which has been very exceptional as regards the imports of sugar. We cannot count with any certainty on a repetition of such figures. And, secondly, he has failed to take into account that, with the increase in the duty, we must allow for some reduction in consumption. The reduction in consumption may come about in two ways. In the first place, immediately, because the increase in price will undoubtedly have some effect on the amount that is purchased. Secondly, there is no doubt that this duty which we are imposing now will have a protective effect,

[Sir George Schuster.]

and, although that may not be felt in the next 12 months, it is a factor which we are bound to take into account. I feel, therefore, that I cannot accept my Honourable friend's estimates and I must also remind him that the increased sugar duty has not yet been approved by this House. Therefore, I can hardly accept my Honourable friend's argument as a valid reason for accepting this reduction.

2 P.M.

Mr. President: The question is:

"In clause 3 for the words 'one rupee and four annas' the words 'one rupee' be substituted."

The Assembly divided:

AYES—32.

Abdoola Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Iswar Saran, Munshi.
Kartar Singh, Sardar.
Kelkar, Mr. N. O.
Kidwai, Sheikh Mushir Husain.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.

Mohammad Ismail Khan, Haji
Chaudhury.
Moonje, Dr. B. S.
Mukerjee, Mr. Saradindu.
Mukhtar Singh, Mr.
Munshi, Mr. Jehangir K.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Patil, Rao Bahadur B. L.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Shafee Daoodi, Maulvi Mohammad.
Siddiqi, Mr. Abdul Qadir.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Talatuley, Mr. S. D.
Venkatakrishnayya, Choudhri, Mr. P.

NOES—53.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Jehangir, Sir Cowasji.
Lamb, Mr. W. S.

Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Mody, Mr. H. P.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan
Bahadur.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Singh, Mr. Adit Prasad.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yakub, Maulvi Muhammad.
Young, Mr. G. M.

The motion was negatived.

Sir Purshotamdas Thakurdas: Sir, before I move my amendment No. 11 which stands in my name, may I draw your attention to the fact that that amendment would more appropriately come in after Schedule No. I is passed?

Mr. President: Is this not an amendment to clause 3?

Sir Purshotamdas Thakurdas: No, Sir.

Mr. President: Then, I will put clause 3. The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Mr. President: The question is:

"That clause 4 stand part of the Bill."

Sir Purshotamdas Thakurdas: Sir, may I draw your attention to the fact that my amendment is consequential on item 5 in Schedule I being retained and I therefore suggest for your consideration that the consideration of clause 4 may be left over after Schedule I is passed.

Mr. K. C. Neogy: I would rather suggest that this amendment should be an amendment to the Schedule itself.

Sir Purshotamdas Thakurdas: In any case, even then it cannot come up now. I am suggesting that my amendment No. 11 may be considered after the Schedule is passed.

Mr. President: If it is put in the form of an amendment to the Schedule, we might proceed with clause 4.

Sir Purshotamdas Thakurdas: It can come in after clause 4. The legal advice that I received is that it should be an addition to clause 4, as stated in my amendment.

Mr. President: The Honourable the Law Member's advice?

Sir Purshotamdas Thakurdas: I think from one equally reliable.

The Honourable Sir George Schuster: I think my Honourable friend's suggestion is a reasonable one, that clause 4A may be discussed after the Schedule. But there is no other alternative except to include this amendment as a special clause. Otherwise I am advised there would be difficulties as regards the provisional collection of taxes and various other technical difficulties. That is why I understand this amendment is drafted in this particular form.

Mr. President: Is that the reason why the Honourable Member has drafted this amendment in that form?

Sir Purshotamdas Thakurdas: I have been advised from the legal point of view. That is all I can say. I know what I want, and the exact legal terminology was left to persons who knew legal drafting.

Mr. President: I think the consideration of clause 4 might be adjourned.

The Honourable Sir George Schuster: Clause 4 can be put to the House now. I submit that is the proper procedure.

Mr. President: But the Honourable Member says he has an amendment to that clause.

The Honourable Sir Bhupendra Nath Mitra: But it is a new clause 4A.

Mr. President: What does it matter?

The Honourable Sir George Schuster: I submit it may be an amendment to the Bill but it is an additional clause. It is not an amendment to clause 4.

Mr. President: It does not do any harm if we postpone the consideration of clause 4 as suggested by the Honourable Member from Bombay.

Mr. M. A. Jinnah (Bombay: Muhammadan Urban): There is no amendment to clause 4. This amendment runs thus: "After clause 4 the following new clause be inserted, namely, 4A, etc." It would be clause 4A if it is passed. There is no amendment to clause 4.

Sir Purshotamdas Thakurdas: I see no objection to clause 4 being passed now. My amendment may come after the Schedule is passed.

Mr. President: The question is:

"That clause 4 stand part of the Bill."

Mr. K. C. Neogy: Well, Sir, what is the effect if clause 4 is added to the Bill? Clause 4 says that, "The amendments specified in the First Schedule to this Act shall be made in Schedules II and III to the Indian Tariff Act, 1894". If this clause is passed, Honourable Members who propose amendments to Schedule I might be precluded from doing so. Unless the Schedule itself is disposed of first, I do not think it would be quite right to pass clause 4.

Mr. President: But the Mover of the amendment has no objection.

Mr. K. C. Neogy: There are other amendments.

Mr. President: The Leader of the Independent Party was landing us into some trouble, if the view of Mr. Neogy was to prevail.

Mr. M. A. Jinnah: That was far from my intention. My point was a very simple one. Probably I have not been properly understood. As far as this particular amendment of my Honourable friend, Sir Purshotamdas Thakurdas, is concerned it is not an amendment to clause 4. That is all that I say. What my Honourable friend Mr. Neogy is saying is a very different thing altogether.

Mr. President: The Honourable Member wanted clause 4 to be put to vote.

Mr. M. A. Jinnah: I did not say so, Sir. I say, so far as we are concerned this is our position. I did not say there was no other amendment to the Schedule.

Mr. President: Then the original decision of the Chair that clause 4 should stand adjourned remains.

The Honourable Sir George Schuster: Sir, I submit that if you give that ruling, you will be departing from what has been the usual practice in discussing the Finance Bill. All the provisions as regards postal rates and income-tax are always settled by Schedule, and it frequently happens that amendments to the Schedule are afterwards considered; but that does not prevent the clause which is in the body of the Bill being passed in its proper order. I submit that when the Schedules contain in themselves alterations in taxation as compared with the previous year the practice should be just the same as it is when the Schedules contain no alterations as compared with the previous year, but are subject to proposals for amendment standing in the names of Honourable Members. I submit, Sir, that the proper course to be followed is to take these clauses in order as they stand in the Bill.

Mr. President: Would the acceptance of clause 4 mean the acceptance of the Schedule as it stands?

Several Honourable Members: No.

The Honourable Sir Bhupendra Nath Mitra: The Schedule will be put later on and then everybody will have an opportunity of bringing forward his amendment.

Mr. M. A. Jinnah: If I may point out most respectfully, that also seems to be clear. Clause 4 says this:

"The amendments specified in the First Schedule to this Act shall be made in Schedules II and III to the Indian Tariff Act, 1894."

If it is understood that, whatever amendments will be made in the Schedule hereafter, would stand part of clause 4, then it is all right. But if it is understood that no amendments can be moved to the Schedule after clause 4 is passed, then it is all wrong. Therefore I leave it to you to decide this point as you think best. But it seems to me, speaking for myself, that it will be open to the Honourable Members to move their amendments to the Schedule although clause 4 is passed.

Mr. President: I do not agree with the Honourable the Finance Member that the practice has always been to take the clauses of the Bill in the numerical order. Exceptions have been made in the past where the consideration of particular clauses has been postponed. I do not see any difficulty about it. Where circumstances justify the adoption of such a course, there is no reason why we should not do so. I know that in the past we had postponed consideration of particular clauses until other clauses were disposed of.

The Honourable Sir George Schuster: I must leave a ruling on this matter to you, Sir. My argument simply was that the mere fact that a clause was passed referring to a Schedule did not commit the House to accepting that Schedule as it stands in the Finance Bill.

Mr. President: That is a different matter altogether and I would be prepared to accept his view on that point.

The Honourable Sir George Schuster: I understood that that was your reason for suggesting a postponement of this clause. But I venture to submit that that was a reason against which there were many valid arguments. But if, in your opinion, it will be more convenient that this clause should be postponed. I certainly do not intend to press my objection to that course.

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LEGISLATIVE ASSEMBLY.

[20TH MAR. 1930.]

Mr. President: I think it will facilitate the consideration of the Bill as a whole if we postpone the consideration of clause 4. The consideration of clause 4 is therefore postponed.

The Assembly then adjourned for Lunch till Twenty-five Minutes Past Three of the Clock.

The Assembly re-assembled after Lunch at Twenty-five Minutes Past Three of the Clock, Mr. President in the Chair.

Clause 5 was added to the Bill.

Mr. President: The question is:

"That clause 6 stand part of the Bill."

Pandit Thakur Das Bhargava: Sir, I move:

"That to sub-clause (3) of clause 6 the following proviso be added:

'Provided that in the case of the Hindu undivided family each member of such family shall be assessed separately and his total income shall be deemed to be an income to which such member would have been entitled if such member were not joint.'"

Sir, every year since the present Assembly came into existence, this motion has been moved on the floor of this House and every year the reply given by the Honourable the Finance Member has been disappointing. If once for all the reply came from the Government that they are not going to make the change in the law—a change which is founded on justice and equity, no further alteration need have been attempted, but the justice of the amendment has always been realised, and we have always been hoping that something will be done in this respect by the Government, and it is in that hope that I am pressing this amendment. Sir, the point involved is very simple. The question is whether the Hindu joint family is to be penalised, because Hindus are usually taken to live in the social group known as the joint Hindu family. So far as the individual is concerned, there is no difference between a Hindu and a non-Hindu as regards liability to taxation. As soon as it comes to a collection of individuals, the difference arises. In the case of non-Hindus, if two or more persons live together, they are taxed separately. Their income is divided on the number of persons affected and they become liable to income-tax only if their income exceeds the minimum. But in the case of a joint Hindu family, which must consist of more than one member, the income is not divided between the persons constituting that family; but the total income is taken to be the income of the various persons constituting that family and the family is taxed as such. To illustrate my point, if two persons have an income of Rs. 3,000 a year, if they are non-Hindus, they will not be taxed, whereas, in the case of Hindus, their income will be taxed on Rs. 3,000. Now, it is not an uncommon thing to find a Hindu joint family being constituted by, say, six or eight members. In a case of this nature, an ordinary calculation will show that persons earning only Rs. 15 or 20 a month will come within the purview of the provisions of the Income-tax Act as their joint income is going to be taxed. Now, Sir, according

to section 14 of the Income-tax Act, the compensatory advantage which is sought to be given to the Hindu joint family may be illustrated thus. If a Hindu joint family has got income of Rs. 2,100 and one of the members of that family has got a separate income of Rs. 4,900, in that case the special income will be assessed, but the rate by which it will be assessed will not be the one which it would have been if the income was more than Rs. 5,000; so that in cases in which individuals have got large incomes, there is a compensatory advantage. But, Sir, in pressing the amendment before the House, I have never concealed my desire and I have always clearly expressed that I wish that this compensatory advantage may be taken away from the rich Hindu family.

Sir, I do not want to claim any special privilege or special concession for the Hindu. I want that he may be taxed like his Muhammadan or Parsee or Christian brother. At present, there is some advantage to richer families of the Hindus, and a disadvantage to the poor families of the Hindus. Now, Sir, this is a policy of robbing Peter to pay Paul. I do not know how a poor family living in the Punjab will feel the solace of section 14 if, in accordance with the provisions of that section, a family in Bengal is profited. I would, therefore, submit, Sir, that this compensatory advantage is also an advantage which discriminates between the poor and the rich families, and there is no reason why the rich families should be allowed this advantage. This amendment makes the whole position quite clear, and it is on the basis of the uniformity of taxation that I claim that this amendment should be accepted by the House. I want, Sir, that the members of the Hindu undivided family may be taken as if the family was divided, and on that basis, each individual may be taxed. Now, Sir, it is an admitted proposition that the Hindu joint family is not an economic entity. It is a social unit, and there is absolutely no reason why three or four persons living together, who are Hindus, should be taxed, whereas if the non-Hindus live in the same way as the Hindus usually do, they should not be taxed. It is not that I want that persons other than Hindus should be taxed as members of joint families. I want that the position of the members of Hindu joint families should be assimilated to the position of the members of other joint families other than Hindus. That is my claim.

Now, Sir, an objection may be raised that the Hindu joint family is in the nature of a corporation, but the objection has only to be stated to be refuted. May I humbly inquire from the Honourable the Finance Member if he thinks that a family of Jats and Rajputs living in a village, a family of chamars, or a family of Brahmins having agriculture as their means of livelihood, in which some of the members have recourse to trade, can be taken to constitute a trading concern or corporation? In this way I do not see why there should be a difference between the case of Hindus and others than Hindus. I would submit, Sir, therefore, that, in the interests of uniformity of taxation, it is necessary that the members of a Hindu joint family should be treated as if they had already divided. Now, Sir, as we all know, there is an initial presumption of law that all members of a Hindu family are undivided; that every Hindu family is a joint Hindu family. But from the conditions of social life, it is clear that that presumption has lost its strength. In the Punjab, the High Court of the Punjab has held in many rulings that the Hindu joint family of the Hindu Law does not exist in practice. As late as the year 1889 they held, as reported in P. R. 102, of 1889 that the Hindu joint

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family as such does not exist. In regard to other provinces also I can say confidently that the Hindu joint family, as used to exist in olden times, does not at present exist. The impact of modern civilization and other causes have, as a matter of fact, affected the Hindu joint family, and now we do not find the theoretical Hindu joint family in existence. But there is an initial presumption, and as soon as an assessee goes to an Income-tax Collector, there the threat is made, "You are a member of a joint Hindu family; the burden is on you to prove that you have ceased to be a member of a joint Hindu family".

Now, Sir, as opposed to this, that the initial presumption of Hindu Law is that a Hindu family is joint, there is another presumption of law which has been lately pronounced by the Honourable the Judges of the Privy Council. According to the Privy Council ruling every member of a Hindu joint family has got the key of separation in his own hands; he has only to declare that he has ceased to be a member of a joint Hindu family, and then and there the joint family ceases. In such a condition it becomes generally difficult for any income-tax officer, or even for the law courts to find out whether a Hindu family is joint or is not joint. In many cases the condition of the family and the relations between the various members are such that it is difficult to predicate of any family that it is joint or separate. Generally speaking, Sir, when the various members of a Hindu joint family do not live in the same place the state of that Hindu family is in a state of flux; one member acquires property; the other member whenever he comes to live with him lives in the same family without being charged anything, but as soon as he goes away to another place, he incurs his separate expenses and keeps his income separately. But as soon as member comes before the income-tax officer, inquiry is started as to whether a particular property alleged to belong to the joint Hindu family is a self-acquired one or a joint one. That at once gives rise to disputes and the minds of the various members of the family are agitated against each other; they begin to think that in the final partition this property will come to that man, or that property will not come to that man, and to question whether it is joint property or separate property. It happens sometimes that there are certain properties of which no member of a family can state at a particular time whether they are really joint or really separate, so that litigation sets in and the provisions of this Income-tax Act act as a great disruptive factor in the joint Hindu family. Now, Sir, any person who is not very much enamoured of the joint Hindu family system may like those provisions as tending to disintegrate the joint family system rather rapidly, but then, Sir, I would submit that a right-minded man would not like that the provisions of a law of this nature should interfere with the Hindu joint family and break it up in this way. At present these provisions give rise to disputes and litigation, which I do not think was the intention of the original framers of this Act.

Now, Sir, legally speaking or theoretically speaking, it may be argued that in a joint Hindu family you cannot say that a particular portion of income belongs to a particular member, or a particular item of property can be said to be the separate property or to be the ascertained property of one particular member. Now, Sir, to start with, I may point out that there are two systems of Hindu law which can apply to Hindu joint families. So far as Dayabhaga is concerned it is clear that such objection is untenable. According to Dayabhaga law, the interest of every member of a

Hindu joint family is separate and ascertained, and there is no reason why, in the case of those who follow the Dayabhaga law there should be any difficulty about it, because, according to that law, each person's share is ascertained and separate. In regard to Mitakshara law also I would submit that the Government regarded the Hindu joint family as a separate family in relation to another Act. I will refer you in this connection, Sir, to the Report of the Taxation Enquiry Committee. On page 275 in paragraph 374 of their Report they say:

"It is sometimes urged that inheritance taxation ought not to apply to the property of a Mitakshara joint family on the ground that, on the death of a co-parcener belonging to such a family, there is no mutation or acquisition which gives occasion for the levy of a duty. But it cannot be denied that a member of a Mitakshara joint family possesses a beneficial interest in the properties of the family during his lifetime, which he can sell or mortgage, and in some provinces, even dispose of by gift, and of which he can get a partition during his lifetime by suit, or effect severance by a mere unequivocal declaration communicated to the other members of intention to hold separately. This interest clearly passes on the death of the member, and is therefore a proper subject for a tax in the nature of a mutation duty. In the similar case in England, where property or an interest in property passes by survivorship, it is valued for purposes both of estate duty and succession duty. Again, in the Bill to amend the Court Fees Act now before the Central Legislature, it is expressly provided that, if any member of a joint Hindu family governed by the Mitakshara law applies for probate or letters of administration in respect of the estate of a deceased member of the joint family, such estate shall not be deemed to be property held in trust, and the applicant shall pay a fee on the value of the share in the joint family property which the deceased would have received if a partition of the property had been made immediately before his death. In the opinion of the Committee, this provision is based on the correct principle that there is no objection to subjecting to duty property or an interest in property passing by survivorship on the death of a co-parcener in just the same way as property or an interest in property passing by inheritance is so subjected."

Now, Sir, may I inquire if a member of the Hindu joint family can be treated as a separate member for the purpose of the Court-fees Act, in order to take from him duties on the death of a particular member, what justification is there for the Government not to treat him as a separate member in regard to assessing him to income-tax? It is true that, in one case, duty is taken from him, and in the other case the liability to being assessed to income-tax is taken away from him. After all, what is the difference between a Hindu joint family and a joint family of Parsees or Muhammadans? The difference is only this, that in the case of inheritance, survivorship obtains in one, while in the other it does not. Has the Muhammadan law of inheritance anything to do with income-tax? I think, Sir, that, so far as the legal question is concerned, and the theoretical aspect of the case is concerned, there is absolutely no justification for treating the joint Hindu family as a unit for taxation. If you will see the provisions for super-tax, you will be pleased to observe that, in the case of a joint Hindu family, a family is not liable unless the income of the family is Rs. 75,000, whereas, in the case of an individual belonging to any faith other than that of the Hindu, the income must be more than Rs. 50,000. Now, Sir, the difference has been realised, but is that enough? Can there be any family in which there are less than two members? So that practically every Hindu, who has got an income of Rs. 37,500 is liable to super-tax, whereas in families other than Hindus the minimum is only Rs. 50,000. I therefore submit that there is absolutely no justification for regarding the members of a Hindu joint family as being liable to tax in their capacity as members of that family.

In regard to corporations or firms, there may be a justification. Now, if you will see the provisions of the Civil Procedure Code, a firm as such

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is recognised, it has got a legal position, it can sue and be sued, but as regards Hindu joint families there is absolutely no justification why, for this purpose and for no other, the Hindu joint family should be regarded as a unit.

Now, Sir, last time when this point was raised in this House, the Finance Member was pleased to admit that the poor Hindu families were, to a certain extent, penalised at the expense of rich families, and he said that, when a general revision of the Act was undertaken, this question would be considered. But, Sir, how long are we to wait? And is it justifiable? If you accept the justice of the case, it does not lie in your mouth to say that you will delay in making a change in the law for a single day, for after all you must realise that you are taxing the poor man for no fault of his except that he belongs to a joint Hindu family.

Now, Sir, I will address a word to the various parties in this House. So far as the Government are concerned, I have submitted already that they have admitted the justice of the claim and they are only waiting for a general revision of the Act to consider the whole position. Now, Sir, I gave notice to bring in a Bill in this House for that purpose and sought the sanction of the Governor General in Council, but unfortunately I was not granted sanction to introduce that Bill. When this question arose last time, it fell from the mouth of the Honourable the Law Member that if a Bill of this nature came from Mr. Jayakar, he would be pleased to consider the question more favourably. On another amendment I brought this fact to his notice, that he had already made a statement and asked Mr. Jayakar to bring in a Bill as a substitute for my Bill, and he said that he gave no such assurance and resiled from the position. But, Sir, the position is this, and I know the reply of the Finance Member. He will again say that, unless a general revision of the Act is taken up, any attempts to change the law in this manner would be in the way of amateur legislation—I am using his very words, which he uttered on the last occasion. But then the difficulty is, if you bring in a regular Bill, the Government would not give sanction; if an amendment is brought forward in this way, they say they cannot effect any change by way of amateur legislation. Then how are we to change the law?

Then I shall say a word to the European Group also. Sir, in 1928 at the instance of one of the members of the European Group, we accepted the principle in this House in respect of uniformity of taxation, and a cut was carried through this House with the help of the votes of this party, as well as with the help of the other parties. This House and the European Group are therefore wedded to the principle of uniformity of taxation, and I expect, Sir, that in this particular instance, this party, who always claim to look at every question on its merits, will do me the justice of looking at this question from that standpoint, and if they think that a member of a Hindu joint family should not be penalised because he is a member of a Hindu joint family, they will vote with us on this question.

Sir, I need not address the Independent Party on this question, because they have always claimed, and claimed only some days back, that they also decide all questions on their merits. I hope, Sir, that this party also will look to the justice of the claim and vote with us. I may remind this party that many of its members, on previous occasions, have voted in

favour of this amendment, because they recognised the justice of the claim, and I beg of the leaders of all parties to consider this question dispassionately and see the justice of the claim I have made.

As regards the Muslim Party, Sir, who claim to be a democratic party, I hope they will recognise there is nothing communal about my claim. It is a square question. I do not want any special privileges for the Hindus. I want that they should be treated in the same way as non-Hindus are treated.

As regards my party, I need not appeal to them. The Hindus are disorganised. They do not care for their interests, and in this case it so happens that the poorer families of Hindus are affected, because this question, which has been discussed on the floor of this House during the last so many years, has not received the consideration it deserves. I would therefore beg of the Government and the various Members in this House to consider this amendment favourably.

Mr. Lalchand Navalrai (Sindh: Non-Muhammadan Rural): Sir, I rise to support this amendment. This question has been coming up in this House for a very long time, because it is well known that the income-tax law is not dealing justly and fairly with Hindu joint families. Sir, I am on principle against the income-tax altogether. I sent in a cut on Demand regarding income-tax the other day, but it was ruled out of order. I do not propose to deal with that question now. If I get an opportunity at the third reading of the Bill, I shall deal with it and also with certain other wrong policies of the Government, to which I desired to draw the attention of the House on previous occasions. At present, Sir, I fully support this amendment that each member of a joint Hindu family shall be assessed separately and not on the total income of the family.

Now, Sir, it is not necessary to make a very long speech in support of the motion made by my friend who has preceded me. Many of the salient points have been covered very ably and I would only submit a few words. When the income-tax was first introduced, there was a time when, even an income of Rs. 1,000 was assessable. Then it was considered that that was not just, because the poor people were being affected, and the limit was raised to Rs. 2,000, and that is the minimum taxable income at present; but so far as a member of a joint Hindu family is concerned he is taxed even though he earns less than Rs. 2,000. What an anomaly! What really happens in the case of a Hindu joint family is this. I shall give a concrete case. There are three brothers; one is earning Rs. 1,000, the other 500 and the third another 500. If these brothers were separate, none of them would be assessed at all, but in this case the income-tax officer will total up the income of all the three, and assess them on an income of Rs. 2,000. Is this fair? Is this reasonable? I ask. I submit that this procedure is very unjust, and the hardship should be relieved; again what further actually happens in practice of which several instances have happened, is that when the income-tax officer, while assessing income-tax, finds that there are brothers who actually live separately and also earn separately, but have some joint family property in lands and in houses only, and he holds them as members of a joint Hindu family, and charges them income-tax on the aggregate income of such brothers. Now,

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even though the Government may not wish that that should happen, that actually happens in practice. Then, Sir, according to section 14 of the Income-tax Act, the joint Hindu family member's share which falls to him as a member of the joint Hindu family has not to be joined with his private earnings in order to augment his own income for the purpose of assessment, but I know of cases where the income-tax officers do not care to make this distinction. They add all the income from whatever direction it comes and assess accordingly. That is wholly illegal and unreasonable. In short the joint family member should be treated as any other individual assessee and not penalised only because he happens to be a member of a family. I need not say more. I trust the House will carry this amendment.

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muhammadan): As against the considerations put forward by the Mover of this amendment, I wish to point out that, as regards the undivided Hindu family, except in Bengal, the children are also members of the family so far as the ancestral property is concerned, whereas in other cases they are not. In regard to this proposal, the members of other communities cannot be put on a par with members of the Mitakshara Hindu joint family. As regards other families, so long as the father is there, the whole income is assessed, but in the case of the Mitakshara joint family the proposal is that the joint income is to be divided among all the co-parceners, including the children and thus divided many families will escape from the liability. (Interruption from some Honourable Members.) Sir, I was submitting that, so far as this proposal before the House is concerned, the burden on the different communities would not be equal if this proposal were adopted. Besides we find that there are other communities in which the joint family system prevails, and there is no reason why it should be confined to the Hindu joint family alone. I therefore submit that this is not a suitable occasion to propose such an amendment, which may be incongruous and inconsistent with the provisions of the Income-tax Act, which is not before us.

The Honourable Sir George Schuster: Sir, I rise to reply to this debate with some diffidence because I feel that I am treading on a subject which affects Hindus very closely and that, to deal with it properly, a great deal of knowledge of Hindu law and Hindu custom is certainly required. I should like to make one thing quite clear at the outset. The Government are not retaining the present method of taxation as a money making measure. Speaking on behalf of the Government, we should be quite prepared to consider any alteration of the law in this respect provided that we were certain that it would do justice, justice not only to Hindus but in the sense of treating Hindus fairly as compared with other taxpayers and other members of society in India. Now, Sir, the difficulty is this, that the Hindu family exists, and the Hindu family has certain legal attributes, that is to say, so far as the ownership of property and rights in income are concerned, the existence of the Hindu undivided family does create a state of affairs which is not exactly paralleled in the case of other families. As long as those conditions exist, it seems to me extremely difficult that the income-tax law should not be adjusted to deal with those particular conditions. Before I go any further I should like

to make this point. I make it with no desire to burke discussion on this subject, but simply in order that the Honourable Members may realise what we are being asked to deal with. I would maintain that, in spite of what my Honourable friend, who moved this amendment, has said this is a very unsuitable occasion for attempting to alter the income-tax law. We cannot, in the course of the Finance Bill, give proper consideration to all that is involved in these alterations.

Pandit Thakur Das Bhargava: May I know in what other way this matter could be agitated, when Government do not give sanction to a private Bill?

The Honourable Sir George Schuster: I quite appreciate my Honourable friend's difficulty. I recognise that it is extremely difficult for a private Member to get legislation on these matters through, but I was going to say that, if the Government are satisfied that there is a strong and general movement in favour of some sort of legislation on this subject, I for one, as responsible for the income-tax administration, would be very pleased to give it special consideration. So far, I think we are justified in saying that we have not had before us any evidence of a strong general public feeling on this subject supporting an alteration in the law.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether it is difficult for the Government to find this out?

The Honourable Sir George Schuster: I am afraid I could not catch the Honourable Member. Perhaps he would allow me to conclude my remarks and towards the end, if he finds that I have not dealt with any of his points, put any questions he may like to ask. What I was about to say was that there is difficulty in dealing with a matter of this kind in connection with the Finance Bill. I am advised, and I did call attention to this point last year—though not in the debate on this particular amendment—that if this particular amendment was passed, the result of it would be that no member of a Hindu undivided family would have to pay any income-tax at all, because it is necessary in order to avoid that, not only to make this amendment, but to amend section 14(1) of the Indian Income-tax Act. That section provides that no income in respect of an undivided family shall be taxed at all except through the undivided family. I merely mention this, not because it would not be an easy point to get over, but in order to show that, before you start altering the income-tax law, you will have to consider very carefully what the technical reactions and implications of any amendments are.

Then, Sir, on this question of justice in comparison between members of a Hindu undivided family and other members of the community, I understand that, if an alteration of law of this nature were introduced, and if the law as to the rights and property and income which now applies to a Hindu undivided family remained, then the income in every case of a Hindu family would be split up into a number of small units, so that you might have a number of individuals each taxed according to his share in the joint income and each perhaps falling below the taxable limit. But in the case of another family—not a Hindu undivided family—the breadwinner, the head of the family, has his income and he receives no allowance in respect of his wife or of his children. He has to pay a suitable rate according to the amount of his income, and it seems to me—it is an elementary point, but I have never been able to interpret the position in

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any other way—that if you were merely to introduce this amendment, you would, in fact, be putting the Hindu undivided family in a much more favourable position than any other family in the country. I am quite ready to admit that as the law stands at present there are frequent cases of—I might almost say—injustice, certainly of hardship, as regards taxation. But I do submit that the existence of those cases does not justify a wholesale alteration of the law without very careful consideration. And I believe that in this matter we ought to go much deeper than the mere consideration of the income-tax law. It was pointed out in the debate last year, that we are dealing with an ancient custom and an ancient law, and the income-tax law merely reflects the underlying realities of the situation which are created by this ancient custom and this ancient law. I think it is extremely difficult to alter the one in any way except concurrently with an alteration in the other.

Now, we have had put before us in this House one measure which is aimed at removing a certain kind of injustice as regards taxation of the earnings of the Hindu members of an undivided family. I refer to the measure which has been introduced by my Honourable friend, Mr. Jayakar. That is a carefully considered measure, but I believe that every one who has looked into it is convinced that it requires much consideration. I submit that, if you are going to put before this House proposals of a much wider nature than anything contained in the Bill which has been put forward by my Honourable friend, Mr. Jayakar, it should be done in a form which enables the House to give it careful consideration in a form which will enable it to be submitted to consideration in Select Committee and to circulation for opinion. That would be the proper way of dealing with the matter, and, as I said at the beginning, if the Government are convinced that there is a strong movement behind this, a strong and a universally felt desire for a change of this kind, I shall be very pleased, on behalf of the Government, to take the matter up and endeavour to find facilities for the consideration of such a Bill. But at the present moment I can only oppose this particular amendment.

Sir Purshotamdas Thakurdas: Sir, I wish to ask one or two questions regarding the Honourable Member's remarks. I have no doubt that he has realised that my Honourable friends Pandit Thakur Das Bhargava and Mr. Lalchand Navalrai have put forward the grievance of Hindus in this connection very fully. I am impressed by what the Honourable the Finance Member said regarding the complexity of the problem. Now, if it is difficult for a private individual to introduce a Bill in this connection, because it requires the Governor General's permission, may I ask the Honourable Member whether he proposes to wait until he gets representations from 100 or 200 various representative bodies, or will he take the discussion of this question during the last three years as sufficient indication that injustice is being done and something requires to be devised to avoid this injustice to Hindus? Luckily, Sir, I do not belong to a joint family, and I have nothing to share with anybody as a brother. At the same time, I cannot help feeling that, whilst the Hindus do not claim any special privilege in this connection, there is, on the very admission of my Honourable friend the Finance Member, injustice being done to Hindus because they are Hindus. Take the instance given by my Honourable friend, Mr. Lalchand. Three brothers between themselves if they

earn Rs. 2,000 and happen to be members of a joint family, are assessed to income-tax, but if they were not Hindus none of them would be assessable to income-tax. Now, the Honourable the Finance Member must see the gross injustice of such an action by the Income-tax Department—if what my Honourable friend Mr. Lalchand said is correct—and he will surely agree that this is a great hardship on the middle class Hindu families, and I wish to inquire whether he is prepared to take the discussion in this House from year to year as sufficient indication of this very strong feeling, which exists among the Hindus, and, whether he will circularise the Provincial Governments and try to get the opinions of such bodies as he may consider to be representative. Surely, Sir, because Hindus have not agitated against this injustice till now, as was mentioned by my friend, Mr. Lalchand, it should not give the Government the impression that the Hindus have no grievance at all. I submit, therefore that, if he does not want this motion to be pressed, he should at least assure us that the Government of India will try to find out from such quarters as they consider representative, Hindu opinion as to what the feeling is, and try and devise some procedure, which, whilst avoiding any special treatment to Hindus by way of a privilege, will at least ensure that the middle class Hindu families do not suffer owing to their peculiar system. I do not think that anybody can say that my Honourable friends Pandit Thakur Das Bhargava and Mr. Lalchand Navalrai are asking for any extraordinary treatment which is out of the way. If the Honourable the Finance Member is prepared to say that Government will move in that direction, I am sure my Honourable friend Pandit Thakur Das Bhargava will not like to press this amendment. If no such assurance, however, is forthcoming, and if the Governor General must refuse permission even to the introduction of a private Bill, I am afraid there will be no option left for us but to press this amendment and repeat this as a hardy annual every budget time.

Sir, it is no good saying that we cannot consider this on the Finance Bill. We cannot consider it on the Finance Bill because the time at our disposal is short. The question is a complicated one. We cannot consider it during the rest of the weeks of the year—51 weeks in the year—because the Governor General will not give the necessary permission. Surely it is a vicious circle out of which this House must help the Hindus to get out. I therefore strongly appeal to my friend to clear up the matter and to get the Government to move in the direction which will bring the Hindus, as is due to them, as citizens of India, on a par with the citizens of the other communities.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhamadan): Sir, there is one observation that has fallen from the Honourable the Finance Member, which I have never been able to understand. He says that if there is a strong general feeling in the country for the change of law, then the Government would consider the desirability of introducing legislation for that purpose. Now, I ask Honourable Members in this House, I ask the Honourable the Finance Member, what are we here for? Are we not the representatives of the people, and are we not the plenipotentiaries of the public whose cause we represent? (Cheers.) I submit, Sir, that if there is a strong feeling in this House, it must be assumed as a strong general feeling in the country whose voices are

[Sir Hari Singh Gour.]

represented by those of their representatives in this House. I submit, Sir, that there has been, for a long number of years, a strong expression of opinion on behalf of the non-official Members of this House, that this branch of law requires to be altered. The Honourable the Finance Member must make a note of it, and without waiting for a protest from a wider public, he must immediately examine the position, and with the help of such Members as he can invite to a conference with him, he should rectify the mistake. That is my first submission.

The second question that the Honourable the Finance Member has raised is a question which is wider than the first. He says, I admit that the Hindu joint family system is a unique institution in this country, the family being the unit instead of the individual and consequently the taxing person is the Hindu joint family. Honourable Members on the other side have pointed out that that very fact was ignored when the income-tax law was enacted, and the result has been the creation of anomaly after anomaly, which have resulted in taxing members of a joint Hindu family because they happen to be members of a joint Hindu family. Take for instance incomes below Rs. 2,000. Supposing there are five brothers, and if all put their heads together and if all make Rs. 500 each, the joint Hindu family would be taxed because their aggregate income exceeds the individual income of every Member of that joint Hindu family. I submit, therefore, that there is an anomaly and that anomaly requires to be corrected. It does not require much public opinion to back the movement that has taken place in this country. As a matter of fact it has been voiced by Members of this House year after year that it is a palpable and apparent anomaly which requires to be corrected. That, I submit should be a sufficient justification for the Honourable the Finance Member to take action.

There is a third point. The Honourable the Finance Member speaks of Mr. Jayakar's Bill and he points out that, when some of the Honourable Members on the opposition side speak of their joint Hindu family, the implications go far beyond the implications of Mr. Jayakar's Bill. That may be so, Sir, but when the Hindu law was sought to be clarified by enunciating as to what is the income of a joint Hindu family and what should be regarded as individual acquisitions of the members of that family, the first to oppose the enactment of that law were the occupants of the Treasury Benches. Sir, three or four years ago a Bill was introduced called the Hindu Co-parceners Liability Bill, and that Bill went to the Select Committee, and afterwards on account of various reasons, into which I need not enter now, that Bill was not proceeded with. I have no doubt that there is a strong body of opinion on the part of Hindu Members of this House that that branch of the law should be clarified, but when we make an attempt to clarify that law, we meet with opposition. The result, therefore, is that the law remains obscure because we have no means of clarifying it, and because it is obscure, therefore it leads to anomalies, and because it leads to anomalies, my Honourable friends on the other side say, "Well, these are anomalies, but we do not see how these anomalies can be removed unless there is a consensus of public opinion crying out for removal of them. I submit, Sir, it is a perfectly clear case. The anomaly is there, and I have no doubt that the Honourable the Law Member knows that the anomaly is there, and

if the anomaly rests there, it has to be rectified whether there is public opinion outside this House in favour of it or not.

Nawab Sir Sahibzada Abdul Qaiyum (North West Frontier Province; Nominated Non-Official): Is the Honourable Member sure that there will be no agitation against a Bill of this sort on the ground that it is going to destroy or dismember Hindu society or family life?

Mr. M. A. Jinnah: May I ask the Honourable Member, Sir Hari Singh Gour, whether he would suggest how it could be done? He did not suggest anything. He did not suggest any way of doing it.

Sir Hari Singh Gour: I have a very easy way of suggesting it. I beg to suggest that, so far as income-tax officers are concerned, they must take the individual income of each member of a joint Hindu family. Instead of taking the collective income of all the Members of a joint Hindu family for the purpose of income-tax, treat the members of a joint Hindu family as if they had belonged to Mr. Jinnah's family.

Mr. M. A. Jinnah: Thank you.

The Honourable Sir Brojendra Mitter (Law Member): Sir, the Honourable Sir Hari Singh Gour said that there was an anomaly in the law. I contest that. There is no anomaly whatsoever. A Hindu joint family is a unit. The jointness of a Hindu family consists of three elements—jointness in food, in worship and in estate. When there is jointness in these three matters, then the family is a joint family.

Pandit Thakur Das Bhargava: Then does the Honourable Member mean to say that, if there is absence of even one of the elements, the family ceases to be a joint family? If a person is not messing jointly, does he not remain a member of a joint Hindu family?

The Honourable Sir Brojendra Mitter: The idea is that jointness must be in these three things conjunctively and not disjunctively, jointness in food, in worship and in estate.

Sir Hari Singh Gour: These are the incidents not prerequisites of a joint family.

The Honourable Sir Brojendra Mitter: The Privy Council in a series of decisions has laid down that directly any member of a joint family signifies his intention of taking his share separately, the jointness *ipso facto* comes to an end. For separation all that a member has to do is to declare his intention that he would take his share separately. He need not actually take it separately, but directly he signifies his intention that he shall take his share separately jointness comes to an end. In that case he can immediately claim to be assessed as an individual and not as a member of joint family. It is entirely in his hands whether he should continue to be a Member of the joint family or he should enjoy his income separately. There is no anomaly in the law. Ordinarily the individual is the unit; he is assessed on his income. In the case of the joint Hindu family, the individual has no separate existence; it is the collection of individuals who compose the joint family. When a joint family is the unit, all the estate belongs to that family. The estate does not belong to any one of them. In other words, each one of them is the owner of the whole, but no one can say, "I have got so much share in that joint family property". How can you assess a particular member who has no definite share under the existing Hindu law.

Pandit Thakur Das Bhargava: Why?

Mr. M. S. Aney: How?

The Honourable Sir Brojendra Mitter: You can change the Hindu law by breaking up the joint family and give a share to each member of the Hindu family. In that case each individual's estate would be assessable. Now, these are the difficulties in the way of an amendment like this. You cannot change the income-tax law without at the same time trenching upon Hindu law. If it be the view of this House that the Hindu law in this respect should be changed, that is quite a different matter. But in that case I at any rate would advise Government to circulate that Bill for opinion of the different Hindu communities. We have had difficulties in the past in a matter like this which trenches upon one of the fundamental policies of Hindu law. If you want to change it, it cannot be done by a side-wind in the shape of an amendment to the Finance Bill. A matter like this should be canvassed all over the country and the orthodox as well as the reformers ought to be given full opportunity to consider the matter and then a measure should be brought before the House.

Mr. President: Who should bring the measure?

The Honourable Sir Brojendra Mitter: The reforming Hindus who want it.

Sir Purshotamdas Thakurdas: The Governor General will not give permission, and that is the whole point about it.

The Honourable Sir Brojendra Mitter: The Governor General will always give permission to the introduction of a Bill provided the Bill is not absurd on the face of it.

Pandit Thakur Das Bhargava: I applied for sanction and sanction was not given when I brought in a Bill in respect of this very matter. The Honourable the Law Member on the last occasion said that if the Bill were brought in by Mr. Jayakar he could consider the Bill, and when I brought this matter up again he said that he was in sympathy with this aspect of the question but that did not give any assurance with regard to it.

The Honourable Sir Brojendra Mitter: On what subject was this Bill brought?

Pandit Thakur Das Bhargava: Last year on this very amendment.

The Honourable Sir Brojendra Mitter: And did I say that, if Pandit Bhargava brought in the Bill I would object to it, but if Mr. Jayakar brought it in I would consider it? I never said anything so absurd as that.

Pandit Thakur Das Bhargava: With your permission, Sir, I will read it out. This is what the Honourable the Law Member said, and I am reading from page 2401 of last year's debates:

"I did not say that; I said that if Mr. Jayakar were to bring in a Bill of that description, personally speaking I would be in full sympathy with such a measure. All I am saying at the moment is that the House ought not to effect a revolutionary change in Hindu society by way of amending the Finance Act."

Then again he said:

"Sir, I have listened carefully to my Honourable friend Mr. Jayakar's speech. I am sorry I was not here just at the start, but I do not think I have missed the point which he has made. The point which I understood him to make is this. He said: here is an opportunity to effect a social reform by accelerating or helping the disintegration."

The Honourable Sir Brojendra Mitter: Sir, I have got the passage and if my Honourable friend will pardon me I will read it out. This is what I said:

"If a proper measure were brought in by my friend Mr. Jayakar, probably I should vote with him."

This is all that I said.

Mr. Amar Nath Dutt: Not if it is brought by others?

The Honourable Sir Brojendra Mitter: There is no discrimination. I was dealing with an argument which had been advanced by Mr. Jayakar. He was making a certain suggestion, and all I said was that, if Mr. Jayakar were to bring in a proper measure, I would probably vote with him; and every time would I vote for it if a proper measure were brought before the House. Half-digested and ill-timed proposals like this I would never sympathise with nor vote for. This is much too important a matter to be brought before the House in the Finance Bill by a sort of side-wind which cuts across a fundamental principle of Hindu law. You are affecting the rights of members of Hindu joint families; you are breaking up Hindu joint families. What is the implication of this?

Sir Hari Singh Gour: How would a fiscal statute modify Hindu law?

The Honourable Sir Brojendra Mitter: Every statute should be consistent with the personal laws of the people to whom it applies, and since the fiscal laws apply to Hindus they should not be inconsistent with their personal laws. The implication of the amendment is very serious, because once you admit that the share of a particular member of a family can be separately treated, you immediately dissolve that joint family. It goes even beyond a mere declaration of intention. He is taking his share; he is paying the assessment upon his share. Once you have the idea that he has got a share there is an end to the joint family.

Sir Hari Singh Gour: Does the Honourable Member know that the Privy Council have, in a series of cases, laid down that the mere definition of shares in a mutation register has no effect upon the jointness of a family, because it is only a revenue entry and therefore it cannot affect Hindu law?

The Honourable Sir Brojendra Mitter: I am not to be drawn into a controversial discussion about the Privy Council decisions. The Privy Council decisions on this subject cover about half a century and they have changed from time to time, and what I gave the House is the view of the Privy Council which is now the law of the land. The idea of a separate share is inconsistent with the idea of a joint family, and if you are going to assess a share separately, then you are going counter to the whole idea of a joint family. My point is this. In the present Income-tax Act there is no anomaly. It is perfectly consistent with the existing notions of Hindu law and the proposed change would be inconsistent with such notions, and such an important change should not be brought in by a side-wind.

Mr. M. S. Aney: Sir, it has been my misfortune that I had to differ from my Honourable friend the Law Member on this question last year and this year too. All that he has been insisting upon since last year is that, unless the fundamental conception of Hindu law is changed, no change even for fiscal purposes can be introduced into this law. I believe he is unnecessarily straining the point. All that has been demanded here is, not that Government should take upon itself the burden of considering the whole question of the joint Hindu family system and the various principles which govern it, but for the purpose of taxation, it is asked that individuals having their individual income should be entitled to be assessed only on that income and that income should not be considered as part of the joint Hindu family income.

The Honourable Sir Brojendra Mitter: Sir, if my friend will pardon me for a minute will he answer this? Supposing the tax is not paid, will the share be liable to be sold in execution? When the joint family still continues but for fiscal purposes you separate the share, and the tax is not paid, could that individual's share in the joint family be sold in execution for the realisation of that tax?

Mr. M. S. Aney: I cannot understand why the ordinary law of recovering arrears of income-tax should not apply to that case.

The Honourable Sir Brojendra Mitter: Will the whole joint family property be liable?

Mr. M. S. Aney: When a man who is a member of an undivided Hindu family is found to be an offender and the court punishes him with a fine, how is the fine recovered from that man? By putting certain properties of the joint family to sale for that purpose, and the fine is recovered. So also if a man who is a member of an undivided joint family incurs debts and the creditor files a suit against him, how is that debt recovered? That rule will hold good,—the rule by which individual liabilities incurred by a member of a joint Hindu family are satisfied today,—that very procedure will hold good in the recovery of income-tax from a man assessed on his individual income, although he is a member of a joint Hindu family. I do not see any difficulty in the matter at all. The only thing is this. My Honourable friend has not yet put his head properly into this question and examined it in all its details. It generally comes before this House in the form of an amendment to the Finance Bill, and he gives his thoughts to it for a few moments that are available to him, and therefore he says that this question is beset with difficulties which according to him are insuperable or insurmountable. Members on this side have to think all along, and if there is an intention on the part of the Government to bring about this change, then these little difficulties could be provided for. But the difficulty is to convince the Government that this is a practicable thing. Simply because it means a certain amount of loss of revenue to the Government, they are not prepared to accept this. That is the difficulty. Otherwise for certain purposes the Hindu member is sometimes treated as an ordinary individual, and my Honourable friend knows that, in the case of the Transfer of Property Act, also an amendment was moved by him to the effect that, for purposes of interpreting provisions of Chapter II of that Act the personal law of the Hindus and Buddhists should be entirely ignored. At that time the question of the entire change of the whole Hindu law did not arise. When the Government is

determined upon ignoring the Hindu law, as such, they have got convenient reasons for doing so. But when they find that any departure involves them in a pecuniary loss, they are not prepared to accept it. Then they say that the question of the Hindu law must be considered as a whole. It is certainly a convenient argument to perpetuate the wrong.

Besides, there is another point. My Honourable friend, Pandit Thakur Das Bhargava had actually given an amending Bill and applied for sanction, but the sanction was not given. I am assured by him of this, though the grounds on which it has been withheld may be quite different from those he mentions. He says that the sanction was withheld because it was not Mr. Jayakar, but it was he. But I do not accept it. He seems to be under a misunderstanding. The fact is, this being a fiscal measure, an amending Bill, requires the sanction of the Government, and Government would not give it. If we come forward with amendments to the Finance Bill, they say, that they cannot deal with the subject in this piece-meal fashion, and the whole law must be carefully considered. In this dilemmatic position we Members on this side are placed, and we can therefore only record our protest and remain content with whatever the Government can carry with the votes of the majority which they command.

The Honourable Sir Brojendra Mitter: May I make this offer? If any of my friends on the Opposition Benches will prepare a Bill and send it to me, I shall thoroughly examine it with him or with a small committee of the House, if that be the common desire and then see how far we can meet them. We cannot do it in a manner like this.

Pandit Thakur Das Bhargava: In view of the assurance of the Honourable Member, I beg leave to withdraw my amendment.

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

Clause 6 was added to the Bill.

Mr. President: The question is:

"That clause 7 stand part of the Bill."

Mr. M. S. Aney: Sir, I move:

"That clause 7 be omitted and the subsequent clauses be re-numbered accordingly."

Clause 7 of the Bill is this:

"In proviso to section 5 of the Indian Finance Act, 1922, for the words 'one anna' the words 'one anna and six pies' shall be substituted."

There is an excise duty of one anna on kerosene according to the Indian Finance Act, 1922, and that duty is sought to be increased by half an anna by clause 7 of the present Finance Bill. My object is to do away with this excise duty altogether. That is the net result of the amendment I am moving. There is another amendment of which I have given notice to clause 4. According to my understanding of the question, the increase in the excise duty necessarily means an addition to the cost of production of that article, and that addition in the cost of production is bound to be reflected in the price at which that article will be sold to the consumers. Now, kerosene is an article which is universally used by all from the poor up to the richest man, and I am against, as far as possible, any taxation which is likely to affect adversely articles of

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necessity, particularly for the poorer classes. Therefore, if we do away with the excise duty altogether and also the import duty, the result will be that there will be greater quantities of imported oil in this country, and the cost of production of the article locally will also be reduced, and in that competition, according to my understanding, the price of kerosene will naturally go down lower and lower, and the article will be available to the consumers at a rate lower than what it is today. Honourable Members will remember that there was a Tariff Board inquiry as regards oil two years ago and that Report is published. On account of a combine, the two companies, the Burmah Oil Company and the Standard Oil Company, have managed to sell petrol and kerosene oil in this country at a rate much higher than what they should have done, and the little competition which we had from imported oil could not succeed in putting down the rates at which these companies sold the oil in this country. In fact, it has been held in the Report of the Tariff Board—I do not exactly remember the passage—that the net burden which the Indian consumers have to bear on account of their annual consumption of petrol and kerosene oil up to the year under inquiry in this country is something coming up to 5 crores of rupees annually in excess of what he should have ordinarily to pay if it was sold at equitable prices. That is the finding by the Tariff Board. Now, if the increased excise duty is sanctioned by us, and if the small reduction of the import duty which the Finance Bill proposes to make will not succeed in putting down the price, as is anticipated, in my opinion the increase of half an anna will, on the other hand, impose on the poor Indian an additional burden of, say, about 50 lakhs of rupees, which is calculated to be the income likely to accrue from this increased duty, in addition to the 5 crores already existing as calculated by the Tariff Board. It is on that understanding that I have moved this amendment. If I get some explanation which shows that I am mistaken, then I will consider what I should do with my motion. But I think that the proposal of the Government is not likely to reduce but rather to increase the price of the kerosene and make it more costly to the consumers. I therefore move my amendment.

Mr. W. S. Lamb (Burma: European): Sir, I am not quite sure about the effect of this amendment. According to Mr. Aney, apparently he desires to take off the whole of the excise duty. Is that his intention or is he merely moving his amendment against the Government's proposal to increase the excise duty from one anna to one anna six pies?

Mr. M. S. Aney: I only want to cancel clause 7, and if the effect of that cancellation of clause 7 is to retain the duty according to the Finance Act of 1922, well it remains there; and if the effect is to eliminate that clause altogether, then the whole of the excise duty will go away. According to my interpretation, the clause relating to excise duty on kerosene in the Finance Act of 1922 was to be in force up to the end of March of the year 1930 under the Finance Act of 1929. So the net effect will be that there will be no excise duty at all. That is what I understand to be the meaning of my amendment. At least that is my purpose.

Mr. W. S. Lamb: Sir, I rise to support this amendment. I understand it is not actually an amendment; it is a straight negative. The reason why I desire to support a direct negative to Government's proposition is that six pies are sought to be added to the excise duty. Sir,

Mr. Aney has made particular reference to the report of the Tariff Board and to an allegation that the country is suffering a loss of five crores yearly from the machinations of two companies. In his argument, Sir, he made a reference to the Burmah Oil Company. Mr. Birla, who has a particular interest in this matter as an importer of American oil, also had something to say of the Burmah Oil Company. Actually I would suggest to the Honourable Members and to the Finance Member, that the reason why these proposals are brought forward before the House, is that they are an attack upon the Burmah Oil Company, and in making that attack, they appear to be indifferent as to how much encouragement we give to foreign oil and to what extent the small companies may suffer. The position is, I may tell Mr. Aney, that if the Government's proposals are accepted, perhaps, if not tomorrow, within the next week, most certainly that extra duty will be taken fully from the consumer. There is no doubt about that, and Honourable Members should understand and appreciate that this 50 lakhs, or a great part of it, is coming out of the consumer.

I should like to make a few remarks about the Burmah Oil Company, since I am quite sure my friend Mr. Birla is very anxious to have a further hit at that Company. I have not got the Tariff Board's Report; I have to speak without the book, but I think I am right in saying that the majority report was that, "We are not satisfied that India was benefiting greatly by the guarantee of the Burmah Oil Company that the price would not be above a certain figure". They said they were not satisfied. That is very different from declaring, as has been declared, that it is costing the country crores and crores of rupees. Now, Sir, I have been in the oil business for some 30 years, and I had an intimate connection with the Burmah Oil Company for many years, and I have a very distinct recollection of the agreement which they came to in the year 1905, that is 25 years ago. They gave an undertaking that they would maintain and would not exceed a certain maximum. That was 25 years ago, and it can be declared that they kept their guarantee, and I declare now that they keep that agreement, and I should like to point out to Honourable Members that, during the war, many fortunes were made by profiteering; costs went up; other people were seen to be making profits; but the Burmah Oil Company, during the whole of the war, maintained that guarantee which they gave Government. Other people of course profited; but the Burmah Oil Company did not profit by the war, and notwithstanding the terms of the Tariff Board's Report, I would like this House to understand that this guarantee of the Burmah Oil Company is a very real and a very profitable thing for the poor consumer. I would like them to understand also that if the Burmah Oil Company is going to be attacked in this manner, it cannot be expected to maintain such a position as it has been maintaining for the last 25 years.

Now, I would like to put it to the House that these proposals, although I think they are designed to hit the Burmah Oil Company, actually they hit only the consumers and the small companies, for there is not the slightest doubt that the Burmah Oil Company will take the full amount that they pay, out of the consumer. But that increase will not make good to the small companies all the excise. Therefore, I make a special appeal to the House to support this amendment. In the first place the extra duty is going to hit the consumer, and in the next place it is going to hit the small companies. If I had time at my disposal, I should like to take the House through the history of some

[Mr. W. S. Lamb.]

of these small companies. I made some remarks when I was speaking on the general discussion of the Budget. It is impossible, on the floor of this House, to come to a conclusion in matters of this kind, but I do declare that these small companies are of the utmost value to India, and to take Rs. 10 lakhs out of them is a real injustice. We take 50 lakhs out of the oil companies, and then give Rs. 15 lakhs to the foreigners. I have a vision of the Honourable the Finance Member or his friend the Honourable the Commerce Member proceeding to the Government of India to welcome foreign importers with a gift of these 15 lakhs, that they may well support the burdens and heat of the day.

Now, Sir, these proposals have a very special significance today. Honourable Members will have seen in the papers a reference to a threatened war of rates between the Shell and the Standard Oil Companies. These matters are beyond our control, but there seems little doubt, at least there is a very serious possibility, that, in a very short time, we shall have a war of rates such as we had in 1928, possibly worse. We will then have this situation. You will have the foreign companies encouraged by this reduction of import duty—I am told that the Standard Oil Company are rubbing their hands in glee, because of the Government proposals,—and on the other hand you have the small companies with an additional burden of four annas per unit.

Sir, I would repeat what I said in the general discussion on the Budget. This is a serious matter for the small companies, for the consumers and for India. I may tell the Honourable the Finance Member that I am authorised, speaking for the group to which I belong, to say that the attitude of the Government gives the group much concern, and if this is an example of the manner in which European companies are to be attacked, because this can only be regarded as a direct attack, then it must affect the group's consideration of certain other proposals which may be put before them.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadian Rural): Sir, I want to. . . .

Mr. President: How long is the Honourable Member likely to take?

Mr. Ghanshyam Das Birla: Only five minutes, Sir.

Sir, my friend Mr. Lamb rightly remarked that I had some personal interest in the import of oil. It is quite correct that I have a small interest in the import of kerosene oil, but in this House, Sir, I represent only one interest, that is the national interest. I am not here to represent my personal interest or any other interest. Sir, it is a mere coincidence that I happen to have a special interest in all the five things which it is proposed to tax in the present Finance Bill. Sir, I am a small importer of sugar, and as such I do not like the import duty; and yet, in the national interest, I have supported it. Then, Sir, I carry large stocks of silver, and therefore the silver duty has benefited me considerably, and yet I have opposed the silver duty. Then again, Sir, the income-tax touches my pocket directly, but I have not said a word against it. And, Sir, the proposal for Imperial Preference is calculated to benefit my own mills—situated as they are in up-country—more than the Bombay mills, and yet, in the national interest, I have opposed it.

Therefore, Sir, if I have supported the present proposal, I have done so because I felt that the national interest demanded that the excise duty and the import duty must be equalised.

Now, my friend Mr. Aney must have felt very uncomfortable when he found Mr. Lamb getting up to support his amendment. 5 P.M. There could be no greater condemnation of his amendment than the fact that Mr. Lamb should support it. I hope, Sir, that Mr. Aney now realises his blunder, and that he will either withdraw his amendment or probably he will be the first person to vote against it, although he is its Mover.

Now, Sir, it is exactly the ground taken up by Mr. Aney, viz., the consumer's interest on which the Indian Chamber of Commerce, Calcutta, suggested that the excise and the import duties should be equalised. They said that you have put an undue handicap on the imports of kerosene oil and thereby you are preventing full competition and putting huge sums into the pockets of the Burmah Oil producers. This point was confirmed by the Tariff Board, and as my friend Mr. Aney said just now, according to that Board, the measure of the exploitation of the Indian consumer by the oil producer was about 5 crores per annum.

Now, Sir, what the Government through the present Finance Bill propose to do is this. They want to reduce the import duty by three pies which, though giving relief to the consumer, to my mind, is not sufficient. At the same time they want to put up the excise duty, because the Burmese producers so far were getting about one and a half anna per gallon protection, which they never required, and it is with a view to divert the money which has been going to the Burmese producer into the coffers of the Government, that this new departure is being made, and therefore, Sir, I think we should all welcome it. My complaint is that as the oil producers do not require any protection, there is no necessity at all for the protection of 9 pies which is being given to the producer under the proposed arrangement, but I hope that in the next Budget, the Finance Member will see his way to do away with this iniquity. All the same, I think it is our duty, in the interest of the consumer, that we should support the present proposal, and therefore I oppose the amendment of my friend Mr. Aney.

Mr. M. S. Aney: Will you please allow me to withdraw my amendment?

Mr. President: The question is that leave be given to Mr. Aney to withdraw his amendment.

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

Sardar Gulab Singh (West Punjab: Sikh): I rise to move that:

"In clause 7, for the words 'one anna and six pies' the words 'one anna and three pies' be substituted."

It is apparent from the "Annual Statement of the Sea Borne Trade of British India with the British Empire and foreign countries" for the fiscal year ending 31st March, 1929, Vol. II, India has been importing kerosene in bulk and in tins from British and non-British Territories for the last 10 years. From British possessions we have been importing kerosene in tins only from Aden and its dependencies, and in tins and bulk from British

[Sardar Gulab Singh.]

Borneo, Strait Settlements including Luban and the United Kingdom itself; and from the non-British countries we have been getting this kerosene in bulk only from Russia, Georgia, Egypt and the Celebes Islands, and in bulk and tins both from Persia, Sumatra, Dutch Borneo and the United States of America.

The increase in excise duty and the decrease in import duty will surely encourage the imports and discourage the indigenous production, and industry which would in turn stimulate the already ever-increasing unemployment, embitterment and dissatisfaction in the country.

According to the Statistical Abstract for British India for 1917-18 to 1926-27, the supply of kerosene available for consumption in British India has been raised from 13,87,91,878 gallons to 20,58,69,950 gallons in these ten years, and in all this period the productive output from the Punjab and Assam, including the coasting net imports from Burma, have hardly risen from 10,77,97,444 gallons to 13,90,93,598, whereas the imports have gone up from 3,06,77,906 gallons to 6,34,74,556 in the same period, i.e., 1917-18 and 1926-27. In other words, India imported Rs. 4,72,50,710 worth of kerosene in 1924-25 and Rs. 5,75,60,432 in 1928-29, which means a net increase of Rs. 1,03,09,722 in five years only. My Honourable friends here would be surprised to hear that the percentage of Indian oil consumed has fallen from 90·3 in 1918-19 to 64 in 1925-26, whereas, on the other hand, the percentage of foreign oil consumed in India has climbed up from 9·7 in 1918-19 to 36 in 1925-26.

This is the relative or the comparative rate at which the country kerosene and the foreign kerosene have been marching in the very near past. And exactly corresponding should be the rate at which the excise and import duties ought to be varied so that we should be able to consume more of our home produce than the imported one and thus help the growing home industry.

It may have been the fact that the kerosene imports in bulk and tins from the British possessions have decreased from 23,26,007 gallons in 1924-25 to 8,52,238 in 1928-29, and thereby could hardly earn Rs. 6,28,198 in 1928-29, as compared to Rs. 11,99,460 earned in 1924-25. But on the other hand the foreign countries are capturing the Indian market of kerosene, and their exports to India have considerably increased from 6,96,53,913 gallons in 1924-25, to 10,38,07,567 in 1928-29, which could fetch them Rs. 5,69,32,234 in 1928-29 in face of Rs. 4,65,51,250 in 1924-25.

But if the imports from foreign countries have covered a net increase of Rs. 1,03,80,984 and those from British Possessions have decreased by Rs. 5,71,262 in the last five years, it must be due to the quality and quotations of the commodity alone. Let India also attempt to produce a better quality of kerosene at cheaper rates, and then compete with the foreign products, instead of clamouring for a decrease of import duty in India. A loss of Rs. 5,71,262 to the trade of British Possessions for kerosene in India never warrants by itself any decrease in the import customs in this country at all.

It was nothing but natural that, if the import duty had got to be diminished, there ought to have been effected a rise in the excise for home commodities which would have served two purposes with a single stroke: firstly of keeping the balance for the revenue yield, and secondly of

diminishing the price of the imported oil and increasing that of the country oil—and thus stimulating the foreign oil to sell better than the indigenous one.

The percentage of consumption of Indian oil has already gone down from 90·3 to 64 in seven years and that of foreign oil has enormously increased from 9·7 to 36 in the same period, as I have already mentioned.

Pandit Nilakantha Das: Will my Honourable friend tell the House what he means by "Indian oil"?

Sardar Gulab Singh: I refer to Attock oil and Burma oil. We can never support any increment in the excise duty. If the import duty has got to be decreased by three pies, the excise duty should not be raised by double that sum. It should not go anything beyond one anna and three pies at all, so that both should balance each other. And if the question of raising the revenue to meet the deficit in the present Budget comes in, and this diminishing of three pies in the proposed excise duty seems to cost the Government Rs. 35 lakhs, let Government maintain the two annas and six pies import duty instead of decreasing it to two annas and three pies.

The marginal duty may vary in that way, but it will still be less than the one existing at present, and both the objects of the Government will be achieved in this way, i.e., of reducing the marginal duty and raising the revenue.

With these words, Sir, I close my remarks.

Sir Darcy Lindsay (Bengal: European): Sir, I desire to support the amendment moved by my Honourable friend Sardar Gulab Singh because I consider it to be an amendment that will best meet the case, because it will give Government a good deal of the revenue that they say they require and at the same time do as little as possible to disturb the price of oil to the consumer. In supporting this amendment to reduce the proposed excise increase from 6 pies to 3 pies, I assume that, if it were acceptable to the Government and the House, then the proposed reduction in the import duty of 3 pies would fall to the ground. That, Sir, would then leave my Honourable friend the Finance Member in possession of 25 lakhs, and with the various windfalls that are coming his way in the shape of excise on silver, and the heavy increase in sugar duties, I think he can well afford the prospective loss of ten lakhs. The argument that I use, Sir, in favour of this amendment is that, in my opinion, it is more likely to keep down the price of oil to the consumer than the proposal put forward by the Finance Member to increase the excise by 6 pies. I know that either he or the Commerce Member anticipate that, by the prevailing reduction of 3 pies in the import duty, it will help to equalise matters and keep down the price. But I am not at all sure that his premises are safe. When we are dealing with oil, it is a very difficult proposition. It is a world industry, and the price of the commodity is controlled by a very few. If they wish to raise the price, they can do so.

Now, Sir, in India you have heard it said, that from 1905, the Burmah Oil Company, by the convention that they entered into with the Government

The Honourable Sir George Rainy (Member for Commerce and Railways): May I say, Sir, that there is no convention between the Government of India and the Burmah Oil Company?

Sir Darcy Lindsay: Possibly Sir. We will not call it a convention, but we will call it an understanding.

The Honourable Sir George Rainy: No, Sir. I object to the word understanding.

Sir Darcy Lindsay: Very well, Sir. But the fact remains that, from 1905, the Burmah Oil Company have given India the bed-rock price for a certain quality of oil, which, I think, is known as the Victoria brand. It is a yellow oil and is not refined to the extent of other burning oils. I have always understood rightly or wrongly, and I have had it on the very best authority from a former Commerce Member, Sir Charles Innes, that the action of the Burmah Oil Company in stabilising the price for yellow oil, has had the effect of keeping down the price of the higher quality oil. And I believe, Sir, that, for the past 25 years, there has been a considerable difference in price between these two oils. When the Government of India thought it necessary to impose an excise duty on oil, the price of the yellow oil went up against the consumer, as did the price of the other oil. But it was perfectly open to the Burmah Oil Company then, as it is today, who, I believe, with the other indigenous companies supply at a specially low rate to themselves, something like 195,000 tons of this low quality oil to the very poor people of India, to stop that supply. I know my Honourable friend, the Commerce Member, is not in agreement with me there, but I say, Sir, it is a fact that, if these refining companies decide to stop the supply of this yellow oil and refine it into white oil and petrol, they can do so, and in all probability gain a higher price than they are at present obtaining. That, Sir, to my mind is the danger of this measure. Why the Government of India think it necessary to recover this amount of money from this particular company that is undoubtedly prospering, and why they think it necessary to drag in their wake these smaller companies that are struggling for existence, is not for me to say. But I do feel that, if they continue and press the increase in the excise duty through this House, there is a very grave danger to the poorest people in India to have prices raised against them. It is mainly on this ground, Sir, that I appeal to the Honourable the Finance Member to forego 10 lakhs of rupees and accept the amendment of my Honourable friend. As I said before, the price at which oil can be fixed is in the hands of a very few. We have heard this afternoon of a probability of a rate war and for the next few months, till the rate war comes to an end, I have no doubt that the price of oil will fall considerably below the present prices and for a short period there will be an advantage to the consumer. But the unhappiness of the position is that these big combines come together again and up go the prices.

Now, Sir, if in India we had other prosperous companies in addition to the Burmah Oil Company, I think we would be in a better position to dictate our own terms. But unhappily these other companies have, so to speak, not struck oil. They are exploring all the time. I give you the instance of the Attock Oil Company in the Punjab. They have expended large sums of money in the endeavour to produce oil in paying quantity in the Punjab. They are still living in hope that the happy day will come

along when they will strike oil rich. Last year, or a little more than a year ago, I think, they were hopeful of success, and then the wells began to dry up again and that Company, if this extra taxation goes through, will be placed in a parlous position and be unable to spend the money that they want to do on new development. The same applies to other companies, companies in Burma and companies in Assam. The company in Assam, I believe, within the past few years, has expended a million and a half of money in drilling wells, and they have increased their output by something like six times the quantity that was formerly extracted. Now, Sir, the value to India of these indigenous companies to my mind is very great. Take the Attock Oil Company alone. They are placed in the position of supplying oil to India, independent of Burma and independent of the rest of the world. Look what an asset it is to the country. I give one little instance, Sir. A few years ago, two or three years ago, during a railway strike, it was difficult for the railway companies to bring axle oil up into the interior from the seaport owing to the strike. The Attock Oil Company, being a company in the interior of India, was able to distribute axle oil and saved the railway companies from very considerable loss. That is just one little instance of the value to the country of maintaining these indigenous small companies. I appeal, Sir, most strongly to my Honourable friend, the Finance Member, and my Honourable friend the Commerce Member to give this matter very serious consideration, and if they can possibly do so, to meet us in this very modest demand of giving them Rs. 25 lakhs from the excise duty and not reducing the import duty.

(Several Honourable Members then stood up to take part in the debate.)

Mr. President: There are several Members wishing to speak. We had better adjourn. The House stands adjourned till tomorrow.

The Assembly then adjourned till Eleven of the Clock on Friday, the 21st March, 1930.

LEGISLATIVE ASSEMBLY.

Friday, 21st March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

RACIAL DISCRIMINATION IN RECREATION PROVIDED FOR APPRENTICES OF THE KHARAGPUR RAILWAY WORKSHOPS.

690. ***Mr. S. C. Mitra:** Is it a fact that the Bengal Nagpur Railway Administration have made provisions in the rules for all their Anglo-Indian and European apprentices in the Kharagpur Railway Workshops, for all sorts of recreations, sports, amusements and easements and that no such provisions exist in the rules for their Indian apprentices there? If so, what is the reason for this differential treatment?

Mr. A. A. L. Parsons: The answer to the first part of the question is in the affirmative.

In regard to the second part I have called for information from the Railway Administration and will communicate with the Honourable Member when it is received.

NUMBERS OF EUROPEAN AND INDIAN APPRENTICES IN THE KHARAGPUR RAILWAY WORKSHOPS.

691. ***Mr. S. C. Mitra:** (a) Will Government please state the number of European (excluding the Anglo-Indian) and Indian apprentices now under training in the Kharagpur Railway Workshops and how many of them are attached to the Loco., Carriage, Wagon and other shops, respectively?

(b) What is the total number of apprentices in the Kharagpur Railway Workshops?

Mr. A. A. L. Parsons: With your permission Sir, I propose to answer this and the following question together. I have called for information and will communicate with the Honourable Member when it is received.

GRIEVANCES OF APPRENTICES IN THE KHARAGPUR RAILWAY WORKSHOPS.

†692. ***Mr. S. C. Mitra:** (a) Is it a fact that there has been a Committee at Kharagpur known as the "Cunningham Committee" appointed by the Bengal Nagpur Railway authorities to consider the various grievances of the employees in the Kharagpur Railway Workshops? If so, has the "Cunningham Committee" taken into consideration the grievances of the Indian apprentices who are now under training in the Kharagpur Railway Workshops?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to place on the table an extract from the Cunningham Committee's Report so far as it relates to the Indian "A" Grade apprentices?

†For answer to this question, see answer to question No. 691.

FREE PASSES AND CONCESSIONS FOR APPRENTICES OF THE KHARAGPUR RAILWAY WORKSHOPS.

693. *Mr. S. C. Mitra: (a) Will Government please state, in what class the railway free passes and tickets at concession rates are allowed on the home railway to the apprentices in the Bengal Nagpur Railway Workshops at Kharagpur; and when the apprentices become eligible for the free passes and tickets at concessional rates over the foreign lines?

(b) Are there any separate rules for the Indian apprentices, and especially for the "A" Grade apprentices for granting them the free passes and tickets at concessional rates? If so, why?

Mr. A. A. L. Parsons: (a) Intermediate or third class passes and concession tickets are allowed in accordance with the pass rules of the Bengal Nagpur Railway to these apprentices over the home line. They become eligible for free passes and tickets at concession rates over foreign railways after two years' service.

(b) No.

RECRUITMENT OF CLERKS FOR THE POST OFFICE.

694. *Mr. S. C. Mitra: (a) Will Government be pleased to state if it is a fact that the Director General of Posts and Telegraphs has restricted the recruitment to the Post Office of candidates for the clerical cadre to the respective Revenue Divisions to which the candidates belong? If so, will they please lay a copy of the order on the table?

(b) Is it also a fact that the Superintendents of Post Offices are required to obtain the previous sanction of the Heads of Circles if they want to deviate from the above orders and entertain candidates not belonging to the Revenue Divisions in which they seek employment?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. A copy of Part I of the Director General's (Post Office) Circular No. 29, dated the 2nd September, 1926, is laid on the table.

(b) Yes.

POSTS AND TELEGRAPHS.

(POST OFFICE).

Director General's Circular No. 29.
Thursday, 2nd September, 1926.

I.—Local recruitment for subordinate postal appointments.

GENERAL FILE.

On the recommendation of the Postal Conference of 1926 it has been decided by the Director General that with effect from the 1st September, 1926, future candidates joining the subordinate postal service must belong to the Revenue Division in which they enlist. In the cases of cities like Bombay and Calcutta candidates belonging to the adjacent Revenue Divisions will also be eligible for appointment in such cities.

2. Any exception to the instruction given in paragraph 1 above must be referred to the Head of the Circle—Postal or Railway Mail Service—for orders.

G. P. ROY,

Director General of Posts and Telegraphs.

RECRUITMENT OF CLERKS FOR THE POST OFFICE.

695. *Mr. S. C. Mitra: (a) Will Government be pleased to state the number of candidates of the clerical cadre belonging to the other Revenue Divisions entertained in the Nilgiri Division by Mr. M. K. Raman, Superintendent of Post Offices, after he took charge of that division in 1928 and the names of the Revenue Divisions from which those candidates were drawn?

(b) Did the Superintendent obtain the sanction of the Postmaster-General, Madras Circle, before their entertainment? If not, why not; and what action do Government propose to take in the matter?

The Honourable Sir Bhupendra Nath Mitra: With your permission, Sir, I propose to answer this and the following question together.

The information asked for is being collected and will be supplied to the Honourable Member in due course.

RECRUITMENT OF CLERKS FOR THE POST OFFICE.

†696. *Mr. S. C. Mitra: (a) Has the Postmaster-General, Madras, issued instructions to the Superintendent of Post Offices, Nilgiri Division, to stop recruitment of Brahmins for the clerical cadre in his division?

(b) Were any Brahmins entertained by Mr. M. K. Raman, the Superintendent of Post Offices, Nilgiri Division, after the receipt of the Postmaster-General's instructions? If so, how many?

INSPECTION OF BOOKS AND RECORDS OF SUB-POST OFFICES.

697. *Mr. S. C. Mitra: (a) Will Government be pleased to state if the rules of the Postal Department prohibit the Supervising Officers from taking away the order books and records of a Post Office for inspection outside the office?

(b) How long has Mr. M. K. Raman, Superintendent of Post Offices, Nilgiri Division, been working as a Superintendent?

(c) Is it a fact that the B. O. receipt books of the Pykara and Mulanur branch offices were taken by him to his office, where they were checked by the staff?

(d) Is it also a fact that registered and parcel lists and the B. O. daily accounts of the Dharapuram and Valparai Sub-Post Offices were brought by him to the office and were inspected by the staff of the Superintendent?

(e) How many days did he take to inspect each of the Branch and Sub-Post Offices mentioned in parts (c) and (d) above; and why did he not inspect the records in the respective offices?

(f) What action do Government propose to take in the matter?

Mr. H. A. Sams: Sir, with your permission, I will reply to questions Nos. 697 and 698 together.

The information is being collected and will be communicated to the Honourable Member in due course.

†For answer to this question, see answer to question No. 695.

INSPECTION OF BOOKS AND RECORDS OF SUB-POST OFFICES.

†698. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that Mr. M. K. Raman, Superintendent of Post Offices, Nilgiri Division, utilised the services of Inspectors of Post Offices of the Palghat and Coimbatore Sub-Divisions to check the registered and parcel lists of the Kollengode and Podanur Post Offices at the time of his inspection?

(b) How many days did the two Inspectors remain with the Superintendent in the above stations, and in what places should they have remained according to their tour programmes?

(c) Are Superintendents allowed to take the assistance of Inspectors and cannot they inspect offices without the help of Inspectors of Post Offices?

OFFICE AND RESIDENTIAL ACCOMMODATION OF THE SUPERINTENDENT OF POST OFFICES, OOTACAMUND.

699. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that the office of the Superintendent of Post Offices is located in Ootacamund in two dark, ill-ventilated rooms in the backyard of the Superintendent's quarters and that Mr. M. K. Raman, the Superintendent is occupying the major portion of the building?

(b) Is it a fact that the proportionate rent of the quarters is less than that for the office portion?

(c) Were Government satisfied that better and suitable accommodation was not available in Ootacamund for the office, and if so, will they please state if any inquiries were made by any officer of the department other than the Superintendent about the availability or otherwise of the accommodation?

(d) Is it compulsory that the Superintendent's office and quarters should be in one and the same building? If the answer be in the negative do Government propose to consider the desirability of providing better accommodation for the office of the Superintendent of Post Offices, Nilgiris?

Mr. H. A. Sams: (a), (b) and (c). I am making inquiries and will communicate the result to the Honourable Member on receipt.

(d) The answer to the first part of the question is in the negative. In respect of the second part, Government will take such action regarding the accommodation of the office of the Superintendent of Post Office, Nilgiri Division, as the investigations promised in respect of parts (a), (b) and (c) of the Honourable Member's question show to be necessary.

PAY OF CERTAIN CLERKS IN THE POST OFFICE.

700. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that graduates and under-graduates entertained in the Post Office after the revision of pay in March 1927 are getting a higher pay than such men who joined the service two years before the revision?

(b) Do Government propose to take action to remove the anomaly? If so, how and when?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes in some cases owing to the operation of the Fundamental Rules.

(b) The reply to the first part of the question is in the negative and the second part does not arise.

†For answer to this question, see answer to question No. 697.

ALLEGATIONS AGAINST BABU NUT BEHARI CHATTERJEE.

701. ***Mr. S. C. Mitra:** (a) Is it a fact that the Government received a copy of the resolution of a mass meeting of the Press Employees of Calcutta held under the presidency of Mr. Satyendra Chandra Mitra, M. L. A., on the 14th December, 1929, regarding the serious allegations on the conduct of Babu Nut Behari Chatterjee, Assistant Foreman of the East Indian Railway Press?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what action has been taken in the matter? If not, why not?

Mr. A. A. L. Parsons: (a) A letter was received from the Organising Secretary, Press Employees' Association communicating certain Resolutions purporting to have been passed at a meeting of Press employees at Calcutta.

(b) Government do not feel called upon to take any action on the communication.

MEMORIAL FROM EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

702. ***Mr. S. C. Mitra:** (a) Is it a fact that the Honourable Member in charge of Railways and Commerce received a memorial dated the 2nd January, 1930, from the compositors, distributors and binders of the East Indian Railway Press of Howrah and Calcutta?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to lay on the table a copy of the said memorial?

(c) Will the Honourable Member in charge of Railways and Commerce be pleased to state what action has been taken or is intended to be taken in the matter?

Mr. A. A. L. Parsons: (a) Yes.

(b) A copy of the memorial has been placed in the Library of the House.

(c) The Agent of the Railway has been asked to deal with the memorial as expeditiously as possible.

ALLEGED MISCONDUCT ON THE PART OF THE SUPERINTENDENT, EAST INDIAN RAILWAY PRESS.

703. ***Mr. S. C. Mitra:** (a) Is it a fact that the President, Press Employees' Association, Calcutta telegraphed to the Honourable Member in charge of Railways and Commerce on the 26th December, 1929, alleging serious misconduct on the part of the Superintendent, East Indian Railway Press?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to lay on the table a copy of the said telegram?

(c) Will Government be pleased to state what steps Government have taken or intend taking in the matter?

Mr. A. A. L. Parsons: (a) No such communication can be traced.

(b) and (c). Do not arise.

STATUS OF EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

704. ***Mr. S. C. Mitra:** (a) Is it a fact that the compositors, binders, distributors, galley proof pressmen, forme proof pressmen, machinemen and ink men of the Government of India Press are in superior service while those of the East Indian Railway Press are in the inferior service?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reasons therefor, and whether they intend taking any action to place the East Indian Railway pressmen on the same status with the men of the Government of India Press?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to answer questions Nos. 704, 706, 707 and 708 together.

I have not yet got the information.

Information has been called for and I will communicate with the Honourable Member on its receipt.

COMPLAINT AGAINST THE BINDING JAMADAR OF THE EAST INDIAN RAILWAY PRESS.

705. ***Mr. S. C. Mitra:** (a) Is it a fact that, according to the Civil Service Rules and Regulations and Government Servants' Conduct Rules, as well as according to the publication in the weekly Gazette of the East Indian Railway, issued on the 15th January, 1930, an employee is liable to be dismissed for serious misconduct?

(b) Is the Honourable Member in charge of Railways and Commerce aware that the binding jamadar of the East Indian Railway Press, Calcutta, abused and kicked Abdul Wahid Khan, Mujibur Rahman Chaudhuri and Harmoj Ali Chaudhuri and is in the habit of insulting other employees?

(c) If the answers to parts (a) and (b) be in the affirmative, will the Honourable Member be pleased to state what action has been taken or is intended to be taken against the said binding jamadar?

Mr. A. A. L. Parsons: (a) Yes.

(b) No.

(c) Government do not propose to take any action.

EARNINGS OF CERTAIN EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

†706. ***Mr. S. C. Mitra:** (a) Is it a fact that the earnings of the compositors, distributors, and binders, pressmen, machinemen and ink men of the East Indian Railway Press are diminishing gradually while those of the foreman, section-holders and readers are increasing?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reasons for the same?

(c) Will the Honourable Member in charge of Railways and Commerce be pleased to lay on the table a comparative statement of earnings of any five readers, section-holders, compositors and binders with their names, for the months of June, July, August and September of the years 1924, 1925 and 1929?

†For answer to this question, see answer to question No. 704.

DISCRIMINATION IN THE PAYMENT OF CALCUTTA ALLOWANCE TO EMPLOYEES IN THE EAST INDIAN RAILWAY PRESS.

†707. ***Mr. S. C. Mitra:** (a) Is it a fact that the clerks of the East Indian Railway Press are allowed to draw Calcutta allowance, while the compositors, distributors, binders, pressmen, machinemen and ink men are not allowed the same?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the reasons thereof?

HAND-COMPOSING WITH MONO-TYPE IN THE EAST INDIAN RAILWAY PRESS.

†708. ***Mr. S. C. Mitra:** (a) Is it a fact that the compositors of the East Indian Railway Press are required to hand-compose with mono-types?

(b) Are Government aware that hand-composing with mono-type is nowhere prevalent in the world?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government be pleased to state the reasons for forcing the compositors to do such work?

RATES PAID TO COMPOSITORS IN CERTAIN PRESSES.

709. ***Mr. S. C. Mitra:** Will Government be pleased to lay on the table a comparative statement of the class rates of the compositors in the Government of India Presses, Bengal Government Press, and the East Indian Railway Press?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to reply to questions Nos. 709—719 together.

I would refer the Honourable Member to the replies given to his questions Nos. 257—266 and 268 asked by him in January, 1929, which were in identical terms.

INCOME OF DIFFERENT CLASSES OF PRESS EMPLOYEES.

†710. ***Mr. S. C. Mitra:** Will Government be pleased to lay on the table a statement showing, side by side, the income of overseers, head compositors, any three compositors, foreman, head clerk and any three clerks on the one hand and any five compositors, any five distributors and any five binders on the other, noting the name of each, in 1906 and 1927?

PROMOTION IN THE EAST INDIAN RAILWAY PRESS.

†711. ***Mr. S. C. Mitra:** (a) Is it a fact that, in the East Indian Railway Press, it is not infrequent that a raw junior with a few months' service to his credit is promoted over the heads of seniors?

(b) Is it a fact that, in the said Press, it is always the few who regularly get promoted, while others are left to vegetate for years in the same place?

(c) Will Government be pleased to lay on the table a statement showing the number of compositors in the East Indian Railway Presses at Calcutta and Howrah with, (i) Names, (ii) Dates of appointments, and (iii) Dates of promotions?

†For answer to this question, see answer to question No. 704.

†For answer to this question, see answer to question No. 709.

(d) If the replies to (a) and (b) be in the affirmative, will Government be pleased to state what action Government intend taking in the matter?

COMPARATIVE COST OF COMPOSING BY HAND AND WITH LINOTYPE AND MONOTYPE MACHINES.

†712. *Mr. S. C. Mitra: (a) Is it a fact that three lino. and two mono. machines were purchased in the East Indian Railway Press immediately after the East Indian Railway became a State Railway?

(b) Is it a fact that the mono. machines cause to Government a loss of 40 per cent., and that the lino. machines cause only 20 per cent. loss to Government?

(c) Is it a fact that matter composed on mono. or lino. machines has to be melted away after printing and that such melting can go on for five times only?

(d) Is it a fact that hand-composed matter lasts 90 lakhs of impressions?

(e) Is it a fact that hand-compositors are entitled to remuneration after the first reading, second reading, third reading, revised corrections and rule dress-up are finished?

(f) Will Government be pleased to lay on the table a comparative statement showing the cost of composing by hand 44×72 Em nonpareil type 15 column statement, and that of having it in a mono-machine, noting specifically the charge of (1) operator, (2) caster, (3) arranging, (4) first reading corrections, (5) second reading corrections, (6) third reading corrections, (7) revise corrections, (8) rule dress-up, (9) gas, (10) electricity, (11) water, and (12) metal?

(g) If the reply to (a) and (b) be in the affirmative, will Government be pleased to state why Government are replacing hand-composition by lino. and mono. machines?

PAY OF COMPOSITORS AND CLERKS IN THE EAST INDIAN RAILWAY PRESS.

†713. *Mr. S. C. Mitra: (a) Is it a fact that, in May 1920, the Agent, East Indian Railway, passed orders to the effect that the compositors would be placed on a par with the clerks?

(b) Is it a fact that they have been enjoying this privilege from that time up to 1926?

(c) If the reply to parts (a) and (b) be in the affirmative, will Government be pleased to explain the reasons thereof?

PAY ON HALF HOLIDAYS IN THE EAST INDIAN RAILWAY PRESS.

†714. *Mr. S. C. Mitra: (a) Is it a fact that, in 1920, the Agent, East Indian Railway, passed orders that the Press people (compositors, distributors, pressmen, binders, etc.), would be allowed a full day's pay on half holidays in general?

(b) Is it a fact that they have been enjoying this privilege from after that time up to 1926?

†For answer to this question, see answer to question No. 709.

(c) Is it a fact that it has been stopped since the Railway came under Government control?

(d) If the replies to (a), (b) and (c) be in the affirmative, will Government be pleased to state the reasons thereof?

RAILWAY CONCESSIONS OF EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

†715. *Mr. S. C. Mitra: (a) Is it a fact that the Press employees are not allowed concession rates on railways other than the East Indian Railway, when even the day-labourers in the Lillooah Workshops enjoy this privilege?

(b) Is it a fact that the Agent's circular is to the effect that every employee of the East Indian Railway is entitled to these "concessions"?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government kindly inform the House why such discrimination is observed in the case of the Press employees?

RAILWAY CONCESSIONS OF EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

†716. *Mr. S. C. Mitra: (a) Will Government be pleased to state the rules applicable to the Press employees and clerical staff in the East Indian Railway Press with regard to passes and the class of train in which they are entitled to travel?

(b) Is it a fact that, since 1920, compositors drawing below Rs. 75 per mensem have not been allowed intermediate class passes, and that this rule is not applicable to the clerks?

(c) Will Government kindly state why these discriminations, if any, are observed between the Press employees and the clerical hands?

REVERSION TO TEMPORARY APPOINTMENTS OF CERTAIN COMPOSITORS IN THE EAST INDIAN RAILWAY PRESS, CALCUTTA.

†717. *Mr. S. C. Mitra: (a) Is it a fact that permanent hands cannot be reverted to temporary hands?

(b) Is there any rule to that effect?

(c) If so, will Government be pleased to state that rule?

(d) Is it a fact that permanent compositors of the Oudh and Rohilkhand Railway Press on transfer from Lucknow to the East Indian Railway Press, Calcutta, have been made temporary?

(e) If the replies to parts (a) and (d) be in the affirmative, will Government be pleased to state the reasons thereof?

GRANT OF CALCUTTA ALLOWANCE TO EMPLOYEES OF THE OUDH AND ROHILKHAND RAILWAY PRESS TRANSFERRED TO CALCUTTA.

†718. *Mr. S. C. Mitra: (a) Is it a fact that the Press employees of the Oudh and Rohilkhand Railway Press, Lucknow, when transferred to Calcutta, were promised Rs. 5 as Calcutta allowance?

†For answer to this question, see answer to question No. 709.

EARNINGS OF DISTRIBUTORS IN THE GOVERNMENT OF INDIA PRESS,
CALCUTTA.

725. ***Mr. S. C. Mitra:** (a) Is it a fact that in reply to my starred question No. 634, dated the 18th September, 1929, regarding the earnings of distributors of the Government of India Press, Calcutta, the Honourable Sir Bhupendra Nath Mitra stated that inquiries were being made and results would be communicated in due course?

(b) Will the Honourable Member in charge of the Department of Industries and Labour be pleased to state the result of the inquiries made, if any?

(c) If the answer to part (b) be in the negative, will the Honourable Member be pleased to state the reasons thereof?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The result of the inquiry was communicated to the Honourable Member in a demi-official letter from the Department of Industries and Labour, No. A-332, dated the 15th January, 1930, copies of which were also placed in the Library of the Legislative Assembly.

(c) Does not arise.

EARNINGS OF EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, CALCUTTA.

726. ***Mr. S. C. Mitra:** (a) Is it a fact that the earnings of the pressmen of the Government of India Press are diminishing day by day?

(b) Will Government be pleased to lay on the table a comparative statement showing the earnings of any five pressmen of the Government of India Press with their names, for the months of March, April and May, for the years of 1920 and 1929?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). Government have no information, but they are asking the Controller of Printing and Stationery to enquire into the matter.

PAY OF READERS AND REVISES IN THE GOVERNMENT OF INDIA PRESS,
CALCUTTA.

727. ***Mr. S. C. Mitra:** (a) Is it a fact that, in 1924, the junior readers of the Government of India Press were in the superior grade compared with the revisers?

(b) Is it a fact that by the revisions held in July 1928, the revisers of the Government of India Press have been placed in the same grade as that of a junior reader?

(c) Is it a fact that, in reply to my starred question No. 274, dated the 30th January, 1929, regarding the pay of readers and revisers in the Bengal Government Press, the Honourable Sir Bhupendra Nath Mitra stated that the duties of a reader are more responsible than those of a reviser?

(d) If the replies to parts (a), (b) and (c) be in the affirmative, do Government propose to consider the question of giving the junior readers a higher pay?

The Honourable Sir Bhupendra Nath Mitra: The attention of the Honourable Member is invited to the reply given by me to his starred question No. 627 on the 18th September, 1929.

PAY OF CERTAIN EMPLOYEES IN THE GOVERNMENT OF INDIA PRESS,
CALCUTTA.

728. ***Mr. S. C. Mitra:** (a) Is it a fact that the mono-casters of the Government of India Press, Calcutta, are allowed less pay than the mono-casters of East Indian Railway and Eastern Bengal Railway Presses?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state the reasons thereof?

(c) Is it a fact that Government is contemplating to place them on the same status? If not, why not?

(d) Will Government be pleased to lay on the table a comparative statement showing the pay drawn by the mono-casters of the Government of India Press, East Indian Railway Press and the Eastern Bengal Railway Press?

The Honourable Sir Bhupendra Nath Mitra: (a), (b), (c) and (d). Government have not before them any proposal to revise the pay of the mono-casters of the Government of India Press, Calcutta, on the basis of the scale obtaining in the Presses of the East Indian and Eastern Bengal Railways. The information desired by the Honourable Member in parts (a) and (d) is being obtained and will be supplied to him in due course.

PAY OF CERTAIN EMPLOYEES IN THE GOVERNMENT OF INDIA PRESS,
CALCUTTA.

729. ***Mr. S. C. Mitra:** (a) Is it a fact that in reply to unstarred question No. 84, put by Mr. K. C. Neogy on the 31st August, 1926, regarding the earnings of certain employees of the Government of India Press, Calcutta, the Honourable Sir Bhupendra Nath Mitra replied that the salaries at present paid to the lino-operators of the Government of India Press, Calcutta, were Rs. 100—5—125?

(b) Will Government be pleased to lay on the table a statement showing the names of the lino-operators with their salaries drawn on the pay sheets and the increments allowed to them for the months of June to December 1929?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The statement desired by the Honourable Member will be supplied to him in due course.

PAY OF CERTAIN EMPLOYEES IN THE GOVERNMENT OF INDIA PRESS,
CALCUTTA.

730. ***Mr. S. C. Mitra:** (a) Is it a fact that before July 1928, the galley proof pressmen, forme-carriers and the labourers of the Government of India Press were on the same grade?

(b) Is it a fact that after July 1929 the pay of the galley proof pressmen, and forme-carriers were increased while that of the labourers remained the same?

(c) If the replies to parts (a) and (b) be in the same, will Government be pleased to state the reasons thereof?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) No, but certain increases in pay were granted to galley and forme proof pressmen and to forme carriers from July 1928.

(c) Does not arise.

PAY OF CERTAIN EMPLOYEES IN THE GOVERNMENT OF INDIA PRESS,
CALCUTTA.

731. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state whether it is a fact that the readers of Government of India Press, Calcutta, submitted a memorial to the Government through the proper channel stating their legitimate grievances in October 1929?

(b) If the answer be in the affirmative, will Government be pleased to lay on the table a copy of the said memorial?

(c) Will Government be pleased to state what action, if any, they have taken or have proposed to take in the matter?

The Honourable Sir Bhupendra Nath Mitra: (a) Six memorials in identical terms bearing the date, 29th November, 1929, were received from certain readers in the Government of India Press, Calcutta.

(b) Government do not propose to lay a copy of the memorial on the table of the House.

(c) The memorials have been rejected.

MEMORIAL FROM VILLAGERS SERVED BY THE NALDHI POST OFFICE.

732. ***Mr. S. C. Mitra:** (a) Is it a fact that the villagers of Sankarpore, under the Naldhi Post Office in the district of Jessore submitted five memorials to the Government through the Divisional Superintendent in the months of April, May, June, July and August 1929, praying for the daily *bit* in their village?

(b) Is it a fact that no reply was given to any of these memorials?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government be pleased to state the reasons why no reply was given to any of these memorials?

The Honourable Sir Bhupendra Nath Mitra: (a) The representations referred to by the Honourable Member have not reached Government. Presumably, they refer to the introduction of a daily delivery instead of an intermittent one at the village of Sankarpore. This is a matter for examination by the Postmaster-General, Bengal and Assam, to whom a copy of the Honourable Member's question is being forwarded.

(b) and (c). The absence of a reply is explained by the answer given to part (a) above.

PAY OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

733. ***Mr. S. C. Mitra:** (a) Is it a fact that the Director of the Railway Board wrote a letter to me on the 28th March, 1929, stating that the introduction of the graded scale of pay for the employees of the Eastern Bengal Railway Press is under consideration?

(b) If the answer to part (a) be in the affirmative, will the Honourable Member in charge of Railways and Commerce be pleased to state the reasons for the delay in giving effect to the proposal?

Mr. A. A. L. Parsons: (a) Yes.

(b) The question requires careful investigation. It is hoped that a decision will be arrived at shortly.

PAY OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

734. ***Mr. S. C. Mitra:** (a) Is it a fact that in reply to my starred question No. 635 of the 18th September, 1929, regarding a memorial of certain employees of the Eastern Bengal Railway Press, Mr. P. R. Rau said that the Agent, Eastern Bengal Railway, had been requested to deal with the memorial of the compositors, distributors and binders of the Eastern Bengal Railway Press of the 23rd May, 1929, expeditiously?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what action they have taken in the matter?

Mr. A. A. L. Parsons: (a) Yes.

(b) I would refer the Honourable Member to the reply given to question No. 69 asked by Khan Bahadur Sarfaraz Hussain Khan on the 20th January, 1930. The question of the revision of rates of pay of the Press employees of the Eastern Bengal Railway is still under consideration.

PAY OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY PRESS.

735. ***Mr. S. C. Mitra:** (a) Is it a fact that in reply to my questions dated the 1st September, 1929, the Deputy Director, Railway Board, informed me that the lowest income of the binders of the Eastern Bengal Railway Press decreased from Rs. 9-4-0 in 1927 to Rs. 4-2-8 in 1928, due to the falling off of output?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what action they have taken to increase the output?

(c) Will the Honourable Member in charge of Railways and Commerce be pleased to lay on the table a statement showing the attendance of the binders of the Eastern Bengal Railway Press and the wages received during the years 1927 and 1928?

Mr. A. A. L. Parsons: (a) Yes.

(b) Government do not propose to take any steps to increase the output of binding work in the Eastern Bengal Railway Press beyond what is necessary to meet the requirements of the Railway.

(c) Government regret they are not prepared to call for the information as it cannot be procured without an expenditure of time and labour that would be entirely incommensurate with the value of the results obtained.

AGE LIMIT FOR EXAMINATIONS OF THE PUBLIC SERVICE COMMISSION.

742. *Sardar Gulab Singh: (a) Will Government be pleased to state the age limit fixed for the candidates who sat for the examination of the Public Services Commission in November, 1929, for the Ministerial Selection Branch?

(b) Will the departmental candidates be allowed to appear in the future competitive examinations irrespective of their age provided they are educationally qualified? If not, what will be the age limit prescribed for them?

The Honourable Sir James Crerar: I would refer the Honourable Member to my reply on the 19th March to starred question No. 660.

†743*.

SPECIAL RECRUITMENT OF MR. A. J. CUNNINGHAM TO THE EAST INDIAN RAILWAY OFFICE.

741. *Mr. Abdul Latif Sahib Farookhi: (a) Is it a fact that one, Mr. A. J. Cunningham was recruited in the East Indian Railway office in 1927-28 as an accountant on an initial pay of Rs. 270 per mensem? If so, what are the special circumstances for this recruitment?

(b) Has Mr. Cunningham, who is an inexperienced man, since been made an officer? Is he related to the first Controller, Railway Accounts?

(c) Is it not a fact that special posts were created to keep Mr. Cunningham on as an officer without reversion?

(d) Will Government please state if this officer is to be sent to England shortly at Government expense for learning methods of accounting?

Mr. A. A. L. Parsons: (a) Mr. A. J. Cunningham was appointed as an accountant on the East Indian Railway in 1926 on an initial pay of Rs. 210 per mensem in view of his educational qualifications and banking experience.

(b) The first part contains an assumption that is not correct. Mr. Cunningham is at present officiating as an Assistant Accounts Officer. The answer to the second part of the question is in the negative.

(c) No.

(d) No.

FRAUD IN THE NORTH WESTERN RAILWAY WORKSHOP ACCOUNTS OFFICE AND UNFAIR PROMOTIONS BY MR. I. S. PURI, SPECIAL OFFICER, DIRECTOR OF RAILWAY AUDIT OFFICE.

745. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether it is a fact that a serious fraud, running to several lakhs of rupees, has recently been unearthed in the North Western Railway Workshop Accounts Office?

(b) If so, have they taken immediate steps to transfer the men concerned to other places to enable them to investigate the matter fully?

†This question was withdrawn by the questioner.

(c) What steps have been taken to conduct an impartial and independent inquiry into the matter other than by the present Chief Accounts Officer?

(d) Is it a fact that a number of clerks involved in the fraud are related to Mr. I. S. Puri, Special Officer, Director of Railway Audit Office?

(e) Is it a fact that Mr. I. S. Puri was responsible for what is known as training reserve clerks on the North Western Railway, and that he promoted them later, giving them five years' additional service, which adversely affected qualified hands who had less than five years service? If so, will Government please state the number of men so affected, and what steps they propose to take to compensate these men?

(f) Is it a fact that Mr. I. S. Puri is being transferred to the office of the Chief Controller, Railway Accounts? If so, in what capacity will he work in that office?

Mr. A. A. L. Parsons: (a) Facts have come to knowledge, which suggest a somewhat serious defalcation of Government money in the North Western Railway Workshop Accounts Office in connection with Muster Rolls and Pay Sheets paid out by one particular clerk. The amount involved, so far as at present known, is about Rs. 55,000.

(b) No. One man has been placed under arrest and all the relevant records have either been handed over to the Police or are kept by the Chief Accounts Officer in his personal custody.

(c) In addition to the departmental inquiry, which is being made by the Chief Accounts Officer the Police are now conducting an investigation.

(d) No.

(e) The reply to the first part of the question is in the negative. The credit of services referred to was in accordance with a ruling of the Auditor General. In view of the reply to the first part of the question the second part does not arise.

(f) He is being placed in a month or so on Special Duty under the Controller of Railway Accounts to draft the Railway Account Code.

Mr. Vidya Sagar Pandya: What is the amount involved?

Mr. A. A. L. Parsons: My present information is that it is about Rs. 55,000, but it may be more. The fraud had been going on for some considerable time and I cannot therefore at present guarantee that this is the final figure.

†746*.

RENT FOR FANS SUPPLIED TO LOW-PAID CLERKS IN NEW DELHI.

747. *Mr. Abdul Latif Sahib Farookhi: (a) Are Government aware that a great hardship is being felt by the low-paid clerks of the attached and subordinate offices who are left over in New Delhi and who are occupying Public Works Department quarters?

(b) Is it a fact that like electric lamps and meters, the fans form part of electric fittings under the rules issued in the Department of Industries and Labour Notifications, dated the 30th March, 1930? If so, why is rent charged on them?

†This question was withdrawn by the questioner.

(c) Are Government prepared to settle the matter immediately as it has been pending since the 30th March, 1929? Do Government intend to refund the rent for fans already charged? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) Government are not aware that any hardship is felt by the clerks in question.

(b) and (c). It is true that under the Notification referred to electric fans, like electric lamps and meters, form part of the electric fittings, and their cost is included in the capital cost of a residence for the purpose of assessment of rent. In the case of residences in Delhi, however, it has been decided not to treat fans as part of the fittings for the period prior to the 1st April, 1929. As regards the period from the 1st April, 1929, onwards, the matter is at present receiving consideration.

PAY OF MINISTERIAL ESTABLISHMENT OF THE CENTRAL BOARD OF REVENUE.

748. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that the members of the ministerial establishment on the attached office scale of the Central Board of Revenue have submitted a memorial for the grant of Secretariat scale of pay?

(b) Is it also a fact that more than a year has elapsed since the submission of the above memorial?

(c) Is it a fact that the Central Board of Revenue works just like a Department of the Government of India?

(d) If the replies to the above questions be in the affirmative, will the Honourable the Finance Member be pleased to state what action he has taken on this memorial?

The Honourable Sir George Schuster: (a) and (b). Yes. The memorial was forwarded to the Government of India by the Central Board of Revenue in November 1929, with their recommendations.

(c) The reply is in the negative.

(d) The memorial is under consideration along with a representation from the Government of India Subordinate and Attached Offices Association regarding an increase of pay in all the attached offices, and the Government of India hope to arrive at a decision after the close of the present session.

EXAMINATIONS FOR THE UPPER DIVISION OF THE SECRETARIAT.

749. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that some of the departmental candidates who appeared from Attached Offices in the clerical examination held by the late Staff Selection Board in 1922 and were declared qualified as Assistants (Attached Offices) merely because they were at that time employed in such offices?

(b) Is it a fact that a number of candidates referred to above obtained the minimum number of marks fixed for the Upper Division Secretariat and that they had stated in their applications for admission that they were to appear for the Upper Division Secretariat?

(c) Is it also a fact that some of the candidates referred to in part (b) above have since been declared qualified as Assistants of the Secretariat?

(d) If the reply to part (c) be in the affirmative, and in view of the reply given by the Honourable the Home Member to this House in 1927 that there was no distinction in the examinations for the Upper Division Secretariat and that of Attached Offices since and onwards from 1922, are Government prepared to ask the Public Service Commission to declare all such candidates who obtained the required minimum marks in 1922 as qualified for the Upper Division Secretariat? If not, why not?

The Honourable Sir James Crerar: (a) and (b). The main object of the examination so far as departmental candidates were concerned was to enable them to qualify for promotion in the offices in which they were employed. They were admitted to the Upper Division Secretariat grade if they obtained sufficient marks and were recommended therefor by the Head of the department.

(c) I have no information to this effect.

(d) Does not arise.

NUMBER OF MEMBERS OF EACH COMMUNITY IN THE DIFFERENT GRADES OF THE SECRETARIAT.

750. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to lay on the table a statement showing separately since the year 1915—1929 the number of Hindus, Muslims and Christians in each Department of the Government of India and the Departments subordinate to it located at Simla and Delhi in each grade, i.e., (i) Superintendents' grade, (ii) selection grade, (iii) first division, and (iv) second division?

The Honourable Sir James Crerar: Statements showing the communal strength of the clerical staff of the Departments of the Government of India and its attached and subordinate offices for the years 1911, 1925, 1926, 1927 and 1928, will be found in the Library of the House. I regret that I have not the further detailed information asked for by the Honourable Member. Its collection would involve an amount of time and labour which I am afraid I could not regard as reasonable.

Mr. Abdul Latif Sahib Farookhi: Is it not a fact that on the 1st of January every year, the Home Department of the Government of India prepares a list from information received from the various departments?

The Honourable Sir James Crerar: A statement is published annually showing the communal strength of each department.

NUMBER OF MEMBERS OF EACH COMMUNITY IN EACH GRADE OF THE OFFICE OF THE ACCOUNTANT GENERAL, MADRAS.

751. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state the number of Hindus, Muslims and Christians, permanent and acting, with their pay, in each grade in the Office of the Accountant General Madras?

The Honourable Sir George Schuster: A statement giving the information required by the Honourable Member is laid on the table.

Grade.	Scale of pay.	Hindus.		Muslims.		Christians.	
		Permanent.	Acting.	Permanent.	Acting.	Permanent.	Acting.
Senior Accountants	Ra. 300—20—500—50.5—550.	4	..	..	..	..	..
P. W. Divl. Accountants	100—10—270—30.5—300	7	..	..	..	..	..
S. A. S. Accountants	(a) 190—20—450 (b) 190—20—310—15—400	31	1	..	..	2	..
Clerks	40—7—75—6—135—5—175	314	82	12	2	14 4*	4 2*
Typists	40—40—2½—65—3/2—80.	8	1	1	..	..	..
Comptometer	Ditto	1	..	1	..	..	..
Telephone Operator	Ditto	1	..	..	..	..	..
Shroff	30—2—50—2—70	1	..	..	..	..	..
Record Clerks	25—1—50	27	13	4	3	2 1*	1
Note Verifiers	(i) 80—5—130 (ii) 40—5—90	13	5	2	1	..	..

(a) For those who were in the cadre before 1st March, 1925.
(b) For those who entered the cadre on and after 1st March, 1925.

(i) For Quantity Checkers.

(ii) For Quantity Checkers.

Figures marked with an asterisk indicate the numbers of Anglo-Indians.

APPOINTMENT OF A MUSLIM AS HEADMASTER OF THE GOVERNMENT HIGH SCHOOL, DELHI.

752. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government please state whether any Muslim has ever been appointed as Headmaster in the Government High School, Delhi, during the last 25 years?

(b) If the reply to part (a) be in the affirmative, will Government please state the name of the Headmaster, and the period for which he acted?

(c) If the reply to part (a) be in the negative, will Government please state whether they ever asked the Punjab Education Department to transfer any Muslim to hold the post of the Headmaster, Government High School, Delhi?

Sir Frank Noyce: (a) No.

(b) Does not arise.

(c) I regret that information on this point is not readily available.

STAFF OF THE GOVERNMENT HIGH SCHOOL, DELHI.

753. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government place on the table a statement of the present staff of the Government High School, Delhi, showing names, designations, pay, length of service, and their periods of service in the Government High School, Delhi?

(b) Are there any teachers who have been teachers on the staff of the said school for more than ten years? If so, do Government propose to arrange their transfer elsewhere to break the existing monopoly, keeping in view the long standing grievances of Muslims?

(c) Is it a fact that the five top posts among Anglo-Vernacular teachers of the Government High School, Delhi, are occupied by non-Muslims and have been so occupied for a long period?

Sir Frank Noyce: (a) A statement is laid on the table.

(b) Yes. The question will be considered, but it may be remarked that no monopoly exists.

(c) Yes.

Statement of the present staff of the Government High School, Delhi.

Name.	Designation.	Pay. Rs.	Length of service.		Period of service in this school.	
			Years.	Months.	Years.	Months.
1. Pt. Hari Kishan Kaul, B.A., P.E.S.	Headmaster	525	25	3	11	11
2. L. Daulat Singh, B.A., S.A.V.	2nd master	230	25	2	0	0
3. L. Raghubir Chand, B.A., S.A.V.	3rd master	190	25	7	0	0
4. L. Suraj Bhan, B.A., B.T.	4th master	170	16	9	11	9
5. L. Ramcharan Das, B.A., S.A.V.	5th master	140	21	2	4	7
6. L. Maha Narain, S.A.V., S.C.C., E.E.	2nd clerical and commercial master.	135	19	8	15	0
7. M. Inayat-ur-Rahman, B.A., S.A.V.	6th master	135	5	2	1	10
8. L. Ram Rakhee-Mai, B.A., B.T.	7th master	125	5	9	5	0
9. L. Kanhya Lal, M.F., S.V.	Oriental master	120	26	11	1	1
10. M. Badrul-Islam, S.D.M.	Drawing master	120	23	3	23	3
11. M. Misbaul Haq, B.A., B.T.	Sr. Eng. master	115	1	5	1	5
12. L. Zorawar Chand, E.E., S.A.V.	8th master	110	23	1	9	2
13. L. Kidar Nath, E.E., S.A.V.	9th master	100	24	7	14	4
14. L. Kunj Bihari Lal, B.A., B.T.	10th master	100	13	6	13	6
15. M. Marghoob Ahmad, E.E., J.A.V.	Eng. master	96	23	7	18	5
16. P. Damodar Lal Shastri	Sanskrit teacher	92	21	9	21	9
17. M. Abdul Tawab, Mv., A.M.F.O.T.	Arabic teacher	88	19	8	4	5
18. M. Abdul Majid, J.V., S.D.M., J.D., M.A., V.M.	Drill Instructor	84	28	2	24	8
19. Pt. Brahm Dutta, F.A., J.A.V.	Jr. Eng. teacher	70	8	11	3	3
20. M. Bashir Hussain, B.A., J.A.V.	Ditto	70	4	10	3	3
21. Pt. Shiv Nath Shastri	Hindi	61	20	9	6	9
22. M. Mohd. Farooq, E.E., J.A.V.	Vernacular master.	38	2	10	1	5

STAFF OF THE GOVERNMENT HIGH SCHOOL, DELHI.

754. ***Mr. Abdul Latif Sahib Farookhi:** (a) How many teachers were employed in the advanced clerical classes attached to the Government High School, Delhi, and how many of them are non-Muslims, and what are their names?

(b) Has the staff of the advanced clerical classes been confirmed? If not, are Government prepared to consider the desirability of replacing any two of the present temporary staff by appointing qualified Muslims?

Sir Frank Noyce: (a) Four, all of whom are non-Muslims. Their names are—

Hans Raj Kawlra,
Dina Nath Handa,
Shiv Chand, and
Babu Lal Bhargava.

(b) The answer to the first part of the question is in the negative. As regards the second part, the question will be considered when a vacancy occurs.

QUALIFICATIONS OF THE HEADMASTER, GOVERNMENT INDUSTRIAL SCHOOL, DELHI.

755. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government kindly state the academic technical, and industrial qualifications of the Headmaster, Government Industrial School, Delhi?

(b) Are Government aware that men of his technical and industrial qualifications are not considered suitable and capable for appointment as Headmasters of Industrial Schools of the middle standard in the two neighbouring provinces of the Punjab, and the United Provinces?

(c) In the interest of technical education, do Government propose to consider the desirability of appointing a duly qualified Headmaster for the said school? If not, why not?

(d) Are Government aware that on the provincialisation of the M. B. Industrial School, Delhi, the entire staff of the School with the single exception of the Headmaster was taken into Government service on probation, while the Headmaster was taken permanently from the date of provincialisation?

(e) Will Government please state the reasons why the Headmaster was treated differently from other members of the staff?

The Honourable Sir Bhupendra Nath Mitra: (a) The Headmaster is a B.A., S.A.V. (1st Division), B.T. trained; he holds a drawing master's certificate and has been employed in his present school from 1908. He has also visited schools of Art. Industrial schools and other places of educational value in England, France, Switzerland, etc.

(b) Government have no information.

(c) Government consider the Headmaster fully qualified for the post he holds.

(d) Yes.

(e) As the Inspector of Industrial Schools, Punjab, reported that the Headmaster's work was of outstanding excellence for years, it was not considered necessary to place him on probation.

APPOINTMENT OF MUSLIM TEACHERS IN THE GOVERNMENT INDUSTRIAL SCHOOL, DELHI.

756. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government kindly state the numerical strength of (i) Muslim pupils, (ii) non-Muslim pupils, (iii) Muslim teachers, and (iv) Non-Muslim teachers of the general side of instruction of the Industrial School, Delhi?

(b) In case there is an overwhelming majority of Muslim pupils, and a disproportionate majority of non-Muslim teachers of the general side, are Government prepared to consider the desirability of increasing the proportion of Muslim teachers in the school?

(c) Is it a fact that when the only Muslim teacher of the general side of the school proceeded on leave, a non-Muslim was appointed in his place?

(d) If the reply to part (c) be in the affirmative, will Government please state whether any efforts were made to secure the services of a Muslim candidate? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) (i) 219.

(ii) 72.

(iii) 1.

(iv) 4.

(b) Government will give due consideration to the suggestion when a vacancy occurs.

(c) and (d). The facts are that when the permanent incumbent (a Muslim) went on leave another Muslim was appointed to officiate in his place; subsequently this latter teacher proceeded to the Normal School for training and a Hindu was appointed to officiate in his place.

AFFECTION WITH PYORRHEA OF MR. MUZAFFAR AHMAD, AN ACCUSED IN THE MEERUT CONSPIRACY CASE.

757. *Maulvi Abdul Matin Chaudhury: (a) Will Government be pleased to state whether Mr. Muzaffar Ahmad, one of the accused in the Meerut Conspiracy Case has been, according to three Indian Medical Service officers of Meerut, suffering from a serious type of pyorrhea alveolaris?

(b) Is it a fact that Major Macrae, I.M.S., the Officer Commanding and Radiologist of the British Military Hospital at Meerut, after X-raying the gums and skull of Mr. Muzaffar Ahmad, deposed in the Court of the Additional District Magistrate of Meerut that if not properly attended to the pyorrhea might even endanger the life of Mr. Muzaffar Ahmad?

(c) Is it a fact that Mr. Muzaffar Ahmad demanded treatment by expert American dental surgeons of Calcutta and prayed for bail, leave or transfer to the Alipore Central Jail, Calcutta, to receive such treatment?

(d) Is it a fact that the Additional District Magistrate of Meerut never passed any order on the above mentioned prayer of Mr. Muzaffar Ahmad?

(d) Is it a fact that subsequently Mr. Muzaffar Ahmad's teeth were examined by the Military Dental Surgeon, Captain Burke, who suggested the extraction of seventeen teeth?

(f) Is it a fact that Mr. Muzaffar Ahmad applied to the effect that, before submitting to such a drastic treatment, a joint opinion of Dr. Ahmad, D. D. S. and Dr. S. C. Sen Gupta, D. D. S., the well-known dental surgeons of Calcutta, should be obtained, and for that purpose the X-ray photographs of Mr. Muzaffar Ahmad's gums and skull be sent to them together with the written opinion of Major Macrae and Captain Burke?

(g) Is it a fact that the Jail Superintendent inquired of Mr. Muzaffar Ahmad as to who would pay the consultation fees of the above mentioned dental surgeons of Calcutta, to which Mr. M. Ahmad replied that he being in prison, he was not in a position to pay the same?

(h) Is it a fact that on receipt of this reply from Mr. Muzaffar Ahmad, Lieut.-Colonel Rahman referred the matter to the Military Dental Surgeon, who opined that the seeking of opinion from Calcutta dental surgeons was not at all necessary on this matter?

(i) Is it a fact that Mr. M. Ahmad's not submitting himself to the treatment of Captain Burke without consultation of expert opinion, the treatment of his pyorrhea has been altogether dropped at this stage? If so, taking the seriousness of Mr. M. Ahmad's disease into consideration, do the Government propose to take any further steps in the matter?

The Honourable Sir James Crerar: I am making inquiries and will communicate with the Honourable Member in due course.

ILL-HEALTH OF MR. MUZAFFAR AHMAD, AN ACCUSED IN THE MEERUT CONSPIRACY CASE.

758. *Maulvi Abdul Matin Chaudhury: (a) Will Government be pleased to state whether Mr. Muzaffar Ahmad was sentenced to four years' rigorous imprisonment in what was known as the Cawnpore Communist Conspiracy Case?

(b) Is it a fact that he was released from Jail before the expiry of his sentence under orders from the Government of India on the ground of ill-health?

(c) Is it a fact that this ill-health was nothing but pulmonary tuberculosis?

(d) Is it a fact that Rai Bahadur Dr. D. K. Mukherji, the Superintendent of Rae Bareilly District Jail, where Mr. M. Ahmad passed the major portion of his convict life, reported to the Government that Mr. M. Ahmad was attacked with pulmonary tuberculosis?

(e) Is it a fact that in the "Convicts History Ticket" the name of the disease of Mr. Muzaffar Ahmad was stated as tuberculosis?

†For answer to this question, see answer to question No. 757.

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(f) Is it a fact that on inquiry from the District Magistrate of Meerut, Lieut.-Colonel Cooke, I.M.S., the Superintendent of Dehra Dun District Jail, reported that Mr. Muzaffar Ahmad was suffering from tubercles in his lung?

(g) Is it a fact that Dr. Bhopal Singh, M.B.B.S., of Meerut after examining Mr. M. Ahmad physically and taking the X-ray report of Major Macrae into consideration, opined that Mr. M. Ahmad was still suffering from an active tuberculosis?

(h) Is it a fact that when Mr. M. Ahmad applied to the Allahabad High Court to be released on bail on the ground of an attack of tuberculosis, Mr. R. H. Horton, the Deputy Inspector General of Police, United Provinces, and the complainant of the Meerut case on behalf of the Government of India, filed an affidavit saying that Mr. Muzaffar Ahmad was not attacked with tuberculosis in 1925 when he was released from Jail?

(i) Is it a fact that Mr. M. Ahmad fainted in Court on the 4th of December, 1929?

RAILWAY SALOONS FOR MEMBERS OF THE EXECUTIVE COUNCIL.

759. *Mr. Sarabhai Nemchand Haji: (a) Is it a fact that Government propose to construct four new saloons for Members of the Executive Council at a total cost of Rs. 3,61,704?

(b) Are the four saloons intended to replace the saloons built over 20 years ago?

(c) What was the original cost of these saloons and what would be the cost of building similar saloons today?

(d) Are Government aware that Cabinet Ministers in England are not in the habit of travelling in specially constructed saloons even when they travel long distances, for example, to Geneva?

(e) Do Executive Councillors accommodate their personal assistants in the same carriage that is occupied by them? If so, why?

(f) Why is it stated in the statement submitted to the Standing Finance Committee that "For these reasons it was not possible for Honourable Members to carry on their ordinary work while travelling in these saloons"?

The Honourable Sir George Schuster: (a) Yes. New saloons have been constructed as a normal replacement.

(b) Yes. To replace six saloons built over 25 years ago.

(c) The cost of the original six saloons was Rs. 1,68,000. They are out of date and it is difficult to estimate accurately the present cost of replacing saloons of that type, but it would be approximately double the original cost.

(d) The Government of India have no information.

(e) Yes. Their personal assistants who are also their stenographers may be required at any time to do work for Members in the course of a journey and it is therefore the most economical arrangement that they should be close at hand. It also may sometimes happen that Members' saloons are attached to trains on which no passenger accommodation is available.

(f) The old saloons were out of date and unserviceable for their purpose.

With reference to the general implication of these questions it should be pointed out that a system of pooling saloons has now been introduced for the first time. For this purpose the saloons retained for the use of Members of the Executive Council and of the Railway Board will be treated in future as a common pool. The requirements will be carefully watched with a view to reducing the number maintained to a minimum. It is hoped that this will ultimately result in a considerable economy.

Sir Hari Singh Gour: May I inquire for how many days in the year these saloons are used by the Honourable Members of the Executive Council?

The Honourable Sir George Schuster: I am afraid I must have notice of that question.

Mr. Vidya Sagar Pandya: May I inquire whether Cabinet Ministers in England travel by saloons?

The Honourable Sir George Schuster: I have already answered that question when I said that the Government of India have no information on the subject.

Mr. Vidya Sagar Pandya: Will the Government ascertain and let us know?

Mr. M. S. Aney: May I ask whether in the pooling of saloons those used by Members of Provincial Executive Councils also will be taken into consideration?

(No answer was given.)

Pandit Hirday Nath Kunzru: With reference to the answer to part (d) of the question, may I ask whether the Honourable the Finance Member himself can furnish any information to the Government of India?

The Honourable Sir George Schuster: I am very glad to give the Honourable Member an expression of my own opinion on the subject. As far as I know, it is a fact that no saloons are supplied to British Cabinet Ministers. But I submit, Sir, that the circumstances are entirely different. A British Cabinet Minister is not in the ordinary course of his duty called upon to undertake long tours when he may be living for several days or even weeks in a railway carriage, which often happens to Members of the Executive Council when they are making long tours in India. It might interest the Honourable Member to know that I have considerable personal experience of conditions in Africa where, I can tell him, that persons in the position of Members of the Executive Council are always provided with saloons in which they can travel about and do their work on tour; and I can tell him also that the standard of comfort in railway journeys to which I myself was entitled in the Sudan was in fact considerably higher than that which I have as a Member of the Executive Council in India.

Sir Hari Singh Gour: May I ask the Honourable the Finance Member whether the saloons provided in Africa are specially built at Government expense, or are the saloons hired for the purpose?

The Honourable Sir George Schuster: My own personal experience chiefly relates to the Sudan, where the Government Railway Service keeps saloons for the use of Members of Council and other high officials whenever they make tours in the country.

Mr. Lalchand Navalrai: Will the Honourable Member please say whether the Honourable the President of the Assembly is provided with a saloon?

Mr. President: Order, order.

Mr. K. C. Neogy: Sir, is it the intention of Government to build two more saloons in future, or to reduce the number of saloons for Members of the Executive Council to four as a matter of retrenchment?

The Honourable Sir George Schuster: I have already explained the position as regards that question. It is intended now, instead of each Member having his own saloon, that there shall be a pool of saloons, the object being to reduce the number that is maintained to the minimum which is found consistent with the needs of the situation. The first step has been to reduce the number of saloons from six to four. It may be possible to effect a still further reduction.

Mr. K. C. Neogy: What will then happen, Sir, during Christmas, when all the six Members of the Executive Council are supposed to be on tour?

The Honourable Sir George Schuster: I am glad to see—if I am correct in understanding from the Honourable Member's question—that he is solicitous about the comforts of Members of the Executive Council. I have no doubt that we shall be able to get over that difficulty by supplementing the saloons which are reserved for the special use of Members of the Executive Council by borrowing tourist cars for the purpose.

Mr. Sarabhai Nemchand Haji: May I know, Sir, if it will not be possible to provide reasonable amenities and comforts by allowing each Executive Councillor to travel in a reserved first class compartment, and by asking his personal assistant to travel in a second class reserved compartment, if necessary? Would that not cover the requirements of the case?

The Honourable Sir George Schuster: If the Honourable Member had any knowledge of what a Member of the Executive Council may have to do in the course of a long tour, I think, he would appreciate the fact that he could not carry out his duties if he was living for several days in a first class compartment; also I think it is very likely that no substantial economy would result from such an arrangement.

Mr. Vidya Sagar Pandya: May I ask, Sir, whether, with reference to the answer given by the Honourable Member to Mr. Haji's question, district engineers and chief engineers will not be provided with separate saloons?

(No answer was given.)

QUESTIONNAIRE OF THE INTERNATIONAL (MARITIME) LABOUR CONFERENCE

760 ***Mr. Sarabhai Nemchand Haji:** Have Government received copies of the questionnaire of the International Labour Office on the subjects provisionally dealt with by the 13th Session of the International (Maritime) Labour Conference? If so, are Government prepared to forward them to the Indian Associations interested in them?

The Honourable Sir Bhupendra Nath Mitra: Government have received for their own use a limited number of copies of the questionnaires adopted by the 13th (Maritime) Session of the International Labour Conference. The associations of employers and labour interested in these documents should apply for copies required by them to the Indian Branch of the International Labour Office, New Delhi.

APPOINTMENT OF INDIANS TO THE ROYAL INDIAN MARINE.

761. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state if all the seven vacancies of Executive Officers and Engineer Officers in the Royal Indian Marine, which were advertised a few months ago, have been filled up? If so, how many Indians have been selected?

(b) Will Government be pleased to state how many candidates have been selected for the Royal Indian Marine appointments in the examination held in November last? How many of them were Indians?

(c) Do Government propose to throw open any of the vacancies in the Royal Indian Marine to cadets of the I.M.M.T.S. "Dufferin"? If so, how do they propose to select the cadets?

(d) Do Government propose to hold a competitive examination exclusively for the cadets of the "Dufferin" shortly? If so, will Government be pleased to explain the procedure they wish to adopt with regard to selecting the cadets of the "Dufferin" to the Royal Indian Marine?

(e) Is it intended to have an interview Board, in addition to the written examination, before the cadets are selected? If so, what will be the constitution of the Interview Board?

Mr. G. M. Young: (a) I assume that the Honourable Member is referring to the eight vacancies—not seven as stated in the question—which were declared open for competition at the Royal Indian Marine entrance examination held in Delhi in November 1929. Two Indian boys—both candidates for the engineer branch—were declared successful at the examination. The remaining vacancies have not yet been filled up.

(b) Three English boys passed the examination in England and two Indians passed the examination in India.

(c) First part—Yes, Sir.

(c) Second part and (d)—The three vacancies for Indians in the executive branch which were not filled at the open examination will be offered for competition among cadets of the "Dufferin", at a special examination to be held in Bombay next May. The cadets will also be required to pass the usual medical examination before they are permitted to appear at the examination. The Flag Officer Commanding will arrange for the examination, and the Public Service Commission has kindly undertaken to help.

(e) Government are considering the question whether there should be an interview test or not.

REPRESENTATION OF INDIAN COMMERCIAL INTERESTS ON THE RAILWAY
RATES INQUIRY COMMITTEE.

762. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state if the Railway Board have received a representation from the Indian Chamber of Commerce (The Desi Vyapara Mandal), Lahore, with regard to the representation of Indian commercial interests on the Railway Rates Inquiry Committee? If so, when was the representation received and what action have Government taken on the same?

(b) Has representation on the Railway Rates Inquiry Committee being granted to the Northern India Chamber of Commerce, which represents European interests? If so, do Government propose to consider the advisability of extending the same privilege to the Indian Chamber of Commerce, Lahore?

Mr. A. A. L. Parsons: (a) No doubt the Honourable Member's question refers to representation on the panel from which the commercial member of the Railway Rates Advisory Committee is selected and, if so, the answer to the first part of the question is in the affirmative. A representation from the Indian Chamber of Commerce, Lahore, was first received in December, 1927, and no decision was then come to.

A further representation was received in October, 1929, and the matter was referred to the Punjab Government and to the North Western Railway. A reply from the latter is awaited.

(b) The reply to the first query is in the affirmative, but Government are not aware that the Northern India Chamber of Commerce represents European interests exclusively.

Regarding the second part, the matter is already under the consideration of Government.

UNSTARRED QUESTIONS AND ANSWERS.

COST OF THE KANGRA VALLEY RAILWAY.

268. **Pandit Thakur Das Bhargava:** (a) Will Government be pleased to state what was the original estimate for the construction of the Kangra Valley Railway? Has the construction been completed? If so, what has been the total cost? If not completed, what is the cost up to date and what is the estimate of the cost still to be incurred till completion?

(b) Is it a fact that the cost actually incurred far exceeds the estimate? Will Government please state what has occasioned this excess, and who is responsible for the same?

(c) Is it a fact that a big contractor has made a definite allegation that the excess is due to slackness and inefficiency of the railway officers concerned with the construction?

(d) Is it a fact that there are still several outstanding claims unsettled, and that legal action about the same has either been taken or is under contemplation, being at the stage of legal notice?

Mr. A. A. L. Parsons: (a) Rs. 134 lakhs. The line has been opened for traffic but construction has not yet been completed. The approximate outlay to the end of December is Rs. 284 lakhs and it is expected that the total cost will be about Rs. 310 lakhs.

(b), (c) and (d). The total cost will exceed the original estimate considerably. The matter is under inquiry and I regret therefore I cannot at present give a reply to these portions of the Honourable Member's question.

PROMOTION OF CLERKS IN THE SUPPLY AND TRANSPORT CORPS.

269. **Pandit Nilakantha Das:** (a) Is it a fact that the Government of India are contemplating the amalgamation of the different cadres of Mechanical Transport and the Supply and Transport clerks?

(b) Is it also a fact that since the formation of separate Mechanical Transport cadre, the promotion of the clerks in this cadre has been more rapid than that of those in the Supply and Transport cadre?

(c) If the reply to part (b) be in the affirmative, do Government propose to adopt measures to safeguard the interests (regarding seniority) of those clerks in the Supply and Transport cadre who were senior to the clerks in the Mechanical Transport cadre before the formation of the latter separate cadre, but are now receiving less pay on account of less rapid promotion in the Supply and Transport cadre?

Mr. G. M. Young: (a) No, but all new appointments are now made to a single combined cadre of clerks belonging to the Supply, Animal Transport and Mechanical Transport branches. The two existing cadres will, therefore, disappear in course of time.

(b) Owing to the increased mechanization of the Army, promotion in the Mechanical Transport cadre is more rapid for the time being. Once the Mechanical Transport establishment is stabilised, the position will probably be reversed because the Supply and Transport establishment is larger and contains a higher proportion of senior men.

(c) To remedy the immediate slowness in promotion in the Supply and Transport cadre, it has been decided to reserve half the number of vacancies due to increased mechanization, and not to normal casualties, for Supply and Animal Transport clerks who are willing to transfer to the Mechanical Transport cadre.

LIQUIDATION OF THE INDARPRAST STORES, LIMITED, DELHI.

270. **Pandit Nilakantha Das:** (a) Is it a fact that Indarprast Stores, Limited, Delhi, has been under voluntary liquidation for the last 6 years?

(b) Is it a fact that the Store had operated for only 2 years before liquidation?

(c) Is it also a fact that the unusually long period taken for the liquidation of the Store formed the subject of interpellations in this House during the last Simla session and also on previous occasions?

(d) Do Government propose to take any steps to expedite the liquidation and to take steps against those responsible for the delay?

The Honourable Sir George Rainy: (a), (b) and (d). The Honourable Member is referred to the statement furnished to Mr. Siddheswar Prasad Sinha in reply to his question No. 719 in the Legislative Assembly on the 23rd September, 1929. A copy of the statement is in the Library.

(c) Yes.

INSTALLATION OF AN ADDITIONAL ELECTRIC POINT IN "C" AND "D" CLASS QUARTERS IN NEW DELHI.

271. Pandit Nilakantha Das: (a) Is it a fact that the Government of India have had under consideration for the last three years the question of installing an additional electric point in the godown rooms of "C" and "D" class quarters in New Delhi?

(b) If so, what decision has been arrived at in the matter?

The Honourable Sir Bhupendra Nath Mitra: (a) So far as "D" quarters are concerned, the question of installing an additional electric point has been under consideration for about a year. As regards "C" quarters, the question has only recently come under consideration.

(b) Government have decided that these additional points should be given in all clerks' quarters (not only "C" and "D" quarters) as soon as funds are available.

DELHI CAMP ALLOWANCE ADMISSIBLE FOR ATTACHED OFFICES.

272. Pandit Nilakantha Das: (a) What are the rates of Delhi Camp allowance admissible for Attached Offices and the Army Headquarters offices moving from Simla to New Delhi for the winter?

(b) Will Government be pleased to state the reasons for the difference in the scales of the allowance for the Army Headquarters and for the Attached Offices?

(c) Do Government propose to consider the question of granting a uniform scale for both?

The Honourable Sir James Crerar: (a).

Secretariat Attached Offices.				Army Headquarters Offices.			
Pay.	Rate of allowance.			Salary.	Rate of allowance.		
Rs.	R.	a.	p.	Rs.	R.	a.	p.
50 or less	16	10	8 per mensem.	50 or less	16	10	8 per mensem
50 to 75	20	0	0 " "	50 to 80	20	0	0 " "
75 to 100	26	10	8 " "	80 to 120	33	5	4 " "
100 to 150	40	0	0 " "	120 to 180	40	0	0 " "
150 to 200	50	0	0 " "	180 to 200	50	0	0 " "
200 to 250	53	5	4 " "	200 to 300	60	0	0 " "
Above 250	56	10	8 " "	300 to 350	66	10	8 " "
				350 to 500	83	5	4 " "
				Above 500	100	0	0 " "

(b) The allowances are in both cases given at the rate of two-thirds of the old Calcutta rates and the difference is due to the different scales of emoluments fixed for the two sets of offices.

(c) The reply is in the negative.

CLASSIFICATION OF CLERKS OF THE CENTRAL AND PUNJAB GOVERNMENTS FOR THE PURPOSE OF TRAVELLING ALLOWANCE.

273. Pandit Nilakantha Das: (a) Is it a fact that the classification of Government servants under the Central Government moving from Delhi to Simla in respect of travelling allowance is different from that of the Punjab Government employees moving from Lahore to Simla?

(b) Is it a fact that a Central Government clerk getting Rs. 180 monthly is treated as a third class officer while a Punjab Government clerk travelling on the same line and getting the same pay is treated as a second class officer?

(c) If the replies to the above be in the affirmative, when do the Government propose to remove the anomaly? If not, why not?

The Honourable Sir James Crerar: (a) I understand there is some difference.

(b) No.

(c) The grant of travelling allowance to Government servants moving to hill stations with the headquarters of Government is governed by special rules which Local Governments are empowered to make and some dissimilarity in rules so framed is to be expected. The Government of India do not consider that there is any anomaly.

HOUSE RENT ALLOWANCE FOR CLERKS NOT PROVIDED WITH GOVERNMENT QUARTERS IN NEW DELHI.

274. Pandit Nilakantha Das: (a) What are the rates of house rent allowance allowed to Government servants who have to make their own arrangement for residence in Delhi city for want of Government accommodation in New Delhi?

(b) Are Government aware that there is a general complaint regarding the insufficiency of the rate?

(c) When do Government propose to consider the question of revising the rate of house rent allowance or of providing a sufficient number of residential quarters?

The Honourable Sir James Crerar: (a) I am sending the Honourable Member a statement showing the rates of Delhi house rent allowance admissible in certain circumstances to clerks living in Delhi City.

(b) No.

(c) Government have decided that their policy must be to reduce and not to extend or enhance these allowances. The question of providing

additional residential accommodation in New Delhi is already under consideration. 150 quarters which were sanctioned last year are under construction and provision has been made for the construction of 36 more quarters in the coming financial year.

SHORTAGE OF QUARTERS AND SHOPS IN NEW DELHI.

275. **Pandit Nilakantha Das:** (a) Is it a fact that at the time of every annual allotment of quarters in New Delhi, the demand is far in excess of the number available?

(b) Is it also a fact that at the time of every allotment of municipal shops in Diaz Square and Baird Road in New Delhi, the demand is far in excess of the number available?

(c) If the replies to the above questions be in the affirmative, what steps have Government taken to construct more quarters and shops during the current year to meet the increasing demand? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). Yes.

(c) 150 quarters which were sanctioned last year are being constructed. These and 36 more quarters which have recently been sanctioned will, it is expected, be constructed before the next winter season.

As regards shops, the New Delhi Municipal Committee has applied for land for the construction of further shops; the question of the allotment of this land and the terms on which it should be allotted are now under consideration.

CLASSIFICATION OF QUARTERS IN NEW DELHI.

276. **Pandit Nilakantha Das:** (a) What was the classification of Government servants in respect of pay for the allotment of quarters in New Delhi in 1921 and 1929?

(b) Is it a fact that the classification has changed more than twice during these years?

(c) Is it a fact that the change is not due to any change in scales of pay but to comparative scarcity of higher class quarters for clerks?

(d) When do Government propose to revive the old scale? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) Presumably the Honourable Member seeks information in regard to clerks' quarters in New Delhi. If so, I place on the table a statement giving the information required.

(b) Yes. on three occasions, viz., in 1922, 1926 and 1928.

(c) The changes in classification have been made (a) because the scales of pay were revised and increased subsequent to the fixation of the original classification, and (b) to equalise as far as possible, the percentage of quarters in each class.

(d) In view of the reply to part (c), the question of reviving the old classification hardly arises.

Statement showing the classification of clerks' quarters in New Delhi in 1921-22 and 1929-30.

Year.	Unorthodox clerks' quarters.				Orthodox clerks' quarters.				Remarks.
	A Class.	B Class.	C Class.	D Class.	A Class.	B Class.	C Class.	D Class.	E Class.
1921-22	Rs. 301—500	Rs. 201—300	Rs. 200 and below.	..	Rs. 301—500	Rs. 201—300	Rs. 101—200	Rs. 100 and below.	..
1929-30	501 & above.	350—500	225—349	*	501 & above.	350—500	225—349	224 & below.	*

* A certain number of quarters of these classes have been built and the question of fixing pay limits for them is under consideration.

SHORTAGE OF QUARTERS IN NEW DELHI.

277. **Pandit Nilakantha Das:** (a) Is it a fact that about 50 per cent. of the staff of the migratory and non-migratory offices in New Delhi have not been provided with Government quarters in the current season?

(b) What steps do Government propose to take to provide them with more quarters to obviate the necessity and hardship involved in their having to make arrangement for their residence in Delhi city at a distance of several miles from their offices?

The Honourable Sir Bhupendra Nath Mitra: (a) Rather more than 50 per cent. of the migratory and non-migratory staff have been given accommodation in New Delhi. (The actual figure is somewhere about 57 per cent.).

(b) Each year Government review the position and provide, as far as possible, funds for building additional accommodation.

DOCTORS PROVIDED FOR GOVERNMENT OF INDIA STAFF IN SIMLA AND NEW DELHI.

278. **Pandit Nilakantha Das:** (a) Will Government please state the names of the doctors appointed for the various grades of the Government of India staff for the last summer season in Simla and for the current season in New Delhi?

(b) Were their names, addresses and rules, etc., for consultation circulated in the offices for the information of those concerned? If so, when?

(c) If the reply to part (b) be in the negative, what steps do Government propose to take to avoid the repetition of this omission in future?

Sir Frank Noyce: (a) The information required by the Honourable Member is shown in the enclosed statements.

(b) and (c). The arrangements made at Simla in 1929 and at Delhi for the 1929-30 season for medical attendance on the staff and establishments of the Army and Royal Air Force Headquarters were communicated to the several heads of Offices for the information of those concerned. As regards other Government servants employed under the Government of India, the rules in regard to medical attendance at Simla are contained in the Department of Education, Health and Lands Resolution No. 780, dated the 12th December, 1922, while the names and addresses of Medical Officers specially deputed to attend the Government of India clerks who reside in the Delhi City are communicated each season to the several Departments of the Government of India for the information of those concerned. Government do not consider any further action is necessary.

Statement showing the names of medical officers deputed in 1929 to attend the employees of the Government of India in Simla (excluding Army and Royal Air Force Headquarters.)

Name of Medical Officer.	Pay of Government employee entitled to attendance by officer mentioned in column 1.
Major H. K. Rowntree, M. C., I. M. S., Civil Surgeon, Simla E.	Exceeding Rs. 500.
Lt.-Col. N. M. Wilson, I. M. S., Civil Surgeon, Simla W.	Ditto.
Dr. K. E. Robertson, I. M. D., in charge, Government of India Junior European Secretariat establishment.	From Rs. 150 to Rs. 499.
Dr. J. N. Mukerjee, P. C. M. S., in charge Government of India Junior Indian Secretariat establishment.	Ditto.
K. S. Dr. Muhammad Hussain, I. M. D., Sub-Charge, Civil and Military Dispensary.	Up to Rs. 150.

The duties of officers in medical charge of Army Headquarters Staff and Establishments and Royal Air Force Headquarters at Simla are divided as follows:—

An arbitrary line drawn across the Ridge from North to South through the Town Hall, divides Simla into an East and West area.

(a) (i) Officers of Army Headquarters and their families.	North side of Jakko Simla West (Exclusive of Elysium Hill).	Major H. C. D. Rankin, O.B.E., B. B.E., R.A.M.C.
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Hotels included in area:—

(ii) Clerks of Army Headquarters on salaries of Rs. 250 per mensem and over and their families.	Corstorphan. Grand. Cecil. Royal.	
(b) (i) Officers of Army Headquarters and their families.	Elysium Hill, Simla East (Exclusive of North side of Jakko).	Major W. C. Hartgill, M.C., R.A.M.C.

Hotels included in area:—

(ii) Clerks of Army Headquarters on salaries of Rs. 250 per mensem and over and their families.	Craig Dhu. Longwood. Harvington. Elysium. Clarke's. Central. Lawrie. U. S. Club.	
(iii) Officers and clerks on salaries of Rs. 250 per mensem and over of Royal Air Force and their families.	Wherever resident.	
(c) Clerks of Army Headquarters on salaries of Rs. 75 to Rs. 249 and their families.		1st Class Assistant Surgeon, E. M. Cuzen, I.M.D.
(d) (i) Indian clerks of Royal Air Force Headquarters on salaries of Rs. 75 to Rs. 249 per mensem and their families.		Sub-Assistant Surgeon Subedar Major and Honorary Lieutenant Mohd. Raza Khan Bahadur, I.D.S.M. I.M.D.
(ii) Menials.		

Statement showing the examinations held by the Public Service Commission since 1926—
contd.

Year.	Name of Examination.
1929—contd.	7. Indian Police Service. } *
	8. United Provinces Police Service. } *
	9. Indian Forest Service. } *
	10. Indian Audit and Accounts Service. } *
	11. Imperial Customs Service. } *
	12. Military Accounts Department. } *
	13. Ministerial Selection Branch (Qualifying). }
1930	1. Indian Civil Service. } *
	2. United Provinces Civil (Executive) Service. } *
	3. Indian Railway Service of Engineers. } *
	4. Indian Service of Engineers. } *
	5. Superior Telegraph and Wireless Branches of } *
	Posts and Telegraphs Department. }
	6. Transportation (Traffic) and Commercial De- } *
	partments, State Railways. }

CENTRAL GOVERNMENT OFFICES LOCATED AT CALCUTTA.

281. **Pandit Nilakantha Das:** Will Government be pleased to state the names of the Central Government offices that are still at Calcutta and the reason why those offices are kept there when all other offices have been removed to Delhi?

The Honourable Sir James Crerar: The following subordinate offices of the Government of India are at present located at Calcutta. For administrative reasons Government did not consider it necessary to change their present location.

1. Commercial Intelligence Department.
2. Office of Metropolitan's Chaplain.
3. Office of the Presidency Senior Chaplain, Church of Scotland.
4. Registrar of the Diocese.
5. The office of the Principal officer, Mercantile Marine Department, Calcutta District.
6. Central Stationery Office.
7. The Central Forms Store.
8. Central Publication Branch.
9. Government of India Press (Calcutta).
10. Office of Geological Survey of India.
11. Office of the Controller of Patents and Designs.
12. Office of the Chief Inspector of Explosives.
13. Office of the Superintendent, Government Test House, Alipore.
14. Office of the Controller of Inspection, Calcutta Circle.
15. Office of the Controller of Purchase, Calcutta Circle.
16. The Meteorological Office, Calcutta.
17. Office of the Director, Zoological Survey of India.
18. Office of the Director, Botanical Survey of India.

*These were combined examinations.

19. Office of the Surveyor General of India.
20. Office of the Keeper of Records of the Government of India. A portion of this office has already been removed to New Delhi and the remainder will be removed in due course.
21. Office of the Librarian, Imperial Library.

STANDARD OF THE LAST PUBLIC SERVICE COMMISSION EXAMINATION FOR THE FIRST DIVISION IN THE SECRETARIAT.

282. **Pandit Nilakantha Das:** (a) How many candidates appeared at the last examination of the Public Service Commission for the First Division and what percentage of them have been declared successful?

(b) Is it a fact that this was a qualifying test?

(c) What percentage of candidates were passed in similar qualifying tests held in the previous years by the Commission and the Staff Selection Board, and why is the percentage of passed candidates so low at the last examination?

(d) What was the pass percentage of marks at the previous qualifying tests, and what was it at the last test? Has the standard been raised this time? If so, why?

The Honourable Sir James Crerar: (a) 292 candidates appeared for the Upper Division of whom seventeen qualified.

(b) Yes.

(c) A statement is being forwarded to the Honourable Member. The percentage of passes is low, because most of the candidates failed to reach the required standard.

(d) I have no information. I understand that a fairly high qualifying standard was adopted by the Public Service Commission on the advice of the Departmental Conference which reported on the subject in 1927.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON PILGRIMAGE TO THE HEDJAZ.

Mr. President: The House will now proceed to elect five Muslim Members to the Standing Committee on Pilgrimage to the Hedjaz. There are eight candidates whose names are printed on the ballot papers which will now be supplied to the Honourable Members in the order in which I call them. Of these Maulvi Muhammad Yakub has since withdrawn his candidature.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, I want to say something

Mr. President: Does the Honourable Member wish to withdraw his candidature? (Laughter.)

Pandit Nilakantha Das: I wanted to be a candidate, but I can't be one now, because the House is called upon to elect five Muslim Members. This matter somehow escaped notice of my friends, and it also escaped my notice

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LEGISLATIVE ASSEMBLY.

[21ST MAR. 1930.]

Mr. President: Is there any point of order?

Pandit Nilakantha Das: I want to point out, Sir, that this is a vicious principle. If this principle were introduced as a matter of convention, none would have any objection, but that the House should be called upon to elect five Muslim Members to the Standing Committee is certainly open to objection. I should like to see that this objection may be recorded for future

Mr. President: I am afraid the Honourable Member and his friend to his left are always too late. They should have raised the point when the House was discussing the motion to elect five Muslim Members.

Pandit Nilakantha Das: We did not get the Report of the Haj Committee, nor did we give any proper consideration to the subject, when we, off-hand, decided on the election, but I merely suggest that this should be recorded for future guidance and from next year we should have it on the Agenda that five Members from the Assembly and not Muslim Members should be elected to this Committee. This is a matter of principle where no communal distinction should be tolerated. The President of the Committee too, here is not necessarily a Muslim.

(The ballot was then taken.)

THE INDIAN FINANCE BILL.

Mr. President: The House will now resume further discussion of the amendment* of Sardar Gulab Singh to clause 7 of the Finance Bill.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I rise to oppose the amendment of my Honourable friend, Sardar Gulab Singh, and hope to be able to convince the House that the apprehensions on which my Honourable friend's amendment is based are not warranted. I believe, Sir, there were two more speeches from the European Group Benches, in support of the amendment of my Honourable friend. My Honourable friend, Sir Darcy Lindsay, spoke on this amendment with considerable reserve, but what struck me about his speech was its nervousness. If I may put it in colloquial language, he appeared to have got cold feet at this move of the Government of India, and did not try to understand how the huge oil combine works in India. I propose to read for his benefit the opinion of a person in the European commercial community who would have occupied the same position as my Honourable friend today occupies if there were a European Group in the Assembly in the year 1922. Sir Frank Carter, whose authority to speak on this question, I am sure, Sir Darcy Lindsay will not challenge, speaking in this House on the 7th March, 1922, said as follows:

"The import duty on foreign oil used to be 1½ annas per imperial gallon. It is now raised to 2½ annas per gallon. Government have also imposed an excise duty of 1 anna per gallon on kerosene oil produced in India. I do not myself see why this excise duty should not be the same as the import duty on foreign oil, namely 2½ annas per gallon. Most of the oil produced in India comes from Burma and we all know that oil companies are some of the largest and richest companies in the world. Is there any reason why the oil companies of Burma should be let off so cheaply? It is not as if all the profits they make are spent in India."

*"In clause 7, for the words 'one anna and six pies' the words 'one anna and three pies' be substituted."

That, Sir, was the opinion of a distinguished European merchant in this House in 1922, and it would be interesting to know if my Honourable friend, Sir Darcy Lindsay, spoke yesterday on behalf of his party, and, if so, what justified the European Group today in the Assembly changing the opinion, so clearly expressed by Sir Frank Carter, not very far back in 1922.

Sir Darcy Lindsay (Bengal: European): The reason why the European Group approved of the views I expressed is that the Burma Oil Company have, by retaining the price of the yellow oil, given a great benefit to India.

Sir Purshotamdas Thakurdas: I sympathise with my Honourable friend on what I may call his ignorance of the problem on which he speaks. As I proceed, I shall point out that my Honourable friend is unfortunately, in this case, not well versed with the facts, because the Report of the Tariff Board on Oil absolutely puts out of court this one ground which my Honourable friend urged yesterday and which I am sorry he repeats again today. However, I hope to be able to convince him that either he, or, those in the European Group, who have been advising him on this question, have not made the best use of the Report which I think is the basis of this increase in duty. The other Member who spoke on this is the Honourable Member from Burma, Mr. Lamb. Mr. Lamb frankly told us that he at one time was connected with the Burma Oil Company. Whether he is so connected today or not, I do not know.

Mr. W. S. Lamb (Burma: European): No, Sir.

Sir Purshotamdas Thakurdas: However, my friend cannot have forgotten what he must have learnt when he was connected with the Burma Oil Company. All I can say is that Mr. Lamb gave a wrong lead to the House by the speech which he made yesterday. I expect to be able to show that Mr. Lamb should have said something quite different from what he actually did say, but before I proceed with the merits of the case, let me take exception to the manner in which Mr. Lamb started by prejudicing the support to this Government measure from this side of the House and especially prejudicing the discussion by what he said about my Honourable friend Mr. Ghanshyam Das Birla. Mr. Lamb tried to make out that simply because Mr. Ghanshyam Das Birla's firm had lately been importing kerosene oil, Mr. Birla wanted the import duty to be reduced. No more unworthy remark could have been made on the floor of this House. If this is the manner in which the European Group wish to keep out Indians from enterprises in this country, I can give them plenty of similar remarks in future. There is a painful precedent in this connection. My friends on the European Benches will remember Sir James Simpson, a very esteemable person otherwise, who, when he found that he had no better argument to oppose the Coastal Reservation Bill of my friend Mr. Sarabhai Haji, started his speech on that Bill in an objectionable manner by mentioning to the House that my Honourable friend Mr. Sarabhai Haji was a paid servant of the Scindia Steam Navigation Company—a method of beginning observations on measures before this House, which may recoil on my friends on the European Benches. Sir, if we on this side of the House happen to be proprietors of commercial concerns and industries in this country, my friends on those Benches expose themselves to the retort that they are nothing more than glorified Head Clerks and Managers, mere hirelings pleading for their masters.

Sir Darcy Lindsay: On a point of explanation. I am not a hireling. I am not a Head Clerk nor am I a Manager. I am an independent person, who has served for very many years in India, and I am offering my services to India so long as my health enables me to do so.

Sir Purshotamdas Thakurdas: My friend, Sir Darcy Lindsay, will realise that I have not named him at all, and unless my Honourable friend, Sir Darcy Lindsay, can get Mr. Lamb, who belongs to his Group, to realise that he made an unworthy attack on my Honourable friend Mr. Birla, I fear that what I have said ought to stand for the European Group generally. As Mr. Lamb still persists in holding by the remarks which he made, let me tell the House of the effort which is being made by the vested European interests in kerosene oil to prejudice this first step of Indians in the direction of getting a part of their share in the import of kerosene oil. Mr. Birla's firm has been importing kerosene oil in a very small proportion for the last six months or a year. What do these vested interests do? As soon as the oil arrives here, a frantic telegram is sent to the principals of that oil company in America saying that Mr. Birla's firm is selling that oil as Gandhi oil and thus encouraging the political agitation and propaganda of which all Europeans in this country are so frightened. (Cries of "shame".) Will my Honourable friend Mr. Lamb either ascertain and confirm this, or dare he challenge this? Naturally, Sir, the only reply Mr. Birla's firm gave to this was that so unworthy would this be that they would not think of connecting Mahatma Gandhi's name with such a small thing as kerosene oil imported into India. This, however, indicates exactly what the mentality of my Honourable friend from Burma is when he speaks on this question. Mr. Birla yesterday told the House how, although various items of taxation may suit his business, he is opposing them in the national interest, and where these do not suit him, he is supporting them. Can Mr. Lamb say the same of any item of taxation that has been before the House ever since he joined this House? Enough, therefore, of this prejudice sought to be created, and I only hope that Sir Darcy Lindsay's Group will not give us further cause to complain in this matter as he is here to serve the best interests of India, a self-imposed task for which I respect him highly. I hope he will lead his Group in this Assembly in a manner which is dignified and which would be, if I may use the word, respectable and gentlemanly. Let them not start by prejudicing issues. If they have not a better case, why not admit it without much ado?

Now, Sir, with regard to the main question of excise duty, I would always oppose an excise duty on any local produce, on principle, the principle being that the local production should compete with the imported article. If the local production of kerosene oil competed in normal course with imports of kerosene oil, I would oppose this excise duty; in fact, I would even favour taking off the excise duty. But what are the facts? In this connection I would like to read from the Note of Dissent by the President of the Tariff Board, Sir Padamji Ginwala. On page 55 of the Tariff Board Report this is what he says:

"Both indigenous and foreign kerosene are sold by this group at the same price."

There is a combination; the importer and the local producer both work together. The obvious inference therefore is that the extent to which the

excise duty is lower than the import duty, to that extent the profit of the indigenous companies is increased. On page 84 again Sir Padamji Ginwala says:

"Difference between prices of inferior and superior kerosene not necessarily beneficial to poor consumer only."

That is the heading of the paragraph. I do not wish to take the time of the House by reading this paragraph, but I indicate the relevant paragraphs in order to bring home to those who have supported this motion that they are overlooking the most valuable material available to this House in the Tariff Board's Report, and particularly in the Minority Report of the President of the Tariff Board, Sir Padamji Ginwala.

Now, Sir Darcy Lindsay referred to the cheap yellow oil for the poor and Mr. Lamb said that, by supplying this cheap yellow kerosene oil for the poor at a certain rate, the Burma Oil Company was conferring a great boon on the Government of India and on the masses of India. Again, I say that either my friends do not know their facts, or, if they know them, they have not put them forward in the correct manner that they should be put forward. Page 66 of the Minority Report has these words:

Sir Darcy Lindsay: What about the Majority Report?

Sir Purshotamdas Thakurdas: You may refer to paragraphs 73 to 75 of the Majority Report. They do not support Mr. Lamb but I prefer the Minority Report to the Majority Report. Why should the references in the Minority Report be rejected summarily? Anybody who reads this Report with an impartial and open mind, will say that Sir Padamji Ginwala has gone into this problem more thoroughly and in a more business-like manner than the two dissenting members. I give him all the credit for it. In fact I suggest that this side of the House should express its great appreciation of the splendid efforts of Sir Padamji Ginwala to fight against these odds in his own country. Let the Honourable Member challenge what Sir Padamji Ginwala says in his able Report. Sir, to be in the minority is at times to be in the right. Sir Padamji says in paragraph 10 of his Minority Report on page 66:

"The result is to lower the average realised price. The reason given for this policy is the good of the consumer of inferior kerosene. The real object, however, is to eliminate competition and consolidate the monopoly of the Pool in the sale of inferior kerosene."

What a different picture from the one which Mr. Lamb would like this House to believe. Later on, Sir Padamji Ginwala develops how under the guise and pretence of giving this cheap kerosene oil at an apparently lower rate, this big combine maintained their monopolies in India. What is the good of saying that, because the combine give that, they are an asset to India? As a matter of fact, according to Sir Padamji Ginwala's Report, it is because they give this cheap oil, they are able to maintain and consolidate their monopoly here. Mr. Lamb harped on this and tried to bring out that during the war period the Burma Oil Company had not profiteered. Well, Sir, a commercial organization which does not profiteer is always entitled to the greatest respect. But he in the wide world who did not profiteer during the war period could either have been a saint or a fool.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Those words are synonyms. I think he is either a knave or a fool.

Sir Purshotamdas Thakurdas: I would retain the word "saint". My Honourable friend may apply the other word if he prefers it.

Now, let us see if the Burma Oil Company is either saintly or foolish in their business methods. On page 7 of the Majority Report, the Tariff Board give financial details about the Burma Oil Company.

Sir Hugh Cocke (Bombay: European): Are the figures of the Majority Report reliable in this connection?

Sir Purshotamdas Thakurdas: They are facts, and if Mr. Lamb tells me that they are inaccurate, I will accept his statement. It is no use my Honourable friend from Bombay trying to interrupt in this naive manner. Sir, on page 7 the Majority Report gives these facts:

"In addition, in 1903, £500,000 debentures were outstanding but these were all paid off by 1913. Of the ordinary capital of £6,868,256, £5,590,564 represents bonus shares." And after giving details about the dividends declared by the Burma Oil Company they conclude with this:

"It appears, therefore, that an original holder of £100 shares in this Company would now hold shares of the nominal value of £540, which at present market quotations would be worth over £2,400 and in the period 1902—1927 would also have received dividends of over £1,600."

Now I venture to ask the Honourable Member from Burma who had some connection with the Burma Oil Company, where did all this money come from to that Company? Where did they get the money to give bonus shares to their shareholders?

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): By serving India.

Sir Purshotamdas Thakurdas: "By serving India" the Honourable Leader of my party suggests; possibly so in the eyes of the European Group. Not that I mind any increase in the prosperity of any commercial or industrial organization in India, but when it is a question of making out a case that that organization (the Burma Oil Company) has been a philanthropic body, solicitous of the welfare of the masses of India, it is the limit; and I suggest that either Mr. Lamb will get some Member from his party to explain the reasons of this phenomenal prosperity of the Burma Oil Company, or he will admit that there is something behind this cheap yellow kerosene oil on which both he and his Leader harp so much.

The Government of India, for the first time I think, had in 1928 an inquiry into the oil industry of India. There are many aspects of the way in which this inquiry was ordered and the way in which this inquiry was carried through, which are very exceptional. I think my Honourable friend, the Commerce Member, will bear me out if I say that the inquiry was ordered by the Government of India within a few weeks of the demand coming from the interests concerned.

The Honourable Sir George Rainy (Member for Commerce and Railways): No, Sir, nearly six months.

Sir Purshotamdas Thakurdas: Did they apply for an inquiry nearly six months before it was actually started?

The Honourable Sir George Rainy: It was first brought to the notice of the Government of India. I think at the end of September or beginning of October, 1927, and the inquiry, I think, was ordered towards the end of March 1928.

Sir Purshotamdas Thakurdas: I take it that the application of the oil companies, requesting the Government of India to hold an inquiry, and other papers connected with it, would be available to the House if I request the Honourable Member to place them on the table of the House?

The Honourable Sir George Rainy: I am afraid I could not possibly, without notice, give an answer to that just now.

Sir Purshotamdas Thakurdas: Will the Honourable Member give me a reply in the course of the debate tomorrow?

The Honourable Sir George Rainy: I think that is a request that cannot fairly be made.

Sir Purshotamdas Thakurdas: If the Honourable Member is not prepared to place on the table the relevant papers relating to this subject, then I take it that this particular inquiry was ordered by the Government of India within a few weeks after the application was made. Six months earlier, it may have been some other aspect for which an inquiry was required. If the Honourable Member wishes . . .

The Honourable Sir George Rainy: May I take it that the Honourable Member is questioning my veracity?

Sir Purshotamdas Thakurdas: Not at all.

The Honourable Sir George Rainy: Surely the Honourable Member ought to realise how serious it is.

Sir Purshotamdas Thakurdas: I do not challenge the Honourable Member's veracity. What I wish to know is if the inquiry for which a request was made to the Government of India six months back was on exactly the same subject on which the inquiry was finally ordered by the Government of India. The Honourable Member should place those papers on the table of the House.

The Honourable Sir George Rainy: Perhaps if I supplement what I have said a little while ago, it will make the matter a little clearer. What I said was that the Government of India was first approached towards the end of September or the beginning of October. What I cannot recollect at the moment is whether that was a written representation or in the first instance a verbal representation. The immediate reply of the Government of India to that was, "you have got to submit a full statement before we can consider it". It is quite true that that full statement, which I think was included in the reference to the Tariff Board, was submitted—I cannot recall the exact date—towards the end of December or beginning of January. That is my recollection, but I am speaking from memory. What I should be very glad to do, after looking up the papers is to supply the Honourable Member privately—I do not mean confidentially—with the information he wants for any use he may make of it. But I do not think it would be right for me to promise that I would give a reply in the course of the debate, when there is no guarantee that any reply that I can give would be relevant to the matter under discussion at the moment.

Sir Purshotamdas Thakurdas: I think, Sir, the matter is much clearer now than it was a few minutes back. There is no question of my challenging the veracity of my Honourable friend, Sir George Rainy. If there is any one about whose veracity I would have the least suspicion, it is Sir George Rainy's.

Mr. President: Then the Honourable Member makes a distinction between Member and Member!

Sir Purshotamdas Thakurdas: Not necessarily, Sir. I am dealing at present with Sir George Rainy and I say that I would not, even in my dream, think of suspecting the veracity of any statement that he makes in this House. He will, however, himself see that his last reply is more full and therefore I am prepared to leave this question at this point. I have now got this information that the oil companies did apply six months earlier, but they applied then without the full details which the Government of India insist upon before considering an application for a Tariff Board inquiry. That is enough for my purpose.

Sir, the inquiry was a summary one. It was completed within seven to eight weeks. Now I would like to draw the attention of the House, and I am sure the Honourable the Commerce Member must have studied this Report fully, to the manner in which the inquiry was considered by the parties concerned. On page 61 of the Minority Report, Sir Padamji Ginwala says:

"In view of the events which preceded the launching of the rate war in September, 1927, and of the understanding existing between the main participants it is difficult not to find the principals of the applicant Companies—I except the Indo-Burma Petroleum Company to whom the Asiatic Petroleum Company's promise of compensation does not refer—guilty of a lack of candour amounting almost to deliberate *mala fides*."

I wonder, Sir, whether the Honourable the Commerce Member, during his career as President of the Tariff Board, or as the Commerce Member of the Government of India till now remembers any such remark having been made by a responsible member of the Tariff Board, accusing the parties who apply for an inquiry of something which almost borders on *mala fides*. Further on, on the same page, Sir Padamji Ginwala says:

"It appears therefore that the local representatives of the applicant Companies had no knowledge of this agreement, and the blame for the failure to place all the material facts of the case before the Government of India must rest upon their principals in London. To my mind their conduct as disclosed by these facts is indefensible. The machinery of this Board is intended to be used upon the instructions of the Government of India for the purpose of enquiring into *bona fide* applications by indigenous industries for protection against foreign competition. But it is difficult to regard the present as a *bona fide* application except perhaps in the case of the Indo-Burma Petroleum Company. The assistance of the Government of India has been invoked for a purpose which cannot be regarded as legitimate. Though compensation had been promised by the principal belligerent, an application for protection was put in as if the whole of the indigenous industry was suffering serious damage throughout the rate war. This failure to disclose material facts might alone have justified a summary dismissal of the application in the interest of public discipline."

On page 63, Sir Padamji Ginwala says, referring to the evidence of Gulf prices:

"It is clear from the above that the quotations cannot be taken as reliable proof of actual prices."

What is, Sir, the difference between the actual prices of which Sir Padamji Ginwala complains? The *Petroleum Times* reports f. o. b. Gulf port prices as 5.75 cents. per American gallon on 3rd September, 1927. Reuters reports same at 5. The Standard Oil Company reports at 4½ cents. to 7½ cents., and the figure taken by the pool for the calculation of world parity is 8 cents. Take 1926 or any other year. Whatever year you take, there is a difference of ½ to 1 cent. Now, Sir, the freight quotations that

the oil companies calculate are not correct. I refer to page 65, paragraph 8—"Evidence of Freight Unsatisfactory". I will content myself with referring only to the various heads under which Sir Padamji Ginwala has come to the conclusion that the evidence put before him has been unsatisfactory. The very data, facts and figures supplied to the Tariff Board are in the opinion of its President unsatisfactory.

Then regarding the difficulty of ascertaining current prices of indigenous kerosene, I refer to paragraph 9 of Sir Padamji Ginwala's Minority Report:

"It will be seen therefore that in the present condition there is no such thing as 'current' prices in the ordinary sense for they are what the Burmah Shell make them for the time being. In the entirely artificial atmosphere thus created by the deliberate action of the group, no correct valuation of current prices is possible. There is at present no economic relation between the foreign and internal prices and the level of current prices cannot seriously be regarded as evidence of dumping."

In paragraph 10 he deals with foreign competition in respect of inferior kerosene oil, and I have already quoted the real cause of this cheap kerosene oil according to Sir Padamji Ginwala.

Sir Padamji Ginwala has something very interesting to say regarding the difficulty of ascertaining the financial position of the oil companies. He deals with it on page 56 of the Report, and in paragraph 6 he deals with the Attock Oil Company, which is said to be the only company which is an indigenous company. This company has a sterling capital but I do not mind the sterling capital part of it. This is the remark which Sir Padamji makes about this Company:

"The method adopted, moreover, involves far too many hypotheses and assumptions to ensure even a reasonable degree of accuracy. By way of illustration I cite the following passage from paragraph 55 dealing with the Attock Oil Company to show the process of reasoning by which some of these results have been arrived at.

In 1926 the profit in India was £48,361. Owing to the increase in production, the expenditure per unit produced has very much declined. After examining the cost accounts which have been produced we are satisfied that had the expenditure in 1926 been at the same rate as in 1927, on the production of the former year expenditure would have decreased by about Rs. 11,00,000 excluding from account London expenses, interest charged, and depreciation. On the 1927 scale of expenditure per unit, profits in 1926 would thus have been increased by about £83,000, giving a total profit of £131,000.

Having obtained hypothetical figures in the way indicated above as regards profits or losses, various adjustments are made sometimes in accordance with actual facts and at other times on hypothetical grounds, and the financial results so derived form the basis of the main recommendation that no case has been made out for national assistance."

He concludes with this in paragraph 7:

"I am unable to agree with many of them without a good deal of more technical knowledge than I have been able to acquire in the space of seven or eight weeks. It appears to me that some of them, at any rate, may, if not found wholly inaccurate, on further examination require radical revision."

This, Sir, is the method in which these oil companies acquitted themselves when there was an actual Tariff Board inquiry ordered by the Government of India at the request of these companies. Their accounts were put before the Tariff Board on hypothetical grounds, and even then are submitted to them in confidence—and this is the remark of even the majority. They say:

"It has not been possible to set forth the financial position of the different companies after a critical examination of the costs of producing and refining crude oil. Nor indeed for the purpose of the summary inquiry does this appear necessary."

[Sir Purshotamdas Thakurdas.]

Now, I venture to ask whether it is justifiable for anybody, in view of what has been brought out in this Report, either by the majority or the minority, to say that Government are hitting the indigenous companies by levying an excise duty, or rather by increasing the excise duty. If the companies have a case, and if they feel that they are prepared to put all their cards on the table, by all means let them go before the Tariff Board, have a full inquiry made, and I will be the first to say after seeing the report of that full inquiry, that not only should the increase which we are considering today be reduced, but the whole of the excise duty should go in order that the indigenous industry may flourish and may not suffer any loss. But the material supplied in this Report either by the majority or by the minority sections—and I repeat here again that I do not put less reliance on the Minority Report of Sir Padamji Ginwala than on the Majority Report—the material submitted here absolutely puts any such pleading today out of court. Sir Padamji Ginwala has been a very distinguished and responsible member of the Tariff Board, and with the full weight of his responsibility he could not have made the remarks that he has made regarding the whole case without being able to meet any challenge that might be thrown out to him. Did the oil companies challenge Sir Padamji Ginwala's Report? Have they submitted anything to the Government of India against the various allegations and criticisms made by Sir Padamji Ginwala against them?

Sir Padamji Ginwala comes to a remarkable conclusion at the end of his able and full Minority Report. I will only again read the headings, which will be sufficient for the purpose of the picture which I wish to put before the House. The chapter is headed, "Exorbitant prices in India demand further exploration of subject". He starts with paragraph 46 touching upon "exorbitant prices" as he considers them to be. In paragraph 47 he deals with "Margin between prices of crude and of finished products"; and in paragraph 48 he examines the "Margin in America", which he makes out to be equivalent to one anna and six pies per Imperial gallon. In paragraph 49 he deals with "Margin in India" which he makes out to be a sum of two annas per gallon which is taken out of the consumer in India. What solicitude for the masses of India and for the consumer in India! In paragraph 50, Sir Padamji Ginwala refers to "Measure of Exploitation of Consumer". In paragraph 51 he deals with "Monopoly the Principal Cause", and in paragraph 52 he deals with the "Main Remedy; the Introduction of Competitive Conditions by Import of Crude". He finally concludes by suggesting an alternative remedy, namely, "Government Control of Prices".

I feel, Sir, that those who are interested in this subject should, before they criticise the Government of India's measure which is before the House, study Sir Padamji Ginwala's Report. Even though Sir Padamji Ginwala may have made an error of judgment, it was up to the oil companies to put all their cards before the Government of India to refute Sir Padamji Ginwala's attitude in this connection; and until they do so, we are quite justified in taking for granted that the difference between the excise duty and the import duty is a difference which goes into the pockets of the indigenous companies which work hand in hand with interests abroad. I have therefore come to the conclusion that the variation in excise and import duties as suggested by the Government of India is the right thing in the light of the information available up to now, but unless the oil

companies are prepared to submit to a full and searching inquiry by the Tariff Board, the Government of India will be justified in putting up the excise duty to the import duty. If the oil companies have a grievance, it is for them to ask for a full inquiry by the Tariff Board, when, if a case is made out that the excise duty is a hardship on the indigenous companies, or that the difference between the excise duty and the import duty does not go into the pockets of these companies, this House would be prepared to reduce not only the increase under consideration if passed but the whole of the excise duty.

I therefore, Sir, congratulate the Government of India on this first modest step which they have taken, and it is fully warranted by what is said in the Tariff Board's Report. I hope they will follow up the various suggestions of Sir Padamji Ginwala, who has indicated that the consumer of kerosene oil in India is being mulcted to the extent of Rs. 5 crores by this huge combine (paragraph 46 of Minority Report) and that the whole question of the kerosene oil supply of India requires a searching inquiry by the Government of India. Sir, I have great pleasure in supporting what the Government have proposed, and I oppose the amendment of my Honourable friend, Sardar Gulab Singh.

Mr. Arthur Moore (Bengal: European): Sir, I feel that my friend, Sir Purshotamdas Thakurdas, at the beginning of his speech, imported a little unnecessary heat.

Sir Purshotamdas Thakurdas: You started from your Benches yesterday.

Mr. Arthur Moore: That is just the point. Sir Darcy Lindsay and Mr. Lamb spoke yesterday and Mr. Lamb quite frankly spoke as a person who has a financial interest in oil.

Sir Purshotamdas Thakurdas: Making an insinuation.

Mr. Arthur Moore: Wait a minute.

Sir Purshotamdas Thakurdas: I am going to wait and follow you up.

Mr. Arthur Moore: First of all, he does not in the least object, as I understand him, to any one saying that he himself has interests in oil. He has interests in oil. We are accustomed in this House to people speaking quite frankly from the point of view of the industries in which they have a stake. Mr. Mody, as we all know, speaks here for the mill-owners, and it is right and proper that he should. Personally I do not consider that it was any very dreadful reflection upon my friend, Mr. Birla, who, we all know, has large financial interests though personally I have no knowledge as to in what way he is interested in this question. But I do not think that Mr. Lamb

Sir Purshotamdas Thakurdas: My Honourable friend forgets that Mr. Lamb insinuated that Mr. Birla supported the import duty because he wanted encouragement to the import of oil in which he is interested. Does he not see the insinuation?

Mr. W. S. Lamb: Sir, may I be allowed to make an explanation? As Mr. Moore has pointed out, it is well-known to Honourable Members—I have myself on two occasions said quite clearly—that I have an interest in oil, a very considerable interest in one of the smaller companies. No doubt Mr. Birla and others have discounted, and will always discount, anything I say about oil because of that fact. There is no reason whatever, I do not see any reason, to apologise for any remark that I have made.

Sir Purshotamdas Thakurdas: So he does not see the insinuation yet.

Mr. W. S. Lamb: And for the information of Sir Purshotamdas Thakurdas I might mention that Mr. Birla and I met last night and spoke in a friendly way. He said, “Mr. Lamb, we crossed lances today”. He took no exception whatever to anything that I said, and I think, if he did, he is quite capable of speaking for himself without borrowing the thunders of Sir Purshotamdas Thakurdas.

Mr. Arthur Moore: As to the further remark made by Sir Purshotamdas about “Gandhi” oil—again I have no personal knowledge at all in the matter, but a Member of the Group has just now told me that, as a matter of fact there does exist an almanac displaying Mr. Gandhi as an advertisement for the oil importing agency with which Mr. Birla is connected. Somebody may have objected, and Sir Purshotamdas Thakurdas may have heard of such a thing. But if a Member of this House thinks that is a good way of recommending his business, I personally do not complain, if such a thing exists at all.

Now, Sir, I hope that we can leave those personal points and deal with the humble matter of kerosene. I, like Sir Frank Carter, to whom Sir Purshotamdas referred, and in common with a great many others, was brought up as a free trader. But Sir Frank Carter spoke at a time when we were faced with a deficit budget in 1922. When Sir Frank Carter spoke of this oil duty, the Fiscal Commission had not reported. India was a free trade country. We had never heard of the Tariff Board or of tariff inquiries, and we certainly had never had such examinations as we have had since in the case of steel and cotton and later of oil. Regretfully we have accepted since frankly in the interests of Indian industry, and do loyally accept, the declared policy of Government, which is discriminating protection. The great argument which endeared free trade to us in the old days was that it kept down the price to the consumer, and that it was in the interests of the general public. We have, in the interests of Indian industry, made great sacrifices of that doctrine. We are agreeing in this very Budget to taxes which we know the poor will have to bear. But, Sir, when we find that Indian industry after Indian industry puts up its claims to the Tariff Board and that those claims are considered, and subsequently we have the Government coming to this House and asking us to agree to tariffs for the sake of that industry and the House accepting them, the tariffs passed and the price put up to the consumer,—and then suddenly you have an industry which asks for protection, and gets not protection at all but in the next Budget, or the next Budget but one, a proposal to decrease the import duty and increase the excise duty in order apparently to damage that indigenous industry, then, I think the plain man begins to smell a rat. I have no financial interest in it whatever,

and I cannot agree with Sir Purshotamdas Thakurdas when he said that no impartial person could read the Minority Report of the Tariff Board without coming to the conclusion that it was unanswerable. I wish to reply to him that I consider myself impartial in this matter, and when I read the Minority Report I formed entirely opposite views to those of Sir Purshotamdas Thakurdas. The author of the Report makes a statement about deliberate *mala fides* which in the public interest merited summary dismissal of the application, and then he proceeds to produce what we may suppose to be justification for those remarks. Frankly, Sir, the whole statement seems to me ludicrous, if not libellous, and I think that Sir Purshotamdas Thakurdas might have remembered that a very convincing reply was immediately issued. Sir, if I might paraphrase a classical example, I would say that, if anybody but the President of the Tariff Board had made these statements, I should call them a tissue of contradictions. In fact, I would go further and say that they are a tissue of contradictions, and I could very easily prove it. Curiously enough, one of the main charges appears to be that the indigenous oil companies keep down the price—a very extraordinary remark. On page 94 of the Report under “Summary of Conclusions and Recommendations”, it is stated that, “The price both of the indigenous and foreign oil marketed by this Company”, that is, the Burma Shell Oil Distributing Company of India, Ltd., “has been deliberately kept lower than economic conditions would have justified and is therefore unreal”. Therefore, it would appear that the gravamen of the charge against the oil companies is that they sell their stuff at too low a price to the consumer. Later on, on the next page, he says, “There is evidence which suggests that a great deal of petroleum products have been sold at exorbitant prices”. A totally contradictory statement. At the same time, on the same pages, he says, first of all, that it is utterly impossible to establish what the American parity price is, and secondly, that that American parity price is being undercut by the indigenous companies, and thirdly, that they are going above it. Thus he does not know what it is but says it is both being undercut and exceeded. In addition, he bases most of his suggestions, insinuations and innuendoes on the results of the first six months of 1927. He then goes on to say that he quite realises that you cannot establish everything from the results of those six months, but nevertheless proceeds to do so.

Mr. M. A. Jinnah: May I ask the Honourable Member one question? Does the Majority or the Minority Report of the Tariff Board consider, in the end, that any case has been made out for any protection for this industry?

Mr. Arthur Moore: I am very far from suggesting that a further measure of protection is required for this industry. That is not the point.

Mr. M. A. Jinnah: That is what we have been discussing.

Mr. Arthur Moore: That is not the point which we have been discussing. We are discussing the proposal in the Budget to reduce the existing protection, and we have also the very remarkable statement of the Finance Member that this is only a first step in that direction.

Sir Purshotamdas Thakurdas: We all hope it is so.

Mr. Arthur Moore: I am afraid you do, and that is the deplorable part of it. I was interested to hear and sympathise greatly with a statement which Sir Purshotamdas Thakurdas made the other day, in which he said that he looked forward to a time when this distinction between Indian and European business would disappear. This is a sentiment which I entirely share. I should like to see European business in this country entirely done on a rupee basis. I should like to see share registers kept and share markets existing in all the towns, so that the Indian would be a participator to the very greatest possible extent in the benefits that can be obtained through British enterprise and British capital in this country. I should like to see European and Indian business interlinked and interlocked as far as possible. But, Sir, the oil business is centered in Burma where it is certainly a great national industry, where it is giving employment to many thousands, where it is leading to every kind of public development, and where there is a share register and a share market and where shares are held by the people of the country to any extent which they like. For the Indian Members of this House to make an attack on that Burmese industry, merely because they think that it is largely a case of European capital, is, to my mind, unfortunate.

Sir Purshotamdas Thakurdas: Who said so? I never said anything like that at all.

Mr. Arthur Moore: I have not said that you said that. But I have read the Report, and I am perfectly certain that the Report is the motive behind the Government's proposal. I am very glad that Mr. Aney withdrew his amendment yesterday. Personally I should be sorry to share in responsibility for refusing the Finance Member the money that he requires in the present situation, but, that is all the more reason why I would urge upon the Finance Member, if he can possibly do so, the advisability of accepting this very modest proposal of Sardar Gulab Singh, which will give him revenue, but which will, I think, avoid the much more disastrous result of a rise in price. It is that rise in price which really interests me. When the Budget was introduced, Sir Zulfiqar Ali Khan made a plea, which I thought had a great deal of force and point in it, for the poor man's lamp. I am perfectly certain that the Burma Oil Company, which is the largest in the industry, can protect itself. I am perfectly certain that my Honourable friend the Commerce Member will not succeed in defeating that Company. I think it is a mistake, when you find a bird that lays golden eggs for you, to assume that it must be a goose. My own opinion of this oil company,—with which I am unfortunately not connected,—is that it is quite another kind of downy bird, and that it will succeed in passing this tax on to the consumer. That, Sir, is where I think the Government are failing in their duty. The Tariff Board may say what they like, and Honourable Members may say what they like, but it is one of the most remarkable economic facts in the history of the past twenty-five years, when both currency and prices have crashed in the great countries of the world and when the world itself has passed through an unparalleled upheaval, that for the whole of that period of twenty-five years, the low grade yellow oil which goes into the poor man's lamp in this country has been absolutely stabilised to the extent of practically 2,00,000 tons a year, and the price of that quota has never gone up. That, Sir, is a very remarkable achievement. The paradoxical thing is that protection has kept down the price in the low

grade,—and this has been done as a matter of loyal obligation in return for a measure of protection. The Commerce Member assured us yesterday that there was no convention, no understanding, no obligation on the part of the Company. I am sure that he is right, and I think that makes it all the more remarkable that for 25 years the poor man's lamp in India has been lit at the same price because of that undertaking. I understand that a letter was written to the Viceroy of the day saying the company would contribute this amount at the fixed price. My Honourable friend appears to attach no importance to it. He seems to think it does not matter and says "Do your worst". He seems to think that he will be able to defeat these great Corporations, but I doubt it. I think he is very light-heartedly risking the poor man's lamp. Sir, we who live in towns are a little apt to underrate the part that kerosene plays in the life of this country. It is the light of the country, and when we talk about kerosene, let us not forget the tin. We know what an enormous part the kerosene tin also plays in this country. I myself have lived in shelters made entirely from kerosene tins, filled with earth. I have had my bath from kerosene tins. Even in New Delhi in the hostels the Government provide for legislators, the hot water supply is dependent upon kerosene tins. Can the Government give the slightest guarantee that the low rate of kerosene, which is what matters to the people of this country, can be kept down to its present price if they refuse to accept my friend's amendment? I feel, Sir, that they are being driven by political motives, and that, through the Tariff Board and through the Commerce Department, a political demonstration is being made. This fills us with great uneasiness. We are not satisfied that the Government of India today are discharging their duty as trustees for the Indian people. It seems to us that they are much more interested in pleasing big business and big politics than in thinking of the Indian home; that they are thinking much more of the veneer and polish of their mahogany Round Table than that it shall be spread with the unleavened bread of sincerity and truth. When the Finance Member tells us about Mr. Gandhi and the adverse influences in London affecting Indian credit, we can also tell him that it is not entirely Mr. Gandhi. If he will investigate the Commerce Department a little more closely, and if he will consider the attitude of Government to confiscation by predatory measures, he will begin to understand that there are other reasons which make his task difficult in obtaining money. It is British capital itself which is one of the standbys in the present difficult times. I am convinced that, if you could study the records of the Exchange Banks, you would find that it is Indian capital which is going out quickest and that the British capital is still here. It is necessary for this country, and it is necessary for the poor man

Mr. M. A. Jinnah: Keep it here.

Mr. Arthur Moore: I am very glad to hear my friend say that, but I would like the Government to think long and hard before they refuse my friend's amendment today and pin themselves to this document which, as I say, is ludicrous. If that is their gospel, they will very soon find themselves in great difficulties.

The Assembly then adjourned for Lunch till Two of the Clock.

The Assembly re-assembled after Lunch at Two of the Clock, Mr. President in the Chair.

The Honourable Sir George Rainy: Sir, I should like to begin what I have to say today with a brief reference to one who has been very frequently mentioned during the course of the debate, I mean my very close personal friend, Sir Padamji Ginwala, the President of the Tariff Board. I do not suppose there is anybody in this House who knows Sir Padamji better than I do, or who has a greater respect and admiration for the admirable work he has done in the Tariff Board, or for his independent judgment, his courage and the energy and thoroughness with which he always carries out his work. Sir Padamji Ginwala is about to quit the presidency of the Tariff Board and I am very glad to have this opportunity of paying my testimony to all that he has done.

My Honourable friend, Mr. Moore, used a phrase in connection with the Minority Report on the oil industry, and the phrase was "a tissue of contradictions". He gave one particular instance in support of this charge. The particular instance he gave was this. He quoted from the summary in Chapter VII of the Minority Report the following sentence:

"The prices both of the indigenous and the foreign oil marketed by this Company has been deliberately kept lower than economic considerations alone would have justified and are therefore unreal."

He then pointed out that, in other places in the Report, Sir Padamji had expressed the view that the prices charged by the oil companies were exorbitant and had caused a great deal of loss to the consumer. Now, if you place these two statements against each other and assume, without investigation, that they refer to the same prices, there is undoubtedly a contradiction. But if my Honourable friend, whose study of the Minority Report must, I think, have begun only a short time ago, had taken care to verify the particular prices which were referred to, he would have found that the prices which Sir Padamji Ginwala considered had been deliberately kept lower than economic considerations allowed were the prices charged while the oil war was in progress, and the prices he considered exorbitant were the prices charged before the oil war began. I think it is a pity that, because there has been some slight increase of tension during the course of the debate this morning, charges of that kind should be made on insufficient evidence against one who is not a Member of this House, and is not in a position to make any reply. Those who remember Sir Padamji as a Member of this House, will have no doubt that he would have been perfectly capable of making a very effective reply on his own behalf.

I felt it necessary, Sir, particularly because I have had some connection with the Tariff Board myself, to make that clear about Sir Padamji Ginwala, but I must also make it clear that, in putting forward the proposals which are under consideration, the Government of India did not base their conclusions on the Minority Report but on the Majority Report in so far as they arose from the Tariff Board Report at all. Sir Padamji and I—I am not revealing any secrets—did not always agree, and when we disagreed, I, being an obstinate Scotchman, sometimes used to say to

him, "You *think* you are right but I *know* I am right" and Sir Padamji was sometimes inclined to take up the same attitude. Well, in this case, I do not, on a great many points, agree with the Minority Report, and it is right that I should say so quite frankly. That is not in any way disparaging Sir Padamji Ginwala, but in my view, and in the view of the Government of India, it is the opinions expressed in the Majority Report which ought to prevail, and in so far as this proposal arises out of the Tariff Board Report at all, I will ask the House to understand that it is the Majority Report which has to be considered and not the Minority Report.

The Government of India came to the conclusion that a substantial increase in taxation was necessary if we were to meet our liabilities during the coming year, and naturally all the important subjects of taxation passed under review. One of them, of course was kerosene. Now when we are dealing with an article of general consumption, we have to consider in a case of this kind whether, if there is to be any increase in taxation, it should be in the form of an increase in the customs duty only,—or of excise duty only, or possibly of both. In some cases there may be a claim to protection, which may or may not be held to be established, but what is the position in this case? The arguments I have listened to from the European Benches seem to me to approach perilously near to this position, that because the industry has for a period of a quarter of a century enjoyed the benefit of a difference of one anna six pies per gallon between the excise duty and the import duty, therefore that difference must continue for an indefinite period. Looking at it, as I look at all these questions, from the point of view of the policy of discriminating protection, I find it very difficult to understand how an attitude of that kind is to be justified. The policy of discriminating protection is that industries are to be protected until they can stand alone and dispense with protection. It is true that, in this case, the import duty on kerosene was not originally imposed as a protective duty, but as part of the system of revenue duties which at the time of its imposition were the only kind of duties in the Indian tariff. Still let us take it on the basis that at one time the duty may have been required to keep the oil industry going. Let us take it on that assumption. A period of a quarter of a century has elapsed, and that being so, is it not fair to ask whether, in existing circumstances, the retention of that difference between the two rates of duty is still necessary in the interests of the Indian industry? What do we find? I would refer to the same figures which have already been quoted by my Honourable friend, Sir Purshotamdas Thakurdas, from the Majority Report of the Tariff Board. It appears from these figures that, out of the total share capital of the Burma Oil Company,—a company which is responsible for rather more than three-quarters and rather less than four-fifths of the total production of crude oil in India,—it appears that of the total ordinary share capital of £6,800,000, only a little over £1,300,000 is subscribed capital, and about £5,500,000 consists of bonus shares. In addition, there are £4,000,000 preference shares. In the year 1927 the dividend declared on the ordinary shares was 20 per cent. That is, it must have been a little over £1,300,000 on the ordinary shares, and the dividend on the preference shares, in addition, brings that figure up to something over £1,600,000. The total subscribed capital is £5,300,000, and the proportion of the two dividends together on the total subscribed capital is nearly 30 per cent.

[Sir George Rainy.]

Now, let us get away for the moment from the peculiar circumstances of this industry. Let us take a quite different industry. Let us take the cotton industry. Supposing that the cotton mills which were responsible for nearly four-fifths of India's production were in a position to pay dividends to that extent, 30 per cent. on the subscribed capital, would it be wrong for Government, at a time when it was in need of money, would it be wrong for Government, granted always the fundamental policy of discriminating protection, would it be wrong for them in those circumstances to impose an excise duty? I mention that case particularly because it is the case where for natural and right reasons, prejudice against the excise duties is strongest.

Mr. Arthur Moore: May I ask the Honourable Member if he will give us the 1928 figures, which will show that the particular company he refers to, the Burma Oil Company, paid the Government of India in taxation almost £2,000,000 sterling and they paid their shareholders, if you deduct the United Kingdom income-tax, only about £800,000 odd.

The Honourable Sir George Rainy: I am afraid I do not see the relevancy of my Honourable friend's interruption. I prefer to pursue my arguments on my own lines. What I was saying was this.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): The Honourable Member said that the percentage was 30 per cent. He also told us that the original share capital was £1 million and some thousands and bonus, £4 million and something. So the 30 per cent. is not on the one million originally subscribed, but is also on the bonus that was given.

The Honourable Sir George Rainy: No, Sir. I know how difficult it is, when one is dealing with figures, not to convey a wrong impression. What I did was this: I took the ordinary and preference dividends and added them together. I took the subscribed ordinary capital and the preference capital and added them together, and I took the percentage of the first total upon the second total. I did not wish to take the dividend purely on the subscribed ordinary capital, because you get an exaggerated result, which is not fair unless you bring in both the preference capital and the preference dividend; you would, in fact, get a figure which is misleading.

Now, Sir, this is the view the Government of India took as regards kerosene, that if the question arose of imposing extra taxation on kerosene, the proper way of dealing with the matter was by an increase in the excise duty. I am perfectly prepared to defend that proposal as being in all the circumstances the right solution, because I am not prepared to support the proposition, as my Honourable friend Sir Purshotamdas Thakurdas could do quite consistently with his principles, that there ought to be no excise duty at all, or that the existing difference between the excise duty and the import duty should be continued indefinitely. Why, Sir, what do we find? If a new application for protection comes forward, it is always very carefully and narrowly scrutinised, and the recommendations which have hitherto received the approval of the House have always been on the basis of giving no more than was really necessary to put the industry on a sound basis. Unless we abandon that policy I do not see how we can consistently defend a position which amounts to this that, because an industry has for a quarter of a century enjoyed actual

protection of a certain amount, owing to the difference between the excise duties and the customs duties, therefore this difference must be regarded as sacrosanct, and the Government must in no circumstances interfere with it. My Honourable friend, Mr. Moore, was good enough to speak of predatory measures and political demonstrations and to suggest that the malign inspirations underlying these measures came from the Commerce Department. If that means that the Commerce Department has any reason for desiring anything but the success of all Indian industries, if it means that the Commerce Department bears a grudge against any particular industry, I repudiate the charge. But if it means that I refuse to apply one weight and measure to a new industry, usually Indian, applying for protection, and a different and more generous weight and measure to a long established industry, in this case mainly non-Indian, then I accept the charge. I am not prepared to apply these different weights and measures. (Hear, hear.) It is the business of the Government of India, as it is the business of all Governments, to try to do justice, and that is the basis upon which the Government measure proceeds.

I should like to turn now to some of the reasons given by the previous speakers against the Government proposal. One of them can be very briefly dealt with. It was suggested that, because one company was so predominant in the oil industry, therefore the measure ought to be regarded as vindictive. I cannot see how, in point of principle, it makes any difference whether it is one company or more than one company. The only question is this; is the industry making large profits and is there reason to believe that those large profits are due to the difference between the customs and the excise duties? Whether it is one company or several companies to my mind, makes no difference at all.

My Honourable friend, Sir Darcy Lindsay, said that special consideration was due to the oil industry, owing to the fact that, during the war, the price of Victoria kerosene had not been raised. As far as I can make out, that statement is correct as regards the Victoria kerosene (that is the yellow oil) which was sold in bulk. There were increases in the price of Victoria kerosene sold in tins, but that was due to other causes, mainly owing to difficulties about the supply of tin-plate, and the price of the oil in tins was raised several times, always in agreement with Government and with the Ministry of Munitions at Home. Therefore, I accept that statement as generally correct. But my Honourable friend, Mr. Moore, went somewhat further and said that it was a very remarkable fact that the price of this inferior yellow oil, Victoria kerosene, had been stabilised for a period of 25 years.

Mr. Arthur Moore: To the extent of 195,000 tons, Sir.

The Honourable Sir George Rainy: I do not quite understand how the consumer can get it in that form, because the pool cannot market a certain quantity of the same kind of oil at one price and a certain quantity at another. My recollection is that, up to 1917, what was actually done was that the Burma Oil Company had its own separate selling arrangements, and the Victoria oil that they actually sold was sold at that price. But after the close of the war, a new arrangement was arrived at, when the kerosene pool was established, in which the Asiatic Company, representing the Shell interest became partners, and after that, the arrangement was different. The arrangement was this, that the

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Burma Oil Company and the other Indian companies in the pool under took to sell to the pool 195,000 tons of the inferior oil at a fixed price of Rs. 2-14-0 per unit of 8 gallons, *plus* the excise duty when that was imposed. Thereafter the pool did the marketing on behalf of the particular companies, and prices were so adjusted that, on the average, at the end of a period, the pool neither made nor lost money. But I should like to quote certain prices to show that it might convey a misleading impression if it were thought that there was no change in the prices of yellow oil in the last 25 years. In 1914 the price of two tins was Rs. 3-8-0, but in 1924 it was Rs. 5-6-0. It continued at about that level, with small variations, up to the latter part of 1927, when the big fall in prices took place on account of the oil war, and since the termination of the oil war, it has never, I think, quite got back to its former level. At one period in 1929 it was quoted at Rs. 5 and I believe it is now somewhat lower.

Now, Sir, I find great difficulty in understanding what the exact force of this argument is supposed to be, that because, during the war period, the oil companies were reasonable and did not attempt to profiteer as regards the oil used by the poorest classes of consumers, therefore they are to continue to enjoy indefinitely the benefit of the difference between the import and excise duties. I can quite understand the argument that, if that difference is narrowed, the companies may have to reconsider their price policy, for in their price policy they are entirely free agents and have no agreement with Government on the subject. But I do not understand why, ten years after the war, that particular argument must be treated as conclusive, and I should like to draw attention to a passage in the Majority Report—paragraphs 74 and 75—which indicates that the companies may have—or rather may have had—other reasons for keeping down the price of yellow oil besides the benefit to the poorer classes of consumers. The reason suggested is that they might do so in order to prevent competition from abroad in this class of oil. Whether the Tariff Board were right in their view on this point I am not prepared to say, because, whereas during the period preceding the oil war, right back till I think about 1922, the difference between the price of white oil and yellow oil was usually about Rs. 1-6-0 a unit, and the impression that I always got from any inquiries I made upon the subject was that the oil companies were apprehensive as to their ability to sell their whole output of yellow oil if the difference was made any smaller. Since May, 1928, the difference in the prices of white oil and of yellow oil has been only 8 annas a unit. That makes a very great difference, and that leads me on to another of the reasons why it is suggested the Government of India's proposal should not be approved. It is suggested that the actual result of the adoption of the measure will be not a reduction of price to the consumer, although the customs duty is proposed to be reduced, nor even the maintenance of the present prices, but an actual increase in the price to the consumer. I doubt very much whether any one in India is in a position to say what the result will be, for in all the inquiries that I have ever made on the subject I have never found anyone in India who could give me a perfectly clear explanation of how the policy of the kerosene pool was determined. I think it is only those in authority in London who can speak with authority on this subject. But clearly it is a somewhat remarkable position if, assuming that, the ordinary laws

of free competition apply, a reduction in the customs duty should be followed by a reduction in the price. For, India is not self-supporting in the matter of oil, and cannot be so at present, and therefore, the governing factor would usually be the cost of importation. It may be possible for the pool to maintain the old prices if, as has been suggested to me, for some time past they have been selling white oil at a price below world parity. The figures that were suggested to me were these. They have been selling the white oil in bulk at Rs. 4-10-0 a unit, whereas the world parity would be somewhere between Rs. 4-14-0 and 4-15-0 a unit. If that is so, then no doubt they could maintain the present price, in spite of a reduction of two annas a unit in the customs duty, and they might even raise the price by a little over two annas a unit without reaching a price which was above the world parity. But, if that is what we are asked to believe, then I do not understand what the maximum price policy of the pool, as it is called, means, and I do not understand the manner in which it has been applied since May, 1928, because, if the maximum price policy is intended to benefit the poorest classes of consumers, then it is difficult to see why the companies made a concession amounting to over four annas a unit to the consumers of white oil, who are not the poorest classes of consumers, and have narrowed down the difference between the price of yellow oil and of white oil to only eight annas a unit. It is circumstances like these which give one reason to doubt what the maximum price policy has actually meant in its operation.

Another circumstance which might make it possible for the companies to maintain the price of kerosene, notwithstanding the fall in the customs duty, would be, if there was an absolutely binding agreement with the only independent company which imports on a large scale, I mean the Standard Oil Company. That again would be difficult to reconcile with the reports one has seen in the newspapers in recent days as regards the possibility of the outbreak of another oil war. But I am not prepared to admit, until the actual facts prove it, that we are justified in assuming, as a matter of course, in contravention of the ordinary economic laws, that the reduction in the customs duty is likely to be accompanied by an increase in the price of kerosene.

Now, I should like to come to a point which was mentioned by Mr. Lamb, but which has not been dwelt upon much by subsequent speakers, namely, the danger which is said to threaten the smaller companies if the House should approve the proposals of the Government. One of the difficulties in considering this particular part of the subject has been this, that the arguments in support of it always contradict each other. We are told, on the one hand, that there is going to be an increase in price and that every bit of that 50 lakhs will be taken from the consumer. If so, there is no danger to the smaller companies, because they will be no worse off than they were before. On the other hand, if they are to be seriously endangered, then the consumer is not in danger, and I must really ask my friends sitting on my right to choose on which horn of the dilemma they would wish to be impaled, because they cannot have it both ways. As regards the smaller companies, I would say this. Clearly the onus rests upon them to make out their case, and to establish to the satisfaction of Government, or of some investigating authority, that their position is very seriously endangered as a result of this measure. If that could be established, then I do not doubt that this House, as well as the Government, would be perfectly prepared to consider fully and

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sympathetically what measures should be taken to prevent any serious danger. Take the Attock Oil Company. For obvious reasons, it is desirable that that Company should continue to produce oil. It is the only company in this part of the world which does produce oil, and for practical reasons, in a war, for instance, it might be of very real service. But it does not follow, even if it were established that the smaller companies do need some assistance, that we should adopt a method by which, for every penny which goes to the smaller companies, four pennies must be paid to the company that does not require assistance. That seems to me a point very well worth bearing in mind.

That, Sir, very nearly closes what I have to say on this subject today. The only remark I should like to make in conclusion is this. I think it is a pity that certain statements have been made without perhaps sufficient verification. One I referred to at the outset of my speech, namely, the tissue of contradictions said to be found in Sir Padamji Ginwala's Minority Report. Another I have frequently referred to in the last week or so, about the 15 lakhs that we were supposed to be putting into the pockets of the Standard Oil Company. Now the Honourable the Mover of the amendment had read the import trade returns and made that very clear by the figures in his speech. But if any of the speakers who in this House or in another place have referred to that alleged present of 15 lakhs to the Standard Oil Company had ever taken the trouble to look at the import trade returns, they would find that the oil coming from the sources under the Standard Oil Company is only a little more than half of the total imports. The total present we could conceivably make to them, even if the price remained unchanged, is not 15 lakhs but only a little over 7½ lakhs. These difficult and important questions cannot be disposed of merely by the hasty quotation of inaccurate figures. They are very serious and difficult matters, and I hope that the House will consider them in a serious spirit and with the desire to do justice to all.

Mr. Arthur Moore: On a personal explanation. I should like to apologise to the Honourable the Commerce Member for not having been present at his opening sentences. Therefore I did not hear his reference to the tissue of contradictions; but I would ask him, is it not a fact that in the Minority Report the President states that the Burmah Shell Company sells below the economic price, and also suggests that that Company sells at an exorbitant price?

The Honourable Sir George Rainy: That was precisely the contradiction with which I dealt. I pointed out that, if the Honourable Member had applied himself to the study of the Minority Report, he would have found that the prices that were considered too low were the prices during the oil war, and the prices considered exorbitant were the prices before the oil war.

Mr. Arthur Moore: I cannot quite accept that.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I think that a Member of our party should speak. A prominent Member of my party has been unworthily attacked and I would like to speak.

Mr. President: The Honourable Member, unless he has got any fresh contribution to make to this debate, will now allow me to put the question. We have taken nearly three hours on this amendment.

The question is:

"In clause 7 for the words 'one anna and six pies' the words 'one anna and three pies' be substituted."

The Assembly divided:

AYES—17.

Alexander, Mr. W.
Ayyangar, Mr. K. V. Rangaswami.
Chaman Lal, Diwan.
Cocke, Sir Hugh.
Crawford, Colonel J. D.
Farookhi, Mr. Abdul Latif Saheb.
Gidney, Lieut.-Colonel H. A. J.
Gulab Singh, Sardar.
Heathcote, Mr. L. V.

Kidwai, Sheikh Mushir Husain.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Moore, Mr. Arthur.
Munshi, Mr. Jehangir K.
Reddi, Mr. T. N. Ramakrishna.
Scott, Mr. J. Ramsay.
Sykes, Mr. E. F.

NOES—62.

Abdoola Haroon, Haji.
Abdul Aziz, Khan Bahadur Mian.
Abdul Haye, Mr.
Abdul Qaiyum, Nawab Sir Sahibzada.
Agnihotri, Mr. K. B. L.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Chetty, Mr. R. K. Shanmukham.
Cosgrave, Mr. W. A.
Crerar, The Honourable Sir James.
Crosthwaite, Mr. H. S.
Dalal, Dr. R. D.
Das, Mr. B.
Dutta, Rai Bahadur S. C.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gwynne, Mr. C. W.
Haji, Mr. Sarabhai Nemchand.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Ismail Khan, Mr. Muhammad.
Iswar Saran, Munshi.
Jawahar Singh, Sardar Bahadur
Sardar.
Jinnah, Mr. M. A.

Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Mukerjee, Mr. Saradindu.
Mukherjee, Rai Bahadur S. C.
Mukhtar Singh, Mr.
Neogy, Mr. K. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Pandya, Mr. Vidya Sagar.
Parsons, Mr. A. A. L.
Patil, Rao Bahadur B. L.
Purshotamdas Thakurdas, Sir.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rang Behari Lal, Lala.
Rau, Mr. H. Shankar.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarda, Rai Sahib Harbilas.
Schuster, The Honourable Sir George.
Shah Nawaz, Mian Mohammad.
Singh, Mr. Adit Prasad.
Singh, Mr. Gaya Prasad.
Slater, Mr. S. H.
T'n Tut, Mr.
Venkatakrishnayya, Choudhri, Mr. P.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Ziauddin Ahmad, Dr.
Zulfqar Ali Khan, Sir.

The motion was negatived.

Clause 7 was added to the Bill.

Clause 8 was added to the Bill.

Mr. President: The question I have to put is:

"That clause 9 stand part of the Bill."

Rai Bahadur S. C. Dutta (Surma Valley cum Shillong: Non-Muhammadan): Sir, there is an amendment* in my name.

Mr. President: Does the Honourable Member wish to move it?

Rai Bahadur S. C. Dutta: With your permission I want to withdraw it.

Mr. President: In that case, I must proceed to put the question.

"The question is that clause 9. . . ."

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, there is a small amendment, in my name, and it is that clause 9 be omitted. I move it because I find in the proposals of the Finance Member that this money, to the extent of Rs. 32 lakhs or something like that, which we have been spending so long for debt redemption is, I understand, going to be put into a new reserve fund created against the Postal cash certificate Bonus, which accrues from year to year. This money which is withdrawn from reducing unproductive debt is not going to be actually used for revenue expenditure purposes. Thus it is withdrawn from paying a debt bearing interest, say 5 per cent. or 6 per cent., and is going to be laid by for the prospective payment of another debt, in which the interest in the mean time is going on increasing. I have already said that I do not well realise the utility of creating such reserves.

The Honourable Sir George Schuster (Finance Member): On a point of order, Sir. My Honourable friend's objection seems to be to a grant which has already been passed by this House, namely, the provision of a special fund to go to suspense account against the liability in respect of Post Office Cash Certificates. I understand that the point of my friend's objection is that he dislikes that provision, but that provision, Sir, has already been approved by this House, and I suggest that he cannot argue on that ground in favour of his present amendment.

Pandit Nilakantha Das: Am I in order, Sir?

Mr. President: The Honourable Member is not.

Pandit Nilakantha Das: My objection is that if a new fund is going to be created.

Mr. President: That has already been created by the vote of this House.

Mr. B. Das: But, Sir,⁴ subject to the passing of this clause here.

Pandit Nilakantha Das: If that is irrevocable and inscrutable, then I am afraid I shall have to withdraw my amendment. My reasons are that, instead of creating such funds, we should utilise this money for revenue purposes, and in that case we will be relieved of a certain amount of interest which we do not get otherwise. These new reserve funds will either be deposited in the Imperial Bank with no interest or even in some security bearing 2 per cent., which is much less than the rate borne by our unproductive debt. This is the mystery about these reserves. They are

*"That clause 9 be omitted."

shown in accounts. But the actual money is never available when necessary. We have got the Railway Reserve to the extent of about 23½ crores. We do not know where it is deposited. Last, I mean the current year, money was required for capital expenditure. But the Reserve Fund could not be tapped even for a loan. The actual money was not there in reserve. Thus this Reserve will simply appear in accounts, and in any case money will have to be borrowed to pay even from the Reserve. Why then simply forego the advantage of getting relief from the interest on debts for a number of years in the meantime? Why not now pay back the debt, and again borrow to pay the liability for Postal cash certificate? Anyhow, if that fund is already created, and cannot be revoked, I would like to withdraw my amendment with your permission, Sir.

Mr. President: The Honourable Member has not moved it.

Pandit Nilakantha Das: I moved the amendment in the very beginning, and therefore I beg your permission to withdraw it.

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

Clause 9 was added to the Bill.

Mr. President: The question is:

"That Schedule I to the Bill stand part of the Bill. . . ."

Honourable Members are not quick. They ought to rise in their seats in proper time if they want to move their amendments. I take it that no Member wishes to move any amendment on this? (Some Honourable Members: "Haji Abdoola Haroon is standing.")

Haji Abdoola Haroon (Sind: Muhammadan Rural): Sir, I want to move amendment No. 17, which stands in my name.

Mr. President: There is one other amendment* from Diwan Chaman Lall.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): I don't want to move it, Sir.

Mr. President: That is all right then.

Haji Abdoola Haroon: Sir, Before I say anything on my amendment, I must first of all congratulate the Honourable the Finance Member that, with this duty, which will yield about 5½ crores he will be able to pass the Finance Bill very smoothly and quietly. I am somewhat surprised, Sir, that there is no strong opposition from this side of the House to any fresh taxation, because I find that the Bill is framed in such a way that, for some reason or other the House supports it quietly. Take one instance. Take the cotton duty. There are some Members in this House who think that this 15 per cent. duty will give them some relief, and that the mili industry will be able to get on, that it will enrich many shareholders and so on, and therefore they are supporting fresh taxation. There

*"In entry (3) in Item 34 of the proposed amendment No. 3 in Schedule I to the Bill:

(a) the words 'and sugar candy' be omitted,

(b) the words 'plus one rupee and eight annas per cwt.' be omitted."

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are some other Members who are jubilant that more *khadi* will be consumed because foreign cloth will become dearer; therefore they are not objecting to this duty. While in regard to income-tax, there are some murmurs in some quarters, but the majority are in favour of it because they do not like capitalism.

Now, with regard to sugar, as the Finance Member has indicated in his budget speech that the sugar industry is struggling and that it is necessary to give it some relief, Members have given their support to it. I understand, Sir, that some group of sugar refineries which are mostly refining sugar from *gur* are not working profitably, and therefore they tried to set up an agitation, with the result that this duty on sugar has been imposed quietly in this Budget.

Mr. President: Does the Honourable Member wish to move his amendment?

Haji Abdoola Haroon: Yes, Sir. I move:

"That for the proposed amendment No. 3 in Schedule I to the Bill the following be substituted:

'3. For Item No. 34 of Schedule II, the following shall be substituted, namely:

34. Sugar, excluding confectionery (see No. 124)—		Rs. a. p.
(1) Sugar, crystallised or soft 23 Dutch Standard and above.	Cwt. . .	4 8 0.
(2) Sugar, crystallised or soft inferior to 23 Dutch Standard but not inferior to 14 Dutch Standard.	Cwt. . .	4 0 0.
(3) Sugar, crystallised or soft inferior to 14 Dutch Standard but not inferior to 8 Dutch Standard if imported for refining purpose.	Cwt. . .	3 0 0.
(4) Sugar, below 8 Dutch Standard and sugar <i>Ad valorem</i> candy.	25 per cent. plus one rupee and eight annas per cwt.	
(5) Molasses	<i>Ad valorem</i> 25 per cent. . .	

In moving this amendment, I want to say that there may be some opposition to my amendment. We know very well at present the sugar duty is Rs. 4-8-0 per cwt., that is to say, there is 75 per cent. of the duty already imposed on the article. If you go through the history of the sugar duty, you will find that, up till February, 1916, there was only 5 per cent. duty on sugar and this means about 8 or 10 annas per cwt., but later on, on account of the war and scarcity of sugar in the world, the price in the market went very high. Further, owing to the revenue requirements, the duty on sugar was raised as shown below. From 1902 to 1916, 5 per cent., from 1st March, 1916, to 28th February, 1921, 10 per cent., from 1st March, 1921, to 28th February, 1922, 15 per cent., from 1st March, 1922, to 31st May, 1925, 25 per cent., from 1st June, 1925, to 28th February, 1930, Rs. 4-8-0 per cwt. Later on on account of the Budget, they raised the duty to Rs. 6. Up till 1925, the production of sugar in the world increased, with the result that the price of sugar commenced to fall

On the 18th February, 1925, the Indian Tariff Amendment Act was introduced by the Honourable Sir Charles Innes, the then Commerce Member. In his speech, he cleverly pointed out the fluctuation of the sugar market, as well as revenue, on account of *ad valorem* methods, and made the House understand the difficulty of preparing the Budget. He also pointed out that Rs. 4-8-0 should be fixed so that this difficulty might be got rid of. The following is a part of the exact speech made by him on that date in the Legislative Assembly Debates 1925, Vol. V, page 1191:

"We decided therefore that the best plan would be more or less to stereotype the existing rates of duty. The rate of duty has averaged about Rs. 4-8-0 per cwt. in the last three years. In the year 1922, it was Rs. 6-9-0 per cwt., in the year 1923, it was Rs. 4/1 per cwt., in 1924, it was Rs. 4-7-0 and the present duty is Rs. 4/6 per cwt. We decided therefore that the best plan would be more or less to stereotype these rates and we are proposing a rate of Rs. 4-8-0 for Java 23 Dutch standard and over and a rate of Rs. 4 for sugar between 22 and 8 Dutch standard."

Sir, I am very sorry that at present I cannot produce the exact figures before the House about the sugar-cane cultivation in India, but I can assure the House that, within the time, that is from the year 1916 to 1930, the sugar duty increased from 5 per cent. to 75 per cent. This is about from eight annas per cwt. to Rs. 4-8-0 per cwt. But on the other hand, you can see from the reports that the sugar cultivation in India did not at all increase. Sir Charles Innes passed the Bill quietly then, and from that day, the sugar duty remains Rs. 4-8-0 per cwt., although the market went down terribly. It rose from 25 to 30, then to 60 and lastly to 75 per cent.

I shall now give the House, Sir, some figures about the cultivation of sugar in India. In 1916-17, the acreage under sugar-cane in India was 24,51,000, when the price of sugar was Rs. 14-12-0, and the duty, at 5 per cent., came to Rs. 0-11-9. In 1917-18, the acreage was 28,53,000 and the price of sugar was Rs. 16/4. In 1919-20, it was 26,84,000. In 1920-21 the acreage was 25,75,000. In 1921-22 it was 23,95,000 and the sugar rate was Rs. 32-4-0. I would inform the House that the sugar rate really went as high as Rs. 32-4-0, whereas the acreage went down. In 1922-23, it was 27,47,000 whereas the sugar market rate, *ad valorem*, was Rs. 26-14-0. In 1923-24, it was 27,29,000, whereas the sugar rate was Rs. 16-4-0. In 1924-25, the acreage went down to 25,32,000, whereas the sugar rate was Rs. 17-12-0. In 1925-26, it was 26,79,000, whereas the sugar rate was Rs. 17-8-0. In 1926-27, the acreage was 29,25,000 although the sugar market went down. That year the price was Rs. 14, including duty. In 1927-28, the acreage was 29,58,000 whereas the sugar market was between Rs. 10-8-0 and Rs. 11 without duty. In 1928-29, the acreage was 27,50,000 when the sugar market was only Rs. 9 without duty. This year, that is 1929-30, the acreage—I have no accurate figures—seems to be about 27,50,000 and the sugar market is only about Rs. 6-8-0 or Rs. 7 without duty. It will be seen that the sugar cultivation in India always depends on the weather and rain and such other things and not on the sugar market. Besides that, I want to say that, the sugar industry in India only started in 1917-18 when the sugar market was Rs. 37. Now, they have some mills in Cawnpore and they prepare sugar from *gur* which is not profitable. Lately some sugar mills started in Bihar and they are preparing sugar directly from cane. They are still preparing it, and they are going on in their own way.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): You have got a sugar industry in Madras

Haji Abdoola Haroon: May be. But I may tell my Honourable friend that, so far as white sugar is concerned, India is not producing more than 125,000 tons, whereas the imported sugar comes to about 1,200,000.

Mr. M. S. Aney (Berar Representative): Will the Honourable Member give us figures for the manufacture of sugar. He has been giving us the duties, as well as the land under cultivation. I want him to give us figures for the manufacture of sugar.

Haji Abdoola Haroon: I am sorry I have not got the figures at present with me. But I may remind my Honourable friend that, up till now, they have not been able to produce more than 125,000 tons of refined sugar by machines in India. I have already sent in two Resolutions, in 1928 and 1929, recommending protection for the sugar industry in India. But as my Resolutions did not find a place in the ballot, I could not move them in the Assembly. I also consulted Sir Godfrey Corbett on development of this industry.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

I think, Sir, the House will be aware of the appointment of a Sugar Committee by the Imperial Council of Agricultural Research. This Committee had begun their work and have also passed a Resolution to the effect that this question should be handed over to the Tariff Board to consider as to how the cultivation of sugar should be carried out, and the manner in which sugar produce could be increased. Till that Report comes out, I strongly oppose and urge that this new duty should not be levied. Supposing the House levies this new duty, namely, from Rs. 4-8-0 to Rs. 6, and supposing the Tariff Board, after a careful inquiry into the sugar industry, comes to the conclusion that some more protection is required, or if they say that no further protection is required and Rs. 6 is good enough, then of course the Government will say, the duty of Rs. 6 is quite good, but we have no spare money to spend on the development of the sugar industry, and therefore we are helpless. Sir, you might remember that a Sugar Committee was appointed in 1918 and the Report was published in 1920 or so. I do not know up till now what action the Government took on their recommendations. If anything has been done, I am not aware of it. If the Government are not prepared to spend any money for the proper development of this industry, what will be our position? We have already enhanced the duty from Rs. 4-8-0 to Rs. 6. As Honourable Members are aware, sugar is consumed by all classes of people, the poor, the rich and the middle classes. When such is the case, you must consider whether the Government are entitled to enhance the duty on a commodity which is consumed by all classes of people. The increase of duty on sugar at present from Rs. 4-8-0 to Rs. 6 would not at all increase in any way the sugar industry, but on the other hand, about Rs. 2½ crores would go to the Government's pocket and revenue, whereas the Honourable the Finance Member estimates it to be one crore and eight lakhs. I have carefully read the speech of the Honourable the

Finance Member, in which he refers to the increased duty on sugar. He explains to the House that the duties on sugar in most of the European countries and in the United States of America are on the same level as in India. I cannot understand the way in which the Honourable the Finance Member compares India with the richest countries in the world. India earns an income of two annas per day per head, whereas England's daily income per head is Rs. 2 and in the United States of America it is again about Rs. 4 per day per head. Of course I cannot speak about the income in France, Germany and other European countries. Although they are charging a heavy duty on sugar, yet, side by side, they are spending the money on sugar production, and they give enormous bounties to sugar refineries, cultivation and so on. Take for example, England, where, as my Honourable friend said, they are levying very heavy duties as compared with other European countries. Everybody will agree with this, but he has not shown us how these countries have been spending that income from the duties on sugar. For example, England is recovering from the people about 18 to 19 million sterling as sugar tax per year. I quote from circular No. 195-E./709 of 1930 from Pusa, a sugar institution which belongs to Government. This Report was an extract from the *Journal des Fabricants de Sucre*, dated the 1st February, 1930, published in Paris, which says:

"A revised supplementary estimate of a further £12,50,000 required for beet sugar subsidy was issued yesterday."

That is in England:

"The original estimate was £3,000,000 sterling, and the revised estimate of the subsidy in 1929 is £42,50,000."

I want to remind the House that England has recovered, as sugar duty, through the consumers, about 18 to 19 million pounds, whereas they are spending on sugar about four and a quarter million pounds. I want to inform these Benches that, even in the last ten or twelve years, the Government of India have been increasing the sugar duty by leaps and bounds from 5 per cent. to 100 per cent., and within the last three years, namely, in 1926-27, 1927-28 and 1928-29, the income from the sugar duty averaged 7 crores. How much have they spent on the sugar industry? Last year they recovered 8 crores and 35 lakhs, but how much have they spent on the sugar industry? According to the new duty, they probably recovered from the people of India about 12 crores of rupees, out of which the Honourable the Finance Member has very broad-mindedly sanctioned 10 lakhs. If this is to be the way, I am sure the Indian sugar industry cannot be revived in any way.

Sir, there may be some in this House who may say that I am a sugar merchant, and that is why I am opposing this. But I must make it clear to this House that I know very well, as an Indian, that in the whole world, up till 1912, India was the biggest producer of sugar. Of course within the last few years Cuba and Java have been and today are producing more sugar than India. I am proud to say that I am informed that India was the first country in the world to produce sugar-cane; and if this Government and we, the representatives of the people, try our level best to help the sugar industry according to our ways and means, as the modern Governments are doing, I can assure this House that, in five years, India will consume her own white sugar and stop importing foreign sugar.

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whereas in the next five years I am sure India can export one million tons to foreign countries. But if you only want a little help and you raise your duty from 5 per cent. to 100 per cent. and all that money goes to Government to be spent as they like, then I can assure you that you cannot increase your sugar duty at all. Sir, since 1920 every year, or for three or four years, we have been increasing the duty on sugar, whereas in England—I am sorry I have not got the figures at present with me—but in England they are reducing their sugar duty, and side by side, they are helping their own industry. I want to inform this House that, during the whole of its history until recently England never produced a ton of sugar. From 1926 they tried to help this industry, and they started this industry by giving big subsidies to the producer or refiner. For three years they cultivated and last year they produced 3,20,000 tons. If England, which formerly never in its history produced a ton of sugar, can produce 3,20,000 tons, why should India not produce two million tons a year if it is properly protected? Sir, I think you can very well understand that Indians are not rich, and it is not fair on the part of Government that 100 per cent. should be charged on a food article which is used by nearly all classes of people. I hear from my countrymen that, even in the olden days, that is in the darkest days of India, the rulers did not at all impose such a duty on any food article.

Owing to the fall in the prices of sugar, the sugar industry is now in a critical condition. I am aware that the industry had already suffered a good deal because it is hardly producing one ton of *gur* per acre, whereas Java can produce about 4½ to 5 tons of refined sugar per acre. Java can supply India with the cost of production and freight extra at Rs. 6 per cwt., that is to say, Rs. 4-8-0 per maund, whereas India cannot produce the same for less than Rs. 8-8-0 or Rs. 9 per maund. So I think it is fruitless for India to compete with the foreign countries at the present moment. The sugar industry cannot survive this, though zemindars, cultivators and refiners may find some sort of relief at present by the raising of the duty to Rs. 1-8-0 a cwt. It will not survive until and unless the Government of India come forward and introduce some measure, as was done in Java and Cuba, and the European Governments, that is to say, the economic and scientific and agricultural advice, subsidies, help, and so on. Taking these difficulties into consideration, I think this newly imposed duty cannot help the Indian sugar industry, but on the other hand will fill the Government's treasury in order that they can spend more money on extra wages in the Military Department, in paying high salaries to the high officials and in building huge, fine palaces, etc. I submit to the House that this newly imposed duty should be taken away.

Now I want to make clear what my amendment is: Paragraphs (2) and (3) of amendment 3 of Schedule I of the Finance Bill say that the duty on "23-Dutch Standard" and above is to be Rs. 6-0-0 per cwt. and on sugar inferior to 23-Dutch Standard it is to be Rs. 5-8-0 per cwt., whereas I want to substitute Rs. 4-8-0 and Rs. 4-0-0. That is for white refined sugar, Government propose a duty of Rs. 6-0-0, and I am proposing Rs. 4-8-0. For brown sugar, that is inferior to 23-Dutch Standard, but not inferior to 8-Dutch Standard, they charge Rs. 5-8-0, whereas for sugar inferior to 23-Dutch Standard but not inferior to 14-Dutch Standard, I am proposing Rs. 4. In changing this, I want to make clear some points, namely, that

sugar between No. 14 and No. 8-Dutch Standards cannot be consumed; this sugar is meant only for refining purposes. I have also suggested in clause (3) that the duty to be levied on sugar inferior to 14-Dutch Standard and not inferior to 8-Dutch Standard should be only Rs. 3, if imported for refining purposes. Sir, I want to draw the attention of the House to the fact that England which always used to import white refined sugar, lately reduced the duty on raw sugar to about 2s. 3d. per cent. That reduced the price of raw sugar. Therefore they are importing raw sugar from other countries and are refining it in their own country and consuming that sugar. On account of that, the sugar industry in England has revived, and today many thousands of people are getting employment. So if the Government take up this attitude in India also, and give proper protection and facilities to the sugar-cane growers, it will be a great source of help. I request the Government to allow this raw sugar to be imported into India. If they do so, there may be some people coming forward and having refineries in India, and thus it will be giving employment to many people. The Honourable the Finance Member knows that, from 1928, the British Government in England have introduced this system in England, and as a result of this, employment has increased, and so they charged 2s. and some pence per cwt. less than the refined sugar. Secondly, Indians can purchase sugar from the world-wide market and refine it in India for direct consumption. During the year 1928, the Java Sugar Trust had plenty of sugar, and they were aware that India was bound to consume their sugar. Therefore it was that they fixed 13 guilders (one-guilder is equal to Rs. 1-2-0) per 100 kilos for India, whereas they fixed 11½ guilders for the west of Suez. They have done an injustice to India by playing this trick and have taken away about 15 crores of rupees from India, because we cannot import raw sugar from Cuba for the purpose of refining it. Therefore we had to purchase Java sugar. According to my amendment to Schedule I, I think if you put the duty at Rs. 3 per cwt., the raw sugar, namely, Nos. 8 to 14-Dutch Standard, may be imported to India, and we can refine it here without allowing it to go into direct consumption. By this, India can increase her refining industry and also increase employment.

In paragraph 3 of the Finance Bill, it is stated that, on sugar below No. 8-Dutch Standard and sugar-candy the duty is 25 per cent. *ad valorem*, plus Rs. 1-8-0 per cwt. I agree with this suggestion, because I know that Java wants to export that sort of sugar to India and ruin the Indian production of *gur*. I want to tell the House that lately I saw a sample of that sugar, and I found that it could not be consumed directly. Up till now, they imported very little of that and I learn that that *gur* also is coming into India for refining purposes. If that is so, I am not in favour of putting Rs. 1-8-0 more duty on that *gur*. But if the Government have further information on the subject, then I must agree with them. Of course I do not oppose the duty on candy, because that is a rich kind of sugar, known as *misri*. But for *gur*, which is coming in for refining purposes, I do not advise the Government to charge Rs. 1-8-0 more.

Of course, I am feeling very much the fact that, till 1912, India was the biggest producer in the world in sugar-cane, and I am told that India was the first country to commence the production of sugar-cane growing in the world. As an Indian, I want this industry to be kept intact. I

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boldly say to these Treasury Benches that they have already snatched away between 8 or 9 crores of rupees in sugar duty by Customs, and they still want to snatch some more money in order to balance their Budget. This method can be of effect only for some years, say one or two years only, and later on they may come forward again with further taxation on sugar or something else. I assure that this will leave no scope behind for further taxation in India.

I wish to remind the House that I have today seen some old records in which I find the following figures. The Customs duty collected by the Government in:

1909-10 was Rs.	7,44,00,000.
1910-11	9,92,00,000
1911-12	9,70,00,000
1912-13	10,51,00,000
1913-14	10,29,00,000
1914-15	9,54,00,000
1915-16	8,91,00,000

whereas, in the present Budget, the Customs duty amounts to 55 crores. During the last 15 years it has increased from 9 crores to 55 crores. How can the people of this country pay this huge amount of duty? I cannot understand how the Government can get its money in the next two or three years, because the traders, the merchants and others will say that they are suffering from depression. If this taxation is further increased, I do not know whether India can stand it. Therefore it is a very wise plan for Government to reduce the military expenditure, the high salaries to the big officials, the creation of more and more appointments in the civil administration; also some of the extra charges incurred for buildings and other things. If these are not stopped by the Government, I do not think India can pay any more taxes. I know very well that this Government would not listen to these things, because I have read a chapter in the history of a great historical writer by name Ibne-Khaldoon, in which he says: how Governments are created and how they fall. He says that, if a new Government come into existence in any country, they have a small establishment, they impose a small amount of taxes and spend only a very small amount on the military and other expenditure in the beginning; but when they stabilise their Government and when peace and order reigns over the land, the officials become slowly luxurious, and they require more and more money. On account of this, they increase the taxes bit by bit, as I have illustrated in the case of the Customs tax, which has increased from 10 crores in 1915, to Rs. 55 crores now, with the result that the people become discontented. In order to put an end to their discontent, they increase their military forces and the police and so on. In order to balance this expenditure, newly incurred, they again have to rely on more taxes. The people at last become exhausted: they approach the neighbouring Government or nation to save them from this tyranny, and call upon the army of the land to do likewise. With the usual struggle and privation, they come out successful at last. Please compare your Government with this great historian's description and decide as you please.

But I may say that, whatever unrest is prevailing in this country at present, is only due to the Treasury Benches, and not due to the people. I think the future historian must decide whether the responsibility lies on the people or on the Government for whatever bloodshed or some other thing that might happen in the near future, but I for my part will say that it is only owing to the Government. With these remarks I am putting this amendment forward for discussion, and I hope at least Honourable Members on this side will consider twice before they decide to reject it.

Mr. Abdul Qadir Siddiqi (Central Provinces: Muhammadan): Sir, I rise to oppose the amendment. What I have to say is that my Honourable friend the Mover of the amendment has rather supported the case for Government than for his amendment. It will be found that, in 1913-14, the production of indigenous sugar or *gur* was 34 lakhs of tons, and at that time there were 26 lakhs of acres of land under sugar-cane cultivation. In 1927-28, as my friend has already stated—of course the acreage has been fluctuating, sometimes it has been high, sometimes it was reduced—but even in 1927-28 the production of *gur* was 32,08,000 tons.

Haji Abdoola Haroon: I never quoted any figure for 1913-14; I said something about the figures for 1923-24.

Mr. Abdul Qadir Siddiqi: I have no figures for 1923-24, but I have got figures for 1927-28. In that year the production of *gur* in India was 32 lakhs tons, acreage 29 lakhs.

(At this stage Mr. President resumed the Chair.)

So the problem is really a very important one, and it should be very carefully considered by the House. We all know that the price of *gur* has gone very low. It should also be remembered by the House that there is over production of sugar in the world nowadays, and an attempt has been made by all the countries to dump sugar wherever it can find its way. Most of the countries have protective duties, and some of the countries have enacted anti-dumping laws to prevent foreign sugar entering their own country. But none of these protective duties exist in this country to prevent foreign sugar entering our market, and the import of foreign sugar has been increasing. From the Government's Report for 1927-28 it will be found, that in 1927-28, the import of sugar increased by 23 per cent. in three years, and the result of it must naturally be that refined sugar, which is produced here, has to face very hard competition. The prices which are now prevailing are such that they not only affect the refined sugar which is being produced in India, but also affect the production of *gur*, which is particularly used by the poorer classes. Therefore, if this industry of *gur* and sugar production is affected by foreign competition, then we will find that the present acreage of 29 lakhs, which is always fluctuating, will be enormously reduced, and all that land will become useless, and lakhs of men, who are getting employment in producing *gur* or sugar, will lose their employment. Therefore, this problem is really very important, and it should be very carefully considered. Of course Government ought to have taken earlier steps to protect this industry, but they have so far done nothing of the kind till now. In 1920 the Sugar Committee was appointed, made investigations and submitted certain recommendations, but we do not find that anything has been done to develop the sugar industry or to protect the indigenous *gur* industry. They

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have been imposing certain duties for revenue purposes, and from the quantity of import of sugar which has always been increasing, it appears that they have had no effect on foreign sugar. The House should also remember the fact that the import of sugar is not more than one fourth the quantity of *gur* that is produced in this country. The sugar which is produced in India is not more than one lakh of tons. If proper care is taken, and the industry is properly developed, not only will our present production of sugar be maintained, but we will be able to produce as much sugar for the richer classes as is imported from foreign countries. The present duty, Sir, may have some effect, I mean some protective effect, and it may indirectly help the sugar and *gur* industry; but we cannot definitely say what effect it will have on the industry as a whole for the present. The Government should therefore refer the whole question to the Tariff Board and investigate it thoroughly and help both the industries of sugar and *gur*.

Haji Abdoola Haroon: Where will they get money from for that purpose?

Mr. Abdul Qadir Siddiqi: If my friend has no objection to it, it might come out of the income which they will get from the Customs duties on sugar, and that can be utilised for the development of the sugar and *gur* industry of this country. Let them also give bounties, but I cannot off-hand recommend anything to the Government unless the whole question is thoroughly investigated by the Tariff Board. But for the present, the duty which has been imposed by the Government, will certainly have some effect to protect the indigenous industry, and therefore I maintain that it should not be reduced. With these remarks, Sir, I oppose the amendment of my friend.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Sir, I regret very much that I do not find Sir Frank Noyce in his place, though the subject under discussion happens to come under his Department. It is really very regrettable that Government do not care to see the cultivators' point of view, and even in a manner like this, the Honourable Member in charge does not want to know what the opinions of Honourable Members of this House are.

Now, Sir, I do not know whether I should congratulate the Honourable the Finance Member for the imposition of this duty, or whether I should say that the Finance Member has succeeded in one way to keep away the protection proper to a certain extent, but at the same time he has given only a very small amount of that revenue duty for the improvement of the sugar industry. It is really very regrettable, Sir, that, out of one crore and 80 lakhs, the Finance Member has proposed to give only ten lakhs for the development of this industry, and this paltry sum cannot really improve the industry. This clearly shows that, at the time when the Finance Member thought of this duty, he had no definite idea that it should be given for the improvement and development of the indigenous sugar industry, otherwise he would certainly have found more money for the improvement of this industry. I may tell the House straightaway that India is one of those countries which was producing sugar in such enormous quantities that it was not only sufficient to meet the requirements of this country, but it was able to export the surplus quantity to other countries. But a time came when the people of other countries decided to give

bounties to sugar, and they began to dump their cheap sugar on to this country with a view to kill the indigenous sugar, and the Government of India, being interested in the countries which were manufacturing sugar outside, decided that India should remain a free trade country, and the result of it today is that we are in a very disgraceful position either as manufacturers or as growers. It is a very disgraceful thing that even by putting on a duty of Rs. 4-8-0 a cwt., we are quite incapable of competing with the imported sugar. This is all due to the fact that the Government of the country do not take any interest in the masses of this country (*An Honourable Member*: "Shame"), otherwise, with a duty of Rs. 4-8-0 per cwt., I daresay, as far as this sugar industry is concerned, it would have stood by this time on its own legs. I need not remind the House that, as far back as 1920, the whole question was investigated by a Sugar Committee, but the Government sat tight upon the recommendations of that Committee. They did not take any action on it. My friend Haji Abdoola Haroon wanted to move a Resolution. Unfortunately, on the day when the Resolution was to be moved he was absent, and I moved it in his place. The Government then told this House that the Royal Commission on Agriculture would report upon this question and their recommendations were awaited, and the whole thing was shelved for the moment. Though I persisted and said that the Royal Commission on Agriculture would not make any recommendations because sugar was not within their sphere of inquiry, I was told I was wrong, and that the Government had placed this matter before the Royal Commission for investigation. Now, what do we find? The Royal Agricultural Commission made recommendations for the formation of Boards for different crops, but they have not said a word about sugar. That also shows, Sir, how far the Government and the Royal Commission on Agriculture are interested in the improvement of the sugar industry of this country.

Sir, I am very thankful to the Mover of this Resolution, as he has expressed sentiments in favour of improving the sugar industry of this country, but I fear, Sir, I shall have to oppose his motion. Before giving my reasons, why this imposition of the duty is welcome, let me say a few words on the question raised by the Mover. He seems to be under the impression that, as the area under sugar-cane cultivation has not gone up, the imposition of the duty on sugar will not benefit the grower. Let me tell him that this impression is incorrect. The problem of the sugar industry does not lie in bringing a larger area under sugar-cane, but the real problem is to produce more from the area that we are already cultivating. The area under sugar-cane cultivation, which is about 29 lakhs, or which has varied from 23 to 29 lakhs of acres, is quite enough to produce enough sugar for this country. But the main point is that our production today is insufficient, and if we were to attempt to increase the tonnage of sugar per acre, the result would be that the production would be quite enough to meet the requirements of this country. ...

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): How will you be able to do it? By this increase of duty?

Mr. Mukhtar Singh: I shall come to that a few minutes later, and I shall show that this is not the way in which the sugar industry can be protected. Certainly, an increase of duty will be indirectly an advantage both to the grower as well as to the manufacturer, but I do not think that it will improve the condition of the sugar industry of this country. I was

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4 P. M. submitting, Sir, that the acreage is not the main point. According to the Sugar Committee's Report, if I remember aright, the tonnage per acre in India was considered to be 8 tons an acre, while in Java they found out that the tonnage of sugar-cane per acre was 36 tons. That is, it was about $4\frac{1}{2}$ times more than India was producing. In the meantime Java people have been able to produce 42 tons to an acre. It clearly means that there is a very big margin between 8 tons and 42 tons to an acre, and that will clearly convince my friend, Mr. Haroon, that, if we increase the tonnage of sugar-cane per acre, we shall be able to produce a sufficient amount of sugar which will not only be able to give us the entire amount needed for this country, but we shall also be able to export something outside. The main point then would be whether it is possible to increase the yield per acre from 8 tons to 42 tons.

Mr. President: That is not relevant to this amendment.

Mr. Mukhtar Singh: That will be relevant in this way. My friend Mr. Haroon, in submitting his motion, stated that, because the area under sugar-cane had not increased, therefore there was no necessity of imposing the duty. I am meeting his argument by saying that there is a likelihood of increasing the amount of tonnage per acre and then it will give more sugar, though the area remains the same.

Haji Abdoola Haroon: How are you going to increase the tonnage?

Mr. Mukhtar Singh: If my Honourable friend will refer to the reports of the different Agricultural Departments in the country, he will find that, by the introduction of new varieties of canes, the tonnage has increased by at least 100 per cent. (Interruption.) I was submitting, Sir, that it is a certainty that the increase in tonnage of sugar-cane per acre has gone up since the introduction of new varieties of canes, and we shall be able to produce more sugar-cane than we are producing today. My Honourable friend has stated that we are producing only 1,20,000 tons of sugar in this country, while we are importing more than 8 lakhs of tons from foreign countries, and therefore it is no good to impose a duty on sugar. I may remind my friend that, besides 1,17,048 tons of sugar, we are making 32,16,000 tons of *gur* and there is a very large amount of refined sugar produced under the indigenous manufacture. Unfortunately figures are not available as to how much sugar we are producing by the indigenous methods. So to compare 8 lakhs with one lakh will be a fallacy. When we are considering a question of this nature, we must take the total consumption, and if we do not take the amount of sugar produced by the indigenous method, the amount consumed will be something more than 40 lakhs of tons per year. As a matter of fact, the main point that we ought to consider would be whether the producer of *gur*, who is producing not less than 32 lakhs of tons every year, is to be protected. My Honourable friend has suggested that there should be created a third category and that refineries should get *gur* at a cheaper rate.

Haji Abdoola Haroon: Nobody in the world can compete with *gur* in India. Whereas the sugar market varied from 1901 to 1915, *gur* was at that time and is still at the same level.

Mr. Mukhtar Singh: I consider my friend is wrong. Two years before, Java could not manufacture *gur* and therefore there was no competition

with Java, but now things have changed. The Java people came to India, they studied the manufacture of *gur* in this country and consignments of *gur* are already reaching India.

Haji Abdoola Haroon: I want to explain that. My friend has stated that *gur* was not prepared in Java. There is some indigenous industry in Java, where they make *gur*. That was being exported to China and Japan for refining purposes. I have seen the sample. They are now sending it here for refining purposes and it does not compete with the *gur* here.

Mr. Mukhtar Singh: I do not understand what is the difference. My friend says that the *gur* that is imported into this country for refining purposes does not compete directly with the *gur* in this country. Even if I take it for argument's sake, then does it not compete with Indian *gur* directly? Any stuff which contains sugar competes directly with sugar produced in this country, and as it is at present, affects the price of *gur*, and as my Honourable friend himself admitted, there are a number of factories working in this country, there are a large number of refineries working in this country which want to produce sugar from *gur*, and for their sake he suggests that there ought to be a cheaper rate of duty on that kind of stuff. May I tell him that these factories consume the Indian *gur* for that purpose?

Pandit Nilakantha Das: The Honourable Member, Haji Abdoola Haroon, and the Government have no quarrel as to the duty on *gur*.

Mr. Mukhtar Singh: I do not know that. Clause 3 of the amendment says:

"Sugar, crystallised or soft inferior to 14-Dutch Standard but not inferior to 8-Dutch Standard if imported for refining purpose, Rs. 3, per cwt."

Haji Abdoola Haroon: That is not *gur*. That is raw sugar which is 96 per cent.

Mr. Mukhtar Singh: My friend can call it raw sugar as *gur* is not the technical word and *bura* sugar is the proper word to be used for that purpose. He wants a cheaper rate of duty for that purpose. What would be the result? The result would be that the refineries here would not consume Indian *gur*, but they would depend upon *gur* imported from Java.

An Honourable Member: It is raw.

Mr. Mukhtar Singh: You can call it raw. I think he used the word Muscovodos sugar. I was submitting, Sir, that the importation of any stuff which will be used by the refineries in this country will directly compete with the *gur* manufactured in this country and that will have a depressing effect. No doubt it will not hit directly the manufacture of sugar, but it will directly hit the small grower who manufactures *gur* in this country. From my point of view, I want that the farmers of this country should live, and in order to save them from ruin, I want that the importation of *gur*, or anything which can directly compete with *gur*, should be stopped altogether. It is with that idea that the Sugar Committee was appointed by the Bihar Research Council and it recommended that the import duty on *gur* should be levied at once, and that was approved by the Imperial Agricultural Research Council in December last, and it is in accordance with that that this duty has been raised.

[Mr. Mukhtar Singh.]

My Honourable friend Haji Abdoola Haroon said that Indians are not able to compete with the imported sugar, because they are mostly manufacturing sugar out of *gur*. But this is not correct. For his information I may tell him that the production of sugar direct from cane in 1924-25 was 9,21,950 maunds, while refined from sugar, it was 9,16,121 maunds, and in 1927-28, the sugar produced direct from cane was 18,45,752 maunds, and refined from sugar it was only 14,16,926 maunds. So as a matter of fact the amount of sugar refined from *gur* is going down and down every day, and the sugar produced directly from cane is going up and up every day. That clearly shows, Sir, that the new factories that are being set up generally manufacture their sugar directly from cane, and there is one very great difficulty in this country, on account of which the sugar factories which manufacture sugar directly from cane are not in a position to give better results. The question of transport is a very difficult problem in this country and especially when the transport is controlled by railways. I regret very much to say that it is a fact that, even when there are two factories working, one owned by a European and another by an Indian, the railways give better facilities to the European owned factory. When things like these have happened and are happening, you cannot depend upon railways for transport and there cannot be any cheaper way of transport than railways. The result is that it becomes very very difficult for factories to manufacture sugar directly from sugar-cane, and this is one of the reasons why people in India have to manufacture their sugar from *gur* rather than direct from cane, and it is on account of that, that the Sugar Committee pointed out that the Government of India should try and find out some other product which may be between sugar and *gur* and which may be used for refining purposes. But the Government of India have done nothing so far. Rather the expert opinion that was given, by the Members of the Sugar Committee, was that it was an impossibility, and there could not be found anything between *gur* and sugar. If the research departments of the Government of India had taken that recommendation seriously, it was possible that we could have found out some other stuff which could be used by these refineries and could very well be manufactured by the ordinary grower. But unfortunately this was not done. As I was submitting, Sir, this is one of the difficulties. There is another great difficulty and it is this. If the sugar-cane does not reach the sugar factory fresh, it gives a very low percentage of sugar, and it always happens that when sugar-cane is transported by railways the canes do not arrive fresh, and in that way . . .

Mr. President: The Honourable Member knows that this is not at all relevant to the amendment. I think it is high time that Honourable Members restricted themselves to amendments; otherwise there will be no end to this debate.

Mr. Mukhtar Singh: I submit, Sir, that my Honourable friend Haji Abdoola Haroon pointed out . . .

Mr. President: But two wrongs do not make one right. If the Honourable Member who moved the amendment was irrelevant, there is no reason why the speaker should also be irrelevant.

Mr. Mukhtar Singh: Then, I will leave that point, Sir. I may tell the House that the sugar industry has improved to a very great extent in this country, in spite of the apathy of the Government. From the

Sugar Committee's Report you will find that the percentage of sugar got in the different factories of this country was a bit above 5 per cent. In 1920 the sugar factories in India got 6.85 per cent. In 1927-28 they got 8.5 per cent. and in large factories they got 9.25 per cent., and in one factory the percentage of sugar got from cane was 10.3 per cent., while in Java the percentage of sugar got is about 11 per cent. So practically the efficiency of the sugar factories in India has reached the Java figure; and when we remember that the sugar-cane that we are producing is more fibrous than they are producing in Java, it will be quite clear that we have practically reached a stage when we can say that the sugar factories working in India are efficient. That clearly shows that it is quite necessary that some protection should be given.

I may tell this House what has happened in other countries. I am quoting the instance of Australia. In 1923 they prohibited the import of sugar. An Act was passed to remain in force up to 1929, but now they have extended the application of that Act up to 1934. In the meantime, they did not remain quiet. They appointed a Sugar-cane Price Board and a Sugar Board. Both these Boards decided at what rate sugar-cane should be sold; these Boards decided at what rate sugar should be sold, and the result is that the cost of production has gone down considerably. The same ought to have been done in this country. What has happened in this country is that the sugar-cane grower and the sugar manufacturer are not co-operating, and the result is that the sugar factories are not getting what they ought to have got. In considering the help to any industry, our main point ought to be whether it is likely that, at a future time, it is possible for that industry to stand on its own legs. And if we are quite satisfied that the sugar industry is likely to stand upon its own legs, Government should certainly help that industry. As I have stated, the sugar industry, in spite of the apathy of Government, has done a great deal, and if Government support that industry, it will be able to stand completely upon its legs in ten years. Unfortunately, the Finance Member has imposed a revenue duty, and I would have liked that the whole revenue duty had been a protective duty, so that the people in the country would have known that, at least for a few years to come, they were quite safe and they could start their sugar factories. What will happen now? The Finance Member has proposed an increase in revenue duty. It is possible that, next year, the revenue duty may not be required or may not be levied, and all these factories which come into existence in the meantime will have to suffer a loss. If the whole thing had been changed into a protective duty, it would have been done by an Act of the Legislature, and it would not have been within the power of Government to decrease that duty at their sweet will. And in consideration of the protection given by Government, private people would have established their own factories themselves. The Sugar Committee did not recommend the imposition of a sugar duty, but they asked for a reference to the Tariff Board, so that all these questions might be gone into and it might be decided in what way protection should be given to the sugar industry. I hope and trust that, by the increase in the import duty, Government are not shelving a reference of the matter to the Tariff Board. Rather, side by side with this, the question should be referred to the Tariff Board, so that an investigation might be made in the meantime, and the tottering condition of the sugar industry may be improved within a few years. If by reference

[Mr. Mukhtar Singh.]

to the Tariff Board it is found that protection is needed, protection should be given. Unless it is done on these lines, I am afraid the sugar industry, in spite of this duty, will not survive. Government have already lost ten years, and if they are going to lose a few years more, I am afraid at a time when the world production is much more than the consumption, the sugar industry will be doomed.

Referring to the *Trade Review*, Sir, you will be pleased to find that, in 1927-28, the sugar production of the world was 24,000,000 pounds, while the world consumption is considered to be only 23,000,000 pounds. When the world is producing much more sugar than it can consume, and India is the only country where this surplus can find a place, the result will be that we shall be very hard-hit. You will be pleased to find that we have proposed an increase in duty to the extent of Rs. 1-8-0 per cwt.; but if you refer to the prices of sugar, you will find that the price has gone up only by 12 annas. It means that Java can stand this duty, at least by half, very easily, and it will not be in any way a very great help to the industry.

There is one more point, Sir, which I consider to be very important. From the conduct in the past of the Java manufacturer, we have found that Java has given two different rates, one for India and another for Europe. That clearly shows that it wants the sugar industry here to become extinct. The monopoly will be in the hands of Java, and the result will be that the prices will go up very high, and at the same time the sugar grower will be very hard-hit, especially at a time when there is no other valuable crop, or as we call it, cash crop, left. Sugar-cane growing is the only cash crop, so far as the United Provinces and the Punjab are concerned, and if the sugar industry is ruined, the natural result will be that, not only will the sugar-cane grower be hard-hit, but the revenues of Government, which are mainly drawn from irrigation and land revenue in the United Provinces, will be seriously affected.

With these words, I oppose the motion, and I hope the House will consider that, at least a small duty, which will indirectly give a small protection, should be imposed.

The Honourable Sir George Schuster: Sir, I listened with very great interest to the speech made by the Honourable the Mover of this motion, and I must congratulate him on having got together such an interesting lot of information. Since then, we have had two very able speeches opposing my Honourable friend's motion, and I feel that the case against the motion—which I also must oppose—has been so very ably put, that I myself am left with very little to say. My Honourable friend Haji Abdoola Haroon, as far as I can summarise his speech, seemed to me to make two points. His first and his substantial objection to the proposal which Government have put forward was, as I understood it, that he objected to this measure of additional taxation because it was not balanced by a corresponding expenditure on the development of sugar production in India. I think I must be right in so interpreting him, because, last year, he himself put down a Resolution proposing that the duty should be increased practically in exactly the way in which we are now proposing an increase, and he added to this, the proposal that a corresponding amount should be spent on the development of the sugar

industry. Now, Sir, if I am right in my interpretation of him, I think, that by itself answers a great part of his argument. That is to say, it answers all that part of his argument which was based on objections to so high a rate of duty. His objection is not to the high duty in itself, but rather to the failure of the Government to put forward proposals for spending something like two crores this year on the development of the sugar industry.

The second part of his speech, as far as I can put it shortly, dealt rather with the details of his proposals, the variations in the rate of duty which he has proposed in order to encourage the development of the refining industry in India. I should like to make clear what is the Government's position in this matter. I think I am entitled to say that there is every probability that a Tariff Board inquiry into the sugar industry will be held in the course of the next 12 months. Pending such an inquiry, the Government can only deal with sugar duties from a revenue point of view. There were certain changes in the classification of sugar which we should have, for administrative reasons, been glad to introduce this year; but, pending the Report of the Tariff Board, we thought it better to leave the existing classification undisturbed and merely to propose an all-round increase in the duty of all three grades. That is our reason for being unable, at the present moment, to consider such alterations of detail as my Honourable friend proposes.

Coming, Sir, to the speech to which we have just listened, made by my Honourable friend, Mr. Mukhtar Singh, he is, I am glad to find, on my side in this matter in supporting our proposals for an increased duty. But he also had a complaint to make that the Government were not proposing to allocate a sufficient amount for expenditure on sugar measures this year. I should like to put it to him that, even when we are considering such valuable expenditure as the encouragement of sugar growing, there is just the same need for economy and careful consideration of how the money is to be spent as when it is being spent on such unpopular subjects as salaries for high officials. Actually the proposals which are before the Department of Education, Health and Lands can be amply met from the sums which we are providing this year, namely, the 10 lakhs which is being specially voted for sugar measures which could also be supplemented by money which has been already voted for agricultural research.

Finally I should like to say one thing in conclusion, and this is all that I need say. I wish this House to take our proposals in respect of sugar this year as a first step in a definite policy. The step perhaps does not go very far, but if, as a result of the Sugar Committee's inquiries, and if as a result of the work of the Central Council of Agricultural Research, or again as a result of the Tariff Board inquiry, we find that further measures are necessary, it is certainly the intention of the Government that they should be proceeded with. I am full of hope myself that, if things go well, we shall find ourselves next year with some margin for further expenditure without the imposition of additional taxation. At present, we are carrying our proposals as far as we think it right to go, because we are providing money for all those schemes which are already ripe for being taken up. But that is not the end of the matter, and, therefore, I can confidently commend our proposals, so far as they concern sugar policy, to the support of this House.

(Mr. Muhammad Yamin Khan rose to speak.)

Mr. B. Das: Sir, how can he speak now? I was not allowed to speak on a very important issue to my party.

Mr. President: What is the complaint of the Honourable Member?

Mr. B. Das: I was not allowed to speak on the other motion—where a Member of my party was attacked.

Mr. President: I simply made an appeal to the Honourable Member which I am going to make now to other Honourable Members. The Honourable Member was good enough to accede to my request then and I hope other Honourable Members also will do the same now. I think the Honourable Members will now allow me to put the question. The question is:

“That for the proposed amendment No. 3 in Schedule I to the Bill the following be substituted :

‘3. For Item No. 34 of Schedule II, the following shall be substituted, namely :

			Rs. A.
34	Sugar, excluding confectionery (<i>see</i> No. 124)—		
	(1) Sugar, crystallised or soft 23 Dutch Standard and above.	Cwt.	4 8
	(2) Sugar, crystallised or soft inferior to 23 Dutch Standard but not inferior to 14 Dutch Standard.	Cwt.	4 0
	(3) Sugar, crystallised or soft inferior to 14 Dutch Standard but not inferior to 8 Dutch Standard if imported for refining purpose.	Cwt.	3 0
	(4) Sugar, below 8 Dutch Standard and sugar candy.	<i>Ad valorem</i>	25 per cent. plus one rupee and eight annas per cwt.
	(5) Molasses	<i>Ad valorem</i>	25 per cent.’”

The motion was negatived.

(Rai Bahadur S. C. Dutta rose to move his amendment No. 16.)

Mr. President: The Honourable Member has lost his opportunity. He was called upon and he said he did not want to move it.

Rai Bahadur S. C. Dutta: I thought that Haji Abdoola Haroon was to move his amendment first and then I had to move mine.

Mr. President: If I remember aright, when the Honourable Member rose I asked him whether he wanted to move his amendment and he said, “No”.

Mr. Fazal Ibrahim Rahimtulla: That was amendment No. 14. This is another one.

Mr. President: I do not know.

Rai Bahadur S. C. Dutta: This is my time to rise.

Mr. President: This is not your time. The Honourable Member's amendment is No. 15 and he was called upon. Perhaps the Honourable Member was not in the House then.

Rai Bahadur S. C. Dutta: I was in the House.

Mr. President: Then why did not the Honourable Member rise?

Rai Bahadur S. C. Dutta: Because the understanding was that Haji Abdoola Haroon was to move his amendment first.

Mr. President: There was no such understanding.

Rai Bahadur S. C. Dutta: He was to move the lower duty and I was to move the higher duty.

Pandit Nilakantha Das: According to the proper order, his amendment should come after Haji Abdoola Haroon's amendment. Haji Abdoola Haroon wants to reduce the duty more than he.

Mr. President: It is not for the Honourable Member to decide the proper order.

Mr. M. S. Aney: Is it not the right of an Honourable Member to make a suggestion for your consideration?

Mr. President: Does the Honourable Member consider his amendment of sufficient importance that I should allow him to move it at this stage?

Rai Bahadur S. C. Dutta: Yes, Sir.

Mr. Muhammad Yamin Khan: Is it necessary for an Honourable Member to convince the House first before he moves his amendment?

Mr. President: The Honourable Member knows that the Honourable Member has lost the right, and it is out of mere courtesy that the Chair is prepared to allow him if it is of great importance. Mr. Satis Chandra Dutta.

Rai Bahadur S. C. Dutta: Sir, I move the amendment which stands in my name and which is as follows:

“That for the proposed amendment No. 3 in Schedule I to the Bill the following be substituted :

‘3. For Item No. 34 of Schedule II, the following shall be substituted, namely :

			Rs. A.
34	Sugar, excluding confectionery (<i>see</i> No. 124)—		
	(1) Sugar crystallised or soft 23 Dutch Standard and above.	Cwt.	5 0
	(2) Sugar, crystallised or soft inferior to 23 Dutch Standard but not inferior to 8 Dutch Standard.	Cwt.	4 8
	(3) Sugar, below 8 Dutch Standard and sugar candy.	<i>Ad valorem</i>	25 per cent.
	(4) Molasses	<i>Ad valorem</i>	25 per cent.

[Rai Bahadur S. C. Dutta.]

Sir, I want the House to consider what will be the effect of an import duty on an article which is also partly produced in this country. The price will certainly increase, not only of the article which is imported, but also of the article which is produced in the country. When the consumer purchases the imported article, the duty that is imposed goes to the State, but when the consumer purchases the article which is produced in the country, that portion does not come to the Government treasury, but goes to the producer. Where the production of an article in the country is considerable—and in the case of sugar there is a considerable production of an indigenous character in this country—and if we take *gur* along with sugar, as there is a reaction of prices between sugar and *gur*, as adverted to by my Honourable friend Mr. Mukhtar Singh, the disparity between the quantity imported and the quantity produced in the country is much more, and the result in loss to the consumers is much more than the gain to the treasury. Only a very small portion of the amount paid by the consumer comes into the Government treasury. Now this is a very serious evil. On account of some import duty on an article on which there is no countervailing excise duty all of what the consumers pay do not come into the Government treasury. This evil has to be guarded against. The evil can be tolerated only where a case for protection is made out. Now if we are to consider the effect of an import duty from the point of view of protection of the indigenous industry, we have to consider whether a case has been made out that the industry requires protection and that the industry is in a position to profit by the protective duty.

Sir Cowasji Jehangir: I rise on a point of order, Sir. Is the Honourable Member in order in placing before the House arguments against his own amendment?

Rai Bahadur S. C. Dutta: My point is, Sir, that Government do not justify the duty on the ground of protection; they want it on the ground of revenue. It is rather a matter for congratulation that the Government want to help the industry in some other way, Sir, for which provision has been made in the Budget. What I put to the House is that, when the object is not protection, but one of revenue, then it is an evil that, out of the amount contributed by the consumers, only a small portion comes to the Government coffers. This should never happen, and from this point of view I urge that when an import duty is to be levied without a countervailing excise duty on an article largely produced in the country, the import duty should never be high; and therefore I propose to raise the import duty from Rs. 4/8 to Rs. 5/- and from Rs. 4/- to Rs. 4/8, while the Government want to increase the same up to Rs. 6/- and 5/8. What I say is that if there is really any need for increased revenue, there should be only a slight increase, and my proposal would not hit any of the existing interests, for I do not propose to lower the existing duties, but only to raise them slightly. I also wish the House to bear in mind that such an increase as the Government propose is not justified for purposes of revenue. If the duty is much higher, then it may affect consumption and reduce the income. From that point of view, I submit that my amendment may be accepted by this House.

Mr. President: The question is:

"That for the proposed amendment No. 3 in Schedule I to the Bill the following be substituted:

3. For Item No. 34 of Schedule II the following shall be substituted, namely:

		Rs. A.
34	Sugar, excluding confectionery (<i>see</i> No. 124)—	
	(1) Sugar, crystallised or soft 23 Dutch Standard and above.	Cwt. 5 0
	(2) Sugar, crystallised or soft inferior to 23 Dutch Standard but not inferior to 8 Dutch Standard.	Cwt. 4 8
	(3) Sugar, below 8 Dutch Standard and sugar candy.	<i>Ad valorem</i> 25 per cent.
	(4) Molasses	<i>Ad valorem</i> 25 per cent."

The motion was negatived.

Mr. W. S. Lamb: Sir, may I be permitted to move my amendment to item 4 of Schedule I?

Mr. President: Have copies been supplied to Honourable Members? The Honourable Member wants to move the following amendment:

"That item No. 4 in Schedule I to the Bill be omitted altogether and that the subsequent items be renumbered accordingly."

Mr. W. S. Lamb: Sir, I rise to move the amendment which you have just read to the House. This item No. 4 concerns the proposal of Government to reduce the import duty on kerosene imported into India. Sir, the recent debate on clause 7 is very closely allied to this motion of mine, and, therefore, particularly as I desire to speak of the smaller companies, I may be permitted to refer to one or two points made by the Honourable the Commerce Member. I do not propose to attempt to deal with my friend Sir Purshotamdas Thakurdas. If I had sat in my place here when I first came to the Assembly some four years ago, and heard his thundering directed at me, I should have been awed. As it is, in all these years I have learnt that the Honourable Member is not unwilling to lend his eloquence to causes of which he knows very little. Regarding his particular attack on this group, I will say nothing, but merely that he may consider, when he sees the official report tomorrow morning, whether he is happy to think that such language is on record and whether it is worthy of the position he desires to hold in this House and in the country.

Now, Sir, with regard to the Commerce Member . . .

Mr. President: More or less the same thing.

Mr. W. S. Lamb: I desire to reply to one or two points raised by him. I had no opportunity of doing so, and it is germane to my present motion . .

Mr. Vidya Sagar Pandya: How is it germane?

Mr. W. S. Lamb: If you will wait a little you will see how it is germane. Sir, the Honourable the Commerce Member said something about the smaller companies. He said that if the price, as we are told, is going up, they will recover the duty. The situation is this. The Burmah Oil Company or the Burmah Shell Company control the prices in India. As the House knows, I think, a certain proportion of the oil they sell is foreign

[Mr. W. S. Lamb.]

oil, and they will get a certain proportion of the 15 lakhs remission if this proposal is accepted, so that if the prices are increased, as I think they will be, they will not be able to increase them to the full extent of the four annas which have now been put upon a unit. That is, the price may be increased by 2 annas or $2\frac{1}{2}$ annas, and the smaller companies will recover only that amount; that is, all the oil sold by them is indigenous oil and therefore they will have to pay four annas extra and receive only Re. 0-2-6, so that, assuming the price is raised in that way, on their sales, they will lose 0-1-6 or Re. 0-2-0 per unit. That is one point.

Now, Sir, the Honourable the Commerce Member seems to make somewhat of a fetish

Mr. M. S. Aney: Will the Honourable Member tell me what percentage of the oil sold by the Burmah Oil Company is foreign oil?

Mr. W. S. Lamb: I have not got the exact figures, I could not tell you that. The point I was making is this. The Honourable the Commerce Member seems to make somewhat of a fetish of the difference between the prices of inferior oil and superior oil. He suggests that 8 annas is very small. Actually, before the war, when I myself had something to do with kerosene sales, the difference between the two qualities was not more than Re. 0-4-0 and Re. 0-6-0, so that I do not quite understand why he should place so much significance on this difference of 8 annas.

Then again the Honourable the Commerce Member appears to believe that refineries in India are compelled to produce this inferior quality of oil. Sir, at one time that was so, and it was quite a good thing that India could take it. But nowadays there is no reason why they should continue to make that quality, because by a recent process invented called "cracking", we are able to make petrol and white oil out of it, and if because of Acts of this House, India will have to go without this cheap inferior kerosene, it will have to pay much more for the superior kerosene oil.

With regard to this motion, Sir, I should like to put to the Finance Member and to the House that, as things are at present, the import duty has not prevented foreign oil from coming into India. As the indigenous oil has decreased, the foreign oil has increased, so that really I see no reason whatever why the Honourable the Finance Member should give away 15 lakhs.

I would, then, suggest to him and to the House that they accept my motion and that the Finance Member may retain this 15 lakhs, so that later on, when difficulty arises, he might give some help and assistance to the smaller companies. As I have suggested, and as is possible, we are threatened with a very severe war of rates. I am not pleading for the Burmah Oil Company, I am pleading for the smaller companies, and if, as is possible, they are driven to the wall, I think the Finance Member might very well contemplate the putting by of some money, such as this 15 lakhs, so that he might possibly apply it to some scheme for the relief of the smaller oil companies.

Mr. President: The question is:

"That in Schedule I to the Bill the proposed amendment No. 4 be omitted altogether and that the subsequent amendments be renumbered accordingly."

The motion was negatived.

Mr. President: Mr. Rahimtulla.

Mr. B. Das: Sir, as there is a meeting of the Empire Parliamentary Association at 5 P.M., might I suggest that the House might adjourn now?

Mr. President: Public business has precedence over all other business.

Mr. Fazal Ibrahim Rahimtulla: Sir, I beg to move that:

"In Schedule I to the Bill, the proposed amendment No. 5 be omitted and the subsequent amendments be renumbered accordingly."

Sir, I do not wish to take up the time of this House by making a long speech on this question. The question is of very great importance and has been engaging the attention of the country for a long time. This question, Sir, was debated in all its aspects at the recent meetings held on the 14th, 15th and 16th February, 1930, of the Federation of Indian Chambers of Commerce and Industries. The Resolution at that meeting was moved by Mr. Chunilal Mehta and it was to the following effect:

"The Federation views with alarm the serious depreciation in the value of silver caused by Government sales which has seriously affected the value of the savings of the masses in India. The Federation considers it imperative that the Government of India should stop the sales of silver."

Whilst dealing with this question, Sir, Mr. Chunilal Mehta also adequately dealt with the question of the import duty, which is detrimental to the country and which the Honourable the Finance Member has now introduced. He says that, "From certain quarters suggestions have come that import duty should be imposed on silver". Gentlemen, let me say that the remedy is worse than the disease. The imposition of an import duty on silver will fictitiously raise the internal price of silver, but the external price will decline to an extent from which the white metal could never recover. India is vitally interested in high prices of silver in the international market, even if we are to adopt Gold Standard.

The Government of India, in their memorandum submitted to the Currency Commission, had suggested an import duty on silver. The Currency Commission, while rejecting the suggestion, observed as follows:

"In our opinion however the efforts to maintain the domestic price of silver, that is by import duty, irrespective of world price, would probably fail. There has always been a considerable trade in silver over the land frontiers of India: and apart from the difficulties of attempting to exclude a valuable metal from a wide frontier, if people who are accustomed to do that trade were to find that the value of silver in the outside world was very much below the value in India, it would probably affect confidence in the value of silver in India itself. In the case of an article which like silver is largely kept as a store of value, the influence of opinion on its value is extremely important."

In the light of what the Currency Commission has said it is clear that import duty on silver is both inadvisable and detrimental.

Now, Sir, I will come to the speech of the Honourable the Finance Member in dealing with this question. The reasons why he wished to introduce it were two. The first was this:

"I consider, however, in the special circumstances now prevailing, that it is on every ground desirable to have some margin of safety, taking into account the uncertain prospects which we have before us and taking into account also the paramount importance to which I have already referred, of improving our credit by displaying a strong financial position to the world."

[Mr. Fazal Ibrahim Rahimtulla.]

The second point was this:

"I am prepared to say that we have a very special purpose in mind for the application of that surplus. We regard this duty, principally in fact, as a measure which will give us a margin of revenue from which we shall be able to make a distribution to provinces after the forthcoming statutory revision to give them the funds which they require for nation building services."

Now, Sir, these are the two objects which the Honourable the Finance Member has in view in introducing this duty. A friend of mine, a very influential man in Bombay, on hearing this point, has informed me to this effect, and I think it is very important because he is actually in a position to give an opinion on this subject. He says:

"Regarding the merits of duty on silver, it amounts to robbing Peter to pay Paul. It is really a misfortune that the unrepresented masses who are actual consumers of silver will have to pay over a crore of rupees more for their silver which in the ordinary course would cost so much less. I do not understand what earthly good the artificial high rate of silver is to do to the country or to the farmers. Contrastly, the Chinese Government only recently have issued a statement that no duty or restrictions will be imposed on the movement of silver. China is holding many times more silver than the Government of India or the combined British Empire."

I am told, and I think I may be voicing the feelings of many here, that the duty has been imposed in order to keep up the ratio of 1s. 6d. I do not know how far that statement is correct, but rumours are to that effect. I do not know whether my Honourable friend the Finance Member had realised the disastrous effect of this import duty on the masses of India. I think my friend, Sir Purshotamdas Thakurdas put the whole thing in a nutshell, and he has pointed out the disastrous effect it will have on the masses of India. He said:

"With regard to the disposal of silver about which Mr. C. B. Mehta gave certain figures; he said that 8 crores worth of silver has been sold and 2 crores has been added to gold and therefore 6 crores have disappeared. If the Government wish to persist in this policy, I should like to know what happens in a private household. A private household which has gold ornaments and silver utensils, when it is badly shaken, what do they do? Part with silver utensils worth Rs. 5,000 or 50,000 or 20,000 according to the position of the man. The next thing is the jewellery and in the case of India it will be gold. Government have begun to part with India's silver. If they sold silver because they felt that India did not want it and if they had put it in some more useful way, namely, gold or gold securities which bring interest, one can understand it. But Government are parting with our silver for good, selling it off. It is true for a time they convert it into gold securities and a few weeks later hand them over to the Secretary of State for India. That is the weakest aspect of the currency operations during the last two years. One cannot help sympathising with the Honourable Member for his having to step into the legacy which he has had to inherit. However, I do feel that we are entitled, in the friendliest spirit, to tell him that we desire him to desist from his present policy and stop frittering away India's gold and silver, in the pursuit of not the 1s. 4d. ratio which he called the will-o-the-wisp but the 1s. 6d. ratio which may turn out to be the mirage."

I wish, Sir, the Honourable the Finance Member, when he arrived in India, had not made a hasty statement which we all regretted at that time, namely, that so long as the Honourable the Finance Member remained in office, he would not look at the question of considering the revision of the ratio. He also made this emphatically clear at the meeting of the Federation of the Indian Chambers. I hope, Sir, he will consider that most of the troubles in this country are due to this ratio question. I assure him, Sir, that the Imperial Preference questions, which have been

debated in this House, would not have been debated had it not been for the 1s. 6d. ratio. If you were to revert to the 1s. 4d. ratio, the textile industry in India would not need protection, and the question of Imperial Preference would therefore not arise. We are well aware that the Government want to do the right thing in the wrong way. They always give us a choice, but the choice is made in such a manner that we are made helpless.

Mr. President: All the same they do the right thing.

Mr. Fazal Ibrahim Rahimtulla: But in the wrong manner. If they want to give protection to the textile industry, that is the right thing, but they do it in the wrong manner by introducing Imperial Preference and raising a controversy in this House and outside as to how our position should be towards India, towards Parliament, towards British India and the Round Table Conference. If they want really to help this country, the remedy lies in the 1s. 4d. ratio, and I hope the Honourable the Finance Member will still reconsider his former position in the light of what is happening in this country, and stop further ruination and the disastrous effect of the 1s. 6d. ratio.

Mr. President: If no other Honourable Member wishes to speak, I shall call upon the Honourable the Finance Member to speak.

Sir Purshotamdas Thakurdas: Is it necessary always that we from this side should speak before the Honourable the Finance Member speaks? I think one would like to hear what the Honourable the Finance Member has to say.

Mr. President: Perhaps the Honourable the Finance Member might like to hear what other Honourable Members have to say.

The House stands adjourned till tomorrow morning Eleven o'clock.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 22nd March, 1930.



LEGISLATIVE ASSEMBLY.

Saturday, 22nd March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Mr. David George Mitchell, C.I.E., M.L.A. (Legislative Department: Nominated Official).

QUESTIONS AND ANSWERS.

QUALIFYING EXAMINATION FOR DEPARTMENTAL CANDIDATES HELD BY THE PUBLIC SERVICE COMMISSION.

763. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that the Public Service Commission, on taking over the recruitment of the clerical staff of the Government of India Secretariat and its attached and subordinate offices recommended a thorough revision of the existing system of recruitment and that, on the recommendations of the Commission, a Committee was constituted to examine the question on which all Departments were represented?

(b) Is it a fact that this Committee, among other things, recommended that, before the new system of recruitment was introduced, the existing members of the staff should be given an opportunity to qualify themselves for higher grades and that an examination for this purpose should be held on the same lines as the previous qualifying examinations held by the Staff Selection Board?

(c) Is it a fact that the examination recommended by the Committee of departmental representatives was held in November last?

(d) Is it a fact that the Commission, while calling for lists of candidates for the examination from departments, notified to the effect that the examination would be held on the same lines as the previous qualifying examinations?

(e) Is it a fact that, in the qualifying examination held by the Staff Selection Board, candidates were required to obtain certain percentages of total marks in the aggregate only and not in each paper of the written examination?

(f) Is it a fact that, even in the case of superior services examinations held by the Public Service Commission the results are based on the aggregate marks obtained by candidates?

(g) Is it a fact that, contrary to past practice, and notwithstanding their promises, the Public Service Commission prescribed percentages of marks varying between 40 to 70 per cent. to be obtained by candidates in each subject separately?

(h) What percentage of candidates was declared successful for each division?

(i) If the reply to part (g) above is in the affirmative, in how many cases were candidates obtaining more marks in the aggregate declared to have failed (1) for the first division, (2) for the second division, while those obtaining lesser marks were declared successful?

(j) Is it a fact that this was the last qualifying examination for departmental candidates and that those who have failed will have no prospects of promotion to higher grades except in rare cases in which the Commission may grant exemptions?

(k) If so, will the Public Service Commission be prepared to reconsider the results of the examination and declare more candidates as qualified, basing their results on the aggregate marks, qualifying limits being the same as were fixed for the examination held by the Staff Selection Board in 1920?

The Honourable Sir James Crerar: (a) Yes.

(b) The Conference recommended that one more opportunity of qualifying should be given but proposed that the standard adopted should be fairly high.

(c) Yes.

(d) The Commission stated that the subjects for the examination would be the same as in previous years but no standard of marking for securing success was notified.

(e) Yes.

(f) The Public Service Commission have power under several of the Regulations for the Superior Services to determine the qualifying mark in all or any of the subjects of examination.

(g) and (i). I have no information on these points.

(h) First Division 4 per cent.

Second Division 20 per cent.

Third Division 91 per cent.

(j) Yes.

(k) The Public Service Commission do not propose to reconsider the results of the examination as they think that it would be contrary to public interest to lower the standard required for qualifying.

CONVICTION OF SARDAR VALLABHBHAI PATEL.

764. *Pandit Madan Mohan Malaviya: (i) Will the Honourable the Home Member state:

(a) if in the information which the Bombay Government sent him in reply to my question under what section or sections Sardar Vallabhbhai Patel had been convicted and imprisoned, they had stated under what section the Sardar had been convicted and imprisoned;

(b) if so, why the Honourable the Home Member did not communicate the information to me in the letter which he was good enough to send me?

(ii) Is it a fact that:

(a) a notice having been issued to the Sardar under section 42 of the Bombay Police Act, he could only be convicted under section 68 of the said Act; and

(b) that the maximum punishment provided for disobeying an order under section 42 of the said Act is a fine, which may extend to Rs. 200 and no imprisonment?

(iii) Is it a fact that Sardar Vallabhbhai Patel has been convicted and imprisoned under section 71 of the said Act?

(iv) Do Government realise that the conviction of the Sardar under section 71 of the said Act and the sentence passed on him of imprisonment for three months and a fine of Rs. 500 are utterly illegal?

The Honourable Sir James Crerar: (i) (a) and (b). The information received on this point from the Government of Bombay reached me after I had written to the Honourable Member.

(ii) (a) and (b). As I explained in the course of the debate on the motion for adjournment, an order was served on Mr. Vallabhbhai Patel under section 42 of the Bombay District Police Act, but as he was about to act in contravention thereof, action was taken under section 54 of the Act. Disobedience to any direction under section 54 is punishable under section 71 of the Act.

(iii) Yes.

(iv) I can find no ground for such a view which is, however, a matter for judicial decision.

RACIAL DISCRIMINATION BETWEEN THE INDIAN AND ANGLO-INDIAN APPRENTICES IN THE KHARAGPUR WORKSHOPS.

765. *Mr. S. C. Mitra: (a) Has the attention of Government been drawn to the article headed "Bound apprentices in Kharagpur Workshop" published at page 126 of the "Bengal Nagpur Railway Employees' Journal" of February 1930?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state whether the facts of racial discrimination mentioned therein are correct? If so, do Government propose to remove the racial distinction between the Indian and the Anglo-Indian apprentices in the Bengal Nagpur Railway Workshops?

(c) If the answer to part (a) be in the negative, do Government propose to inquire into the allegations contained in the article mentioned in part (a) above and to state whether the allegations are true, and if so, do they propose to remove them? If not, why not?

Mr. A. A. L. Parsons: (a) Yes.

(b) and (c). I have called for a report from the Agent, Bengal Nagpur Railway and will communicate with the Honourable Member when it is received.

HILL SCHOOL ALLOWANCE FOR BENGAL NAGPUR RAILWAY EMPLOYEES.

766. ***Mr. S. C. Mitra:** (a) Has the attention of Government been drawn to the article "The Hill School Allowance" published at page 127 of the "Bengal Nagpur Railway Employees' Journal" of February 1930?

(b) If the answer to part (a) be in the affirmative, do Government propose to redress the grievances of the Indian employees mentioned therein?

(c) If the answer to part (a) be in the negative, do Government propose to inquire into the difficulties of the Indian employees in matters of the education of their children as alleged in the article referred to in part (a) above, and will they be pleased to state whether the hardships are true, and if so, do they propose to remove them by suitable hill school allowances like those granted to the Anglo-Indian employees? If not, why not?

Mr. A. A. L. Parsons: (a) Yes.

(b) and (c). As the Honourable Member is no doubt already aware, the revised general policy formulated by the Government of India to govern the grant of assistance to railway employees of State-managed railways for the education of their children is free from racial discrimination, and provides for the grant of assistance, subject to certain restrictions, to the children of employees who are sent to hill schools. The detailed rules to give effect to the general policy are still under the consideration of Government and when they are issued, Company-managed Railways, including the Bengal Nagpur Railway, will be invited to revise their rules on the model of the rules prescribed for State-managed Railways.

NEW JAIL RULES.

767. ***Mr. S. C. Mitra:** (a) Is it a fact that a new set of jail rules has been framed by the Government of India for the classification of the different classes of prisoners?

(b) If so, will Government be pleased to state when they were recommended to be brought into force by the Local Governments?

(c) Is it a fact that those rules have not yet been enforced in the Bombay Jails as has been made public in connection with the incarceration of Sardar Vallabhbhai Patel in the Sabarmati Jail?

The Honourable Sir James Crerar: (a) New principles have been laid down by the Government of India. The rules themselves will be framed by Local Governments where necessary under section 60 of the Prisons Act.

(b) I would invite the Honourable Member's attention to the communiqué issued by the Government of India on the 19th February. The Honourable Member will observe that Local Governments were asked to give immediate practical effect to the changes proposed, so far as possible, pending the formal amendment of the rules.

(c) No, Sir. Sardar Vallabhbhai Patel has been allowed all the privileges of an A class prisoner.

ADJUSTMENT OF CUSTOMS DUTIES BETWEEN THE GOVERNMENT OF INDIA AND INDIAN STATES.

768. ***Rai Bahadur S. C. Dutta:** (a) Have Government any intention to appoint a committee to inquire into and report upon what equitable adjustments should be made as to the distribution of customs duties upon goods admitted into India and other monetary claims between the Government of India and the Native States?

(b) If so, do Government propose to include representatives of the Indian Legislature or other non-official Indians, in that committee, to act in conjunction with the official members representing the interests of British India?

Mr. E. B. Howell: (a) and (b). The Indian States Committee in their Report have recommended the appointment of an expert Committee to enquire into first the reasonable claims of the States or groups of States to a share in the Customs Revenue, and secondly the adequacy of their contribution to Imperial burdens. The action to be taken with regard to this recommendation has not yet been decided by the Government of India, and they are accordingly not at present in a position to make any statement.

PUBLICATION OF THE SIMON COMMISSION'S REPORT.

769. ***Rai Bahadur S. C. Dutta:** (a) Has the attention of the Government been drawn to the report in the Press that the Secretary of State for India informed the House of Commons that Sir John Simon intimated to him that the Report of their Commission will be submitted before Easter?

(b) Is the Press report a true one, and have Government any information as to when this Report will be presented?

(c) Will this Assembly get an opportunity to discuss this Report before it is dissolved? Will the other branch of the Indian Legislature get a similar opportunity? Will the existing Local Councils get a similar opportunity? Do Government propose to advise the Local Governments to that effect?

The Honourable Sir James Crerar: (a) and (b). Government have seen a Reuter's telegram reporting a statement by the Secretary of State that Sir John Simon has intimated that the Statutory Commission will be very glad to find themselves able to place their Report in the Secretary of State's hands for submission to the King soon after Easter. Government have no further information.

(c) I regret that I am unable to make any further statement at present.

RELATIONS OF THE GOVERNMENT OF INDIA WITH INDIAN STATES.

770. ***Rai Bahadur S. C. Dutta:** (a) Will this House get an opportunity to discuss the report of the Butler Committee as to the relations of the Government of India with the Indian States or those portions of the Report of the Simon Commission that may deal with that Report or those relations of the States with British India or the question of the federation of British Indian Provinces and the Native States?

(b) Do Government propose to remove the restrictions contained in that respect in rules 23 and 8 of the Indian Legislative Rules?

Mr. E. B. Howell: (a) The Government of India are not at present in a position to make any statement in the matter. There was no recommendation in the Butler Committee Report for any federation of British Indian Provinces and the Indian States.

(b) No.

Pandit Nilakantha Das: Are Government going to make the Butler Report available to the Members of this House?

Mr. E. B. Howell: It has been published.

Pandit Nilakantha Das: It has not been circulated to Members of this House?

Mr. E. B. Howell: Will the Honourable Member give notice of that question?

Pandit Nilakantha Das: Are Government prepared to circulate that Report among the Members of this House?

Mr. E. B. Howell: I have said I want notice of that question.

Diwan Chaman Lall: Do Government take it that Members of this House are not interested in this matter?

Nawab Sir Sahibzada Abdul Qaiyum: Do you mean that every Report should be circulated to Members of this House?

Mr. Gaya Prasad Singh: How much time does the Honourable Member want by way of notice? There are not 10 days left in this Session.

TRANSFER OF SUPERINTENDENTS AND INSPECTORS OF POST OFFICES.

771. ***Pandit Nilakantha Das:** (a) Is it a fact that the Superintendents and Inspectors of Post Offices are transferred every three years? If so, why?

(b) Is it a fact that the gazetted Postmasters of the grade of Rs. 350—650, have got power like the Postal Superintendents?

(c) If the reply to part (b) be in the affirmative, will Government please state why the gazetted Postmasters are also not transferred after three years like the Postal Superintendents?

Mr. H. A. Sams: (a), (b) and (c). I would refer the Honourable Member to my reply on the 12th of March, 1930, to starred question No. 540 asked by Mr. S. C. Mitra.

With respect to (a) I would add that it is considered advisable in the interests of administration that such transfers should ordinarily be made.

REDUCTION OF STAFF OF THE BEADON STREET TOWN SUB-POST OFFICE, CALCUTTA.

772. ***Pandit Nilakantha Das:** (a) Has the attention of the Government been drawn to an article "Reduction of staff of the Beadon Street T. S. O., Calcutta" published in the November issue of *Labour* of 1929?

(b) Are Government prepared to inquire into the allegations made therein?

(c) Will Government be pleased to place on the table a statement showing the hours of attendance and departure of clerks of that office for one month from any date of February 1930?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) No. The matter is a local one and the Provincial Postal and Railway Mail Service Association of the Bengal and Assam Circle can take it up with the Postmaster-General, Bengal and Assam Circle, if they wish to do so.

(c) A statement showing the hours of attendance of the clerks will be supplied to the Honourable Member. A statement of the hours of departure cannot be supplied as no record is kept of the time at which each clerk actually leaves office.

PASSES FOR INSPECTORS, RAILWAY MAIL SERVICE.

773. ***Pandit Nilakantha Das:** (a) Is it a fact that Inspectors of Railway Mail Service are classed as second class officers like Inspectors of Post Offices?

(b) Is it a fact that both Inspectors of Railway Mail Service and Inspectors of Post Offices were formerly supplied with second class railway passes?

(c) Is it a fact that neither Inspectors of Post Offices nor Inspectors, Railway Mail Service are now-a-days supplied with railway passes, but that whereas the former are allowed to purchase second class railway tickets the latter are required to travel in mail vans only with Railway Mail Service sorters?

(d) Is it a fact that Inspectors, Railway Mail Service, are generally required to perform longer railway journeys than sorters?

(e) Is it a fact that Inspectors, Railway Mail Service, are required to convey special bags for H. E. the Viceroy and Commander-in-Chief and are sometimes required to travel by railway for over twenty-four hours?

(f) Is it a fact that most of the mail vans on the metre gauge lines are not provided with latrines?

(g) Is it a fact that Inspectors, Railway Mail Service, are sometimes required to travel in mail vans on metre gauge lines for nearly 24 hours?

(h) Was it not a part of the duties of Inspectors, Railway Mail Service to pay surprise visits to mail vans to supervise the work of sorters?

(i) Is it not a fact that since the withdrawal of the railway passes Inspectors, Railway Mail Service are no longer able to pay surprise visits to mail vans?

Mr. H. A. Sams: (a) Yes.

(b) Yes.

(c) The duties of the Inspectors of Post Offices and those of the Inspectors, Railway Mail Service, differ. The latter are still supplied with railway passes for travel in mail vans the work in which it is their duty

to inspect. The Inspectors of Post Offices are not supplied with railway passes and are allowed to purchase tickets as their duties are not on the railway.

(d) No, not generally.

(e) Yes, occasionally.

(f) Yes, but endeavours are already being made to supply these conveniences where they do not now exist.

(g) No, not continuously for 24 hours.

(h) Yes, it is still a part of their regular duty to pay surprise visits to mail vans.

(i) As mentioned in reply to part (c) of this question the railway passes have not been withdrawn from the Inspectors, Railway Mail Service. Inspectors of Railway Mail Service can and do pay surprise visits to the mail vans to inspect the work.

PASSES FOR INSPECTORS, RAILWAY MAIL SERVICE.

774. *Pandit Nilakantha Das: (a) Is it a fact that Superintendents, Railway Mail Service travel in first class compartments when carrying out their half-yearly inspection, but when they depute their Headquarter Inspectors for the same work the latter have to travel in mail vans?

(b) Do Government propose to re-introduce the old system of supplying railway passes to Inspectors, Railway Mail Service or in the alternative to authorise them to purchase second class railway tickets when travelling by railway? If not, why not?

Mr. H. A. Sams: (a) It is not clear to what inspections the Honourable Member refers. While performing the inspections of running sections, the Superintendents, Railway Mail Service, and the Inspectors, Railway Mail Service, alike must necessarily travel in mail vans. In case of the inspections of stationary offices the Superintendent is not necessarily required to travel by Mail van and has discretion to permit the Headquarters Inspector to purchase a ticket when he travels direct to Mail offices for the purpose of inspection without examining intermediate sections.

(b) It has been arranged that Inspectors of the Railway Mail Service should be supplied with passes for travel in mail vans. Inspectors of the Railway Mail Service are also permitted to purchase tickets in special circumstances under the orders of the Heads of Circles or of Superintendents of the Railway Mail Service. These measures adequately meet the situation at the present time and the Government are not prepared to extend the latitude now allowed to Heads of Circles or Superintendents for the purchase of tickets for all Railway journeys irrespective of their object.

STATEMENTS PROMISED IN REPLY TO CERTAIN QUESTIONS.

775. *Pandit Nilakantha Das: (a) Will the Honourable Member in charge of Railways and Commerce be pleased to lay on the table of the House the statement he promised in reply to my questions Nos. 357 to 360 and 816, 818, 819, 821 and also 820 of the last (1929) Simla Session of this Assembly?

(b) Will the Honourable Member also lay on the table the report promised by the then Financial Commissioner for Railways, Mr. P. R. Rau, in reply to my question No. 361 of the last (1929) Simla Session of this Assembly?

(c) In this connection will the Honourable Member state what is actually going to be done with regard to the Inquiry Committee and my memorandum on the subject submitted and accepted in principle by the Railway Advisory Committee in its sitting in Simla (1929, Autumn)?

The Honourable Sir George Rainy: I lay on the table the replies to the Honourable Member's previous questions. Copies of these are being sent to him. He will, I think, find that they deal with practically all the points raised by him in the memorandum referred to in part (c) of his question. But I should explain that we have only recently obtained complete information to answer his questions and I will have the memorandum again examined to see if there are any outstanding points.

Question No. 357.

(a) Is it a fact that the Universal Sleepers are contemplated in the patents Nos. 11231, 11232 and 11233 of 1926, granted to Messrs. R. D. T. Alexander, Henry William Joyce and David Leslie?

(b) Is it a fact that the three patentees referred to in part (a) above are and were Civil Engineers in the employ of the Bengal Nagpur Railway—Mr. R. D. T. Alexander—the Chief Engineer and other two assistants of the Bengal Nagpur Railway?

(c) Is it a fact that those Civil Engineers the patentees—have arranged with Henry Williams, Ltd., and Burn and Co., for the manufacture and the supply of those Universal sleepers?

(d) Has the firm Henry Williams, Ltd., any connection with the patentee, Henry William Joyce?

(e) Is it a fact that the Universal type of steel sleepers are exclusively manufactured and supplied by Messrs. Henry Williams Ltd.?

Answer.

(a) and (b) Yes.

(c) The sleepers are manufactured by Burn and Company, not by Henry Williams Ltd.

(d) No.

(e) No. No steel sleeper of Universal type is known to the Railway Board. The Universal sleeper is made of cast iron and is not manufactured by Messrs. Henry Williams and Sons.

It is a fact, however, that certain types of steel sleepers are or have been exclusively manufactured and supplied by Messrs. Henry Williams (India) Ltd.

Question No. 358.

(a) Is it a fact that the Bengal Nagpur Railway, as per a private contract, supplies so called condemned steel sleepers to Henry Williams Ltd. who in turn after making some slight alterations supply back these very sleepers to the Bengal Nagpur Railway as Universal steel sleepers? If so, what is the price per ton paid to Henry Williams

Ltd., for these additions and alterations in the so-called condemned sleepers? What is the price per ton of the so-called condemned sleepers as well as the price per ton of the Universal sleepers made therefrom? What is the quantity of these steel sleepers supplied year after year by Henry Williams Ltd.? How many years had the so-called condemned sleepers been used before they were supplied to Henry Williams Ltd. to be made into Universal Steel sleepers?

(b) Was the price f.o.r. destination or f.o.r. manufacturing firm? What is the price f.o.r. destination in each case compared with the price of Railway Board sleepers?

Answer.

(a) Messrs. Henry Williams, India Ltd. have supplied in the past to the Bengal Nagpur Railway two kinds of steel sleepers in which the metal from condemned steel sleepers is utilised. The first kind consists of a steel trough with two steel saddle plates under the rail seat. The troughs are made of new steel but the saddle plates are made from condemned sleepers. Each condemned sleeper provides metal for five to six saddle plates.

The price of such sleepers paid to the firm has been Rs. 10 per sleeper, exclusive of the cost of the metal for saddle plates, worth four annas per sleeper, making the total cost of the sleeper Rs. 10-4-0.

(2) Another form of steel sleeper has been made up by Messrs. Henry Williams & Sons, for the Bengal Nagpur Railway, from material recovered from condemned steel sleepers. The condemned steel sleepers have generally failed under the railseat while the portion of trough between the rails is still in good condition. The worn out portions of the sleepers were cut off and from the sound material left, one reconstructed sleeper was obtained from every two condemned sleepers by rivetting the two pieces together. The price paid to the firm for cutting up and reshaping, rivetting, fixing saddles and providing fastenings, was Rs. 8 per sleeper. The value of the steel from the condemned sleepers supplied to the contractors varies from 10 annas to Rs. 1-8-0 per new sleeper.

(3) The quantity of saddle type sleepers supplied year by year is as follows:

1926-27	66,000 sleepers manufactured from materials obtained from condemned sleepers.
1927-28	84,000 sleepers manufactured from materials obtained from condemned sleepers.
1928-29	8,95,000 sleepers improved patent pea pod type with saddles made from metal obtained from condemned sleepers.
1929-30	3,00,000 sleepers improved patent pea pod type new steel used throughout.

(4) The condemned sleepers have been in use for 40 to 42 years before being sent to Messrs. Henry Williams, India, Ltd. for conversion.

(b) The price paid was f.o.r. contractor's works. The price of the Railway Board's steel sleepers recently has been about Rs. 10 f.o.r. Indian Port. The saddle type sleeper is claimed to be stronger than the other types and actual tests in the Government Test House, Alipur, prove this to be a fact.

Question No. 359.

(a) Is it a fact that Universal cast iron sleepers are supplied exclusively by the combine of Messrs. Burn and Co. and Bengal Iron Ltd.? What is the quantity purchased year after year from them and for what price? What is the price as compared with Railway Board sleepers? Are tenders called for for the Universal type cast iron sleepers?

(b) Is the price f.o.r. destination or f.o.r. manufacturing firm? What is the price calculated as f.o.r. destination in each case compared with the price of the Railway Board sleepers there?

Answer.

(a) Universal type cast iron sleepers are supplied exclusively by Messrs. Burn & Co., Ltd. The quantities purchased year by year and prices paid are as follows:

		Rs.	a.	p.	
1925-26	300 @ 14	4	0	each.	
	500 @ 19	0	0	"	
	11,000 @ 10	9	0	"	
1926-27	10,200 @ 9	15	0	"	
	4,400 @ 10	9	0	"	
1927-28	17,300 @ 11	4	0	"	
	1,100 @ 9	2	0	"	
1928-29	93,800 @ 9	0	0	"	
	8,800 @ 10	0	0	"	
	164,900 @ 10	2	0	"	
1929-30	97,000 @ 10	2	0	"	

The prices paid for cast-iron sleepers purchased by State Railways have been as follows:-

1924-25	Lines' sleepers Rs. 15-3 per sleeper at site.
1926-27	S. M. type sleepers Rs. 11-25 per sleeper, at site. N. W. R. type sleepers Rs. 13-5 per sleeper, at site. Lines' sleepers Rs. 14-5 to Rs. 15-2 per sleeper at site.
1927-28	L. K. and T. S. C. type sleepers Rs. 10-26 to Rs. 11-81 per sleeper at site.
1928-29	S. M. type sleeper Rs. 10-5 to Rs. 12-00 per sleeper at site, L. K., T. S. C., etc., Rs. 8-94 to Rs. 12-15 per sleeper at site.

The present prices are from Rs. 8-8-0 to Rs. 9-8-0 per sleeper at works. The Bengal Nagpur Railway have not called for tenders for other types of cast iron sleepers to compare with Messrs. Burn & Co.'s Universal type in the past, but they have been instructed to do so in the future.

(b) The price is f.o.r. manufacturing firm. The price f.o.r. destination in each case depends on the distance of the destination from the works. The cost of carriage would be about the same as for the Railway Board's sleepers, as the weights are practically the same. It should be explained that the Universal type cast iron sleeper is designed for use with more than one size of rail, whereas the Railway Board types have not hitherto been made so that the same sleeper will take more than one size of rail.

Question No. 360.

(a) Is it a fact that the Controller of Stores is entrusted generally with all sales of scrap and purchase of stores in the Bengal Nagpur Railway?

(b) Is it also a fact that the supply of condemned steel sleepers to Henry Williams and the purchase of cast iron and steel Universal sleepers are entrusted not to the Controller of Stores but exclusively to the Chief Engineer, Bengal Nagpur Railway, Mr. R. D. T. Alexander, one of the partners of the patentees of these sleepers?

Answer.

(a) Yes.

(b) No. Orders for both cast iron and steel sleepers are in all cases placed by the Controller of Stores or by the Agent. The condemned steel sleepers supplied to Henry Williams Ltd. for use in making saddle type sleepers are not sold to them, but only the cost of conversion is allowed to them. The whole of the metal in the condemned sleeper is not used for making saddle plates. Metal not fit for such use remains the property of the Bengal Nagpur Railway and is sold as scrap by the Controller of Stores.

Question No. 361.

- (a) What business of the Bengal Nagpur Railway is entrusted to Hoare Miller and Co.?
- (b) Are tenders called for for the supplies entrusted to Hoare Miller and Co. if any? Has Hoare Miller and Co. any connection with R. Miller Esqr., Chairman of the Home Board of the Bengal Nagpur Railway.
- (c) What is the extent of the business entrusted to Hoare Miller and Co. by the Bengal Nagpur Railway.

Answer.

(a) & (c). The Calcutta Steam Navigation Co. of which Messrs. Hoare Miller & Co. are the Agents have two agreements with the Bengal Nagpur Railway:

- (i) for taking delivery of landing, transporting and handling Railway material and stores consigned to the Bengal Nagpur Railway at the port of Calcutta. Messrs. Hoare Miller and Co. act as Agents of the Railway in Calcutta for the forwarding of all such material and stores to the Railway. This arrangement has been in force since 1886.
- (ii) for acting as Agents of the Bengal Nagpur Railway in Calcutta for the receipt and despatch of goods and passenger traffic to and from Armenian Ghat from and to stations on the Railway. This arrangement has been continuous since 1901.

(b) As no supplies are entrusted to Messrs. Hoare Miller & Co. the question does not arise. Mr. Robert Miller, Chairman of the Board of Directors of the B. N. Ry. Co. is not and never has been an officer of Messrs. Hoare Miller and Co. operating in India. He is a Director of Messrs. Hoare Miller and Co., London.

Question No. 815.

With reference to the statement promised by the Hon'ble Sir George Rainy in reply to my starred questions Nos. 357 to 360 this session, will Government please state:

- (a) What is the quantity of the so-called condemned steel sleepers supplied to Henry Williams (India) Ltd., up to date by the Bengal Nagpur Railway?
- (b) What is the quantity of the universal steel sleepers (i.e., steel sleepers referred to in the patents quoted in question No. 357) received by the Bengal Nagpur Railway from Henry Williams (India) Ltd., in return up to date after making the alterations referred to in my starred question No. 358?
- (c) What is the quantity of those patented steel sleepers purchased from Henry Williams (India) Ltd. by the Bengal Nagpur Railway up to date besides the quantity referred to in part (b)? What is the price of these sleepers?
- (d) Were the above patented sleepers used by the Bengal Nagpur Railway before Henry Williams (India) Ltd. came into existence? If so, from where were they got and which were the firms who supplied them and how were they purchased, by public tender or by private arrangement?
- (e) Are any other Railways using these sleepers? If so, which are they, and what quantity (and at how much cost) have they used up to date? Were they purchased by means of public tender or not?

Answer.

(a) The number of condemned steel sleepers supplied to Messrs. Henry Williams (India), Ltd., is approximately 6.18 lakhs.

(b) The patent numbers quoted in question No. 357 do not refer to steel sleepers manufactured by Messrs. Henry Williams, Ltd. The remainder of the question, therefore does not arise.

(c) Please see the reply given to question 358 (a) above.

(d) The answer to the first part of the question is in the negative and the second part does not arise.

(e) Full information is not available but steel sleepers of the saddle type were supplied to the East Indian Railway for trial. They were not purchased by public tender as no other firms make such sleepers.

Question No. 818.

With reference to the statement promised by the Honourable Sir George Rainy to my starred questions Nos. 357—360 this session, will Government please give the following information?

- (a) Do the extracts quoted by me in my supplementary question from the Report of the Accountant-General, Railways (page 31, para. 65) refer to Henry Williams, Ltd.?
- (b) Is it a fact that the land referred to in part (a) was enclosed with a boundary wall and provided with a Railway siding just after the formation of Henry Williams (India) Ltd. and was rented out to them on a nominal rent?
- (c) What was the cost of the boundary wall and the Railway siding and with the cost and interest therein added to the loss on rent already calculated by the A. G. Railways [referred to in part (a)] what is the total loss to the Bengal Nagpur Railway?
- (d) Were any siding charges realised from Henry Williams (India) Ltd.? Is the lease on land a long lease? If so, for how many years, and with whose sanction it was entered into?

Answer.

(a) Yes.

(b) No. The facts are as follows:

The old brickfield land at Shalimar with an area of 27 acres was served by a siding constructed and extended as required between 1906 and 1925. Prior to 1925, part of this area was reclaimed and leased out on temporary leases to various firms. In 1925 Henry Williams (India) Limited obtained a lease of 6½ acres on the same terms as those on which leases had been given to other firms; the part of the siding within the area leased to Henry Williams (India) Ltd. was re-arranged and extended, and the use of the siding was then given to the firm on Assisted Sidings terms identical with those granted to all industrial undertakings served by the railway.

Orders were passed in 1919 to enclose the whole of the old brickfield land with the boundary wall mentioned by the Honourable Member, because the area was subject to encroachment and constant supervision had been found to be required to avoid occupancy rights arising. An estimate was prepared in 1921, but the work was postponed until 1925 when the most urgent part of the wall, namely, the portion along the north and east boundaries was sanctioned. The total length of the boundary wall then sanctioned and built was 2,500 ft. of which only 800 ft. coincides with the north and east boundaries of Henry Williams (India) Limited's lease. The west and south boundaries of the area leased to Henry Williams (India) Limited have still no wall, but are enclosed by a fence erected by the firm at its own expense. The building of a boundary wall was not undertaken with regard to the interests of any of the various lessees of the land, but was part of a considered programme dating from 1919 for making railway land at Shalimar free from encroachment. The rent charged to Henry Williams (India) Limited was an economic rent and not a nominal rent, being a lump sum of Rs. 110 per month plus taxes. This is equivalent to 8 annas per thousand sq. feet. The rent assessed by the Howrah Municipality for neighbouring land adjoining these boundaries varies from 4 annas per thousand sq. feet for vacant land to 12 annas per 1,000 sq. feet for superior residential sites; and the land leased to Henry Williams (India) Limited was and still is partly covered by tanks and none of it is fit for residential or building sites. The part covered by tanks was assessed at 2 annas per thousand sq. feet and the filled part at 12 annas per thousand sq. feet.

(c) The cost of the part of the boundary wall adjoining the land leased by Messrs. Henry Williams (India) Limited was Rs. 6,800. The cost of the Assisted Sidings laid within the area leased to Messrs. Henry Williams (India) Limited was approximately Rs. 19,000 of which the Railway portion under Assisted Siding terms was Rs. 16,000.

As explained earlier a fair economic rent was charged so the remainder of this question does not arise.

(d) Yes. Siding charges are realised in accordance with the rates publicly notified in Bengal Nagpur Railway "Goods Pamphlet Part I". The lease of the land conforms to the rules of the railway for the temporary occupation of land by merchants as a Traffic facility and is terminable on 10 days' notice. The Agent of the Railway within whose powers it lies concluded the lease.

Question No. 819.

Is it a fact (i) that the firm of Messrs. Henry Williams (India) Limited is a private limited liability company of which the total paid up capital (preference and ordinary shares together) is only Rs. 3,16,500; (ii) that the firm has issued other ordinary shares valued at Rs. 5,38,000 as fully paid up for considerations otherwise than in cash; (iii) that Messrs. L. Greenham, Agent (now retired), Bengal Nagpur Railway, Henry William Joyce, Charles Williams Anderson, F. N. Slane, R. M. Hughes—all engineers of the Bengal Nagpur Railway together with other members of their family (namely Miss Enid Joyce, Mr. Eric Joyce—Minors and Jane Elizabeth Anderson) have been connected with the firm; and (iv) that big contracts worth crores of rupees have been and are being placed with them by the Bengal Nagpur Railway from the date of the formation of the firm, by private agreement without calling for tenders?

Answer.

(i), (ii) & (iii). The company was incorporated as a private limited liability company on the 16th March, 1922, with an authorised capital of Rs. 20,00,000 divided into 10,000 preference and 10,000 ordinary shares of Rs. 100 each. The signatories to the Memorandum of Association were Mr. Owen, R. Williams, of 21 Old Court House Street, Calcutta, Engineer, and Mr. G. C. R. Taylor, Solicitor and a partner of the firm of Kesteven, Gooding & Co. Solicitors of 26 Dalhousie Square, Calcutta.

The figures mentioned in the question with regard to the paid up capital and the number of shares issued as fully paid up otherwise than in cash are correct.

Prior to the registration of the company Messrs. Henry Williams Ltd. of Railway Appliances works Darlington, operated direct in India as Signal engineers and Merchants, and Henry Williams (India) Limited, was formed to purchase their goodwill consisting of certain Indian Letters Patents, provisional Patents and Registered Designs as well as stocks of signalling equipment permanent way fittings chain lamps, etc., in Bombay and Calcutta. The purchase price of Rs. 5,38,000 was by an agreement met by the allotment to the Vendor Company of 5,380 shares of Rs. 100 each credited as fully paid up.

The persons named in the Question are some of the shareholders of the company, with the exceptions of F. N. Slane and Jane Elizabeth Anderson whose names do not appear in the company's list of shareholders.

(iv) Messrs. Henry Williams Limited supply all classes of permanent way and other railway materials including points and crossings signal material and steel sleepers. Public tenders are invariably called for except in the case of proprietary articles.

The total value of orders placed by the Bengal Nagpur Railway Company with Henry Williams (India) Limited in the past is approximately Rs. 175 lakhs. It has not been possible to divide this amount into contracts for which public tenders were or were not called but it is estimated that the proportion is about 30 to 145.

Question No. 820.

(a) What are the quantities and the value of the railway orders placed by the Bengal Nagpur Railway and other railways, if any, up to date for various articles with, (1) Henry Williams (India) Ltd., and (2) Henry Williams (Darlington) Limited, with details as to how much in value was on tenders and how much was by private arrangement?

(b) What, if any, is the connection between Henry Williams (India) Limited and Henry Williams (Darlington) Limited?

(c) What, if any, is the connection between officers of the Bengal Nagpur Railway and Henry Williams (Darlington) Limited as well as Henry Williams (India) Limited?

(d) What has been the loss, if any, to the Bengal Nagpur Railway on account of the private orders referred to in part (a)?

Answer.

(a) Please see the reply to question No. 819 (iv) above, for the value of Railway orders placed by the Bengal Nagpur Railway. Information relating to other railways is not available.

(b) The Managing Director of both the firms is the same person and the firm in England are the principals of the Indian firm.

(c) The Agent, Bengal Nagpur Railway, reports that so far as he is aware no officer now serving on the B. N. Railway has any connection of any kind with the two firms mentioned.

(d) A comparison between the rates paid for cast iron and steel trough sleepers by the Bengal Nagpur Railway to Messrs. Henry Williams (India) Limited, and to Messrs. Burn & Co. with the rates paid for cast iron and steel sleepers purchased by State Railways, shows that the difference in rates is very little, and as it is recognised that in some respects the sleepers obtained by the Bengal Nagpur Railway possess advantages not possessed by the other sleepers, it does not appear that any loss has been incurred by the Bengal Nagpur Railway. As an instance of the advantages possessed by the type of sleepers purchased by the B. N. Railway, the Universal type cast iron sleeper can be used with the existing rail weighing 85 lbs. and when this rail has to be replaced in the near future the same sleeper will fit the 90 lb. rail which will be used to replace the 85 lb. rail. The Railway Board does not approve of the system of placing orders for proprietary articles without calling for tenders as has been the practice on the B. N. Railway in the past and orders have now been issued that they should not do so in the future.

Question No. 821.

(a) Who will be responsible for the losses in rent boundary wall, railway siding and purchases referred to in my previous questions?

(b) Will the loss be recoverable? If so, how and to what extent?

Answer.

(a) and (b). As no losses are involved, the question does not arise.

DEMAND BY A GOVERNMENT SERVANT FOR AN INQUIRY ON HIS DISMISSAL, DISCHARGE OR REMOVAL.

776. *Mr. Muhammad Ismail Khan: (a) Will Government be pleased to state whether there are any departmental rules which entitle a Government servant to demand an inquiry when he is dismissed, discharged or removed?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state whether this rule applies to all the provinces including the North-West Frontier Province?

The Honourable Sir James Crerar: (a) and (b). There are definite rules regulating the conduct of departmental inquiries. So far as Governor's Provinces are concerned, the matter is governed by rule XIV of the Civil Services (Governors' Provinces) Classification Rules. As regards officers serving directly under the Government of India, including those in the North-West Frontier Province, the position is that there are executive instructions the provisions of which are similar to those contained in rule XIV of the Classification Rules referred to. These instructions have statutory force.

OFFICIALS EMPLOYED IN THE INDIAN POST OFFICES.

777. *Mr. Abdul Latif Sahib Farookhi: Will Government be pleased to state:

(a) The number of officials employed in April, 1919, and now in the Indian Post Offices in each of the following grades:

- (1) Runners;
- (2) Lower grade staff, i.e., officials below the rank of postmen except runners;
- (3) Postmen;
- (4) Officials above the rank of postmen and below clerks;
- (5) Clerks;
- (6) Selection grade officials; and
- (7) Gazetted Officers.

(b) The number of Officials employed in April 1919, and now in the above said seven grades in the Madras Presidency only; and

(c) The number of Officials employed in April 1919, and now in the above said seven grades in the Madras City only?

Mr. H. A. Sams: (a) and (b). A statement, containing the information required, so far as it is available, is being supplied to the Honourable Member.

(c) Inquiries are being made and the information will be furnished to the Honourable Member in due course.

REVISION OF PAY FOR POSTAL EMPLOYEES.

778. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether any revision of pay was sanctioned for the Postal employees just preceding the general revision sanctioned on the recommendation of the Postal Inquiry Committee?

(b) If so, what was the amount allotted for it?

(c) Is it a fact that the postmen and the lower grade staff were not given the benefit of that revision?

(d) If the answer to part (c) is in the affirmative, what were the reasons for not revising the pay of the postmen and the lower-grade staff?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) About Rs. 17 lakhs per annum.

(c) Yes.

(d) The reasons for the revision in question were that owing to the inadequacy of the initial rates of pay and the slowness of promotion it was found difficult to recruit men of suitable education for the clerical cadre. No such difficulties were experienced in the recruitment of postmen and lower grade staff and a revision of their rates of pay was not therefore then considered necessary.

POSTAL INQUIRY COMMITTEE AND ITS RECOMMENDATIONS.

779. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state when the Postal Inquiry Committee was formed and what was the interval between its function and the date of giving effect to its recommendations?

(b) What were the establishment charges incurred in 1919, i.e., prior to the appointment of the Postal Inquiry Committee and the amount spent on each of the following seven grades?

- (1) Runners;
- (2) Lower grade staff, i.e., officials below the rank of postmen except runners;
- (3) Postmen;
- (4) Officials above the rank of postmen and below clerks;
- (5) Clerks;
- (6) Selection grade officials; and
- (7) Gazetted Officers.

(c) What were the establishment charges incurred in 1920 in respect of each of the above said seven ranks as a result of the Committee's recommendations?

(d) Will Government be pleased to state whether, apart from the revision sanctioned in the year 1918, and the revision made as a result of the recommendation of the Inquiry Committee, any other revision of pay was sanctioned by Government to any of the officials in any of the above seven ranks between 1919 and 1929, and if so, the amount incurred and the amount spent on each rank?

The Honourable Sir Bhupendra Nath Mitra: (a) The Postal Committee assembled in Simla in April, 1920, but retrospective effect was given from the 1st December, 1919, to the recommendations of that Committee.

(b) and (c). If the Honourable Member will refer to pages 25, 34 to 48, and 72 of the Committee's Report, he will find the information which he requires. The conditions of service and pay of the gazetted staff were not included in the terms of reference of the Committee.

(d) During the years 1926-27, 1927-28, and 1928-29, improved scales of pay for non-gazetted subordinates generally of the Posts and Telegraphs Department were introduced. It would not be possible without making investigations involving an undue amount of labour to give details of cost in respect of each class of officials.

GRANT OF INCREMENTS OF PAY FOR PAST SERVICE TO POSTMEN.

780. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether postmen and the clerks are included in the superior service of the Department?

(b) Is it a fact that, in granting increments to clerks, the full period of their temporary service or officiating service was subsequently taken into account and pay revised?

(c) Was the above concession allowed to the postmen, and if so, when and from what starting point?

(d) If the postmen on permanent service on the date of revision of 1919 have not been given that benefit, what steps do Government propose to take in the matter to redress the grievances of the postmen?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Yes, subject to certain conditions and restrictions.

(c) No. The concession granted to postmen was of a different nature. They were allowed to count for increments not only their permanent service as postmen, but also one-third of all other service in the Department, whether permanent or temporary.

(d) Government do not propose to take any further action after the lapse of ten years nor, in view of the substantial concession granted to postmen as explained in my reply to part (c) above, do they consider that the postmen have any grievance.

APPOINTMENT OF POSTMEN AS LOWER DIVISION CLERKS.

781. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state whether they have given effect to the scheme of appointing postmen as lower division clerks? If so, in which year?

(b) How many postmen have hitherto been appointed to that cadre in each Circle till now?

(c) Is it a fact that some of the Superintendents in the Madras Presidency have reported to the Postmaster General that there are no competent postmen in their division to be promoted to that cadre?

(d) If so, from which of the Divisional Superintendents were such reports received?

Mr. H. A. Sams: (a) Yes. Towards the end of 1929.

(b) to (d). The information is being collected and will be furnished to the Honourable Member in due course.

PROMOTION OF POSTAL RUNNERS.

782. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state:

(1) Whether vacancies in the rank of lower grade staff and postmen are filled up by direct recruitment or by promotion of runners and lower grade staff respectively, and if by promotion whether the vacancies are filled up by the seniormost officials in the respective ranks?

(2) Whether appointments of sorting postmen, overseer postmen, cash overseers, head postmen and Departmental Branch Postmasters, etc., are reserved for postmen only?

(3) Whether the above appointments are made according to seniority in service?

(4) Whether Government are aware of the fact that runners who enter the Postal Department on Rs. 13 per mensem generally retire on Rs. 20 or Rs. 25 and do not reach even the postmen cadre?

(5) Whether Government are prepared to consider the question of ~~sc~~ refixing the pay of the four grades, i.e., runners, lower grade staff, postmen and sorting postmen as to enable a runner who enters the Department on Rs. 13 per mensem to retire on a decent pension after his service of 30 years?

Mr. H. A. Sams: (1) It is presumed that by "lower grade staff" the Honourable Member refers to the inferior staff in post offices, viz., packers, mail peons, etc. These officials are ordinarily recruited direct, but where suitable runners are available they can be employed in these capacities.

As regards postmen, vacancies in this grade are filled by promotion of inferior servants of the Department possessing the necessary qualifications, and, when qualified men are not available, by direct recruitment. The promotion is made by selection from qualified candidates, seniority being taken into account only when other qualifications are practically equal.

(2) Yes.

(3) The appointments are made by selection, seniority being regarded only where other qualifications are practically equal.

(4) Government are not aware of the fact that runners generally retire on Rs. 20 or Rs. 25. It is a fact that runners are seldom promoted to the grade of postman, because the majority of runners are entirely illiterate and therefore unfit to work as postmen.

(5) Properly qualified runners are not debarred from promotion to the postman cadre or beyond, and Government see no reason to refix the scales of pay of the four classes of officials referred to by the Honourable Member, which were revised as recently as May 1928.

Mr. Abdul Latif Sahib Farookhi: Have any runners been given the post of postmen?

Mr. H. A. Sams: I cannot say, Sir, without investigation.

HOUSE RENT ALLOWANCE FOR POSTMEN, LOWER GRADE STAFF AND RUNNERS.

783. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state what principle is followed in determining the house rent allowance payable to postmen, lower grade staff and runners?

(b) In which post offices in the Madras Presidency is the house rent allowance paid and at what rates?

(c) Is it a fact that postmen and lower grade staff employed in some of the Post Offices situated even in the District Headquarters are not paid any house rent allowance?

(d) Is it a fact that the postmen and lower grade staff employed at Erode with a staff of six postmen get house rent allowance while those employed at Salem Head Office with a staff of 21 postmen do not get any allowance, though both the offices are under the control of one Divisional Superintendent? If so, why?

The Honourable Sir Bhupendra Nath Mitra: (a) Where owing to scarcity of houses or other reasons suitable accommodation cannot be obtained by a Government servant for a rent equivalent to 10 per cent. of his pay,

a house rent allowance is generally granted as a contribution towards the extra expense involved. This principle is generally followed in determining the house rent allowances payable to postmen and lower grade staff and runners.

	Rs.
(b) Madras and its town sub offices	3
Madura and ditto	2
Hyderabad and its town sub offices	2
Bangalore and its town sub offices	2
Coimbatore and its town sub offices	1
Ootacamund, Coonoor and Nilgiris	2
Trichinopoly and its town sub offices	1
Vizagapatam and its town sub offices	1
Erode	1
Tirupur	1
Erode R. S.	1
Tirupur Bazar	1

(c) Yes.

(d) Yes; from my reply to part (a) of his question, the Honourable Member will understand that neither the number of postmen in an office nor its administrative control has any bearing on the question of the grant of house rent allowances to the staff employed therein.

CASUAL LEAVE FOR POSTMEN.

784. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether postal employees are generally granted 20 days' casual leave?

(b) Is it a fact that postmen do not get casual leave easily and that if at all they get it, they have to pay for their substitutes and appoint them upon their own responsibility?

(c) Even if leave be granted, is it a fact that the duties of absentee are thrust upon another postman in addition to his own work?

(d) If so, have Government considered the advisability of appointing leave reserve postmen to enable postmen to get leave easily and avoid inconveniences to the public?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Government have no information in regard to the former part. With regard to the latter part, ordinarily Government pays for the substitute, but in certain circumstances the postman proceeding on casual leave is liable to be called upon to pay for the substitute. When a substitute is employed, the postman ordinarily has to produce him and the postman as well as the head of the office are held personally responsible for the good behaviour of the substitute.

(c) When a substitute is not employed, the work of the absentee has, naturally, to be distributed among other postmen.

(d) The general question of forming a regular leave reserve for postmen is at present being examined by Government.

SECURITY FURNISHED BY POSTAL OFFICIALS.

785. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether postal employees are expected to furnish security to the Department?

(b) If so, what is the amount of security fixed for the various ranks of officials?

(c) What is the principle followed in determining the amount of security for each rank of officials?

(d) Is it a fact that in Madras City security to the extent of Rs. 1,000 and Rs. 2,000 is demanded of some postmen?

(e) What is the reason for demanding from postmen a security higher than that demanded of clerks and other officials?

(f) Are Government aware that postmen have been required to furnish securities of Rs. 250, 1,000 and 2,000? If so, are the pecuniary responsibilities of the postmen also fixed in proportion to the security required of them? If so, what is the value of articles entrusted to them?

(g) If any distinction exists in the pecuniary responsibility of each class and in the amount of value entrusted to each, is there a similar distinction in the pay of each class? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Personal security is fixed as follows:

- (1) Sub and Branch postmasters, clerks, Record clerks, Accountants, Sorters, Mail guards, extra departmental agents and stamp vendors; Rs. 300.
- (2) Overseers and others who are specially required to convey or escort cash; Rs. 500.
- (3) Postmen, village postmen, overseers, mail peons, letter box peons, packers; Rs. 250.

Alternatively Cash Security amounting to two-thirds of these sums may be taken.

(c) Generally 20 times of the pay of an official on entering the Department was formerly taken as security. This limit has, however, not been increased since the last revision of pay and the security taken works out in most cases now to less than 20 times of the present initial pay.

(d) Certain postmen in Madras City were lately required to give a higher security, but it has been recently decided that security for more than Rs. 250 should not be demanded from them.

(e) The Honourable Member is referred to the reply to part (g) of his question.

(f) Yes. Ordinarily the aggregate amount entrusted to a single postman at one time for the payment of money orders plus the aggregate value of V. P. Parcels made over to him for delivery does not exceed Rs. 600. Where the amount to be paid and the value of the articles to be delivered exceeds this limit, a proportionately higher security has been taken in some places like Calcutta and Bombay. The value of articles entrusted to postmen varies in different postal circles and is governed by local circumstances.

(g) No, because pay does not depend on pecuniary responsibility alone. I would add that the whole question of reducing the responsibilities of postmen or of modifying the extent of the security taken from them is at present under the Director-General's consideration.

PAY OF STAMP VENDORS IN CERTAIN POST OFFICES.

786. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state whether it is a fact that in Mannady, Broadway, Flower Bazaar, Park Town, Vepery, Mylapore, High Court Buildings and Triplicane Post Offices in the Madras City stamps are sold for over Rs. 200 daily?

(b) Is it a fact that the stamp vendors of the above offices are paid Rs. 17— $\frac{1}{2}$ —22, the scale fixed for the lower grade staff?

(c) Did the Government of India once decide that the pay of stamp vendors employed in offices where sales of stamps exceed Rs. 200 should be fixed at Rs. 40—5—90?

(d) If so, what are the reasons for fixing the pay of the stamp vendors employed in the above named offices on Rs. 17— $\frac{1}{2}$ —22?

(e) Are Government prepared to pay these stamp vendors at Rs. 40—5—90 at least in future and those in other offices of the Circle, if the aggregate sales therein justify it?

Mr. H. A. Sams: The information is being collected and will be supplied to the Honourable Member in due course.

HILL STATION ALLOWANCE FOR POSTAL OFFICIALS OF CERTAIN STATIONS.

787. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state whether the postal clerks and other higher officials in the Post Offices like Coonoor, Ootacamund, Wynad, Yercaud, and Kodaikanal situated on the hills are paid hill station allowance? If so, at what rate and from which date?

(b) Is it a fact that postmen and the lower grade men employed in the above offices are not granted any such allowance?

(c) If the answer to part (b) be in the affirmative, are Government prepared to consider the case of these men also and grant them suitable allowance?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. The rates which were last revised with effect from the 1st September, 1921, vary for the different localities and for different classes of officials. In the case of the postal clerks at Ootacamund the allowance is, generally speaking, at the rate of Rs. 12 per mensem, while in the other places mentioned by the Honourable Member it is generally Rs. 10 per mensem. The Postmaster and Deputy Postmaster, Ootacamund, draw allowances of Rs. 40 and Rs. 20 per mensem, respectively.

(b) Yes.

(c) The attention of the Honourable Member is drawn to paragraphs 35 and 11 of the proceedings of the meetings of the Standing Finance Committee held on the 16th and 30th January, 1930, respectively.

SELECTION GRADE POST OFFICES IN INDIA.

788. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state the number of selection grade post offices in India in 1919 and the number of selection grade officers then in service?

(b) What is the number of selection grade post offices in India now and the number of selection grade officers now in service?

(c) What was the number of selection grade post offices in the Madras Presidency in 1919 and the number of selection grade officers then?

(d) What is the number of selection grade post offices in the Madras Presidency now and the number of selection grade officers thereof?

(e) If increase in work be the criterion for raising an office to a selection grade status, what are the principal items of work which justify the change?

(f) When were the undermentioned sub-offices raised to selection grade status?

1. Villupuram.
2. Chidambaram.
3. Myavaram.
4. Teppakulam.
5. Dindigul.
6. Karur.
7. Erode.
8. Tiruppur.
9. Coonoor, R. S.
10. Palghat.
11. Tuticorin.
12. Tinnevely.
13. Conjeevaram.
14. Washermanpeta.
15. Tindivanam.
16. Cuddalore, O. T.

Prior to the conversion of the above offices into selection grade offices, what were the number of postmen and the number of clerks employed in those offices? What is their present strength?

(g) Is it a fact that the strength of the clerical establishment only is increased in such newly made selection grade post offices while that of the postmen and lower grade men is not so increased? If so, why?

Mr. H. A. Sams: (a) and (c). There was no selection grade in 1919.

(b) Offices in India—806, Officers in India—1,633.

(d) Separate figures for the Madras Presidency are not available, but the figures for the Madras Postal Circle are: Offices—78, Officers—274.

(e) The status of a sub-office is raised to the selection grade when the work of the office as a whole justifies, by the application of the time-test, the employment of five or more clerks. All items of work covered by the time-test are taken into consideration, and it is not possible to discriminate as to their relative importance.

(f) Government do not possess the information and do not consider that the expenditure of time and labour which would be involved in collecting it could be justified by the importance of the result.

(g) No, the facts are not as stated by the Honourable Member. When the status of a sub-office is raised to the selection grade an actual increase of clerical staff does not necessarily take place. The selection grade posts of sub-postmasters are regarded as supervisory appointments and are over and above the operative strength of the clerical staff of an office as justified by the time-test.

DELIVERY OF POSTAL ARTICLES BY POSTMEN ON SUNDAYS AND OTHER HOLIDAYS.

789. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether the despatch and delivery of paid letters constitute the only business transacted in Post Offices on Sundays and postal holidays?

(b) How is the attendance of postmen on Sundays and holidays regulated for the delivery of articles to the public?

(c) Is it a fact that in cities like Madras where there is more than one postman for a single beat on regular week days, the full beat is entrusted to one postman on holidays and the attendance of postmen arranged by turns?

(d) Is it a fact that in post offices like Tanjore, Conjeevaram, Erode, Cuddalore and a host of other offices, where there is only one postman for a beat all the postmen are required to attend to the delivery of articles, on holidays, in their respective beats?

(e) Is it a fact that the attendance of the postmen on holidays in the stations referred to in part (d) is not regulated by turns and that they work all the 365 days of a year, getting no holiday?

(f) Do they propose to arrange for causing the work to be done by turns and thus give the postmen holidays in the real sense of the term?

Mr. H. A. Sams: (a) The business mentioned by the Honourable Member is the main, but not the only business done by Post Offices on Sundays and Post Office holidays.

(b) The distribution of letters is generally restricted to a single delivery and, where the number of postmen employed permits of this, attendance is by rotation. As far as the possible attendance is fixed at an hour which affords the maximum portion of the day free to the postmen.

(c) to (e). Information is being collected and will be supplied to the Honourable Member in due course.

(f) Yes, if enquiries show that this is not already done and such arrangements are practicable.

HALTING ALLOWANCE FOR VILLAGE POSTMEN.

790. *Mr. Abdul Latif Sahib Farookhi: (a) Will Government be pleased to state whether it is a fact that village postmen are generally expected to halt in out-stations before returning to their headquarters after completing the delivery of articles entrusted to them?

(b) If so, are they paid any daily *batta* for the days they halt in out-station? If not, why not?

(c) What is the *batta* paid to the undermentioned officers and officials when they halt in out-stations during the course of their inspection?—

1. Director General,
2. Postmaster General,
3. Deputy Postmaster General,
4. Assistant Postmaster General,
5. Superintendent,
6. Inspector,
7. Village postmen.

(d) Will Government state how the village postmen keep secure the money order amounts and other valuable articles entrusted to them during their tour round the village?

(e) Are Government aware that the village postmen are often obliged to spend extra for their meals, etc., at the stations whereat they have to halt overnight?

(f) Are the Government prepared to consider the necessity of giving these village postmen daily *batta* for the days they halt in out-stations?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes, in many cases.

(b) No. The conditions of service of village postmen require that they should remain absent from headquarters when necessary for the discharge of their duties.

(c) The rate of daily allowance for the journeys on tour is:

1. Rs. 10.
2. Rs. 7-8-0.
3. Rs. 6.
4. Rs. 4.
5. Rs. 4.
6. Rs. 3.

7. The village postmen have no inspection duty to perform, but, if they are required to perform any journey for which travelling allowance as on journeys on tour is admissible, they are paid at the rate of 0-4-0 to 0-8-0 annas per diem according to pay.

(d) Village postmen are supplied with locked bags in which to keep the cash and valuables entrusted to them when proceeding on their beats.

(e) Government have no information.

(f) No, for the reasons stated in reply to part (b) above and also in view of the fact that a substantial improvement in their pay was effected in 1928.

CONTRACTS MADE BY THE ARMY SERVICE CORPS.

791. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if it is a fact that, after contracts for the supply of a certain commodity are made by the Indian Army Service Corps, the copies of the specifications of the articles concerned are given to every unit and that they are also put up in the Ration Stand?

(b) If so, will Government be pleased to state if officers are authorised to go against those specifications?

(c) Will Government be pleased to state if there is any penalty for any officer intentionally going against these specifications and the method in which the contractor's loss is compensated?

Mr. G. M. Young: (a) Contracts for Indian Army Service Corps supplies are based on specifications approved by Government and published in a book entitled "Specifications of Articles supplied by the Indian Army Service Corps".

Copies of specifications are sent to all units to guide them in deciding whether the articles tendered are fit for acceptance.

(b) No, Sir.

(c) No specific penalty is prescribed in such cases. If a contractor considers that an officer has not adhered to the approved specifications, he has the right of immediate appeal to the competent authority mentioned in the contract deed.

CONTRACTS IN THE INDIAN ARMY SERVICE CORPS IN THE DELHI INDEPENDENT BRIGADE AREA.

792. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if any contracts were placed at higher rates in the Indian Army Service Corps in the Delhi Independent Brigade Area this year in spite of the fact that there were lower tenders?

(b) If so, what was the number of such contracts, and will Government be pleased to state the reasons for this action?

(c) Will Government be pleased to state whether these contracts are placed with several contractors or with one particular contractor?

(d) If the contracts are given to several contractors on higher rates, will Government be pleased to state their names?

Mr. G. M. Young: With your permission, Sir, I propose to answer questions Nos. 792, 793 and 794 together.

Enquiries have been made and the result will be communicated to the Honourable Member in due course.

TENDERERS FOR THE FIRE-WOOD CONTRACTS IN THE DELHI INDEPENDENT BRIGADE AREA.

†793. ***Lala Rang Behari Lal:** Will Government be pleased to state the names of various tenderers for the fire-wood contracts in the Delhi Independent Brigade Area this year with their rates?

CONTRACT FOR HIRED TRANSPORT IN THE DELHI BRIGADE AREA.

†794. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state whether the hired transport contractor for the year 1928-29 had claimed a big amount in the Delhi Brigade Area above his contract?

(b) Is it a fact that on account of the above said claim that contractor could not give a reasonable rate in 1929-30, so the contract for hired transport was placed with his younger brother who was added on the approved list?

ORDERS BY THE DEPUTY AUDITOR GENERAL *RE* DRAWING OF PAY BY A CLERK WHILE ON LEAVE.

795. ***Lala Rang Behari Lal:** (a) Is it a fact that the Deputy Auditor General, Headquarters, issued an Office Order to the effect that a clerk of the office of the Auditor General who is unable to receive payment of his dues in person should produce a life certificate signed by a responsible officer of Government or other well known and trustworthy person, in addition to a stamped receipt and a letter of authority?

(b) Are Government aware that the order requiring the production of a life certificate in such cases causes much inconvenience to the clerks on leave who may happen to be in a strange or a small station or who may be sick and unable to approach persons of the required status?

(c) Is it a fact that the clerks of the Auditor General's office made a representation against this order but that it was rejected?

(d) Is it a fact that no rule requiring the production of a life certificate in respect of non-gazetted Government servants is in force in any other Government office?

(e) Is it a fact that the Government of India has prescribed the production of such a life certificate *only* in the case of gazetted officers and officers on leave out of India?

(f) If so, are Government prepared to cancel the Order about the production of a life certificate?

The Honourable Sir George Schuster: (a) The Office Order in question requires that, when a member of the Auditor General's office establishment is unable to receive payment of his dues in person, he should send the following documents:

- (i) A receipt for the money due to him, duly signed, and stamped when necessary;
- (ii) A life certificate for the drawal of leave salary; and
- (iii) A letter mentioning the name of the person to whom the payment is to be made.

†For answer to this question, see answer to question No. 792.

(b) The existence of the order need not cause inconvenience, as, in cases in which individuals find it difficult to produce a life certificate, payment can be made by money order, at the cost of the payee, in which case payment is made by the Post Office to the recipient in person and no life certificate is required.

(c) Yes.

(d) Government are not aware of the practice actually obtaining in all other offices.

(e) Yes. But in the case of non-gazetted officers, Government hold the heads of offices responsible for the correct disbursement of amounts drawn by them for payment to their subordinates; and it is, therefore, for the heads of offices, in the discharge of their responsibility, to require the production of such a life certificate, should they consider it necessary, and not for the Government of India to prescribe it.

(f) No. The order merely embodies a reasonable and business like precaution.

DISCONTENT AMONG TYPISTS OF CERTAIN OFFICES.

796. *Lala Rang Behari Lal: (a) Are Government aware that there is serious discontent among the typists of the offices of the Accountant General, Central Revenues, Director of Railway Audit, Auditor General, Director of Commercial Audit, in Delhi in consequence of their inadequate scale of pay and prospects?

(b) Is it a fact that they submitted memorials to the Auditor General praying for a suitable increase in their scales of pay and that the memorials were rejected by him?

(c) If so, will Government please state the reasons for rejecting the memorials?

(d) Will Government please state the scales of pay of the typists in the Government of India Secretariat, and in the offices of the Chief Commissioner, Delhi, Controller of Railway Accounts and the Director General, Posts and Telegraphs, and state if these scales are higher than those obtaining in the offices mentioned in part (a) above?

(e) If so, will Government please state the reasons for this difference in the scales of pay?

(f) Are Government prepared to bring the scales of pay obtaining in the offices as mentioned in part (a) into line with that obtaining in the Government of India Secretariat at a very early date?

The Honourable Sir George Schuster: With your permission, Sir, I lay on the table the information required by the Honourable Member

(a) and (b). It is the fact that memorials were submitted and rejected and the memorials expressed dissatisfaction with existing rates of pay.

(c) The Auditor General did not consider that the typists, who are not interchangeable with clerks in these offices, should be granted a better scale than that allowed at present for the nature of work done by them.

(d) and (e). The scales of pay of typists in different offices are as follows:

(1) Government of India, Secretariat . Rs. 90—4—130—4—170. (They, however get Rs. 75 until they are confirmed.)

(2) Chief Commissioner, Delhi . . . There is no separate scale of pay for typists. They are in the grade of Junior clerks on Rs. 50—5—175 with bar at Rs. 120 and are liable to work anywhere in the office as routine clerks in the same scale.

(3) Controller of Railway Accounts . . . The typists are on the same scale of pay as clerks class II which is Rs. 75—5—150.

(4) Director General, Posts and Telegraphs. . . There is no separate cadre for typists. They are included in the second division or routine clerks in the time scale of Rs. 55—5—155 with bars at Rs. 80 and Rs. 115 and those who are qualified in typing are actually employed as typists.

(5) Accountant General, Central Revenues. . .

(6) Director of Railway Audit . . . Rs. 50—5—120.

(7) Auditor General . . .

(8) Director of Commercial Audit . . .

It will be observed that in some of the offices in question there are no separate scales of pay for typists. They are on the scale of pay for routine clerks and are expected to do the work of routine clerks when required. In the accounts offices there is no scale for routine clerks separate from the scale for other clerks, and the typists are not ordinarily expected to do regular clerical work.

(f) No.

PERCENTAGE OF MINORITY COMMUNITIES IN THE MINISTERIAL STAFF OF THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

797. *Lala Rang Behari Lal: (a) Will Government be pleased to state what is the percentage of minority communities amongst the ministerial staff of the Department of Education, Health and Lands?

(b) Is it a fact that the percentage of minority communities is far in excess of the limit of 33 per cent. fixed by Government?

(c) If the reply to part (b) is in the affirmative, are Government prepared to consider the advisability of raising the percentage of Hindus in the Department of Education, Health and Lands, until the requisite percentage of 66 per cent. is obtained?

Sir Frank Noyce:

(a) Muslims	24.42
Europeans and Anglo-Indians	15.12
Sikhs	5.81
Other communities	1.16
Total	46.51

(b) No such limit has been fixed by Government. The orders which the Honourable Member has presumably in mind are those which lay down that one-third of the number of all permanent vacancies occurring

in the Government of India Secretariat should be reserved for redressing communal inequalities. These orders refer to fresh recruitment and do not prescribe 33 per cent. as the maximum limit for representation of minority communities.

(c) Does not arise.

Pandit Nilakantha Das: Does the Honourable Member, who put the questions, suggest that the high proportion of presentation of minority communities is not based on considerations of merit?

(No answer was given.)

CONTRACTS FOR SALE OF ICE AND AERATED WATER ON RAILWAYS.

798. ***Lala Rang Behari Lal:** (a) Will Government be pleased to state if the Agents of the Railways make contracts for selling ice and aerated waters on their lines for all passenger trains for the hot weather every year?

(b) Is it a fact that contracts in the various branches of the North Western Railway, Lahore, have been given to the same contractors for the last ten years?

(c) Is it a fact that the contractors of the North Western Railway make no arrangements for the sale of iced waters to the passengers, while they undertake to sell the same at the rate of 3 pies per pint?

(d) Is it also a fact that the vendors sell ice at higher rates than 1 as. 6 pies per seer and they do not keep even the weighing scales?

(e) Are Government prepared, in the interests of third class passengers in special and others in general, to see that the undertakings are fully carried on by the ice-vendors?

Mr. A. A. L. Parsons: I am asking the Agent of the North Western Railway for information on the points raised by the Honourable Member and will communicate with him later.

DESPATCHES AND TELEGRAMS ADDRESSED TO THE SECRETARY OF STATE FOR INDIA BY THE GOVERNMENT OF INDIA.

799. ***Sir Purshotamdas Thakurdas:** (a) Will Government be pleased to state the number of despatches addressed by them to the Secretary of State during the years 1927, 1928 and 1929?

(b) Are despatches addressed to the Secretary of State on all important questions?

(c) If not, what are the questions on which despatches are addressed and what are the questions about which telegrams are addressed?

(d) Do Government recognise the difference between the method of addressing the Secretary of State by means of despatches and by means of telegrams?

(e) Is it a fact that despatches have to be signed by all Members of the Executive Council with a certain minimum?

(f) Is it a fact that the opinion of the Governor General in Council may be communicated to the Secretary of State by telegram without even the knowledge of other Members of the Executive Council?

(g) Will Government be pleased to state if they propose hereafter to resort more often to the system of communication with the Secretary of State by means of despatches only and not by means of telegrams unless the urgency of the question warrants communication by telegram?

(h) Will Government be pleased to state the amount of expenditure incurred by them on telegraph charges between the Government of India, and the India Office, including private and personal telegrams to the Secretary of State, during the years 1927, 1928 and 1929?

The Honourable Sir James Crerar: (a) and (h). Government do not consider that any useful purpose would be served by the compilation of the statistics asked for by the Honourable Member.

(b) and (c). Yes, except when the urgency of a case requires telegraphic communication.

(d) and (e). Yes.

(f) Only in the case of departmental questions of minor importance.

(g) The Government of India do not consider that any change is called for in the existing method of correspondence with the Secretary of State, viz.:

(1) by despatches (2) by Secretary's letters and (3) by telegram in cases of urgency.

UNSTARRED QUESTIONS AND ANSWERS.

RECRUITMENT OF COPYISTS IN THE MILITARY ACCOUNTANT GENERAL'S OFFICE THROUGH THE PUBLIC SERVICE COMMISSION.

283. **Mr. Gaya Prasad Singh:** (a) Is it a fact that the copyists in the Military Accountant General's office draw the same rates of pay and allowances as the third division clerks in the Government of India Secretariat and that they are not liable to transfer from that office?

(b) Is it also a fact that the recruitment to these posts is made by the Military Accountant General without going through the Public Service Commission?

(c) If the reply to the above questions is in the affirmative, are Government prepared to consider the desirability of making all further recruitment to the above appointments through the Public Service Commission?

The Honourable Sir George Schuster: (a) The answer is in the affirmative.

(b) Yes. That has been the practice in the past.

(c) Recruitment of routine division clerks will be made through the Public Service Commission in future.

NON-OFFICIAL ADVISORY COMMITTEE FOR RISALPUR CANTONMENT AUTHORITIES.

284. **Pandit Thakur Das Bhargava:** With reference to item No. 21 on page 13 of the Minutes of the Conference of a Deputation of the All-India Cantonments Association with the Army Secretary in June, 1929, regarding the desirability of having a Non-Official Advisory Committee

to help the Cantonment Authority in India existing in the form of "corporation sole" in matters affecting the civic rights of the residents, will Government be pleased to state if the Officer Commanding, Risalpur Brigade has considered the advisability of the appointment of a few representatives of the civil population there for consultation as was done in stations in Waziristan which were not Cantonments?

Mr. G. M. Young: Relevant extracts from the minutes of the conference were forwarded to the General Officers Commanding-in-Chief, all Commands and the Commander, Burma Independent District for consideration of the suggestion made therein. Government are not aware whether the suggestion has been or could suitably be adopted in Risalpur.

APPOINTMENT OF TRADE COMMISSIONERS.

285. Pandit Thakur Das Bhargava: (a) Will Government be pleased to state if any Trade Commissioners have been appointed so far? If so, at what places? Who are the gentlemen appointed and what are their qualifications?

(b) How many Trade Commissioners are proposed to be appointed during the present and coming years and in what places?

The Honourable Sir George Rainy: (a) The Honourable Member presumably has in mind the scheme for the appointment of Indian Trade Commissioners abroad. No appointments have yet been made in pursuance of the scheme.

(b) The total number of these Trade Commissioners provided for in the scheme is six, one each at Hamburg, Milan, New York, Alexandria, Durban and Mombasa. It is hoped to make a start by selecting two Trade Commissioners this year and to complete the scheme gradually as funds permit.

RECOVERY OF ARREARS OF PROFESSIONAL TAX IN THE CANTONMENT OF RISALPUR.

286. Pandit Thakur Das Bhargava: (1) Are Government aware that considerable unrest prevails in the Cantonment of Risalpur caused by the action of the Cantonment Authority by the sudden recovery of heavy sums of two years' arrears of the professional tax which was imposed by the Local Government only with effect from the 1st September, 1929?

(2) Will Government be pleased to state if it is a fact:

(a) that in 1926 a provincial tax was imposed by the Local Government in the Cantonment of Risalpur;

(b) that it was postponed from 1927 to 1929;

(c) that a professional tax was imposed in that Cantonment by the Local Government only with effect from the 1st September, 1929, *vide* the North West Frontier Province, Revenue Department Notification No. 918-L.F., dated the 24th August, 1929; and

(d) that "demand notices" have been issued for the recovery of the arrears of the tax for 1927, 1928 and 1929, which though dated 1st February, 1930, have actually been served on the 15th February, 1930?

(3) If answers to part 2 (a) to (d) be in the affirmative, will Government be pleased to state the reasons which necessitated:

(a) the suspension of the provincial tax for two years;

(b) the introduction of new professional tax;

(c) the collection of professional tax for the preceding two years when the tax was imposed by the Local Government only with effect from the 1st September, 1929; and

(d) the difference of 15 days' interval allowed between the date of issuing notices, and actually serving the same?

(4) Will Government be pleased to state whether the provisions of sections 89 and 90 of the Cantonment Act have been complied with, and whether the requisite notification as regards the date, and the number of instalments proposed to be realised was published by the Cantonment Authority, and whether bills were sent in accordingly? If not, why not?

(5) Will Government be pleased to state the reasons which led the Cantonment Authority not to realise the tax for more than two years?

Mr. G. M. Young: I am making enquiries and will let the Honourable Member know the result in due course.

LEASE FORM FOR SHOPS BELONGING TO CANTONMENT AUTHORITIES IN INDIA.

287. Pandit Thakur Das Bhargava: Will Government be pleased to state if it is a fact that the question of adopting a suitable lease form for giving shops belonging to Cantonment Authorities in India on rent to shop-keepers is at present under the consideration of the Government of India?

Mr. G. M. Young: The Cantonment Authorities have recently been instructed to grant regular leases for the occupation of their shops.

CONSTRUCTION OF THE BHIWANI-ROHTAK RAILWAY LINE.

288. Pandit Thakur Das Bhargava: (a) In reply to question No. 450 asked by me on 26th March, 1928, the Government was pleased to say that the construction of the Bhiwani-Rohtak Railway line is hoped to be finished by December 1929. In reply to a further question No. 380, asked by me on the 27th March, 1929, Government was pleased to say that construction was hoped to start in 1930-31 and be completed in 1931-32. The Pink Book, North Western Railway, however, shows that the construction will not be taken up in 1930-31. Will the Government be pleased to state why they are postponing the construction of this line?

(b) Has the Bombay, Baroda and Central India Railway made any representation in the matter regarding the likely prejudicial effect on that Railway of the proposed new line? If so, has any reply been given?

(c) Are Government aware that four trains used to run between Delhi and Bhatinda *via* Rewari and up till September 1928 there were at least three trains running between Delhi and Bhatinda *via* Rewari, whereas at present there are only two passenger trains (one direct and the other connecting) from Delhi to Bhatinda *via* Rewari (Bombay, Baroda and Central India Railway)?

(d) Are Government aware that this reduction in the number of trains is causing great inconvenience to the public?

Mr. A. A. L. Parsons: (a) It has, as the Honourable Member is aware, not been found possible to find money for starting any new lines in 1930-31.

(b) No. The Bombay, Baroda and Central India Railway originally objected to the construction of the Bhiwani-Rohtak line but have since withdrawn their objection.

(c) and (d). I would invite the Honourable Member's attention to the reply given on 26th September 1929 by Mr. Rau to the Honourable Member's question No. 221.

WANT OF MAIL, EXPRESS OR FAST TRAINS BETWEEN REWARI AND BHATINDA AND STOPPAGE OF SHUTTLE TRAINS BETWEEN BHIWANI AND HISSAR.

289. **Pandit Thakur Das Bhargava:** (a) Is it a fact that there are no mail, express or fast trains at present running between Rewari and Bhatinda (Bombay, Baroda and Central India Railway)?

(b) Is it a fact that, for a few months, shuttle trains were running between Bhiwani and Hissar and the said trains were fully utilised by the public?

(c) Is it a fact that, from the 1st March, 1930, the shuttle trains have ceased to run between Bhiwani and Hissar?

(d) Was the experiment unsuccessful financially? If not, why has this convenience been withdrawn?

Mr. A. A. L. Parsons: I would invite the Honourable Member's attention to the reply given on 26th September, 1929, by Mr. Rau to the Honourable Member's question No. 221. I will send a copy of the Honourable Member's question and of my answer to the Agent of the Bombay, Baroda and Central India Railway and ask him to take such action as he may consider necessary.

CHARGE BY THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY OF THIRD CLASS MAIL FARES FROM PASSENGERS TRAVELLING IN EXPRESS TRAINS.

290. **Pandit Thakur Das Bhargava:** (a) Does any other Railway Administration except the Bombay, Baroda and Central India Railway (metre gauge) charge third class mail fares from passengers travelling in express trains?

(b) If the reply is in the negative, will the Government be pleased to state the reason for this action of the Bombay, Baroda and Central India Railway metre gauge?

Mr. A. A. L. Parsons: (a) Yes.

(b) Does not arise.

WANT OF CONCESSION FARES FOR THIRD AND INTERMEDIATE CLASS PASSENGERS ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

291. **Pandit Thakur Das Bhargava:** (a) Is it a fact that the Bombay, Baroda and Central India Railway does not grant to third or intermediate class passengers any concessions such as week-end return tickets, Christmas, Diwali, Dussehra concession?

(b) Have Government ever addressed this Railway in this matter? If so, what reply has been given? Do Government propose to ask the Bombay, Baroda and Central India Railway, to bring their action in regard to concessions into line with that of other railways?

Mr. A. A. L. Parsons: (a) No. Concession return tickets are issued for the Christmas and Dewali holidays from Bombay.

(b) I would refer the Honourable Member to the reply given to part (c) of his question No. 226 on the 26th September, 1929. The reply to the latter part of this question is in the negative.

GENERAL KNOWLEDGE PAPER IN THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

292. **Mr. G. Sarvotham Rao:** (1) Is it a fact that:

(a) in all ministerial branch examinations held by the Staff Selection Board and the Public Service Commission up to 1928 the general knowledge paper has been on one and the same lines and mostly comprised of the newspaper knowledge;

(b) the style of this paper was quite changed in the examination of 1929;

(c) this change was not previously made known to the candidates by means of a model paper?

(2) If the reply to part (1) above be in the affirmative, will Government be pleased to state whether a fixed number of grace marks has been awarded to examinees? If not, why not?

The Honourable Sir James Crerar: (1) (a) and (b). I understand that though the general knowledge paper has hitherto been much on the same lines, it can scarcely be said to have mostly comprised newspaper knowledge and that at the last examination the scope of the paper remained much the same though the style was changed.

(c) Yes.

(2) The matter is one entirely for the Public Service Commission and Government are not prepared to interfere with their discretion.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

293. **Mr. G. Sarvotham Rao:** Is it a fact that the ministerial branch examination held in 1929 by the Public Service Commission was the final examination for departmental men? If so, will Government be pleased to state whether a more lenient treatment has been given to candidates for the upper division than has hitherto been done in qualifying examinations? If not, why not?

The Honourable Sir James Crerar: It is a fact that the examination referred to was the last qualifying examination but such departmental men as are eligible by age and qualifications will be entitled to appear at future competitive examinations. The reply to the second part of the question is in the negative. The reason is that it was not desired to lower the standard.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

294. **Mr. G. Sarvotham Rao:** (1) Is it a fact that:

- (a) a uniform percentage of marks has been observed to qualify candidates for the upper division in all qualifying examinations; and
- (b) such percentage was taken in the aggregate and not in the individual papers?

(2) If the reply to (1) above be in the affirmative, will Government be pleased to state whether this practice has been observed in the 1929 ministerial branch examination? If not, why not?

The Honourable Sir James Crerar: (1) (a). No.

(b) Yes.

(2) I have no information. The matter was entirely one for the discretion of the Public Service Commission.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

295. **Mr. G. Sarvotham Rao:** Will Government be pleased to lay on the table a statement showing:

- (a) the names of candidates who appeared in the 1929 examination for the upper division of the Secretariat; and
- (b) how many were declared successful?

The Honourable Sir James Crerar: A statement is being prepared and will be furnished to the Honourable Member in due course.

NUMBER OF STENOGRAPHERS WHO APPEARED FOR THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

296. **Mr. G. Sarvotham Rao:** Will Government be pleased to state the number of stenographers who appeared for the upper division in the 1929 examination and the number of the stenographers passed in that examination? Will they be also pleased to state the marks obtained by them in each individual paper?

The Honourable Sir James Crerar: 22 stenographers appeared for the upper division of whom eight qualified. Government have no information in the matter.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

297. **Mr. G. Sarvotham Rao:** Will Government be pleased to state what percentage of marks in the aggregate was fixed in the upper division qualifying examinations of 1920, 1922, 1924 and 1925? Do Government propose to qualify those candidates for the upper division in the 1929 examination who got the same percentage of marks in the aggregate? If not, why not?

The Honourable Sir James Crerar: I understand that the percentages varied but I have no precise information. The reply to the second part of the question is in the negative. Government have no reason to suppose that a reasonable standard was not adopted.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

298. **Mr. G. Sarvotham Rao:** Do Government propose to pass for the upper division those men who:

- (a) appeared for the upper division in the competitive examination of 1926 and secured over 60 per cent. marks in the aggregate; and
- (b) who appeared in the qualifying examination of 1929 for the same division and secured 60 per cent. marks in the aggregate?

The Honourable Sir James Crerar: (a) and (b). Government do not conduct these examinations and are not prepared to interfere with the discretion of the Public Service Commission in regard to the method of conducting them.

PUBLIC SERVICE COMMISSION EXAMINATION FOR THE RECRUITMENT OF STENOGRAPHERS.

299. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that since 1924, no examination has been held for the recruitment of stenographers for the Government of India Secretariat and Attached Offices?

(b) Is it a fact that owing to the dearth of qualified men unpassed men have been employed as stenographers in some of the offices?

(c) Is it a fact that at the last ministerial branch examination some of the men who have been successful for the first division are stenographers?

(d) Have Government considered the desirability of holding at an early date an examination open to departmental candidates desirous of qualifying for the stenographer's grade?

The Honourable Sir James Crerar: (a) and (c). Yes.

(b). Yes in temporary vacancies only.

(d) The matter is under the consideration of the Public Service Commission.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

300. **Rao Bahadur M. C. Rajah:** (a) Will Government be pleased to state:

- (i) the total marks for each of the various papers set at the last clerical examination held by the Public Service Commission;
- (ii) the percentage of marks required to be obtained to secure a pass in the First and Second Divisions respectively; and
- (iii) the percentage of pass marks for qualifying clerical examinations held in the past by the Public Service Commission or the late Staff Selection Board?

(b) Is it a fact that the percentage of pass marks fixed in respect of the last examination is very high as compared with that for previous examinations? If so, will Government please state the reasons therefor?

The Honourable Sir James Crerar: (a) (i) and (ii). Government have no information.

(iii) The percentage fixed by the Staff Selection Board varied from time to time and the records available do not show in all cases clearly what it was. The Public Service Commission did not hold any qualifying examination before 1929.

(b) The Departmental Conference on the subject recommended that a fairly high standard should be required.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

301. Rao Bahadur M. C. Rajah: (a) Is it a fact that some of the candidates who appeared at the last clerical examination held by the Public Service Commission had already failed once or twice at such previous examinations?

(b) Is it a fact that some of them though they had not actually failed to qualify for higher grades at previous examinations had opportunities of appearing at such examinations?

(c) Is it also a fact that there were among the candidates for the First Division some men who had never had before any opportunity of appearing for this Division?

(d) Do Government propose to give any concession to those who fall in category (c) and have not been successful at the last examination?

(e) Have Government considered the question of allowing these men as a special case to appear at the next examination if they are not otherwise eligible?

The Honourable Sir James Crerar: (a), (b) and (c). Yes.

(d) No.

(e) Government see no reason to consider the grant of any concessions to these men.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

302. Rao Bahadur M. C. Rajah: (a) Are Government aware that there is a general feeling of dissatisfaction at the results of the last clerical examination?

(b) Are Government aware that some of the candidates who have failed to qualify are considered by the Heads of the Departments concerned to be in every way fit to hold appointments in the divisions for which they appeared?

(c) Do Government propose to consider the desirability of reviewing the cases of those candidates who secured fairly high marks and are considered fit by the Head of the Department concerned?

The Honourable Sir James Crerar: (a) I gather that there is some dissatisfaction among unsuccessful candidates.

(b) I have no such information.

(c) No.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

303. Rao Bahadur M. C. Rajah: (a) Is it a fact that the results of the ministerial selection branch qualifying examination held by the Public Service Commission have recently been announced?

(b) Is it a fact that the marks obtained by those candidates who have not been able to qualify have not been communicated to the departments to which they belong?

(c) Is it a fact that this is contrary to past practice?

(d) Are Government prepared to communicate the marks obtained by such candidates to the departments concerned? If not, will they please state the reasons for their inability to do so?

The Honourable Sir James Crerar: (a) and (b). Yes.

(c) No.

(d) Government see no advantage in communicating to departments the marks obtained in this particular qualifying examination.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

304. Rao Bahadur M. C. Rajah: (a) Will Government please state the number of candidates who appeared for the first and second divisions, respectively, at the last clerical examination held by the Public Service Commission?

(b) Will Government please also state how many of the candidates have been declared successful for each division?

(c) What is the percentage of successful candidates at this and all previous examinations held by the Commission or the late Staff Selection Board?

(d) Is it a fact that the percentage of successful candidates at the last examination is far less than in previous examinations?

The Honourable Sir James Crerar:

(a) First Division 425 candidates.

Second Division 141 candidates.

(b) First Division 17 candidates.

Second Division 29 candidates.

(c) The percentages are given below:

Percentage of candidates qualified for 1st,
2nd and 3rd Divisions.

Year.	
1920	39.4 approximately.
1922	35.5 "
1924	33.9 "
1925	21.0 "
1926	12.4 "
1929	17.0 "

(d) Yes. As this was the last qualifying examination many candidates appeared who had no chance of success.

RULES FOR ALLOTMENT OF QUARTERS IN NEW DELHI.

305. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that the rules regarding the allotment of quarters in New Delhi are under revision?

(b) When will Government come to a final decision in the matter and what is the cause of delay?

(c) Have Government provided in the new rules that the allotment for the next season should be made in January or February every year, to enable those who are not given quarters to make their private arrangements in good time?

(d) If the reply to part (c) be in the negative, will Government kindly state the reason?

(e) Is it a fact that the allotment of Simla quarters for the next year is made in August?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) There has been a certain amount of delay owing to the fact that the views of the different Departments had to be obtained. It is hoped that a final decision will be arrived at during the coming summer season.

(c) This will be considered along with other suggestions.

(d) Does not arise.

(e) The officers' houses and the clerks' quarters in Simla are respectively allotted as soon after the 1st September and the 1st July as possible.

POLICEMEN ON DUTY IN THE SQUARES OF INDIAN CLERKS' QUARTERS IN NEW DELHI.

306. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that policemen remain on duty at New Delhi in the squares of Indian clerks' quarters during the day?

(b) Have any policemen been posted in the new quarters constructed in 1929?

(c) If not, do Government propose to issue orders to the effect that policemen should be posted in all the squares, places and roads, etc., to keep watch during the day when all the clerks are away in offices and there are many chances of burglaries?

The Honourable Sir James Crerar: (a) Yes.

(b) Yes.

(c) The question does not arise.

DIFFICULTIES RE EDUCATION OF THE CHILDREN OF THE MOVING STAFF OF THE GOVERNMENT OF INDIA.

307. **Rao Bahadur M. C. Rajah:** (a) Are Government aware that as there are different Universities for Simla and Delhi the education of the children of the employees of the Government of India who move between these places have to suffer a good deal on account of different courses and complaints to this effect have been made many times?

(b) Will Government be pleased to state what they propose to do to alleviate the difficulties experienced by their employees in regard to the education of their children?

Sir Frank Noyce: (a) and (b). The Punjab University exercises control over higher education in Simla, while the University of Delhi exercises control over higher education in Delhi. A proposal to have a school moving between Delhi and Simla is under consideration.

NOTICE OF OCCUPATIONS OF GOVERNMENT QUARTERS IN NEW DELHI.

308. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that seven days' notice is given for the occupation of Government quarters in New Delhi?

(b) Are Government aware that most of the quarters are even then not fit for occupation and that the occupants are put to a lot of trouble on their arrival?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) No.

FURNITURE FOR CLERKS' QUARTERS RECENTLY CONSTRUCTED IN NEW DELHI.

309. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that new furniture was purchased for the new clerks' quarters constructed recently in New Delhi?

(b) Have all these new quarters been furnished with new furniture?

(c) If not, what has happened to the new furniture?

(d) Has the new furniture been sent to the bungalows of the local Public Works Department officials and the old furniture been supplied in the quarters?

(e) Have Government received any complaint to this effect?

(f) When will the old furniture in the new quarters be replaced by the new furniture intended for them?

The Honourable Sir Bhupendra Nath Mitra: (a) A certain quantity of new furniture was bought for the clerks' quarters as a whole owing to the fact that certain new "C" and "D" quarters had been constructed in the previous year, and not specifically for the new quarters.

(b) No.

(c) The new furniture has been used in furnishing the quarters allotted to migratory clerks.

(d) No.

(e) Yes; certain complaints were received to the effect that the new quarters should have been furnished with new furniture.

(f) The old furniture will be replaced by new furniture when the former becomes unserviceable.

THE SECRETARIAT MINISTERIAL BRANCH EXAMINATION HELD BY THE PUBLIC SERVICE COMMISSION.

310. **Rao Bahadur M. C. Rajah:** (a) Is it a fact that some of the candidates who appeared for the first division in the last departmental examination for the Government of India Secretariat held by the Public Service Commission were not already qualified for the second division?

(b) Is it a fact that most of such candidates have not been able to qualify for the first division?

(c) Have some of them obtained a sufficient number of marks for the second division? Is it a fact that they have not been declared qualified for that division?

(d) Do Government propose to consider their cases and declare them fit for the second division?

(e) If the reply to part (d) be in the negative, will Government kindly state the reasons?

The Honourable Sir James Crerar: (a) and (b). Yes.

(c) and (d). Yes, and when successful they have been declared qualified.

(e) Does not arise.

CAMP OFFICE OF THE INCOME-TAX OFFICER, GUJRANWALA.

311. Rao Bahadur M. C. Rajah: (a) Is it a fact that the Income-tax Officer, Gujranwala, camped at Chhanawan during the last Summer?

(b) How far is that place from the nearest railway station?

(c) Were the assesseees from Ramnagar and Akalgarh called at Chhanawan to produce their accounts, etc.?

(d) How far is Chhanawan from Ramnagar and Akalgarh?

(e) Are Government aware that there are no suitable arrangements for boarding at Chhanawan and on account of long distances which they had to travel the assesseees were put to a great inconvenience specially during the rainy days?

(f) Are Government prepared to issue instructions in future that the Income-tax Officer should visit Akalgarh for assessment and not require the assesseees to travel long distances?

The Honourable Sir George Schuster: (a) to (e). The Government have no information. A report has been called for from the Commissioner of Income-tax Officer should visit Akalgarh for assessment and not require the substance of it to the Honourable Member, and the Central Board of Revenue will then consider the suggestion in part (f) of the question.

THE NEW DELHI CONNAUGHT PLACE BOOKING OFFICE.

312. Rao Bahadur M. C. Rajah: (a) Is it a fact that the New Delhi Connaught Place Booking Office was opened for goods about 12 months ago?

(b) Is it a fact that in the last week of October, 1929, the Railway authorities at Lahore Junction refused to book goods for that booking office, on the plea that they were not aware of the booking office?

(c) Is it a fact that the matter was reported by the consignee to the Divisional Superintendent, North Western Railway, Delhi, who forwarded it to the authorities at Lahore vide his letter No. 4118-C. D./29, dated the 9th December, 1929?

(d) Is it also a fact that the consignee has sent half a dozen reminders to the Railway authorities at Lahore during the last three months, but has heard nothing in reply?

(e) What action do Government propose to take in the matter to avoid repetition of such action on the part of railway officials?

Mr. A. A. L. Parsons: (a) Yes.

(b), (c), (d) and (e). I am obtaining a report and will communicate with the Honourable Member in due course.

NOMINATION OF A PARSİ TO THE DEOLALI CANTONMENT BOARD.

313. Pandit Thakur Das Bhargava: (a) Has a Parsi gentleman been recently nominated to the Cantonment Board, Deolali, under the proviso to section 14 (I) (e) of the Cantonments Act?

(b) If so, what led to his nomination when representatives of the Parsi Community were already on the Board through election?

(c) Has this nomination been protested against by some elected member or members of the Cantonment Board? If so, what action has been taken on protest?

(d) Who is the gentleman nominated? What are his qualifications for nomination? What interest is he expected to represent on the Board?

(e) Is it a fact that an undertaking or assurance has been given by him that he will invariably support the President?

Mr. G. M. Young: Government have no information. I am making enquiries and will let the Honourable Member know the result in due course.

RESIGNATION OF HINDU ELECTED MEMBERS OF THE AGRA CANTONMENT BOARD.

314. Pandit Thakur Das Bhargava: (a) Is it a fact that all the Hindu elected members of Agra Cantonment Board have resigned their seats in a body?

(b) Have the resigning members given reasons for their resigning the same? If so, what are those reasons?

(c) Is it a fact that the Cantonment Authority has by a majority of votes given permission for the opening of a meat shop near a Hindu temple?

(d) Will Government state why this new meat shop has been opened? What particular public need is it intended to satisfy and how was that need satisfied so far?

(e) Did the Hindus protest against the opening of the shop? If so, how did the Cantonment Authority dispose of their protest?

(f) Do Government propose to direct the Cantonment Authority of Agra to consider the question of shifting the shop to a more suitable place?

Mr. G. M. Young: (a) and (b). The Government have received a copy of a letter addressed to the President of the Cantonment Board, by four elected Hindu members tendering their resignation for what they considered to be an infringement of the religious and civic rights of the Hindu residents of the cantonment by the non-Hindu majority of the Board.

(c) and (d). Yes, a butcher applied for and was given a licence for a meat shop about 100 yards from a Hindu Temple. As to the other sub-parts of part (d), the Government have no information.

(e) I am informed that certain Hindu residents of the area, who were aware that preliminary inspections had been carried out both by the Executive Officer and the Health Officer, raised no objection until the licence had

been issued. They then applied to the Executive Officer who made enquiries and found that their complaints were not well founded. The inhabitants of the immediate neighbourhood are said to be persons of low caste who eat meat and the shrine is apparently not frequented by high caste Hindus. In the meantime a counter representation was received from about 200 persons including some high caste Hindus, asking that the shop might be left where it was.

(f) No, but I understand that the dispute is being settled by agreement among the parties interested.

MOTION FOR ADJOURNMENT.

COLLISION BETWEEN THE POLICE AND PUBLIC AT RANGOON.

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, I ask for leave to move the adjournment of the House to discuss a definite matter of urgent public importance, namely, the attack made by the police on the crowd outside the Court of the District Magistrate, Rangoon, and the assaults made by the police on several public men during the trial of Mr. J. M. Sen Gupta, and the action of the authorities in making use of troops on the said occasion, and their policy, conduct and behaviour on the said occasion resulting in serious injuries to a large number of innocent and unoffending citizens of Rangoon. If you feel, Sir, that my motion is open to objection on any grounds, or if the Honourable the Leader of the House opposes the motion on any grounds. I hope, I and desirably other sections of the House will be given an opportunity of meeting those points before you are pleased to give your ruling.

Mr. President: That is the procedure which the Honourable Member is laying down for himself. The correct procedure is that the Honourable Member must show that the motion is in order.

Mr. Jehangir K. Munshi: Very well, Sir. I shall try to anticipate objections so far as I can.

I am given to understand, Sir, that objections might be advanced on the ground that the matter is *sub-judice*, Government's allegation being that certain persons are being prosecuted for offences committed when they formed part of the crowd. You will notice, Sir, that I am not asking the House to consider what any particular person in the crowd did or did not do. I am not asking the House to direct its attention to any pending or impending prosecutions. What we are concerned with is the attack made by the police on the crowd.

Mr. President: Is that not a matter for investigation in the case?

Mr. Jehangir K. Munshi: If the position of Government is that certain police men are being prosecuted for attacks made on the crowd, then of course, this particular matter would be *sub-judice*.

Mr. President: If the case of Government is that the police did not attack the crowd, but they were merely on the defensive, is not that a point for investigation in the court of law if the case is already instituted?

Mr. Jehangir K. Munshi: My point is this, that the police attacked the crowd. Government's position probably is that the crowd committed certain offences against the law. I am not asking the House to direct its attention to what the crowd did. I am asking the House to consider the conduct and attitude of the police on this occasion.

Mr. President: The Honourable Member says that the police began the attack. Government I understand say that the police were on the defensive, and the crowd began the attack, what then?

Mr. Jehangir K. Munshi: I do not know if the Honourable Member will go to the extent of saying that certain persons are being prosecuted for starting the attack on the police. But that is not the only point of my motion.

Mr. President: Then is the Honourable Member prepared to give this point up?

Mr. Jehangir K. Munshi: No, Sir, I am not. I adhere to my argument that this particular part of my motion cannot in any way come within the objection of being *sub-judice*. But even if you hold that it does, that does not put an end to my motion, because there are several other parts each of which is complete in itself for an argument in debate.

The second part is the assault made by the police on several public men. I have not heard it suggested that any public man is being prosecuted in Rangoon for assaulting policemen.

Mr. President: That is not the question. So far as I can see, the case of Government probably is that the policemen assaulted the public men in self-defence.

Mr. Jehangir K. Munshi: How can there be self-defence, unless it is alleged that the public men assaulted the police?

Mr. President: It is alleged that the crowd opened the attack.

Mr. Jehangir K. Munshi: I have still got to hear the Honourable the Home Member advance the proposition that the public men of Rangoon actually assaulted the police. My position is that the police singled out the public men, who gave no offence, and who did not bring themselves within the scope of the law in any way.

Mr. President: That is your case?

Mr. Jehangir K. Munshi: That is my case.

Mr. President: Is that a matter under investigation by a court of law?

Mr. Jehangir K. Munshi: No, Sir. Even if we take the Government version to be accurate, that particular matter is not being tried by any court, because, if certain persons in the crowd are being prosecuted for certain offences, it is not suggested that any of the public men of Rangoon who were assaulted by the police are being tried for any offence. These two are separable parts of my motion. First of all I am dealing with the crowd, then I am dealing with the prominent public men of Rangoon. But my motion does not end there.

Mr. President: Does the Honourable Member accept the view that this matter is *sub-judice*.

Mr. Jehangir K. Munshi: It cannot be contended by any stretch of the imagination that any of the public men of Rangoon are being tried at Rangoon.

Then, Sir, the third part of my motion deals with the action of the authorities in making use of troops. I do submit that the use of troops should be resorted to absolutely as a last resource and not as a wanton display of brute force to illustrate the might and pomp of the British Empire. The preservation of law and order is as dear to me and to the Opposition in this House as to the Government Benches; but the preservation of law and order is one thing and the wanton display of brute force to overawe the people and to check movements of a non-violent nature are entirely different propositions. I submit, Sir, that, on this point alone, this House should proceed to debate whether Government were justified in calling out the troops to overawe the public when a prominent political offender was being tried for a political offence.

Mr. President: The motion must refer to specific points.

Mr. Jehangir K. Munshi: I admit that it can be regarded as a general point to that extent. Then the fourth point is that the behaviour of the police resulted in causing serious injuries to a large section of the crowd. The sketchy report which was published in the Press is not accurate; but even from this report it appears that more than a hundred persons were injured.

Mr. President: How many policemen were injured?

The Honourable Sir James Crerar (Home Member): The report is about twenty.

Mr. Jehangir K. Munshi: The report which has been published in the Press gives the figure as ten, but the report which I have received gives a smaller figure. So I submit my motion is in order and should be allowed.

With regard to the point of urgency it may be said that I have not been sufficiently prompt in bringing the motion before the House. I wish to emphasise the point that a Member of this House is not bound to give notice of a motion of this nature immediately reports are published in the Press of a certain incident. Because a particular report as it may appear in the Press may or may not give rise to a proper motion for adjournment.

Mr. President: He is not bound to give any notice at all. (Laughter.)

Mr. Jehangir K. Munshi: But the Press report need not necessarily pin him down to a particular date. A Press report of a certain incident may appear which may call for no action. Next day a report may appear in the Press with regard to the same incident which may immediately call for action. So I beg to submit that the first Press report published here on which I did not act was so sketchy and so amazingly vague and evasive that I could not possibly make it the basis of an adjournment motion. I instituted my own inquiries and I got my information. As soon as I got information on which I could base an adjournment motion, I sent in notice

of the motion. I submit, therefore, that so far as the question of urgency is concerned, I have not in any way placed myself beyond the purview of that particular rule.

The Honourable Sir James Crerar: Sir, I propose to deal briefly with the objections which I propose to raise to this motion. In the first instance, it refers to action taken by the local authorities to meet a sudden disturbance of the peace. That is a matter which quite obviously the Government of India could not themselves directly control, even if they so desired, and it is not primarily their concern. Consequently I submit that no general question of policy is involved, and that the subject-matter of this motion could not properly or profitably be discussed in this House.

The second point which I submit is this. I have information that proceedings are pending against three persons in respect of this disturbance and it is impossible to say what matters may not be involved in these discussions. The general question raised by the Honourable Member raises issues which are almost certain to be in issue in a court of law. Therefore, the whole matter is definitely under adjudication of the court of law and I submit, therefore, that on that ground, the motion is not in order.

Mr. President: The point that I am not clear about is the use of troops for dispersing the crowd.

The Honourable Sir James Crerar: Though I cannot speak with complete definiteness, the report which I have received from the Local Government makes no reference whatsoever to the use of troops, and I think I am entitled to infer that troops were not actually used and the matter was dealt with solely by the police force. In any case, I submit, Sir, that if a disturbance is of a sufficiently serious nature to require the use of troops—though I do not believe that in this case such action was taken—the matter is still one which, under the law, is definitely within the competence and discretion of the Local Government. Therefore, that does not raise any general question of policy in which the Government of India are primarily and immediately concerned.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): May I ask whether troops were actually called out, though not employed?

Mr. President: Will the Honourable Member get information whether the troops were called out and whether they were used?

The Honourable Sir James Crerar: I will certainly get information on that point. Nevertheless, I submit that, even if the troops were called out, that does not raise a definite matter of policy in which the Government of India as such is primarily concerned.

Mr. President: The question whether the Government of India is primarily concerned or not is not a question for the Chair; it is a question for the Governor General.

The Honourable Sir James Crerar: The matter is under the adjudication by a court of law.

Mr. President: That is a point which applies to the first two matters. I think for two reasons I should take this matter up on Monday. One is that I should like the House to make as much progress as possible in the

[Mr. President.]

matter of the Finance Bill and see that the amendment at any rate are finished today. That is my intention. The second reason is that I should like, before I decide whether the motion is in order or not, to have information on the question whether the troops were called out, and if so, whether they were used at all. In this view, I propose to pass orders on Monday, after hearing the Leader of the House again.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON PILGRIMAGE TO THE HEDJAZ.

Mr. President: I have to inform the Assembly that the following five Members have been elected to the Standing Committee on Pilgrimage to the Hedjaz, namely:

1. Mr. Fazal Ibrahim Rahimtulla.
2. Haji Chaudhury Mohammad Ismail Khan.
3. Haji Abdoola Haroon.
4. Maulvi Sayyid Murtuza Saheb Bahadur.
5. Raja Ghazanfar Ali Khan.

THE INDIAN FINANCE BILL.

Mr. President: The House will now resume further discussion on the amendment of Mr. Fazal Ibrahim Rahimtulla* to Schedule I of the Finance Bill.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Sir, I desire to accord my support to the proposition placed before this House by my Honourable friend, Mr. Fazal Ibrahim Rahimtulla. I do not propose to discuss this question on technical grounds, which I am not competent to go into. I think that the question can be dealt with on general grounds and should be dealt with on those grounds which are intelligible to any layman.

My first reason for supporting Mr. Fazal Ibrahim Rahimtulla's proposition is, broadly speaking, a financial one. The Honourable the Finance Member has told us that he is faced with a deficit of about 4.40 lakhs. He is, however, asking us to vote taxation to the tune of 5.10 lakhs. To the extent of 70 lakhs, Sir, he is asking us to vote taxation, not to cover any deficit, but to provide him with a surplus. Now, Sir, I can well understand that, in a big financial concern like the Government of India, it is necessary to have a margin of safety. But the circumstances this year are of a special character. The taxation that the Honourable Member asks us to agree to is not of a light nature. Besides, he has himself undertaken to institute inquiries with a view to

*"In Schedule I to the Bill the proposed amendment No. 5 be omitted and the subsequent amendments be renumbered accordingly."

reducing expenditure. He has appointed an officer to survey the expenditure of all departments and to submit a report as early as possible. The question of Military expenditure is also to be considered further. If, we do not vote the duty on silver, which the Honourable Member asks us to agree to, we shall leave him with an uncovered deficit of 30 lakhs. If the economies that are going to be made are to be of a substantial character, if we are to expect anything substantial from the retrenchment proposed by the Government of India, it cannot be contended that a sum of 30 lakhs is too much to be covered by reductions in expenditure that might be brought about as a result of the inquiries that have been already undertaken by the Government of India, or that might be undertaken in future. I contend, Sir, therefore, that on strictly financial grounds, it is unnecessary for us to support the duty on silver. On the contrary, I think, Sir, that if this House rejects the duty and leaves the Honourable the Finance Member with a small deficit, he will perhaps be in a position to apply the screw more tightly to the departments concerned and be able to induce them more readily, than would otherwise have been the case, to agree to reductions in expenditure. Both, therefore, on financial grounds and as a matter of policy, I entirely approve of the course which my Honourable friend, Mr. Fazal Ibrahim Rahimtulla, asks this House to adopt.

But, Sir, this matter does not end here. The question of the imposition of a duty on silver was considered sometime ago in connection with the adoption of a gold standard in India. It was thought that the sale of silver in India would lead to a reduction in its price, and that the Government of India might well, in those circumstances, take some action to protect itself. Sir Basil Blackett proposed a duty of 4 annas per ounce in order to provide Government with a protected market and to reduce the cost of going over to the gold standard. This, by the way, drew from Mr. Kisch the remark that the idea that a new tax could reduce the cost of a measure was rather odd. The matter, Sir, was considered by the Currency Commission presided over by Sir Hilton Young. The question was then considered entirely in relation to the adoption of a gold standard, and I think it would be pertinent in this connection to point out the evidence given by Sir Arthur McWatters, who was Financial Secretary then and who is Financial Secretary today also, on this point. Asked whether he would be in favour of the imposition of a duty on silver, he said:

"I think it would be justified if the policy accepted is that we should work towards a Gold Standard. Then and only then would it be desirable to introduce anything in the nature of a duty on silver which was deliberately abandoned as a result of the recommendations of the last Currency Committee."

i.e., the Committee of 1919. Now, the Honourable the Finance Member does not ask us to treat the measure proposed by him in relation to the currency policy of the Government of India; he asks us to treat it as a revenue measure, and partly also in connection with the position of the Government of India as important holders of silver. I think, Sir, that in view of the consideration given to this matter by the Currency Committee and the evidence given by the Government of India's own Financial Secretary, some more explanation is needed to justify the silver duty than has so far been given by my Honourable friend the Finance

[Pandit Hirday Nath Kunzru.]

Member. If the policy of working for the adoption of a gold standard were accepted, then the aspect of affairs would be entirely changed, but if that is not accepted, I contend, Sir, that we should have much stronger arguments placed before us than have been placed before us so far as by the Honourable the Finance Member to induce us to agree to the measure before the House.

Sir, if I were to stop here, the supporters of the silver duty, including my Honourable friend the Finance Member, might say, "You are standing in the way of the Government of India rendering financial assistance to the Provincial Governments for the development of the nation-building services". "We regard this duty" said the Honourable Member in his budget speech, "principally in fact as a measure which will give us a margin of revenue from which we shall be able to make a distribution to provinces after the forthcoming statutory revision to give them the funds which they require for nation-building services". It must be, Sir, a source of gratification to the House that the Honourable the Finance Member is already thinking of large questions of policy, and desires to place the provinces in a position where they will be able to discharge their responsibility to the masses who are committed to their charges. But, Sir, during the whole of this Session, whenever any important questions either of policy or of finance were brought to the notice of my Honourable friend opposite, his invariable reply was that the settlement of those questions must await the settlement of the constitutional question. What is the reason, then, may I ask, which compels the Honourable the Finance Member to bring forward this important question of policy apart from the settlement of the constitutional question? My Honourable friend will admit that this is not a small matter. The question of increasing the resources of the Provincial Governments and of a proper distribution of the revenues of the country between the Central and the Provincial Governments is undoubtedly a matter of the supremest importance; but if the Government of India have asked us to wait so far for the publication of the results of inquiries instituted by them against the wishes of the country at large, may we not ask them to wait a little more before committing us to the course advocated by the Honourable the Finance Member? Let us look at the question of reforms and the settlement of the position of Provincial Governments relatively to the Government of India, as a whole. The duty, if imposed now, would I think, have to be permanent unless the buyers of silver are hereafter to be placed at a considerable disadvantage. I think it is necessary, Sir, in a question of this magnitude, that we should wait and examine carefully what alternative methods there are of satisfying the needs of the provinces and adjusting their relations to the Government of India. In any case there is no reason why we should hurry forward. I think therefore, Sir, that no harm will be done and that much good may result if we postpone the consideration of this question, reject the duty at this stage and deal with the distribution of the financial resources of the country between Provincial and Central Governments at a later stage when we would have much more material available to us than we have at the present time.

But what I have said, Sir, does not cover the whole of the case placed before us by my Honourable friend the Finance Member. His last argument in favour of the silver duty proposed by him was that, in view

of the falling price of silver, the action suggested by the Government of India would protect the interests of the masses which have been insistently advocated in this House by Honourable Members on this side. But, Sir, what does the Honourable the Finance Member mean? I am sure he does not mean that the imposition of a duty on silver would stabilise its price. I do not think that has been claimed by any advocate of the silver duty. Many Honourable Members on this side have pointed out that no action taken by the Government of India in this country alone can affect the world price of silver, and that, ultimately, the price of silver in this country would be regulated by the price of silver in the internal market. It may therefore be expected to fluctuate in future as it has done in the past. The only difference that the duty would make in the case of India would be that the price of silver would be higher here by the extent of the duty proposed by the Government, but if the price of silver is not stabilised and it goes on following the course pursued by silver in the world market, the duty does not protect the buyers of silver at any particular period of time; they stand to suffer losses in future as they have done in the past. True, they will realise a little higher price than they might otherwise have done, but it is necessary to point out that they would also have paid a higher price than they would otherwise have done as buyers of silver. We have still, however, to consider the question of those who have invested their savings in silver. Sir, when this question was before the old Imperial Legislative Council in 1910, Mr. Gokhale pointed out that, while the efficacy of the protection which the Government of India professed to afford to the masses would have to be tested in future, the immediate result of the imposition of a duty would be to increase its price, and that was the consideration urged upon Government by more than one non-official Member. I am free to recognise that the situation has changed since then in some important respects which have been pointed out by my Honourable friend the Finance Member in his budget speech, but the matter is of much greater importance than what I have said hitherto might lead Honourable Members to suppose. This too was a question which was considered by the Hilton Young Currency Commission. It examined the late Mr. Benjamin Strong, Governor of the Federal Reserve Bank of the United States on this point. I will read out to the House the reply given by Mr. Strong to a question put to him by the Commission. "The attempt to raise the domestic price", he said, "by the imposition of an import duty I personally believe, would fail. Even if it did really maintain the domestic price, it would fail at a time of some adversity when a surplus of silver was offered, and then in fact the hardship upon the Indian people would be the greatest. But assuming, for the purposes of argument, that it helps to maintain the domestic price above the foreign price, it would put the Government of India in a position of ensuring a price of silver for all time". It may be, Sir, that in time of ordinary and local scarcity, the masses will be able to realise a better price for their silver than they would otherwise have done, but when adverse conditions prevail generally, when there is a country-wide famine or some other general calamity forcing the masses to sell their silver all over the country, I think the fear may be legitimately entertained that the measure proposed by Government will fail to protect the interests of the masses and that the price of silver within the country will fall to the level prevailing outside in spite of the duty.

[Pandit Hirday Nath Kunzru.]

I know, that Mr. Benjamin Strong was against the adoption of a gold standard in India and that we have therefore to take his views with a certain amount of reserve. Nevertheless, it seems to me that the line of reasoning adopted by him was a sound one. The policy of the Government may fail on a crucial occasion just when the need for safeguarding the interests of the masses is greatest.

Sir, I have already told the House that the main reason why I oppose the silver duty is a financial one and one of policy. I do not base my entire case on the grounds I subsequently put forward, but I do think that the arguments which I advanced subsequently will strengthen the original unwillingness of the House to vote in favour of the silver duty. Sir, I oppose the duty and support my friend Mr. Fazal Ibrahim Rahimtulla's motion.

The Honourable Sir George Schuster (Finance Member): Sir, before you allow this discussion to proceed, I wish to call the attention of the House to a point of order, or rather a technical point, to which I must confess that my own attention has just been called. The effect, Sir, of this amendment as it stands,—because this particular item in the Schedule which we are discussing has to be considered together with items 1 and 2 of the Schedule,—would be not to cut out the duty on silver altogether but to leave the *ad valorem* duty of 15 per cent. on silver. The effect of items 1 and 2 in the Schedule is to remove silver from the free list and put it on to the general 15 per cent. list, and I think that point must have escaped the attention of my Honourable friends opposite, just as, I must confess, it had escaped my own. I do not wish, Sir, to take any advantage of this technical point in preventing discussion of this proposal on its merits, because, I think, the House wishes to discuss the question as to whether the silver duty is to be removed altogether, and I think it would be taking an unfair advantage if I were to stand on the technical difficulty, and ask the House merely to consider the substitution of a 15 per cent. *ad valorem* duty for the present duty of 4 annas an ounce. But I think I ought to put the point before you, because these formalities are of importance and it will be necessary to deal with the matter in some way or other if this amendment is to have the effect which, I believe, the Mover of the amendment intended it to have.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Sir, with reference to the point of order raised by the Honourable the Finance Member, I would like to submit this, that we are now considering the whole of Schedule I and the House has not yet passed any individual item in that Schedule. So if this amendment of my friend Mr. Fazal Ibrahim Rahimtulla is carried, then the logical sequence of that would be to make the consequential amendments in the other sections of Schedule I, and therefore I do not think that that will stand in the way of the House giving a verdict on the amendment of my friend Mr. Fazal Ibrahim Rahimtulla.

The Honourable Sir George Schuster: It is quite possible, Sir, that my friend Mr. Chetty's suggestion would be the simplest way of dealing with the matter. But I should like a little more time to consider it myself, because in these technical matters, one wants to consider all the

implications. As I said before, I do not want in any way to prevent discussion of this amendment, and I think, if you, Sir, were to give a ruling that some method must be found of regularising the position if this amendment should be passed, that would probably be the best way of dealing with the situation at the moment. I merely wanted to let you know, Sir, that this point is not covered by the amendment as it stands, and I leave it to you to decide what is the best way of regularising this apparent irregularity.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): It strikes me, Sir, that no ruling is necessary at this stage. If this amendment of my friend is passed, the consequential amendment, to my mind, would be the omission of items 1 and 2 in Schedule I.

Mr. President: We have already passed over items 1 and 2.

Sir Purshotamdas Thakurdas: No, Sir; you have not put them from the Chair. We came to consider Schedule I, and only amendments have so far been taken.

Mr. President: Amendments to items 1 and 2 cannot be made now, because we have already gone beyond that.

Sir Purshotamdas Thakurdas: Sir, there are no amendments to 1 and 2. But there is another way out of the difficulty. When the Chair puts the whole Schedule to the vote, the Chair may be pleased to put each item to the vote. I expect the Honourable the Finance Member will agree that there is no question of ruling on this point, but it is good of him to have drawn the attention of the House to the point.

Mr. President: I suppose some way will have to be found out. What is the object of the present amendment? The object is

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): The object is to delete the present duty proposed by Government.

Mr. President: If the amendment is carried, the effect of it will be to delete the duty on silver.

Mr. Fazal Ibrahim Rahimtulla: Yes, Sir; the new duty proposed.

Mr. President: This can be so, if items 1 and 2 are also deleted.

Mr. Fazal Ibrahim Rahimtulla: If my amendment is carried, then the deletion of items 1 and 2 will be necessary.

The Honourable Sir George Schuster: I might explain my point by saying that, as matters stand, the deletion of items 1 and 2 could not be regarded as strictly "consequential" on the passing of this amendment, but I am quite prepared to say, Sir, that I would accept the view of the situation, that if this amendment is passed the deletion of those two items shall be regarded as a consequential amendment. I leave it to you, Sir, to deal with the matter in whatever way you think best. In my own view, however, the course which I have just indicated would be better than that each item of the Schedule should be put separately, because after

[Sir George Schuster.]

all we shall have considered all the items in the course of dealing with the various amendments. But, as I said, I leave this question to decide in whatever way you think proper.

Sir Purshotamdas Thakurdas: Sir, I propose to speak on this question not from the point of view that my friend Pandit Kunzru has dealt with, because I have already expressed my views on that aspect of the subject. I would like, Sir, to concentrate on the question whether it is desirable to impose this import duty on silver, and whether that import duty is likely to serve the one object which I take it is the object of this side of the House, namely, to prevent the deterioration and further depreciation of silver holdings of the masses of India.

Mr. President: I think I must say a few words on the question raised by the Honourable the Finance Member. I will allow discussion on this amendment to proceed on the basis that the acceptance of this amendment by the House would mean the deletion of the extra duty on silver proposed to be imposed by the Bill, and I will allow at the third reading consequential amendments to be made as a result of the acceptance of this particular amendment. In that case it will not be open to Government to oppose those consequential amendments.

Sir Purshotamdas Thakurdas: I was saying, Sir, that the chief justification for the import duty, according to Members on this side of the House, is whether it will prevent further depreciation of the silver holding of the masses. In the short notice question which I put earlier in the Session, the Honourable the Finance Member agreed to consider this at a private conference between the Honourable the Leader of the Opposition and myself on one side and himself on the other. At these meetings which we had—they were at least two—the question was fully discussed, and I believe the Honourable the Finance Member got into touch with the main markets to find out whether it was possible to arrange for a conference between the representatives of the main producing countries or interests and the Government of India, with a view to devise a method of marketing silver for the next few years in a manner which would prevent further slump in silver prices. From what the Honourable the Finance Member has said in his budget speech, it must be clear to the House that he does not believe that much good can come out of any such negotiations. He has said that, if there is any inclination towards any such arrangement, the Government of India are prepared to assist, but I do not think that he gives us much hope of such action being fruitful. I myself feel that, under the peculiar circumstances in which India is at present, and the peculiar way in which the masses of India are placed, it would have been much more useful to all, including the Government of India, if such a conference as I indicated earlier in the Session, were feasible, and could have been brought about. But I think today we have to proceed on the assumption, which the Finance Member has made, that it is not feasible to expect much from such a conference even if it can be arranged. I am afraid I am not in a position to indicate to him, at any rate today, how such a conference can be arranged and I propose therefore to take it for granted today, and, for the purpose of

the consideration of the Finance Bill, that perhaps nothing useful will be achieved by a conference of this nature, even if it can be convened.

This leads me then to the second point which I mentioned, and, before I deal with that, I wish to ask the Finance Member one question in connection with an important detail of this taxation. The taxation as it is sought to be imposed now, I must admit, is a more complete and more thorough going and self-contained measure than it was when it was imposed in 1911-12. The Honourable Member proposes to include, for the purpose of this taxation, an excise duty on the silver production of Burma. He proposes further to exclude silver which is used as raw material in the manufacture of gold and silver thread, by increasing the import duty on these articles from 30 to 38 per cent. These two measures, which he has agreed to, make this silver duty less objectionable than it was in 1911-12. He further proposes not to disturb India as a market for distribution of silver, by providing for refund of the import duty on silver which is re-exported from India. This also removes an objection which was very strongly urged in 1911-12. The question which I wish to ask the Finance Member is how he proposes to deal with imports of silver from across the border by land, and how he proposes to deal with exports of silver from India across that same border to say, Afghanistan and other countries in the north. I hope that he will see that, with an incidence of more than 20 per cent., as this duty will mean, it may mean serious smuggling from that frontier if nothing clear is provided by law in this connection. I wonder whether the Honourable the Finance Member wishes to reply to me now, by interruption, or prefers to deal with this when he gets up to speak on this motion. But I wish to indicate to him that it is necessary for him to tell us how this particular aspect would be dealt with if this silver duty was approved of by this House.

Now, Sir, the main aspect therefore how this silver duty will affect the masses of India. Government say that it is now quite clear that silver can no longer be looked upon as a precious metal. One of the strongest objections to the import duty on silver in 1911-12 was that the Government were levying a duty on one of the two precious metals of the world, gold and silver. From that exalted position this metal—silver—has, according to Government now been completely dislodged. It has been dislodged in the sense that countries which can help it are giving up silver as a precious metal for their currency purposes and are going on to gold. In India although we have the silver rupee, for all practical purposes, the Government of India appear to have reconciled themselves to this, that silver must now be looked upon not as a precious metal but as a commodity. In fact, I understand that they would like the masses of India to look upon silver as they look upon, shall we say, brass, copper, tin or any other baser metal. If that is so, I think that there may be some justification for this import duty. As coming from the Government, this measure is a sure indication to the masses that silver no longer holds the field with gold as a precious metal. One may, on that ground, agree to an import duty on silver if one feels confident that the masses are in a position to realise the significance of this import duty and take to something else. I would like to quote here the words of no less an authority than Sir Malcolm Hailey about whose happiness of expression of views very few have any doubt. Sir, Sir Malcolm Hailey speaking on a motion in March 1921 when it was sought to reimpose the silver duty

[Sir Purshotamdas Thakurdas.]

which he on behalf of the Government objected to said the following. I am reading from the Proceedings of 19th March 1921, page 1335. He said:

"We were then told, as Dr. Gour has told us again just now, that we were taxing the savings of the poor man. It has, it is true long been a charge against India, a charge certainly levied against India by Europeans from the 17th century onwards, that it is a pit for the precious metals. A long succession of economists has deplored the Indian habit of hoarding the precious metals. As a matter of pure economics they were undoubtedly correct; but the circumstances of India require that we should apply some qualification to this condemnation. If metal is hoarded, it does not necessarily follow that the metal so hoarded is a luxury. I will admit that for the European silver is a luxury; for the richer Indian, except in so far as he seeks to meet the absolute necessities of ceremonial occasions, silver is a luxury; but is it a luxury for the poor man? He has no banking facilities; he is not sufficiently educated to have acquired the Savings Bank habit, and until he improves sufficiently by education to appreciate the investment habit, or until we can provide him with the necessary banking facilities, silver and gold are practically his only means of banking. To that extent at all events silver is not really a luxury, and I would deprecate any attempt to decide the immediate issue before us—a tariff issue—on the supposition that we are taxing a luxury pure and simple."

Sir, these words of Sir Malcolm Hailey put forward the real reason for the hesitation of many on this side of the House regarding the advisability of reimposing this silver duty. I readily recognise that the Honourable the Finance Member has initiated measures which are likely to insure substantial efforts in the direction of securing to the people and the masses facilities as early as circumstances will permit to enable them to bank their savings. But, Sir, those facilities cannot possibly come into operation within the next year, or even two years. The question, therefore, that strikes one is, if silver is to be taxed in order to impress on the people that it is no longer a precious metal which the people can rely upon for stability, what are the people of India to turn to? The obvious reply to my mind, Sir, can only be one, namely, gold. Gold is the one metal which the people can safely rely upon where their savings will not depreciate. If, Sir, the savings of the vast masses of India were in such figures as to justify their purchase of a metal which sells at round about Rs. 22 per tola against silver which today is less than eight annas per tola, one may say, let us ensure wide publicity and dissuade the masses from using silver as a metal in which to keep their savings. But the difference, Sir, between eight annas a tola, or less than eight annas a tola, and Rs. 22 a tola is rather great; the customs and habits of the masses and of the womenfolk are such that they cannot change their usages lightly. I therefore feel that the duty which is sought to be imposed upon silver, whilst it may artificially appreciate the price of silver in India, is not likely to lead to the results which the Honourable the Finance Member expects, namely, divert the attention of the people from silver as a means of keeping their savings. I am therefore afraid that it cannot be gainsaid that this is a tax on the savings of the masses of India. If the Honourable the Finance Member can give us any indication as to how he proposes to provide an effective substitute for the masses in which they can keep their savings in preference to silver, one may concede that this duty has some justification. But those, who have been thinking over this problem for months now, have not been able to find any such effective substitute, and I, therefore, feel that, as far as the next year, or two years, is concerned, this is sure to be a tax on the savings of the masses of India. For these

reasons, my electorate, the Indian Merchants' Chamber, have come to the conclusion that it is not desirable to agree to this import duty on silver and I support this amendment.

***Mr. R. K. Shanmukham Chetty:** Sir, the temporary reason which has induced the Honourable the Finance Member to reimpose the duty of four annas per ounce on silver is, as he himself pointed out in his budget speech, to improve our credit by displaying a strong financial position in the world. That is his temporary object, but incidentally he says he will appreciate the savings of the masses in silver and also give a protected market to the Government of India itself to hold large quantities of silver. Well, Sir, if the object of the Honourable the Finance Member is to show a surplus in the current year's Budget and thereby improve our credit, then I would submit that he has turned his attention to a very unfortunate duty indeed. I share with my Honourable friend Sir Purshotamdas Thakurdas that in opposing this duty, I do so with some feelings of hesitation. There certainly is the argument that this duty will appreciate the hoarding of the masses in silver but the arguments, that have been advanced, and there are not many arguments against it, in the course of the debate, are so strong that it must make the Honourable the Finance Member and this House consider this matter more deeply before agreeing to the imposition of this duty. Sir, the Honourable the Finance Member wants that the masses of India should realise that silver is no more a precious metal. This process of the realisation on the part of the masses of India in this direction will be accentuated if the Government of India will first realise that silver is not a precious metal and the proof of that realisation would be for them not to rely upon silver bullion as a covering for the paper currency reserve but to replace it entirely with gold. (Hear, hear.) So long as Government have got 100 crores of silver rupees in the Paper Currency Reserve and would want us to believe that, in estimating the adequacy of the Paper Currency Reserve, we must take into consideration the silver bullion also, so long as that is the point of view of the Government, it is no wonder that the masses of India should still cling to the belief that silver is a precious metal and a metal in which the savings can be invested. Sir, this question of the imposition of silver duty, as I pointed out in my budget speech is mixed up with the question of gold standard, of replacing the silver bullion in the Paper Currency Reserve by gold and I think that this is not the proper occasion when, just to enable the Honourable the Finance Member to strengthen his position by showing a surplus in his Budget, we must be stampeded into giving our consent to the imposition of this silver duty. My Honourable friend says in his budget speech that the proceeds of this duty will be utilised by him to finance the provinces in their undertakings in the nation-building departments. The object is certainly a very laudable one, but in executing that object, he would find that he is faced with very many difficulties. Sir, to my mind the responsibility of the Government of India in finding money for the Provincial Governments is of a more complicated nature than what one would imagine at the first instance. It is not enough if the Government of India find new sources of taxation and undertake to distribute the proceeds of those taxes to the Provincial Governments. We will be driven back once again to the very unwholesome practice that prevailed in the past of meeting out doles to the provinces, and the moment you have got in the coffers of the Government of India surplus money and consider schemes of distributing these to the provinces, you are faced with the various claims of the provinces, and the invariable

*Speech not revised by the Honourable Member.

[Mr. R. K. Shanmukham Chetty.]

result is that every province complains that it has been treated unfairly. The right way of enabling the provinces to find money for spending on the nation-building departments is to transfer to the provinces flexible sources of revenue, which will enable them to raise money, and not for the Government of India to set apart the proceeds of its taxation to be distributed amongst the provinces. This problem, since it is so complicated, is one which ought to be considered apart from the mere question of balancing the Budget. The Honourable the Finance Member in his speech to the Federation of Indian Chambers of Commerce, said:

"This is one of the questions on which I feel that I must pay attention and give weight to strong expressions of opinion from commerce and industry in India."

I hope he will act up to what he said to the Federation and give up this proposal of an imposition of duty on silver.

The Honourable Sir George Schuster: Sir, although the speeches on this measure have been few, the arguments advanced have been of a concentrated and closely reasoned nature, and perhaps require some more time than usual for reply. I will deal with the arguments of the three speakers who have given us their views this morning. My Honourable friend Pandit Kunzru based his principal objection I think on the fact that we do not require this revenue on financial grounds. He would rather leave us with a deficit of 30 lakhs and force us to search for economies than give us anything that looks like providing a surplus. With that general argument I shall hope to deal later. But I would like to make the position clear at the outset. Although on the estimates, as I have put them before the House, I do show a surplus of 70 lakhs, I feel that I am in the position of one who is asking for some sort of an insurance fund which is very definitely needed. It is not a surplus in the sense that it is surplus to our requirements. We are facing a period of uncertainty and if Honourable Members will go through in detail our basic estimates of revenue before we come to the additions which the new taxation will give us, I think they will find a number of items on which they might well criticise me as having inserted too optimistic a figure. It is quite true that it might be argued that the yield of the extra taxes which I have estimated for is estimated on a conservative basis. But the position which I want to emphasise to this House with all the seriousness at my command is that, taking the Budget as a whole, the estimates are not under the mark, and that to face such a year as we are now facing with a possible surplus of only 70 lakhs is not asking this House to provide us with more money than is really required to deal with the existing situation. I will revert to that argument again, because I wish to make clear to the House what I have in mind for the application of the surplus, if by good fortune we should realise it. But the point that I must insist on is that it is the actual needs of the situation and not these possibilities of the future which furnish the real justification for my demand for this additional revenue.

Then, Sir, my Honourable friend also referred to the evidence of Sir Arthur McWatters, given ten years ago, and tried to link up my present proposal with arguments concerned with the adoption of a gold standard. To some extent that position has been met by what fell from the next speaker, Sir Purshotamdas Thakurdas. I think he recognises that we are dealing now with a different situation. We are not considering this proposal in any sort of relation to proposals for the establishment of a gold standard. Times are changing and the importance of silver as a medium

of currency is steadily diminishing. That is a movement which is going on all over the world, and in our present proposals we are, I think, facing the realities of the situation. I fully admit that we are definitely treating silver as an ordinary commodity, and I ask the House to accept it that that is really the right way in which to regard silver. For that reason I need not, I think, deal more fully with that particular line of argument and I do not intend either to go fully into answering what my Honourable friend quoted from the evidence of Mr. Benjamin Strong. We are not attempting now permanently to maintain the internal value of silver at any particular level. The effect of our measure in this respect can only be a moderate one. But it certainly does have the effect of improving the internal value of silver as compared with its world value, and that effect is already fully evident in the actual Bombay quotations. I recognise that that only goes a small way to meet the needs of the case if we are considering the desirability of maintaining the value of the investments of the great masses of the people. But because it only goes a small way, I do not think that, on that ground, we should reject it. I agree with Mr. Benjamin Strong that if we attempted to go further than that, we should probably fail, and therefore we have contented ourselves with quite a moderate measure.

Now, Sir, turning to what was said by my Honourable friend Sir Purshotamdas Thakurdas, he indicated that he might have been able to support this measure and he could have found justification for supporting it, if it could be represented as something that was going to prevent deterioration in the value of the hoardings of the masses. I ask him at least to recognise that it has some effect in that direction.

Sir Purshotamdas Thakurdas: Very temporary, at the best.

The Honourable Sir George Schuster: Well, Sir, whether it is temporary or not in regard to the world situation is a question which none of us can answer, but it must have a permanent effect as regards the relative values of silver in India and silver outside. My Honourable friend referred also to other measures which might have an effect on the value of silver, such as a combination between the producing interests. As he knows, I was fully desirous of following up that particular suggestion, and we have thrown out an invitation to the world that we would be ready to co-operate in any arrangement for regulating sales of silver. But I agree with my Honourable friend that, in the circumstances, I should be deceiving the House if I represented that I thought that such an arrangement can be, or is likely to be, very effective. In saying this, however, I do not mean that we will not continue to pursue this idea and to do all that we can in that particular direction.

My Honourable friend asked me a particular question as regards imports by land. I can only tell him at the present moment that that is having our full consideration. I recognise that it is going to be a difficulty. Then, Sir,

Sir Purshotamdas Thakurdas: Do I take it that this measure is to be put through without dealing with that aspect of it?

The Honourable Sir George Schuster: I do not exactly know what my Honourable friend means by "without dealing with that aspect of it". We shall have to take, of course, measures for prevention of smuggling on all frontiers and those measures have our consideration. I do not know what, therefore, I can say further.

2232

LEGISLATIVE ASSEMBLY.

[22ND MAR. 1930.]

Sir Purshotamdas Thakurdas: What I want to know is whether there is a customs barrier at all on that side of the country and if so, whether this duty will be collected on that land barrier.

The Honourable Sir George Schuster: If it is found—and it will be our business to ascertain whether imports on a large scale come across any land frontier—if it is found that they are coming across on a large scale, obviously we shall have to deal with the matter.

Sir Purshotamdas Thakurdas: Do I then take it that Government wish to carry this measure through, if they can, without anticipating that? With a 20 per cent. duty, are Government likely to prevent effectively imports from the other side?

The Honourable Sir George Schuster: I have to point out that we have not yet carried this measure through. We are considering the matter and I can promise him that it will be dealt with in a business-like way.

Sir Purshotamdas Thakurdas: By executive order of the Government?

The Honourable Sir George Schuster: I do not think I am called upon to say any more than what I have already stated. I promise my friend to consider this matter. It is a matter which on each frontier involves different considerations, and I should have to go into a great deal of detail. I think it sufficient if I say that the matter has our attention and I think we can promise to deal effectively with it if it becomes an abuse on a large scale.

Sir, my Honourable friend concluded by referring to the arguments used by Sir Malcolm Hailey in 1921. I was prepared to have those arguments brought up against me. But I would say—and I think the speaker himself recognised the fact—that we are living in changed times and that we are now dealing with a situation which is quite different from that which existed in 1921. It has been represented, and Sir Malcolm Hailey was quoted in support of this view, it has been represented that this tax is a tax on the savings of the people, of the poor man. I have looked upon it from quite a different angle. I have looked upon it, so far as it affects the savings of the poor man, as a measure which will tend to improve the value of the existing savings, and if it is a tax at all, it is a tax which imposes possibly some sort of obstacle on the poor man investing more money in silver. It is not a tax on his existing savings. It has exactly the opposite effect to that. It definitely improves the value of those existing savings. Now, my Honourable friend said that it is useless for us to attempt to divert the attention of the poor from putting their money into silver until we have some other form of investments to put before them. I think, if we were to wait until every measure was perfected, it would be very difficult to proceed at all. What I feel on this particular aspect of the subject is that, taking a long view, it is desirable that there should be a gradual diversion of the savings of the masses from the so-called precious metals, a diversion of those savings into productive employment. That would be to the advantage not only of the poor themselves but also to the country as a whole. This measure may give a push in that direction, and I do not claim that it can be very much more than that. On the other side I would point out that opportunities are available already for the investment of such savings in Post Office Cash Certificates. Those have already found a hold. Opportunities are also available for depositing money in co-operative societies which are steadily developing. Both these outlets for savings are capable of much

greater development and I was pleased myself to hear one particular suggestion which was made in the course of the general discussion of the Budget, that we should offer a Post Office Cash Certificate of a smaller denomination than at present, so that there will be something more easily obtainable by the very poor man. I think there is a great deal than can be done in that direction, and, considering the steps that have been taken as regards banking inquiry and all the other steps which we have under consideration, I am sure my Honourable friend will not accuse me of being dilatory in this particular direction.

Sir, my Honourable friend, Mr. Chetty, presented my case in a different way. He said that my primary object was to raise a margin of revenue in order to improve the credit of the country and that the provision of a protected market for the sale of our own silver and the improvement of the value of the holdings of the masses were subsidiary objects. I do not much care in which order these particular objects are placed. But perhaps I am prepared to accept my Honourable friend's appreciation of the situation. I am in some difficulty in answering all the arguments because there are so many advantages that are present to my mind in this proposal. It is of course clear that, if on the one side I say it is going to give me a surplus for new objects, then on the other side I may be accused of asking for more money than I actually want. I hope I have made my position clear in that respect. But before I close, I want to say something about those further objects. I have also gained the impression that a certain amount of the opposition to this measure is based not so much on the measure itself, but because our critics would desire to see the Government taking some other form of action for maintaining the value of silver, and not only that, but also because they object to what has already been done as regards the sale of silver. Now, as regards other measures for maintaining the value of silver, what is present in everybody's mind is that the Government themselves should cease from selling silver. That is a matter on which, in that speech which my Honourable friend, Mr. Chetty, quoted, I said I would be prepared to give full weight to representative unofficial opinion in the country, but I would ask Honourable Members to realise that there are two sides to the question. Indeed I find the position of public opinion on this matter rather a curious one. Here we are in India possessing one of the largest consuming markets for silver, and here is the Government of India unfortunately in possession of a great deal of silver surplus to its requirements. Now we have heard many arguments about India being self-supporting in other matters,—salt, for example, and industry of all kinds. Is it a very extraordinary proposition, is it a proposition which justifies accusations almost of "robbery", that the Government should try to put itself in the position of satisfying, out of its own surplus holdings, India's own demand for silver? I should have thought, in ordinary circumstances, that that was a measure which would have commended itself to practically everybody in this House. After all the Government do not represent interests distinct from, and hostile to, the people; Government represent the public interest. (*A voice:* "Question") We have this silver to dispose of; the people of India want silver; is it unreasonable that we should try to put ourselves in the position of directly satisfying those needs? And I want to point this out to those who object to our present proposal as diverting us from the policy which they want us to pursue. Undoubtedly the effect of providing ourselves with our own protected market—and we accept this—will be to provide a special reason for us to make our own sales in India to the direct advantage of the Indian market.

[Sir George Schuster.]

Now, to turn to the actual facts of the situation, I have already given the House figures to show what has been the result of our sales hitherto. We have sold—I will repeat the figures because I think it is so important that they should be understood—we have sold, in the last three and a half years, 67 million ounces of silver at an average price of just over 25½d. an ounce. Silver today in the world stands at just over 19d. The lowest price at which we ever sold silver is about 22½d. We have not therefore been responsible at all for the recent fall. We have sold no refined silver at all in the market since 13th December. During these 3½ years, we have disposed of silver which was obviously surplus to Government's requirements, because we still hold, as my Honourable friend Mr. Chetty himself has said, far more silver in our Paper Currency Reserve than we ought to hold. We have sold the surplus silver at a price which is more than 6d. an ounce hither than what we could realise for it today. It is said that we ourselves have been responsible very largely for that fall in price. But I maintain that our sales have been conducted with great discretion, and that we have not been responsible for that fall. I admit that India has been an important factor in the market; we could not help being an important factor in the market because it is within the knowledge of everyone that we do hold large stocks, and that rupees are steadily coming back from circulation to Government treasuries. That knowledge must have been a "bear" factor in the world's silver market. We cannot do anything to help it; it is a world tendency that is going on, and whether we had sold or not, our position would undoubtedly have tended to depress silver prices in the world. Well, if that is the case, and if, by anticipating what has happened, we have realised for the public benefit on a matter of 67 million ounces a profit, a price higher by 6d. an ounce, than what we could realise today, I think we can at least claim that that policy has been in the interests of the country. But I am told that that policy would be acceptable to this House if Government had used the proceeds for building up its gold reserves or its reserves in gold securities. We are told, "Instead of that, you simply use all this money for satisfying the Secretary of State". Obviously that is what has happened. The money has been converted into gold securities and has, shortly after that, been realised, and used for meeting commitments in London. But I think Honourable Members should go a bit further and consider what really has been the effect of that. It has not gone in meeting current expenditure at all. If Honourable Members recollect what I said in my budget speech last year, in reviewing the ways and means, position of the Government, I pointed out that, in the five years from 1923 to 1928, the Government of India had met, in capital expenditure in London, a total sum of £36½ million more than the net increase in its sterling debt. We have been all the time in the last few years incurring capital expenditure in London without corresponding borrowings against it, and I made it clear to the House that that process could not go on. We have been living on reserves, and that is where the proceeds of these silver sales have gone. If you follow out the position and go into those figures to which my Honourable friend Mr. Birla referred in his speech on another matter, if you trace how the holdings in sterling securities in the Paper Currency Reserve have decreased, you will find that that decrease has been far more than balanced by genuine productive capital expenditure undertaken in sterling. It has not been merely a matter of bolstering up exchange. The Government in fact—you may put it in this way—have made too great a demand on the remittance market by

expecting from its ordinary remittances to cover not only its recurrent expenditure, but also its capital expenditure, its new capital expenditure in London. By making that demand, it has been necessary to draw upon the Paper Currency Reserve. I am not saying that that is altogether a desirable result. It is not, because the Paper Currency Reserve is there for a certain purpose, and I, in justification of sterling borrowing, have always said that, when we incur capital expenditure abroad, we ought to increase our own capital to meet it. But still, if you are considering what has happened to India, and whether the position has been weakened or not, it is necessary to bear these facts in mind, and I might express the result simply in this way, that the £7 million odd, which has been realised by sales of silver, has ceased to be unproductive surplus silver lying in the treasuries of the Government of India, and has become locomotives, rails and railways, producing interest and materially improving the economic position of the country. That is the result; and there has been no weakening of India's position as the result of these transactions. On the contrary the economic position of the country has been strengthened, though I admit that the currency reserves have been weakened.

Now, Sir, I am asked to give some undertaking as to Government's future policy in regard to silver. There is nothing that I should like better than to give such an undertaking, because I am always anxious to meet the views of Honourable Members opposite. But I must consider my public responsibilities as well, and as we stand in possession of surplus stocks of silver, I must recognise the fact that there may be times when, in the public interest, we ought to take steps to realise them. My Honourable friend Mr. Chetty himself has said so; he has accused us of keeping a hundred crores of silver coin in our Paper Currency Reserve, and he would like to see them converted into gold. But how can you convert them into gold without selling silver, and how can you do that without incurring the charge of, at least, contributing to the depression of the world price of silver? I am at a loss to understand how I could, consistently with my obligations and responsibilities for the finances of the country, give any permanent refusal to sell silver. But, it may be said, "Government might do something short of that; let them say that they will not sell silver when it stands below 22d. an ounce or some figure of that kind". That at present might seem a reasonable request; but we must face the realities of the situation, and if the permanent level of price of silver settles down at something much lower than 22d., must we keep out of the market for all time for that reason? I think it would be very dangerous for me to give any undertaking of that kind. I am fully prepared to discuss this matter with any representative body in the country, and I should be very glad to have a conference on it and to go into all the aspects of the situation. That indeed is necessary before I could give any undertaking, and I think it is also necessary in order that there may be an understanding on the other side of the realities of the situation. In the meanwhile, I do think that I may, with some confidence, point to the past record of the Government. We have conducted, as I have said already, our sales with discretion, and when the market became weak, we stopped selling at once. We have sold nothing below a price of 22½d., and silver today in the world stands at just over 19d. and as I have said, we have sold no silver at all in the market since the 13th of December. I think, Sir, that I am justified in claiming that that gives us some right to ask the public to have confidence in us as to our future policy in the matter.

1 P.M.

[Sir George Schuster.]

Now, Sir, to turn to the other aspect of the question, the general financial aspect,—the statement of the case that we are asking for more money than we really require. Now, I have many arguments, and I do not want to confuse those arguments, and that is why I selected for explanation at the beginning of my speech the primary foundation of my position, namely, that we do, to deal with the present immediate situation, require some margin in reserve. I made it clear that, whatever I had in mind as to the future application of the proceeds of this tax, providing there should be a surplus, that need would remain and would justify my present demand. I want to make that clear, and not to confuse that ground with what I am now going to say. But I do maintain that, when you go beyond that ground and consider the pledges which I have given and the purpose which I have made clear to this House, there are very special grounds for supporting Government when they ask for this money. We have had many points put up in the course of this debate, many demands for reduction of duties, and in answer to some of them I have already given definite undertakings. We are ourselves in this present Budget proposing a reduction in the export duty on rice. I want this money to make it possible for me to afford to give this reduction. We are faced with the disappearance of our opium revenue. That every one knows about. I want a margin to be available to meet the growing need which the gradual loss of this source of revenue will create. I have been asked, and the demand has been pressed very strongly, that an income tax-reform should be introduced, allowing losses incurred in trading in any one year to be carried forward to the next year. I have regarded myself as definitely pledged to introduce this change as soon as I could feel certain that the Government's financial position made it possible. It may mean, particularly when it is introduced at a time like the present, a very substantial loss. It can only be introduced gradually, picking up one year at a time, but if it is introduced now, it may mean a very substantial loss. If I am left without any margin of revenue, the prospect of such a reform must be indefinitely postponed.

Then in this Budget we have already made a start, I admit it is a small start, to adopt measures for the encouragement of sugar production. This start is sufficient, because no scheme is yet ready to require more money, but I fully realise that much heavier demands may come upon us in the future for the encouragement of the sugar industry. Indeed only yesterday the demand was put forward that the whole of the 180 lakhs which we are getting from additional taxation ought to be reserved for measures for the improvement of sugar cultivation. In that direction again advance will become quite impossible unless we have some margin.

Then again there is the question of strengthening the financial position of the provinces. My friend Pandit Hirday Nath Kunzru asked, why do the Government take this step when as regards every other step they say, "Let us wait until we get the Report of the Statutory Commission". I agree that is quite a good point, but I would simply remind him of the fact that, for the moment, I want this margin to meet the immediate situation, but that it is an additional argument in favour of this taxation, that we have behind us definite purposes which, I am sure, will commend themselves to this House and to everybody in the country. For we know that constitutional reforms will have very little chance of success unless more generous provision of revenue can be made for the provinces. Now, I am not going to be drawn into any reply as to the constitutional difficulties of effecting

this distribution. We all recognise the great difficulties that there will be in devising a scheme whereby money, which is collected through the agency of the Central Government, shall be distributed among the provinces. We have got to face that. It is one of the essential problems of the situation, and I think Honourable Members will find that it will have been very fully considered in the Report of the Statutory Commission and in the particular section of the Report which will contain the recommendations of Mr. Layton. It remains as one of the great tasks before us next year to deal with that particular question. The constitutional difficulties cannot be used as a valid argument against providing ourselves with funds. But apart from the needs of the provinces, I see other needs which I am sure will commend themselves to this House. Honourable Members know, because I have repeated it very often, what great hopes I hold for the results from the Banking Inquiry. There is no doubt that measures which we may wish to start as a result of the Banking Inquiry and experiments which we may wish to have carried out will require money. There are all sorts of needs of that kind.

I think, Sir, I have said enough on that subject to satisfy Honourable Members what is my purpose in asking for a financial measure which, if things go well, will put me in possession of a surplus. But then another argument is brought forward. It is said, "If you get this money before you want it, you are likely to be extravagant, you are not likely to resist demands from spending departments". Under that heading also I regard myself as pledged as fully as I possibly can be, because we have promised to carry out this Retrenchment Inquiry. I have given this House the most solemn undertaking that, pending the further examination by this Inquiry, no extravagance of any kind will be permitted, and I would ask the House to accept that undertaking. "But" I may be told "all that you have told us simply amounts to promises". On such a statement, Sir, I do feel, that I am entitled to ask Honourable Members to go back over the speeches which I have made in this House, and to point out to me any single promise which I have made which I have not carried out.

I have one more argument. The Honourable Mr. Chetty referred to my point about strengthening India's credit. I do attach very great importance to that, and I hope Honourable Members may have noticed, in the past few days, a very encouraging improvement in the prices of Indian sterling securities in London. According to newspaper figures, which I saw this morning—I have not verified them yet by direct telegrams—the Government of India 3½ per cents. now stand at 67½. They have risen since early in March from 58 to 67½. Now, I do not claim all the credit for that. It is largely due to the cheapening of money in London. But British Government securities have not risen to anything like the same extent. Whereas 3½ per cent. British Conversion loan has risen from 75½ to 77½, our 3½ per cent sterling loan has apparently come up from 58 to 67½. That is a rise of 9½ points as compared with the rise of 2 points in British Securities. I do believe that, to some extent, that favourable turn in our credit in London has been due to the Budget containing strong financial proposals, and I would appeal to Honourable Members to take no step now which may convey the impression abroad that we are not out to take every possible step to maintain our financial position.

Beyond this, I would ask Honourable Members to read into this Budget an attempt to make a start in a constructive policy of development. I

[Sir George Schuster.]

agree that the first steps are small, but I think that in many departments the intention is very apparent and that policy cannot be carried out unless we have adequate funds. I would appeal to Honourable Members to trust my judgment in this matter and my judgment tells me this,—that this is the time to make a big move forward in strengthening our financial position. If we can put ourselves on a sound basis now, we can go forward undertaking in ever-increasing measure that constructive programme which the country so badly needs. If I might emulate my Honourable friend, Mr. Kelkar, and quote poetry, I would quote some very well known lines:

"There is a tide in the affairs of men
Which taken at the flood leads on to fortune;
Omitted, all the voyage of their lives
Is bound in shallows and in misery."

Now, Sir, if we restrict our resources now, I look forward to a period when all our efforts will be "bound in shallows and in misery", but if this House votes adequate funds, we shall have taken the turn of the tide, and, without any burden being felt by the country, will be able to advance to a programme of constructive work and great benefit.

Mr. President: The question is:

"That in Schedule I to the Bill, the proposed amendment No. 5 be omitted and the subsequent amendments be renumbered accordingly."

The Assembly divided:

AYES—49.

Abdoolah Haroon, Haji.
Abdul Matin Chaudhury, Maulvi.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chaman Lall, Diwan.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Farookhi, Mr. Abdul Latif Saheb.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Ismail Khan, Mr. Muhammad.
Iswar Saran, Munshi.
Jehangir, Sir Cowasji.
Kelkar, Mr. N. C.
Kidwai, Sheikh Mushir Husain.
Kunzru, Pandit Hriday Nath.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.

Mitra, Mr. S. C.
Mody, Mr. H. P.
Munshi, Mr. Jehangir K.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Patil, Rao Bahadur B. L.
Prakasam, Mr. T.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rajan Bakhsh Shah, Khan Bahadur Makhdum Syed.
Rang Behari Lal, Lala.
Rao, Mr. G. Sarvotham.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Shafee Daoodi, Maulvi Mohammad.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Talatuley, Mr. S. D.
Venkatakrishnayya Chondhri, Mr. P.
Yakub, Maulvi Muhammad.

NOES—56.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Bhuto, Mr. W. W. Illahibakhsh.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Dutta, Rai Bahadur S. C.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Ghuznavi, Mr. A. H.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur Sardar.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitchell, Mr. D. G.

Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Khan Bahadur.
Sarma, Mr. R. S.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Shah Nawaz, Mian Mohammad.
Singh, Mr. Adit Prasad.
Slater, Mr. S. H.
Suhrawardy, Dr. A.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Ziauddin Ahmad, Dr.
Zulfiqar Ali Khan, Sir.

The motion was negatived.

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muhammadan): Sir, I beg to move:

"In Schedule I to the Bill the proposed amendment No. 6 be omitted and the subsequent amendments be renumbered accordingly."

Sir, item No. 45 of Schedule II of the Indian Tariff Act levies a special duty of 11 per cent. on cotton piece goods. Item No. 6 of Schedule I of the Finance Bill proposes to omit that item No. 45 in the Tariff Act; and thereby apply 15 per cent. *ad valorem* tariff for textiles to cotton piece-goods also. My amendment proposes to retain the special duty of 11 per cent. I find there is a section of non-official Members in this House who are for raising this duty for protection purposes. I wish to point out that, whatever variations they wish to make in this duty can be made appropriately in the other Bill, the protection Bill which we were discussing the other day. The advantages will be this. If my amendment is allowed, then the tariff duty of 11 per cent. will remain permanent, but if the House wants to make any change in the Tariff Bill that will come later on, the protection will be for three years only, for at the end of that period there will be an enquiry into the necessity for protection. I wish the House to bear this in mind, namely, that the rate of tariff protection will be revised after the period of three years. So that, instead of making a permanent alteration in the tariff to 15 per cent., it is better that the House should make a charge only for three years, if the House is so minded. Or if the House so desires, it can, even under the protection Bill, after referring it to the Select Committee,

[Rai Bahadur S. C. Dutta.]

raise the duty to 15 per cent. without making any discriminating protection, or accept the amendment of Pandit Madan Mohan Malaviya. But it is desirable that no permanent disturbance should be made in the tariff by this Bill, because as I pointed out in my speech yesterday, the effect of such a tariff is to perpetuate an evil and where it is a question of great losses to the consumer and comparatively smaller gain to the Government, the tariff should never be high.

I also wish the House to realise that the existing system of taxation presses unduly upon the poor as a large number of the necessities of life are being taxed. I find from the proposal of Government that they want to stabilise the finances. These are not proposals of a temporary nature. The increase is not meant to be debited after a year or two to meet the exigencies of the present financial situation, but to stabilise the finances to meet provincial deficits. Sir, the unsuitability of these present proposals to meet provincial deficits has been referred to by other Members. I think the reference to it is unfortunate. It is to be hoped that when provincial autonomy is realised, it will be done by dividing the sources of revenue between the Central Government and the Provincial Governments in such a way that each would be free in its action as regards the sources of revenue, so that when the lines of division are drawn there will be no further scope for doles from one to the other. The very object of the Budget being not only to balance the Budget but also to keep a reserve so that they might contribute something to the provincial revenues, it is clear that Government wish to make these proposals permanent. Sir, when the cotton duties were raised to 11 per cent. it was hoped that the utmost limit was reached. It is now found that that hope has been dashed to the ground.

Sir, since reference has been made to the provincial deficits and the need for replenishing the provincial revenues, I ask, are there not alternative sources of revenue from which the provincial finances can be replenished? Are there not other alternative sources of revenue at the disposal of the Government of India by which the Central revenues can be replenished? I find that there are various suggestions in the Report of the Taxation Inquiry Committee. Why are not these valuable suggestions being utilised? I refer to this because the tariff duties are still being raised higher and higher, following as it were the line of least resistance. Because whenever an article is proposed to be taxed or the duty is proposed to be increased, there happen to be some producers of that commodity in the country who think it their duty to support it on the ground of affording protection. Sir, it is necessary that the conscience of Government should be roused and the conscience of the House also should be roused to find alternative remedies instead of laying the burden on the poor. Why not widen the basis of income-tax so that the net income from all investments may be taxed? That would relieve the financial difficulties of Government and at the same time Government will be in a position to give relief even in the matter of income-tax by raising the minimum amount that should be free and also reducing the rates of income-tax.

Then again, as reference has been made to the needs of the provinces, why not equalise the succession duties? It is a most inequitable system of taxation that prevails in the case of the succession duties, certain

communities are taxed, while others are not; certain provinces are taxed while others are not; certain assets are taxed while others are not. The European community to whom the old Succession Act applied have to pay duties not only on taking probates but also on intestate succession. What is the case in Bengal and other provinces to which the Hindu Wills Act applies? They are to pay duties on taking probates. The taking of probate is compulsory as regards Hindus, Sikhs and others but not so in the case of Muhammadans in Bengal and Assam, and not so in the case of people other than Europeans as regards other provinces. Is it not most inequitable? There is another succession duty for persons who are not bound to take out letters of administration or probate. They are to pay duties on only certain assets, viz., debts due to the deceased. When they are to take succession certificates only, particular assets are selected, but that even not universally. They are to tax duties only in the case of their instituting a suit or rather getting a decree in court. Is not that a most inequitable system of taxation? If that be remedied, all difficulties of provincial revenues would be removed. Will not the Government of India in that case be able to keep to itself all the income from the receipts of income-tax? And the difficulties of the Government of India will be solved.

When I refer to these items I do not mean that these are the only remedies to meet the financial situation, but they are only illustrative. There are various methods of taxation which will be found to be more equitable than the present system of taxation which presses so heavily and unduly upon the poor, and it is the duty of this House to find a remedy. It is more a duty of this House than that of the Government to find a remedy instead of remaining content with simply making unavailing protests.

Pandit Nilakantha Das: Has the House any power to find a remedy in this Bill?

Rai Bahadur S. C. Dutta: You are not helpless. This House is not helpless in finding a remedy. The House can suggest a remedy. If you reject the Government's proposal it will be an indication that there should be a halt, a pause in the present system and an inquiry as to the basis of revising the financial system. I hope there are many suitable remedies which may be adopted by joint consultation between the Government and this House by instituting an inquiry. There was such an inquiry by the Taxation Inquiry Committee. Its results are available. Now there is this remedy that I suggest. The House, instead of remaining content with mere unavailing protests, must adopt this remedy. That will be a warning to the Government. There was no proposal of cut in the Budget of the Honourable the Finance Member. There was a discussion in this House as to the responsibility of non-official Members. If the Honourable Members have studied the Budget and found no remedy, no proposal for a suitable cut, then it might be considered that the Budget of the Honourable the Finance Member is unassailable. The Honourable Member, Sir Cowasji Jehangir, raised a very important point and there was some discussion in this House and the Honourable the Finance Member also echoed the same sentiments. Some explanation was given on behalf of the non-official Members. One reply was that the non-official Members are not responsible, because they did not know whether it was possible for the Honourable the Finance Member to make a

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saving and whether it was possible to make large cuts because large policies could not be discussed in the course of the budget discussion. But it was possible to discuss and suggest cuts as regards new services, new expenditure. Those proposals for cuts as regards new services might be pressed to a division, if the explanation given be unsatisfactory.

Mr. President: What is the Honourable Member doing? This is not the general discussion of the Budget.

Rai Bahadur S. C. Dutta: I am only discussing the duty of the Members of this House.

Mr. President: He must bring a separate motion for that purpose. The Honourable Member must at present restrict himself to the amendment.

Rai Bahadur S. C. Dutta: I am speaking to the amendment whether it is not the duty of this House to balance the Budget, that is the point I am discussing, and this arises on that question whether it is the duty of this House to balance the Budget. Then there was another discouraging circumstance in this case. It was this, that it would have been useless for non-official Members to make suggestions for cuts as there would be no opportunity to put them to the vote. The Honourable the Finance Member has got his Budget granted. But he is not bound to spend all the amount. He can effect savings. I therefore ask this House to accept my motion.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, it is very generous of you to call me to support my Honourable friend. I wish the Honourable Members of this House who are absent from this House had heard him when he was delivering his interesting speech. In fact, those who were present listened to him with that respect and with that attention which the speech of my Honourable friend deserved. What was he proposing? He was proposing a reduction of duty which will benefit the poor, and as soon as this fact became apparent to the Members of the House, the small number of Members who were present began to listen to him with rapt attention, and the Chair also was pleased, seeing the cogency of the reasons advanced by him, to permit him to go on. Now, what was he pleading for? To keep the clause as it is. In fact, I would favour the abolition of all duties. I myself am a free trader. I do not believe in protection except in cases of basic industries of national importance. Protection may benefit the capitalists, and we are at times taken to the slaughter house to the detriment of the interests of the poor. Here my friend, coming from far off Assam, the land of coolies, and where the conditions of life are so trying, I think he was right and just in pleading for a reduction in the price of *dhotis*. That is what he was doing, and I hope this simple fact will appeal to every Member of this House who is asked to support a measure which will enable the poor to get sufficient clothing to cover themselves by lowering the price of cloth and to have enough cloth during winter to protect them from cold.

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): May I point out, Sir, that in winter woollen cloth is necessary, not cotton cloth.

Mr. Amar Nath Dutt: Woollen cloth is for rich people, not for the poor men, half-fed and half-clothed, not having even anything to cover themselves with. I know of labourers who cover themselves during winter with *chattais* made of palm leaves. They know of no woollen cloth. Here my Honourable friend was pleading for cotton goods only, and I think this has also elicited some amount of sympathy from my friend. Sir, I beg to support the amendment.

Mr. President: The question is:

"That in Schedule I to the Bill the proposed amendment No. 6 be omitted and the subsequent amendment be renumbered accordingly."

The motion was negatived.

Mr. M. S. Aney (Berar Representative): I do not want to move my amendment No. 21.*

Pandit Nilakantha Das: I have got, Sir, two amendments in my name, Nos. 22 and 23. They practically come to the same thing. Amendment No. 22 is that:

"In Schedule I to the Bill, for the proposed amendment No. 7 the following be substituted:

'7. Item No. 4 of Schedule III be omitted'."

That is, this amendment is to abolish the export duty on rice that is now levied. Many of my friends will wonder how I have induced myself to propose the abolition of all export duties on rice. In this country where by tradition and environment practically it must be the policy that no foodstuffs should be exported, any difficulty which is put in the way of exporting a foodstuff like rice should *prima facie* commend itself to our people, but today I am in a very peculiar position. Though ordinarily it should be a common theory, especially in such a poor land, and especially in my constituency, Orissa, that no foodstuffs should go out, today I find I shall have to propose this amendment rather forced to propose it under circumstances that, I may say, have been created by this heartless Government. Whenever we think of rice export duty, it is the general tendency of Honourable Members to look to Burma. I have never myself been to Burma. Though export of rice is necessary there, I cannot exactly depict from my experience what the condition of the ryot there is. I may read passages from here and there, but that reading often times would suggest things which would never bring the actual state of affairs home either to myself or to my friends. I shall speak here of what I know from my own experience, in my own constituency.

I do not know what element of world conditions in the rice trade have entered into our Indian conditions for producing the present depression. But as far as I can see, it is the ratio muddle which first began this depression, and in a vast agricultural country like India the effect of one set back at big centres like Bombay and Calcutta has its repercussion in the villages, and for a time it goes on. In the appreciation of the rupee to the 1s. 6d. ratio, the difference in price to the exporter, rather the disadvantage, is theoretically only two annas in the rupee. I do not know how it has come about that the price of rice or paddy today in my place has gone down by something like 60 to 80 per cent. People have not been

*"That in Schedule I to the Bill, the proposed amendment No. 7 be omitted."

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able to sell their rice for the last three years. I am not going to take the figures in the statistics reports and accounts that are published. Some of my friends may think that the export of rice has increased during the last three years. May be, for rice is the only article of the peasant in rice-growing areas to be turned into cash for everything else that is necessary for living and carrying on husbandry. Less price may well mean more export. But whether the export is more from Burma, or Cochin, or Orissa, or Bengal, I do not exactly know, nor do I care to know. For I see the facts and the conditions with my own eyes. What are the conditions about rice in my constituency? I will illustrate the whole subject by a description of it and I believe the entire situation in the rice-growing parts of the country cannot be otherwise.

In my constituency the ryot gets very little. Gentlemen in this House will not be able to understand at once what settlement operations mean in my own part of India. These settlement operations are going on in Orissa and in some districts in Bengal; in some districts it has ended, and in other districts it is going on still; and you will be surprised to learn, Sir, though the general circular of the Bihar Government has been to the effect that the ryot will have to pay four annas increase in the rupee, this 25 per cent. under the rules has been manipulated to an extent that in some cases it amounts to an increase of 100 per cent. For certain lands of one of my friends in a village it has increased from Rs. 80 to Rs. 169.

This is not however a singular case. Here in this connection I must give to the House some information which may not be palatable to some. Last year some of my friends in my constituency were thinking of launching civil disobedience on this issue, I mean, non-payment of land taxes.

2 P.M. They would have done it, successfully, for the people are utterly helpless and have practically lost all interest in land they hold. Though they may not often be theoretically so much in favour of readily taking to civil disobedience in this particular item of non-payment of land tax, it is their inability to pay which would have at once driven them to resort to this method of securing relief. They don't often know where they would land if they adopted that weapon, but they do not mind it. They have been driven to this kind of desperation in matters of life and particularly of property on account of settlement and other operations in that uncared for land of Orissa. But I may inform you, Sir, we have got to pay our land tax mostly not to the Government direct, but to the intermediaries, i.e., zamindars. Many of our zamindars are absentee landlords who spend most of their time in Calcutta and other places. In the first quarter of the last century when Orissa was annexed, our land revenue was farmed out in Calcutta without our people knowing anything about it. Thus most of our zamindars were created and sold in Calcutta. However, Sir, this was the difficulty for which non-payment of land tax could not be undertaken. Now in addition to the crushing land tax, Sir, there are also the Chowkidari tax and other taxes paid directly and my friends in some parts of my constituency are probably thinking of resorting to such a tax, if non-payment of taxes is to be undertaken.

Sir, my object here is to give you an idea of the heavy land tax in my constituency, and when the land tax is growing, the ryot cannot get any money for his rice to make his two ends meet. The rate of rice, I mean paddy, which was 2½ years ago Rs. 5-12-0 per bag, is now Rs. 3-8-0 per bag (a bag means 2 maunds) and the cultivating ryot who is taxed sometimes Rs. 8 to Rs. 12 or sometimes much more per acre cannot, at the present rate of rice, expect a margin even from the gross produce of his land. Sir, the produce of the land in our parts varies from 5 to 12 maunds of paddy per acre, which at the present price will bring him say, from Rs. 9 to Rs. 21. Out of this, he will pay the expenses of cultivation and land tax, and invest in stock and cattle, and then maintain himself and his family, educate his children, spend on ceremonies, and what not. Now you have seen the margin, Sir. You can well realise, at the present rate for rice, to what straits the ryot has now been reduced. If perchance one of his bullocks dies, he will have not only to sell away all that remains after paying his land tax, but will either mortgage or sell his land, and by so doing he will be utterly ruined. If the Honourable Member could find time to come to my constituency, at least once during his term of office, I should be very pleased to show him personally how, if the price of rice is not increased, there will be complete ruination among the ryots of Orissa.

Then again, Sir, after levying the protective and revenue duties to an enormous extent, you are going today again to raise the price of cloth which is a primary necessity of life, and you are also going to raise the price of sugar. You are virtually preventing the poor ryot from taking a bit of sugar. At such a juncture you don't think of abolishing or substantially reducing the duty on rice. You expect the poor ryot to fill your treasury by all means possible, injudicious as many of them are; still you are not adopting measures by which you can increase his purchasing power.

In their proposal, Sir, the Government are proposing a reduction of 9 pies out of 3 annas which is the present export duty on rice. I am simply surprised at the money-making propensity of our friend the Finance Member. The money will safely come into the treasury, but where will the 9 pies go to? Will it not in this case also find its easy way to the middleman's pockets? I wonder how the poor salt only has the peculiar misfortune of conveniently transferring all the small reductions in its duty into the pockets of the middleman. From those Benches the argument has always been flung at us that the money obtained by the reduction of four annas out of the duty on salt will go to the pockets of the middleman; it will not benefit the consumer. The four annas in the rupee will go to the pockets of the middleman, when it is the case of salt. When it comes to export duty on rice, 3 pice in three annas will clean go to the pockets of the cultivator who sells his rice. Of course, the argument was given more definitely in the time of the predecessor of my Honourable friend over there, and he may refresh his departmental memory by looking into the previous proceedings of this Assembly.

There is another question about adjusting the Budget. It has been referred to and discussed by Members on all sides. The theory seems to be that if we cut down some duty, if thereby Government's income comes down by a substantial amount, we are to find the money. Some Honourable Members feel even anxious to find the money. But we must not forget that only

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some items of the Tariff Act are before us to discuss in this Bill. We have not to consider the whole question from the very bottom. We are not even allowed to propose an increase of income on any item, if we desire it. Our duty is to reduce and not to increase, for the entire State purpose is not being here adjusted in consultation with us. It does not matter if, on account of our amendments, there comes to be more or less money in the pockets of the Government. That is their look out. They have got, I may suggest incidentally, enough money at least in their reserve funds, if nowhere else, to borrow from, though the funds are only in account, and not in actual cash reserve anywhere as I had painfully to learn the other day in connection with Railway Reserve in the Standing Finance Committee for Railways.

Mr. President: These are general observations. The Honourable Member will realise that we are now on amendments.

Pandit Nilakantha Das: I am simply making the point that, if reducing this duty affects the Government purse, we are not concerned. I am doing so, for many of my Honourable friends have referred to this aspect of the question.

Mr. President: That applies to every amendment.

Pandit Nilakantha Das: I am in a very awkward position, Sir, for many of my friends seem to be under a misapprehension of the entire situation, and I must clear the misapprehension before I count upon their support and votes.

Mr. President: I cannot allow repetition of the same argument.

Pandit Nilakantha Das: No, Sir, I have already done with that aspect of the question. Now, I would simply say this. Even this nine pies reduction will simply mean, according to their own arguments, a loss to the Government purse. It will come to nothing, no help so far as the cultivator is concerned. It will go to the pockets of the middleman. Therefore I hope you will agree with me when I say that, when the Government have agreed to the principle of reduction at a loss to their own purse, let them come to the logical issue arising out of their own measure, and apply the reduction reasonably and usefully by reducing to its entire extent, *i.e.*, abolishing this rice export duty. Sir, I move the amendment.

(Mr. K. C. Neogy stood up.)

Mr. President: Does the Honourable Member want to speak?

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Yes.

Mr. President: Then, we had better adjourn now.

The Assembly then adjourned for Lunch till a Quarter Past Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Three of the Clock, Mr. President in the Chair.

Mr. K. C. Neogy: Sir, I hesitate to support the rather drastic proposition which has been advanced by my Honourable friend, Pandit Nilakantha Das, though I have a good deal of sympathy with what he said in support of the amendment. It is a very complicated question. If the prices of food-stuffs fall below a particular limit then the producer suffers. If, as a result of stimulating export, a comparative scarcity is produced prices are raised, and then the consumer suffers. It is very difficult therefore all at once to say as to whether the Government of India should be called upon to surrender a large amount of revenue which they have budgeted under this head, for the purpose of stimulating export without knowing what the effect of that stimulation may be upon prices generally. I specially regret the absence of my Honourable friend U. Tok Kyi from the floor of the House on the present occasion, because it will be remembered that the question of the abolition of the export duty on rice came up for discussion more than once in this House at his instance. When we consider the question of export of rice, Burma looms very large before us. Although other rice-producing provinces like Bengal and Madras come in for considerable quantities by way of export, the difference in the quantities exported from Burma on the one hand and from the rest of India on the other is so large that for all practical purposes we might almost omit from our consideration the cases of the other provinces. It is for this reason particularly that I regret the absence of my Honourable friend U. Tok Kyi. Sir, the Honourable the Finance Member, in his budget speech, has justified this slight reduction in the export duty on the ground that the fall in prices all the world over has affected the Indian producer very adversely. That, of course, is a correct statement of the position though it does not give us an entirely complete picture of the position, Sir, on going through the official review of the trade of India for the year 1928-29, one finds that it is not merely the fall in prices that has affected the position of the Indian grower, but it was also the appearance of other competitors in the field, particularly in Europe, that complicated the situation. For instance we read that so far as the eastern markets are concerned, the depression was due mainly to the fact that both Indo-China and Siam had bumper crops in the season 1927-28. Then with regard to the European market the position appears to be as follows: The United States of America, Spain and Italy have taken to the production of rice in fairly large quantities since the end of the war. Exports from these countries have been mainly to Europe and these exports have affected the market for Burma rice in the European countries.

Now, Sir, there is a further fact, namely, the embargo which the Japanese Government have imposed on the import of rice, particularly from India, as far as I know. We, at one time, were under the impression that the Japanese Government were forced to take this action in retaliation of the Indian cotton yarn protection measure which was passed by this Legislature in 1927. As a matter of fact, Mr. Jammadas Mehta at one time put a question in this House, drawing the attention of the Government to the necessity of raising this question of discriminatory action on the part of the Japanese Government at the League of Nations. But, Sir, we read in the official chronicle that the Japanese Government were forced to this decision as a result of the bumper crops which they had in their

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own country during successive years, and it is for this reason that the prohibition against imports is still supposed to continue in that country. My principal point is that it is not enough for Government to adjust the tariff for the purpose of stimulating export, but they ought to have a sort of constructive policy in this matter, for I find that, so far as the European markets are concerned, this reduction in the tariff will not be of much avail to the Burmese rice producer, because, as I read in this official publication, "The competition of the American and other overseas countries in European markets has been facilitated by the system of grading and better marketing methods that the rice producers of those countries adopt". Now, my Honourable friend the Honourable the Finance Member proposes to reduce the tariff by nine pies out of three annas. This can hardly enable the Burmese rice producer to compete in the European markets against better graded rice which is being supplied in those markets.

The next point is this that the present depressing condition of the rice market is due not merely to the low prices that obtain all the world over, not merely to the bumper crop that Burma had in the past, but also to the large imports of rice into India from abroad during those years when prices were abnormally low. I have collected a few figures which will explain the position.

In 1925-26, India imported 649 tons of rice from abroad valued at Rs. 1,27,000 and odd. In 1926-27 the figure went down to 289 tons which was valued at Rs. 66,313. In 1927-28, when there was already a slump in the Indian market we find that the quantity of rice imported into India from abroad went up to 68,954 tons valued at Rs. 92,14,804. Then again in 1928-29 the quantity went up much further, 1,25,426 tons valued at Rs. 1,79,32,000 and odd. Now, Sir, on a reference to the prices I find that during this period the declared values per cwt. of exported rice from India was Rs. 8-1-7 per cwt. in 1926-27; it fell to Rs. 7-13-1 in 1927-28, and to Rs. 7-5-9 in 1928-29. And it will be found that when the prices fell in the years 1927-28 and 1928-29, and when we imported abnormally large quantities of rice in these years, the average prices at which those quantities were imported were below the Indian prices by about a rupee; that is to say, the other countries were dumping their extra stocks of rice into India just at the moment when our own home market was in a very depressed condition. It does not appear that Government took any action to regulate these imports on the lines that the Japanese Government did; and here I want to ask the Honourable Member in charge whether it is not necessary for Government to have a constructive policy in this matter beyond a mere tariff adjustment.

Now, Sir, dealing again with the prices, I find that in the month of January, 1930, which is the latest period for which we have got published figures, the declared value per cwt. of rice exported from India stood at Rs. 6-15-6, which is much below the corresponding figure for 1928-29, which was Rs. 7-5-9. I think the House will realise that the present seriousness of the position has been brought about, not merely by the glut in the home market, but also by the large imports that we are having from abroad. I undoubtedly recognise that the imports have begun to diminish of late months, and we may not be faced with a similar situation as we were in 1928-29. But I want Government, on this occasion, to make a statement of their policy as to whether, if similar circum-

stances were to be repeated, they would take any effective action for the purpose of regulating imports at a time when they would embarrass the Indian market. The present policy which Government maintain in regard to the export and import of food-stuffs is that of the open door. Government say, "Dump your rice, dump any kind of food-stuffs that any country may have, in India, no matter whether it embarrasses our position or not; and if on the other hand any other country wants to take away our food grains like rice and wheat from India, we will not stand in the way". In the one case a situation like that which faces us today will arise; in the other case there may be comparative scarcity and high prices. In this connection I am reminded of what happened when the system of food control was in operation during 1918-19; the recklessness with which the control system was operated for the purpose of mobilising India's supply of food-stuffs for the benefit of the allies was brought out very clearly in the report which Sir Charles Innes (then Mr. Innes) wrote in his capacity as Foodstuffs Commissioner. The Report was published in 1919, and I would just quote one sentence from that Report to show that Government absolutely failed to recognise their responsibility in the matter of conserving a sufficient stock of food-stuffs in the country in those days.

Mr. Innes, referring to the situation in 1919, said that the situation was so serious that he found it "difficult to see how India could have come through 1919 as well as she did". That is to say, the information at the disposal of the Government of India in those days was not such as to enable them to estimate the quantity of food-stuffs that was in the country, and when Mr. Innes found that there were not very many deaths from starvation, when he found that Indians had really survived the system of food control, he said that he found it difficult to see how India could come through 1919 as well as she did. Then he began to speculate what this could be due to. He said that there must have been some reserve stocks in the past. Unfortunately, however, when Government find that the statistics which are published under their own authority do not support any pet contention of theirs, they say that these statistics cannot be relied upon in these matters, but when it suits them they say, "Here you are; these are the statistics which show that we are perfectly justified in allowing so much of your food-stuffs to be exported". Mr. Innes, it is interesting to know, was constrained to observe that the reserve stocks about which he speculated must now be very depleted; that is to say, at the end of 1919, Sir Charles Innes thought that there were practically no reserve stocks in India of food-stuffs. Therefore we can begin with a clean slate from the end of that period. Now, I want to know from Government whether they have been able to find out what the present condition is, what minimum quantity of food-stuffs should be conserved in the country for the purposes of meeting the human needs of the people, and whether the present export policy enables the country to retain that minimum quantity of food-stuffs. That is a very important question which Government cannot absolutely neglect; for although it is a fact that at the present moment we are faced with an excess of stocks, supposing for the sake of argument that as a result of the stimulation of export which my Honourable friend desires to bring about by this amendment, a much larger quantity of food-stuffs is exported than would be desirable in the interests of the people, what would happen? My Honourable friend Pandit Nilakantha Das has done very well in bringing

[Mr. K. C. Neogy.]

forward this particular motion so as to enable this House to confine its attention to the very important questions that are involved in this question of export of rice. The primary and most elementary test of the efficiency of a Government would be whether its administrative policy enables the people to have a sufficient quantity of food-stuffs at their disposal. Now, Sir, I very much hope that when my Honourable friend, the Commerce Member or the Finance Member, whoever replies to the debate, gets up to speak on the motion, he will give us an idea of the policy of the Government in regard to the export of food-stuffs, and not merely confine himself to the narrow issue of this present amendment.

Mr. Amar Nath Dutt: Sir, I beg to support the amendment from another point of view, which has been foreshadowed by my Honourable friend, Pandit Nilakantha Das, but very vaguely. You must not forget that India is an agricultural country, and you must not forget that upon the prosperity of these millions of agriculturists depends not only their own happiness but also the happiness and prosperity of those who live upon them, I mean the landholders and the gentry. In Bengal which is a rice-producing province, if you take into consideration the case of an ordinary farmer, you will find that the produce which he gets from his field is not sufficient to cover the expenses of cultivation after paying rent. I will give a concrete example. A farmer has ordinarily 20 *bighas* of land to cultivate. The cost of cultivation per *bigha* is Rs. 15 or 16, to grow paddy. The ordinary output of a *bigha* of land is about 7 or 8 maunds. That means the average farmer gets about 150 maunds of paddy as his produce while the present price of paddy being Rs. 2-2-0 per maund brings him about Rs. 300. This does not even cover the actual cost of cultivation. I wish my Honourable friend, Diwan Chaman Lal, had been here. He always champions the cause of labour. But he champions only the cause of industrial labour and not agricultural labour. That is my grievance against him. If you take into consideration the actual state of things that prevails in rice-producing districts, you will find that these labourers are starving because they have to meet the cost of cultivation after paying rent. In the present year they are unable to pay their rents to the landlords. I am informed that farmers are unable to pay their rent as the price of paddy has gone down. This affects not only the agriculturists, but also the upper classes of people who live upon the produce of these agriculturists. My friend, Mr. Neogy, has been pleased to point out that there is another difficulty, that if the price of rice rises, the consumers will suffer. I quite appreciate it, but I know that people living in towns always favour that the price of rice should be cheap. Those coming from the city will probably support cheapness of the price of rice. But we have to judge it—both from the point of view of the consumers as well as from the point of view of those who produce paddy, and I believe that, unless all other prices go down, the paddy-producers will be hard-hit and it will bring about absolute ruination of the agriculturists. In Bengal at least 90 per cent. live on agriculture and it is only 5 per cent. who live in towns who are benefited if the price of paddy only goes down. This proposal of my friend, Pandit Nilakantha Das, will save the agriculturists to a certain extent by increasing the export of rice. With the present export duty it is not possible for the agriculturists to export rice, so as to compete with other countries which export rice not only to other countries but also to India, the gra-

nary of the world. I therefore ask the Government to consider the circumstances put forward by Mr. Neogy as to how the imports from other countries of food-stuffs should be stopped in the interests of the agriculturists here.

But that is outside our province. So far as the present amendment is concerned, I have to suggest to them that they must take away the export duty on rice if they want to benefit the agricultural population of India. The condition of the agricultural population in Bengal villages is very grave, for I know from my own experience while going about from one village to another the granaries of the farmers are all empty as they had to sell the whole of their produce, and if this state of things continues, Bengal will witness one of those horrible spectacles which it witnessed during "Chhiattarer Mannantar" i.e., the famine of 1770, not for want of food grains, but for want of money amongst the agriculturists. If you go to the houses of these farmers, you will find that not one of them gets a full meal, not to speak of clothes to cover themselves. So I beg to lend my support to the amendment of Pandit Nilakantha Das, and if that fails, of course I shall come to my own amendment which will give the Government something. (An Honourable Member: "What does it give?") One pice. But I may tell the Government that, once for all, they must lay down their policy with regard to the net savings of the agricultural masses of the country.

The Honourable Sir George Rainy (Member for Commerce and Railways): I shall speak very briefly, Sir, on this amendment, and with special reference to what fell from my Honourable friend Mr. Neogy. He pressed Government to say whether they had anything to put before the House in the way of a constructive policy, apart from the reduction in the amount of the rice duty, which finds place in the Bill. The first point he raised was that it is not only the low price, due to bumper crops in several countries simultaneously, which was hitting the Burma rice, but also the improved methods of grading and other methods of putting rice on the market adopted in other countries, which had injured the Burma trade. That is an aspect of the matter which has been constantly present to the mind of the Government of India, and our feeling was that it might be of real benefit to the trade if part of the money raised by the export duty could be spent on improving the quality of the rice, and the methods by which it is put on the market. At the same time if the attempt is made to do that directly from Central revenues, we are at once faced by constitutional difficulties arising from the distinction between Provincial subjects and Central subjects. These difficulties can sometimes be got round by means of legislation imposing an export cess, the proceeds of the cess being spent by committees representing the trade concerned for the benefit of the trade. I daresay some Honourable Members may have noticed that His Excellency the Governor of Burma, addressing the Burma Chamber of Commerce in Rangoon the other day, specifically put this suggestion before them as a matter for their consideration, that it might be to the benefit of the trade if a small export cess were imposed on rice, a burden which the trade might be able to bear now that the export duty had been reduced, and that the proceeds might be spent on agricultural research and on the improvement of marketing methods, including grading. The matter therefore stands there for the moment, and the next move lies with the trade itself. But the Government of India believe that a good deal could be done in that way which should be beneficial to the Burma rice trade.

[Sir George Rainy.]

My Honourable friend went on to suggest that measures might be necessary or desirable to regulate the import of food-stuffs from abroad, when prices were low and also to regulate exports. If there was a danger of the stocks in the country becoming unduly depleted I do not question the importance of matters of that kind, but I could not go with him when he referred to what happened in the year 1919. I have a rather vivid recollection of what the situation was at that time, and a very perilous situation it was. We were approaching the end of a period of four or five years during which the trade in food-stuffs had been controlled, and the Government of India and the Provincial Governments had been doing their best both to regulate prices, and to ensure that adequate supplies were always in existence in every part of the country. This was a very difficult task. In 1919 the danger that threatened was this, that, since prices were controlled and the price barometer gave no indication of what was happening, we might find ourselves suddenly faced by the fact that, in particular areas, there was an absolute shortage of grain which, owing to the difficulties of transport at that time, could not be made good. In two or three parts of the country that position was very nearly reached. But when the channels of trade are open and food-stuffs are moving freely, then we can trust the price barometer to give us warning when danger exists, and personally I should always be afraid of taking measures which might have the effect of obscuring what was really going on and eventually lead to a really dangerous situation. I do not think myself there is any great danger that stocks in India might become unduly depleted so long as we are living under normal peaceful conditions, and if they did, the experience of 1928 and 1929 clearly shows that imports from abroad would at once begin.

As regards the other question, namely, the regulation of imports, I fully sympathise with my friend, Mr. Amar Nath Dutt, when he referred to the hardship inflicted on the agricultural classes when the prices of food-stuffs fall very low. But we have to remember that when a great deal of grain from outside Bengal comes into Bengal, the great bulk of it comes from Burma and not from abroad. It would be very difficult indeed to say to Burma that they ought not to send rice into Bengal, because the effect would merely be to transfer the loss occasioned by low prices from one part of India to another. The whole question of the low price of primary food-stuffs does create a very difficult problem. It is a matter which the Government of India will certainly keep under close observation, but I cannot say myself that at the present moment I can see any way to a satisfactory solution which would lead to an immediate amelioration of conditions.

Mr. K. C. Neogy: May I say, Sir, that when I referred to the importation of rice, I did not mean the imported stuff from Burma, but the imported rice from overseas.

The Honourable Sir George Rainy: I quite understood my Honourable friend, but when I referred to importations from Burma I had in mind what Mr. Amar Nath Dutt said about conditions in Bengal. As regards the importation of rice from overseas, there were very heavy imports in 1927-28 or in 1928-29—in one of these two years, I forget which—but I am not sure that that is likely to be a normal feature in future years. At that time there had been short crops in two or three provinces. It was largely a question, as I see it, whether Burma rice or rice from some other countries came in, one or other was almost certain to come. It did not appear to me

at that time that there was any very serious problem. As regards the admission of rice from other countries, I think that concludes what I have to say. I would like to repeat that this whole question of the problem created by the low price of food-stuffs is one that the Government of India will certainly keep under close observation.

Mr. President: The question is:

“That in Schedule I to the Bill, for the proposed amendment No. 7, the following be substituted:

‘7. Item No. 4 of Schedule III be omitted.’”

The Assembly divided:

AYES—16.

Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chaman Lall, Diwan.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Mitra, Mr. S. C.
Mohammad Ismail Khan, Haji
Chaudhury.

Mukerjee, Mr. Saradindu.
Patil, Rao Bahadur B. L.
Reddi, Mr. T. N. Ramakrishna.
Shafee Daoodi, Maulvi Mohammad.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Venkatakrishnayya Choudhri, Mr. P.
Ziauddin Ahmad, Dr.

NOES—44.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Jehangir, Sir Cowasji.
Lamb, Mr. W. S.

Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. President: Pandit Nilakantha Das.

Pandit Nilakantha Das: I don't want to move it*, Sir.

Mr. Amar Nath Dutt: I also don't want to move my amendment†, Sir; but I should like to move the next amendment if you will permit me, I mean amendment No. 25.

*“In Schedule I to the Bill, in the proposed amendment No. 7, the words ‘Two annas and,’ be omitted.”

†“In Schedule I to the Bill, in the proposed amendment No. 7, for the words ‘Two annas and three pies,’ the words ‘three pies’ be substituted.”

Mr. President: Schedule I is finished?

Mr. Amar Nath Dutt: Yes, Sir.

Mr. President: Then I can put it to the vote. The question is:

"That Schedule I stand part of the Bill."

The motion was adopted.

Schedule I was added to the Bill.

Mr. President: The question is:

"That Schedule II stand part of the Bill."

Mr. Amar Nath Dutt: Sir, I beg to move:

"That in Schedule II to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the first entry under the head 'Letters' the following be substituted:

'For a weight not exceeding two and a half tolas ... Half an anna'."

Sir, we find that, in the Bill, for a weight not exceeding 2½ tolas, one anna has been put. With regard to this, Sir, I submit that there can be no two opinions on the non-official side for a reduction of the postal rates which were increased at a time when conditions were quite different in the country. There were high prices then, and Government had to give something to their servants to enable them to keep their bodies and souls together. They had to make some contribution to the Imperial Exchequer to enable the Government at home to carry on the war in Europe with which the people of India had no concern. Every one will remember the happy days when we had postal communications with our relations by spending one pice. (*An Honourable Member:* "Were they happy?") Yes, they were happy days. It has been our sad luck to be under foreign domination for nearly eight centuries before which we had happier days. In a poor country like India, Government will not be justified in maintaining the present postal rates, which were raised in war time. I do not wish to say anything against the Honourable Member in charge of this Department, for I know that he has full sympathy with our views. In a few months he will be one of us and will be as eager for this reduction as we are. But I know as a member of a foreign bureaucracy his hands and feet are tied. He is the victim of a system.

Mr. President: Order, order. I wish the Honourable Member would restrict himself to the merits of the amendment.

Mr. Amar Nath Dutt: People can write in a very small hand in a post card, but at times there are confidential communications. (*An Honourable Member:* "You are old"). Both young and old have to write confidential communications, but I am past that age. Be that as it may, we have to send confidential communications. I will give you an instance. The lawyers have to write to their clients informing them of the dates fixed for hearing of cases. If any of the parties happens to be a friend of the post master in the village, he gets access to the information and uses it to the detriment of the opposite party. The letters may not be delivered to the addressee. My friend Diwan Chaman Lall would like to do away with postage rates altogether. It will be a millenium when the labouring population gets free postage. But that day is far off. But I make an appeal

to the Honourable Member in charge to do something to reduce the postal rates before he lays down the reins of his office, which he has held so worthily for the last five years, to the credit of the race to which he has the honour to belong. I appeal to him to do this little service to his countrymen.

Sir, I am asked by my friends to go on. If I am now to dilate on the necessity for cheap postage, I can submit before you several things which will convince you of the necessity of cheap postal rates. There are communications of merchants, which can not be conveyed within the brief space of a post card. These merchants have to send small accounts and if they are to pay four pice every time, it is a real hardship. I do not think that Government should be eager for revenue always and not see to the convenience of the public. Really it affects the poor man more than anybody else. We may not mind these things very seriously, but we know that probably, next to the salt duty, it is the postal rates that affect the poor man most. Unfortunately, in these days of so-called civilisation, which has been introduced in our country, replacing our ancient civilisation, no one can do without communicating with his people living abroad. People have to leave their villages for distant places in search of work. They have to keep up communications with their relations, and to charge such people one anna every time is very hard indeed. It may not appear high to many of the gentlemen here, who are well fed and well clad with good head dresses, but it matters much for those poor people who have to leave their wives and children behind and go to distant places, 100 or 200 miles away. I am only concerned with people who go abroad. People from Bengal go to Madras and the people from Bihar and Orissa side come to Bengal. In fact my Honourable friend, Mr. Gaya Prasad Singh's people have overflowed Bengal, and they find it very difficult to communicate with their people at home on account of high postal rates. I found these people could not really afford to write one letter a week on account of the high postal rates. They have at times to remain without a letter for one month even. That is a thing which ought to appeal to every one of us. I think there should be no difficulty in reducing the postal rates. You can have other kinds of taxation, on heavy stationery and other things so that Sir Darcy Lindsay, Sir Hugh Cocke and other people, who take away so much from this country, might pay in the shape of postage stamps. Also on heavy stationery the Government could collect more postage revenue. Make them pay two annas. Of course, we cannot propose constructive suggestions for increase of taxation, but if we had the power to do so, we could propose taxes which would affect the rich and the middle class gentry but not the poorer classes of people.

Sir, with respect to letters, the only argument that can be advanced is that they need not write long letters. In fact as I have already said long letters have often to be written. Besides there may be some confidential communications and certain other communications which have to be made and they have necessarily to be written in covers. For these reasons I think the Government ought to reduce the postal rates for letters to half anna. Let them retain the one anna in case of more heavy stationery.

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muhamadan): I have an identical amendment in my name. But I shall support the amendment moved by my Honourable friend, Mr. Amar Nath Dutt, and if that fails I shall move my alternative amendment.

Mr. President: The Honourable Member must move his alternative amendment first.

Rai Bahadur S. C. Dutta: Only if the amendment moved by Mr. Amar Nath Dutt fails.

Mr. President: No, the Honourable Member must move his alternative amendment now.

Rai Bahadur S. C. Dutta: Very well, Sir. I beg to move:

"In Schedule II to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, before the existing entries under the head 'Letters' the following new entry be inserted:

'For a weight not exceeding one tola Half an anna'."

My amendment as well as the amendment of my Honourable friend, Mr. Amar Nath Dutt, aims at restoring the postal rates to what they were before. My Honourable friend's amendment proposes half an anna for a minimum of $2\frac{1}{2}$ tolas, whereas my amendment fixes half an anna for a minimum of one tola. I wish only to add this, that so far as we know, there is no loss on the postal side of the Department so far as it is considered a commercial department. The loss is not on the postal side.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): That is not correct.

Rai Bahadur S. C. Dutta: It may be that there is loss on the telegraph side.

The Honourable Sir Bhupendra Nath Mitra: That is not a correct statement.

Rai Bahadur S. C. Dutta: Anyhow we find that larger concession rates are given for various publicity purposes, for press telegrams and otherwise. These are the objects for which concession rates may be admissible, but then it comes to this, that the Department is not run on commercial lines. I therefore hope that my amendment will be accepted.

The Honourable Sir Bhupendra Nath Mitra: Sir, I much regret that it is not possible for me to respond to the appeal so eloquently placed before the House by my Honourable friend Mr. Amar Nath Dutt, because there is nothing really behind that appeal. My Honourable friend, I think, tried to reinforce his appeal by suggesting that when I went over and sat with him I should probably make a similar appeal, but I can assure him that that position is not likely to be reached at all.

I should at the outset like to mention to the House the financial effect of the amendment moved by my Honourable friend Mr. Amar Nath Dutt as well as that moved by my Honourable friend Rai Bahadur S. C. Dutta. The cost of the amendment moved by my Honourable friend Mr. Amar Nath Dutt will, as I have stated in previous years, be something like 170 lakhs a year and the cost of the alternative amendment moved by my Honourable friend Rai Bahadur S. C. Dutta will be something like 150 lakhs a year and the reason why there is this small difference between

these two estimates is one which I have also explained at length in previous years. As my Honourable friend Mr. Dutta was not in the House then I think it might interest him if I were to read one passage from the proceedings of this House on the 27th March, 1929. The passage is this:

"The reason" (i.e., the reason of the small difference in the case of the two measures) "is that the experience in every civilised country including India, is that if a reduction is made in the initial unit of weight on which the lowest rate is charged, the bulk of the traffic almost immediately tends down to that initial unit. In 1921-22 in deference to the wishes of this House, we had a rate of postage of half an anna for a weight not exceeding half a tola. The traffic carried on this initial rate of half tola was found to be about 80 per cent. of the total traffic and the traffic carried at the next higher rate of $\frac{3}{4}$ anna which was charged for weight exceeding half a tola but not exceeding one tola, was 10 per cent. of the total traffic."

That is the reason, Sir, why even the alternative proposal of my Honourable friend Mr. S. C. Dutta will cost us as much as 150 lakhs a year.

Now, Sir, on several occasions in this House in the last five years I have explained the policy which I have been consistently following in the matter of the Postal and Telegraph Department. That policy has three fundamental elements; first, that the Department should be self-supporting, that is, it should pay for the cost of the services which it renders to the public out of the fees which it levies from the public for these various services. That being so I regret I cannot subscribe to the views which have been expressed by my friend Mr. Amar Nath Dutt. It is not possible for the Department to dispense charity. Indeed, charity must begin at home; and that brings me to the second of what I called the fundamental elements of my policy, and that is that the service should be maintained in a state of efficiency and that for this purpose the service conditions of the employees, and particularly of the lower subordinate staff should be improved to a reasonable extent. (Hear, hear.) The third element is that the service should be developed, particularly by the extension of facilities in rural areas. (Hear, hear.) In regard to that third item it may interest the House if I give them some figures. In the five years ending 1924-25, we increased the number of post offices by 745. In the four years ending 1928-29 we have succeeded in increasing the number of post offices by no less than 3,804 (Hear, hear), and of that number over 3,000 have been opened in the rural areas. I am sorry that the financial position of the Department has interfered with further development in this direction in the year 1929-30, and our efforts have been confined to making permanent about a thousand experimental post offices which had been in existence at the beginning of the year. Next year also I regret the grant for this development has had to be restricted for financial reasons.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, will the Honourable Member tell us what was the loss during the periods he mentioned paid from the general revenues to the Postal Department?

The Honourable Sir Bhupendra Nath Mitra: I shall come to that presently.

Now, Sir, with regard to what I called the second fundamental element of my policy, namely, the improvement of the service conditions of the employees, and particularly of the lower subordinate staff, to a reasonable extent, the House is fully aware of the various measures which have been adopted in this connection during the last four years and the effect of the measures is reflected in the rise in the cost of the lower subordinate

[Sir Bhupendra Nath Mitra.]

staff. The cost on account of pay charge alone of the non-gazetted staff has risen from about Rs. 565 lakhs in 1924-25 to about Rs. 730 lakhs in 1930-31, and that is a rise of about Rs. 165 lakhs. In addition to that there has been some increase of about 15 lakhs in allowances of various sorts, that is, compensation for working in special localities or house rent allowances, etc. As I said last year, though we have done a good deal in the direction of improving the service conditions of these subordinate employees, the task is not yet complete. In particular, the strength of the subordinate staff and of the subordinate supervisory staff will have to be re-examined with reference to certain investigations in regard to time-tests enforced by the Department which were conducted last year by an officer of the Department and a member of the Service association, and in regard to which both these gentlemen came to unanimous conclusions. The other important items in regard to which a further move will be required are the grant of a weekly day of rest to the staff where they do not now get it, the provision of an adequate leave reserve for postmen and inferior servants, the provision of pension for people who at the present moment are on a non-pensionable basis, and the improvement of pension of men who are in inferior service. I personally should have liked to have done something in these various directions before I left charge of the department, but financial considerations have made that impossible.

Now, Sir, with regard to what I called the first element of my policy, it was possible to follow that in the years 1925-26 and 1926-27. Unfortunately thereafter there was a very material fall in the revenue of the Department. That was due partly to trade depression, and partly to causes over which the Department has no control. One of these latter has been brought out, I see, in the Appropriation Accounts of the Accountant-General for the year 1928-29. In January 1928 the stamp duty of one anna on cheques and bills of exchange was dispensed with. Owing to the system of unified revenue and postal stamps, apparently the bulk of the loss of revenue arising from that cause has fallen on the Postal Department. We have recently had under consideration what action the Department should take in that connection. In view of the fact, however, that the constitution will shortly come under revision and it would be difficult to interfere in the meanwhile with financial adjustments with provincial Governments, the Department found itself unable to pursue the matter. Even in spite of these special causes and of the trade depression, the revenue of the Department has increased from 997 lakhs in 1924-25 to 1,120 lakhs in 1929-30 and is likely to increase to 1,151 lakhs in 1930-31, that is, an improvement in 1930-31, as compared with 1924-25, of 154 lakhs. The working expenses, unfortunately, have risen from 888 lakhs in 1924-25 to 1,126 lakhs in 1930-31. That is an increase of 238 lakhs. Of this increase of 238 lakhs, 64 lakhs have resulted from the completion of the process of commercialisation of the accounts. We have to provide in 1930-31 for 35 lakhs for Depreciation for which no provision was made in 1924-25 and on the actuarial basis we have to provide for 29 lakhs more for Pensions. But the biggest item, as I have already said, is an increase of about 180 lakhs in the pay and other allowances of the subordinate employees, i.e., mostly the lower subordinate staff.

There is one point which I should like to impress on the House in this connection,—I have referred to it on several occasions in the past,—and

that is that the number of highly paid officials in this Department is very low. The subordinate staff will number about 135,000 in 1930-31 having risen to that figure from about 120,000 in 1924-25 and here it will be noticed that the increase in the lower subordinate staff is certainly not higher than the corresponding increase in the revenue. When you look at what we call the gazetted staff, the total strength provided for in the Budget is 609, against a strength of 606 in 1924-25. Of that 609, 473 consist of people whose maximum pay does not exceed Rs. 800 and there are only 136 people who belong to what are known as the superior civil services, i.e., their pay goes up to Rs. 1,000 or beyond. Then, again, Sir, we do not employ among these gazetted officers an unduly large number of men of non-Indian domicile for whom special concessions are required. Indeed, the non-voted expenditure in the Department amounts to only 12 lakhs of rupees out of a total expenditure of 11 crores, and there has practically been no rise in that figure since 1924-25.

I know, Sir, that the policy to which I have referred at length has the general approval of most of the Members of this House, and I am extremely grateful to my Honourable and learned friend, Mr. Kelkar, for having commended the policy while speaking in this House on the 4th March last. I know that the policy is appreciated by the subordinate staff itself. When I was in Bombay, last December, several of the unions of these various subordinate employees were kind enough to present me with an address, this being perhaps the first time in the history of the Department when the lower subordinate staff have presented an address to an out-going Member of Council. I thought that their action displayed a want of worldly wisdom because certainly from their point of view it was most unprofitable to pay homage to the setting sun. But still they did it and I may be permitted to quote to this House a passage from that address. The passage is this:

"It was also in your term of office that all grades of officials of this great department were brought into close touch with those who govern their destinies. What some years ago was an ethereal substance in the clouds is now being felt by us all as human flesh and blood which we can meet and greet. It is needless to say that this contact makes for mutual good and is in the interests of both those who govern and those who are governed."

Now, Sir, if I am entitled to any credit for what has been done for these people in the last four or five years, surely the House is entitled to the fullest share of that credit; for it is due to continued pressure from Members of this House that that action has been taken. The pressure began with my Honourable friend, Mr. Jinnah, in the early days of 1925 just after I had taken over charge of my present portfolio, and it has been continued practically from day to day by the various Members in various quarters of this House. I hope, Sir, that this House will feel no hesitation in turning down not only the amendment of my Honourable friend, Mr. Amar Nath Dutt, but all the other amendments which propose a reduction in the existing postal rates. (Applause.)

Mr. President: The question is:

"That in Schedule II to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, for the first entry under the head 'Letters' the following be substituted:

"For a weight not exceeding two and a half tolas ... Half an anna'."

The motion was negatived.

[Pandit Thakur Das Bhargava.]

So I understand that he has always been in favour of the reduction of the rate for postcards, and he is himself responsible for the formulation of the policy which would ultimately lead to the reduction in the rate for postcards. My submission has always been, and is even today, that, whatever opinion the Honourable Member in charge of this Department may hold, I always stick to the opinion that it is not a commercial department. The institution of the post office, Sir, is a feature of the civilized administration of every State, and all the servants employed in the post office are public servants. I don't understand in what particular sense the view that this Department is a commercial department has been maintained. In my humble opinion, if this view was accepted in relation to the Telegraph Department, this Department ought to have been abolished long ago. And similarly in regard to other departments, the view that such and such a department is a commercial department cannot be justified.

Now, Sir, whatever may be said about letters, so far as postcards are concerned, I do not think it will be disputed that they are used very largely by very poor people in this country. The pice postcard has really endeared itself to the poor people of this country, and the rate, which was increased in the year 1922 as a war measure, is really telling very heavily upon the poorer classes of this country. If you compare the earning capacity of a poor man in India with that of a national of some other country and also compare the postage rates in this country with those prevailing in that country, you will find that the rates prevailing in this country are not really very low, and I know of no other argument which has been adduced by the Honourable Member in charge, which can justify the keeping of the present rates. As a war measure, the price was doubled, and there is no reason why that price should be maintained today. If you look to the figures of postcards, Sir, you will find that the years 1919-20, 1920-21 and 1921-22 have been years of great prosperity so far as the number of postcards used by the people is concerned. Then, as soon as the price was raised, there came a drop, and even now we have not been able to make up that drop, and I understand that the number of postcards used in the year 1927-28 was less than the number used in 1921-22, and the community in general has not used the postcard in the way it should

5 P.M. have been used if normal development were allowed. I understand, Sir, that the reduction in the rate of the postcard would mean the cost of another 70 lakhs or so to the State, and that it is difficult to find out this amount. The Postal Department, commercially speaking, Sir, is not a losing concern, and if these 70 lakhs could be supplied by the general revenues of the country, it will be easy for the Department to reduce this rate. Now, when there was a deficit in the Budget to the tune of 4 crores 40 lakhs, Government were able to devise several methods. So what is the difficulty? Can't 70 lakhs be found out from some other source so that a measure of this character may help the poor people? This year the income-tax is increased by 70 lakhs, and it is a surplus at present in the Budget. Cannot this surplus be used for reducing the rate of the postcard? Even if it cannot be, I consider that the income-tax payers of India would rather like to pay one pie more and see the rate of the postcard reduced. (An Honourable Member:

“Question”). It may be, Sir, that some people may not like that idea, because one of my friends here has questioned it; but all the same, I think I am voicing the popular opinion, when I say that many people will gladly like to pay an extra one pie by way of income-tax if the rate of the postcard can be reduced to help the poor people.

Then it was said, on the last occasion, and it may be said today, that the reduction of the rate for postcards will not benefit the poorer classes of this country, and I know that my friend will quote Mr. Joshi on this point. But it is no use quoting him. After all, the income-tax comes from the middle classes, and you can raise the income-tax which will be realised from the middle classes if you think that these postcards are used largely by them. If we were to find out what part of the revenues of the country is contributed by the middle classes, and if an attempt were made to apportion out to see what part is used in respect of such departments as are more useful to the middle classes, I don't think this sort of computation or accounting would lead to the result that the interests of the middle classes are not considered by the Government. Even if it does not benefit the poorer classes, I may here say on their behalf that the rate of the postcard should be reduced. I do not think that this year the rates can or will be reduced. I know that the Government can carry the day, but I can certainly predict that when the representatives of the poorer classes of my countrymen come to this House, they will reduce the rate of the postcard as a first measure, and as my friend says, they will restore the price to its former rate, and there is much significance in what he says. I am sorry that the interests of the poor people are not properly looked after by the Government. The Government cannot realise that a person who earns six pice per day, whenever he has occasion to use a postcard, is hard put to it, and it is most unfortunate that Government should treat measures of this character with such light-heartedness. I appeal to all Members of this House, especially to the non-official elected Members, to vote in favour of this amendment, keeping in view the interests of the poorer classes.

Mr. Amar Nath Dutt: Sir, there is a similar amendment standing in my name, and in supporting this I shall be very brief. The arguments I have already adduced to reduce postage of letters apply *mutatis mutandis* to the case of postcards with greater force, because postcards are used by the poorest amongst us. Sir, while I yield to none in my appreciation of what has been done by the Honourable Member in charge of the Department for the amelioration of the service conditions of the lower paid subordinate staff of the Postal Department, and also, while appreciating the boon which he has conferred during his tenure of office upon his own countrymen in the shape of opening thousands of post offices, I must point out that the figures which he quoted, which are quoted every year in this House may be characterised in the words of a former Finance Member as nothing but jugglery in figures. These can be made to fit any theory the Honourable Member may choose to advance. That is the admission of an ex-Finance Minister, who now adorns the office of a Governor of a province. He said, “I have in my Department men who can give figures in such a way as to mean anything”. I trust the Honourable Member in charge was not in that department at that

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[22ND MAR. 1930.]

[Mr. Amar Nath Dutt.]

time. I have a shrewd suspicion about these figures. We do not get the real details. They proceed on the assumption that certain expenses must be incurred, and they ask us to give the money. That is not the proper way. I beg to submit that at least this question of the postcard should not be lightly treated by any Member, be he an Indian or an European, because it affects the poorest in the country and I hope every one of us will vote for this amendment.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): I oppose the motion for one particular reason and it is this, that the Postal Department is at present working on a large deficit, and I believe that, if we cut down the income of the Postal Department by any method, then certain very necessary improvement in the pay and allowances of the subordinate staff, especially postmen and others, who do the hardest work in the Postal Department and in the service of the country cannot be effected. There are a large number of postmen who work from day to day, whether it is in the heat or whether it is in the biting cold of the winter, in rain or sunshine. They go on every day of the year from door to door and do their work with great honesty and with great efficiency. I have experience of their needs as I am in personal contact with them. They are not receiving the salaries which they ought to receive, especially in large cities, for example in a place like Delhi. The allowances which they get in a city like Delhi for house accommodation are very small. They get two or three rupees. I ask Honourable Members if it is possible for a man to get a decent house or even a house in which he can squeeze in a moderate family at that rate. It may be said that the allowance is only to help him. His salary ranges between Rs. 20 and Rs. 25 and does not go beyond Rs. 25. Some of them are literate and have even passed the Matriculation examination. How can they manage to live in decency or reasonable comfort on that salary or allowances? Therefore I feel that, if we cut down the income of the Post Office, it will be impossible to give any relief to these men. Sir, I yield to none in my sympathy with the hardships of the poor. I can claim without exaggeration that I am as much in contact with the poor, even extremely poor people, as my friend Mr. Thakur Das Bhargava, but I have not as yet heard of a poor man complaining about the price of postcards.

Mr. President: I think the Honourable Member in charge is quite able to defend himself.

The Revd. J. C. Chatterjee: I am only pointing out that it is not correct to say that there is any real burden on the poor man owing to the cost of postcards, for the simple reason that the poor man does not write many postcards. He probably uses a postcard once in six months, or once in a year, but I have never heard him complaining of the price of the postcard. There are a great many other things of which the poor man complains; he complains of lack of house accommodation, of the high price of food or clothes. I have honestly never heard of a man complaining of the price of a postcard. He sometimes pays much more to have a card written for him. That being so, I think it is very much better not to decrease the price of the postcards, because nobody is really overburdened by the present price of the postcard, whereas the revenue of

the Post Office, if maintained, will really benefit the lower paid staff and especially the postmen, mail runners, sorters and humble public servants of the Postal Department.

Pandit Nilakantha Das: While I was listening with attention to the speech of my Honourable friend opposite, I seem to have heard him say that the post offices are growing in numbers and that is being done on account of the income from postcards and envelopes. Will he kindly explain how the increase of post offices does not produce more and more money, the Postal Department being a commercial department? The percentage of profit ought to grow with expanse of the market in any commercial concern. Does he not proceed on this principle? Should he go on increasing the post offices more and more at the cost of the taxpayer? That is the question which I want to ask my Honourable friend, the Member in charge of the Postal Department.

The Honourable Sir Bhupendra Nath Mitra: I am afraid my friend Pandit Thakur Das Bhargava is very unkind to me. He pays no attention to what I say every year on this subject of the reduction of the post card rate. This year again he has tried to argue from the fact that there was a large drop in the consumption of postcards in the year 1922-23, that that reduction was due to the doubling of the post card rate as a result of which the poor man ceased to partake in a large measure of that facility. As I have explained on previous occasions, that drop was really due to trade depression and slackness in business which supervened on the trade boom that followed the Armistice. It is for a similar reason that there has been a fall in the revenue of the Postal and Telegraph Department in the last two years. To that I have already referred when I was dealing with the first amendment of my friend Mr. Amar Nath Dutt. That fact also answers the question which has been put to me by my friend Mr. Nilakantha Das. It is true that we have opened additional post offices and thereby offered extended facilities in rural areas; but owing to the trade depression the letters and post cards conveyed by the department have not shown the anticipated growth and that has affected the revenue. That fact also supports the unsoundness of the proposition placed before the House by my friend Mr. Thakur Das Bhargava. Now, if it is true that the poor man makes considerable use of the post card, then the fact that we have increased the number of post offices in rural areas in the last five years should have helped us appreciably in the matter of our revenue. But the correct position in regard to the poor man has already been explained by my Honourable friend Revd. Chatterjee; and the same attitude has been taken on previous occasions by various other Members in this House, including my Honourable friend Mr. N. M. Joshi, who are all familiar with the requirements of the poor man. The point is that the poor man does not possess the requisite degree of literacy and therefore it is not possible for him to make any extensive use of the post card.

I fully realise the real character of this debate. That was explained by my Honourable friend Mr. Aney to whom I am grateful for the kind words he said about me. It is the registration of an annual protest which may some day lead to a reduction in the post card rate. When financial

[Sir Bhupendra Nath Mitra.]

equilibrium has again been restored in the department, and the outstanding demands of the lower subordinate staff have been complied with to a reasonable extent, I hope the time will come for some reduction in the post card rate. My Honourable friend Pandit Thakur Das Bhargava also said that when Honourable Members on the opposite side came and occupied these Benches they would forthwith reduce the post card rate. I would ask my Honourable friends opposite to ponder over that proposition a bit. I think my Honourable friend Sir Hugh Cocke the other day referred to the fact that in England the Post Office now yields a profit of something like £9 millions. But even so, the Labour Government there have not thought it appropriate to bring down the post card rate or any postage rate in that country. I think in that connection I quoted on a previous occasion from a speech of Mr. Snowden where he definitely explained why these postal rates could not be brought down.

I am sorry that my Honourable friend Mr. Bhargava did me an injustice; for I certainly did not appeal to my Honourable friends opposite that out of deference to me they should turn down this proposition. All I said was this: that in view of the action that they have consistently taken in this matter of the improvement of the service conditions of the lower subordinate staff in the department, they should turn down this amendment. Sir, the acceptance of this amendment would cost about 90 lakhs a year and I cannot possibly accept it.

Mr. President: The question is:

"That in Schedule II to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Postcards' the following be substituted:

'Single	...	...	...	...	Quarter of an anna.
Reply	...	...	...	...	Half an anna'."

The Assembly divided:

AYES—33.

Abdul Matin Chaudhury, Maulvi.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Farookhi, Mr. Abdul Latif Saheb.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Iswar Saran, Munshi.
Kidwai, Sheikh Mushir Husain.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.
Mitra, Mr. S. O.

Mukerjee, Mr. Saradindu.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Neogy, Mr. K. C.
Rajan Bakhsh Shah, Khan Bahadur Makhdum Syed.
Rang Behari Lal, Lala.
Ranga Iyer, Mr. C. S.
Sarda, Rai Sahib Harbilas.
Singh, Kumar Rananjaya.
Singh, Mr. Adit Prasad.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Talatuley, Mr. S. D.
Venkatakrishnayya Choudhri, Mr. P.
Ziauddin Ahmad, Dr.

NOES—51.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Anwar-ul-Azim, Mr.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Ghuznavi, Mr. A. H.
Gidney, Lieut. Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Ismail Khan, Mr. Muhammad.
Jawahar Singh, Sardar Bahadur Sardar.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.

Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Mohammad Ismail Khan, Haji Chaudhury.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Row, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Schedule II was added to the Bill.

Mr. President: The question is:

"The Schedule III stand part of the Bill."

Mr. Amar Nath Dutt: Sir, I beg to move the amendment that stands in my name and which runs as follows:

"That for Part I-A. of Schedule III to the Bill the following be substituted:

PART I.

Rates of Income-tax.

A. In the case of every individual, Hindu undivided family, unregistered firm and other association of individuals not being a registered firm or a company—

Rate.

- (1) When the total income is less than Rs. 5,000 . . . Nil.
- (2) When the total income is Rs. 5,000 or upwards, but is less than Rs. 10,000. Four pies in the rupee.
- (3) When the total income is Rs. 10,000 or upwards, but is less than Rs. 15,000. Five pies in the rupee.
- (4) When the total income is Rs. 15,000 or upwards, but is less than Rs. 20,000. Six pies in the rupee.
- (5) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000. Nine pies in the rupee.
- (6) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000. One anna in the rupee.
- (7) When the total income is Rs. 40,000 or upwards . . . One anna and six pies in the rupee."

[Mr. Amar Nath Dutt.]

Sir, when submitting this amendment to the Schedule with reference to the Income-tax Act, I carefully considered the income of the several classes of the Indian people before putting down at what rates they ought to be taxed. My first difference with Government as regards the Schedule is with respect to incomes between Rs. 2,000 and Rs. 5,000. They want to tax the people whose income is over Rs. 2,000, that is, whose income is less than even Rs. 175 per month; but I want that people whose income is just slightly over Rs. 400 should not be taxed, but people drawing Rs. 425 and over may be taxed. My reason is this; ordinarily a gentleman having two or three children and a wife, a daughter to educate and two sons to be sent to college can hardly maintain himself and his family with Rs. 400 a month. And he already pays several taxes to Government in the shape of land revenue, house rent and so forth. Income-tax should be assessed only upon such people who do not pay any tax for the maintenance of the Government of the country, but in India these people generally pay various other taxes and they are hard-pressed for this income-tax. So I ask that people whose income is below Rs. 400 a month should not pay any income-tax at all. Then the difference is with respect to those who belong to a class whose income varies from Rs. 400 to Rs. 800, that is to say, from Rs. 5,000 to Rs. 10,000 a year. For them I would not have any rate save and except 4 pies in the rupee. I consider that to be rather a high rate, but as Government at the present moment require money, and the Finance Member has to find out ways and means in the shape of some Tariff Bill, I would not exempt these men, but they may be assessed at 4 pies in the rupee.

With respect to those getting more than Rs. 800 a month, and up to Rs. 1,250, I may take them to be at least gentlemen who are well placed in life. Considering our Indian standard of life, we may say that a gentleman who draws Rs. 1,000 a month is well placed in life and he can be asked to pay at the rate of 5 pies in the rupee. (*Munshi Iswar Saran*: "Question.") Of course there are different standards of living. For gentlemen who have to go abroad every year and live for six months in the cold climate of England and enjoy the company of white men and women instead of their own countrymen, an income of Rs. 1,000 or even Rs. 10,000 may be nothing. I know crores of money have been spent in that way. Then people whose income is between Rs. 15,000 and Rs. 20,000 may pay six pies in the rupee. Then I come to people whose income is between Rs. 20,000 and Rs. 30,000 a year. These are generally men of the class or classes similar to those who have risen to the rank of District Magistrates and District Judges from the rank of Deputy Magistrates or Munsiffs and have been fortunate enough to get listed appointments. At one time their income was Rs. 250 or 300 a month, and so they can afford to pay some income-tax. They can pay a little more income-tax, nine pies in the rupee. People who get more than Rs. 2,500 a month are rich men, and they may be taxed one anna in the rupee. I have no objection to these rich people being taxed at that rate. Then with regard to people who get more than Rs. 40,000 a year, that is people like High Court Judges, Secretaries to Government, etc., people who draw Rs. 4,000 a month or over, should be taxed certainly at the rate of one anna and six pies in the rupee. In support of these figures, I think, Sir, I need hardly waste the time of the House by saying anything more,

because an elaborate examination of the reports of the debates of the Legislative Assembly will show the reason why we ask for a reduction of this tax every year, and I think I need not waste the time of the House by repeating the same arguments year after year. But when I put these figures before the Honourable the Finance Member, I can assure him that I have carefully considered the matter and come to these rates which no reasonable man can decline to accept.

The Honourable Sir George Schuster: Sir, I have calculated what would be the cost of the amendment proposed by my Honourable friend. It would reduce our receipts from income-tax by 325·7 lakhs on the basis of the statistics for 1928-29. I do not feel, Sir, that it is necessary really to do more than to state that bare fact. Instead of getting an additional revenue from income-tax, we should lose this very large sum and the finances of the Government could not be carried on on that basis. I dealt with an amendment of this kind last year in the course of the debate on the Finance Bill, and pointed out that the limit of exemption stands considerably lower in England than it does in India. I do not think that any case has been made out for raising that limit. Of course, every tax is an objectionable measure. But if money has to be found, I think the present income-tax is a very fair way of raising a part at least of what is required to meet the Government's expenditure. Sir, I must oppose the amendment.

Mr. President: The question I have to put is:

"That for Part I-A. of Schedule III to the Bill the following be substituted:

"PART I.

Rates of Income-tax.

A. In the case of every individual, Hindu undivided family, unregistered firm and other association of individuals not being a registered firm or a company—

	Rate.
(1) When the total income is less than Rs. 5,000	Nil.
(2) When the total income is Rs. 5,000 or upwards, but is less than Rs. 10,000.	Four pies in the rupee.
(3) When the total income is Rs. 10,000 or upwards, but is less than Rs. 15,000.	Five pies in the rupee.
(4) When the total income is Rs. 15,000 or upwards, but is less than Rs. 20,000.	Six pies in the rupee.
(5) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000.	Nine pies in the rupee.
(6) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000.	One anna in the rupee.
(7) When the total income is Rs. 40,000 or upwards	One anna and six pies in the rupee."

The motion was negatived.

Pandit Thakur Das Bhargava: I do not move amendment No. 32.*

Rai Bahadur S. C. Dutta: Sir, I move:

"That in Part I-A of Schedule III to the Bill, in entry (1), for the word and figures 'Rs. 2,000' the word and figures 'Rs. 3,600' be substituted."

I only wish to add that the cost of living has altogether increased. The house rents in towns have increased; municipal rates and cesses have

*"In Part I-A of Schedule III to the Bill, the words 'Hindu undivided family' be omitted."

[Rai Bahadur S. C. Dutta.]

increased; prices of food-stuffs and other things have also increased; so there is a case for raising the minimum exemption.

The motion was negatived.

Pandit Thakur Das Bhargava: Sir, I beg to move:

"That in Part I-A of Schedule III to the Bill, the following be added to entry (1):

'But in case of Hindu undivided family when the total income is less than Rs. 4,000 ... Nil.

and consequential amendments be made in entry (2)."

I take this opportunity of thanking the Honourable the Law Member for the kind sympathy that he has been pleased to show to the main proposition I moved while considering the Finance Bill. This particular amendment proceeds upon the policy which the Government themselves have accepted in regard to super-tax. As the House is well aware, the Government have made this concession in regard to super-tax in favour of the Hindu undivided family, though they have regarded the minimum income as Rs. 75,000 instead of Rs. 50,000. Now, I do not think there is any undivided family which has got members less than two in number, so that if there are two members, then the minimum income comes to Rs. 2,000 which is the minimum income for all others. Therefore, I am submitting that if this amendment is accepted by the Government, they do not decrease the minimum taxable income of the individual. Now, Sir, I understand that this will involve something like 25 lakhs or so. But, Sir, this is exactly the premium which the law lays upon the separation of the Hindu family by the Income-tax Act. If it is realised that this matter in the Income-tax Act is a sort of penalty to the Hindu undivided family, I would submit that the amount involved is not material. I have purposely refrained from sending in amendments to the other parts of this Schedule, whereas they would have been quite relevant and perfectly consistent with the main purpose of this amendment when they related to incomes of more than Rs. 4,000. But that I have purposely done because I understand that the Government have been pleased to go into this matter. But as that policy will take some three or four years, I made bold to suggest this amendment now as this will bring relief to the poorest families of the Hindus. If a Hindu has got an income of Rs. 2,000 and if a family has got its income of Rs. 2,000 and there are five members constituting the family, that means you are taxing an individual who is getting only Rs. 35 a month while in any other case you cannot tax any undivided family unless an individual gets an income of about Rs. 183 a month. I would therefore submit that as a fair test of the coming justice in regard to the Hindu families, this amendment may be accepted by the House.

The Honourable Sir George Schuster: Sir, as regards the loss of revenue involved, I understand that my friend is moving the second of the three amendments standing under No. 34. I think my Honourable friend is about right in his estimate of the loss of revenue. According to the figures of 1928-29, it would be just under 20 lakhs. Sir, I have always been myself in a difficulty in dealing with this question which has come up several times before, for I have always found myself unable to understand the argument which is advanced in this case. I appreciate that in certain cases, there may be hardship to an Hindu undivided family and

those cases we propose to examine. But in the ordinary case, any ordinary head of a family, as I pointed out in the debate the other day, may have wife and two or three children. The whole of the income comes in his own name and he has to pay tax on that income. He gets no allowance in respect of his wife or his children and I fail to see why, in the case of a Hindu undivided family, the total income of the family should be split up into shares, whereas in the case of an ordinary family, if the income is that of the head of the family, it should be treated as income of one man only.

I feel that if the arguments on which my Honourable friend has based his proposal were to be accepted, a great deal of injustice would be done to other families. That, Sir, is the sort of point which will have to be discussed when advantage is taken of the promise made by my Honourable colleague, the Law Member, that a Bill should be put up and discussed between the proposers and the Government and eventually circulated for opinion. In the meanwhile, Sir, although anxious to do justice when it is possible or rather to remove an injustice whenever it is possible, I am afraid that I must on behalf of the Government oppose this amendment.

Mr. President: The question is:

"That in Part I-A of Schedule III to the Bill the following be added to entry (1):

'But in case of Hindu undivided family when the total income is less than Rs. 4,000 ... Nil.'

and consequential amendments be made in entry (2)."

The motion was negatived.

Pandit Thakur Das Bhargava: Sir, I beg to move that:

"That in Part I-A of Schedule III to the Bill the following be added to entry (1):

'But in case of Hindu undivided family when the total income is less than Rs. 3,000 ... Nil.'

and consequential amendments be made in entry (2)."

Sir, I have been hearing the views of the Honourable the Finance Member on this point, and I understand that he feels some difficulty in accepting the principle of the proposal which I have been submitting for his consideration every year. Now, I may point out a case in which an individual is getting an income of Rs. 3,000 contributed by his sons or daughters. In that case it is individual income, so far as this income is concerned. This is his own income and the man will not be free from being taxed on account merely of the fact that he belongs to an undivided Hindu family. But so far as the joint ancestral property is concerned, it may be that in that property a man may acquire some sort of title or interest by birth. May I just illustrate my point by referring to a family in which there are two or three earning members. In that case, Sir, it might happen that their joint income, the income of three or four members, may come up to Rs. 2,000; in that case they may have usually their wives, children and all of them living together; but all the same their income would be added together and they will be taxed as a Hindu undivided family. It is in regard to this case that hardship occurs. Now, Sir, so far as the principle of this amendment is concerned, Government themselves are committed to it. As I submitted in reference to my last amendment, what they propose in relation to the super-tax applies on all fours to the present case.

[Pandit Thakur Das Bhargava.]

In the case of super-tax under Part II of (Schedule III, the rates proposed are:

"In the case of every Hindu undivided family:

(i) in respect of the first twenty-five thousand rupees of the excess ... Nil.

(ii) for every rupee of the next twenty-five thousand rupees of such excess ... One anna and one pie in the rupee."

So that they themselves have fully realised the justice of the case and have raised the minimum taxable income of a Hindu undivided family by 50 per cent. Now, this is exactly what I ask in relation to poor families. So what justification is there for making that sort of concession in regard to rich families who have to pay super-tax and not extending the same thing to poor families whose income is less than Rs. 3,000? My humble submission is that it will not be difficult for a rich family to pay income-tax and even super-tax, however unjust it may be, but in regard to the poor man it will be very difficult even to pay income-tax. I would therefore beg the Honourable the Finance Member to accept my amendment. So far as this particular amendment is concerned, he cannot meet it with the argument which he has been pleased to place before the House in relation to my previous amendment. Sir, I move.

The Honourable Sir George Schuster: Sir, I do not wish to enter into any lengthy discussion of this question at this moment. I hope there will be an opportunity afforded fully to thresh out the several aspects of this question if we follow the procedure suggested by my Honourable Colleague, the Law Member. I fully recognise that the Honourable the Mover of this amendment has a certain amount to say on his side if his argument is that the present system is illogical. I quite agree it is illogical that in the case of income-tax no distinction should be made whereas in the case of super-tax a distinction is made between a Hindu undivided family and an ordinary individual, but I am afraid that the acceptance of that lack of logic in the present system cannot induce me to accept the present amendment. I feel that the whole matter requires a great deal of further study before we can deal with it. My Honourable friend said that, in the case of several adult members of one family each of whom is earning an income, all the income will be pooled together and taxed accordingly. But according to my information, the earned income of a member of a Hindu undivided family is not ordinarily combined with the family income for the purposes of assessment. I understand that it may be so combined if the member of the family has received a special education at the cost of the family and if the income is earned by virtue of the qualifications which that special education has given him, but in other cases, according to my information, the individual earnings of each member are treated separately. However, this is a matter which will be inquired into, and I submit to this House that a great deal of study is necessary before we can tackle this matter. If cases of that sort of injustice do exist, those are cases which might be remedied, but on the other hand I would point out to my Honourable friend, in support of what I have said before, if you take the case of an ordinary father with one infant child who is earning no income at all, that would constitute a family of two as he says, and I cannot see why, in the case of a Hindu family of that kind, the income should be treated as divided into two shares, whereas in the case of a

non-Hindu family, it should be treated as the income of the head of the family. That is the point which I was making. However, I do not intend to carry the argument any further now. The amendment which we now have before us would cost rather over Rs. 10 lakhs, and until this matter is further examined, I am afraid, that, on behalf of the Government, I must oppose it.

Mr. President: The question is:

"That in Part I-A of Schedule III to the Bill the following be added to entry (1):

'But in case of Hindu undivided family when the total income is less than Rs. 3,000 ... Nil.'

and consequential amendments be made in entry (2)."

The Assembly divided:

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

AYES—25.

Abdul Matin Chaudhury, Maulvi.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Gour, Sir Hari Singh.
Gulab Singh, Sardar.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.
Mitra, Mr. S. C.
Mohammad Ismail Khan, Haji Chaudhury.

Mukerjee, Mr. Saradindu.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Rang Behari Lal, Lala.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Singh, Kumar Rananjaya.
Singh, Mr. Adit Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Sitaramaraju, Mr. B.
Taintuley, Mr. S. D.
Venkatakrishna Choudhri, Mr. P.

NOES—51.

Abdoola Haroon, Haji.
Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Chetty, Mr. R. K. Shanmukham.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur Sardar.
Jehangir, Sir Cowasji.
Lamb, Mr. W. S.

Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Mody, Mr. H. P.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas, Sir.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rajan Bakhsh Shah, Khan Bahadur Makhdum Syed.
Rau, Mr. H. Shankar.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I beg to move:

"That in Part I-A of Schedule III to the Bill for entries (2), (3), (4), (5), (6), (7) and (8) the following be substituted:

'(2) When the total income is Rs. 2,000 or upwards ... Five pies in the rupee.'

Sir, the present income-tax incidence is on a graded scale. It is a scale which rises from 5 pies to one anna and six pies. It is five pies on a total income of Rs. 2,000 or upwards but less than Rs. 5,000; it is six pies in the rupee on a total income from Rs. 5,000 up to less than Rs. 10,000; nine pies in the rupee on an income between Rs. 10,000 to Rs. 20,000; one anna in the rupee on a total income of Rs. 20,000 to Rs. 30,000; one anna and three pies in the rupee on Rs. 30,000 to Rs. 40,000, and one anna six pies in the rupee on an income of Rs. 40,000 or upwards. Now, Sir, my amendment is that the income-tax should be calculated at the rate of only five pies in the rupee on all income and there should be only one flat rate, and not on a grade scale as at present existing. Sir, it may be said that my amendment is a novel one and without a precedent, and as such it should not have been made. But if the House will bear with me for a brief few minutes, and if they are open to conviction, I shall be able to satisfy them that there is a precedent, that income-tax was levied at only one rate up to the year 1916, and incidence of the tax also was not so high as it is now. Now, Sir, it may be said that the income-tax is a direct tax and some of the English economists have said that a direct tax is better than an indirect tax. This may be true in countries which are rolling in gold and whose resources are not exploited and where people are living happily; but it is not true of a country like India where the resources are all exploited, where industries are not at all supported and where the majority of the people live from hand to mouth. In a country like this, to have income-tax is tantamount to oppression, and if the incidence is unjust as it is at present, it is certainly very objectionable and goes to ruin the country.

Sir Hugh Cocke (Bombay: European): I am extremely sympathetic to the Honourable Member's amendment, but may I ask him now it is going to help the masses?

Mr. Lalchand Navalrai: I know the difficulties of the Government, but that is no reason for their not doing the thing to which they are pledged. I will presently show you that, before the war, the incidence was only 5 pies in the rupee. There was only one scale. If the income-tax was raised for the purpose of war exigencies, why is it that Government have not done anything for the last 14 years to revert to the method of income-tax which existed up to 1915?

Sir Hugh Cocke: My question was how this was going to help the masses. The income-tax is not a tax on the masses at all.

Mr. Lalchand Navalrai: I think it is a mistake to say that it is not a tax on the masses. In this country an income of Rs. 2,000 is not the income of a rich man. I would go further and say that it is certainly the income of a poor man if the living and other expenses of people are taken into account. It is not only the income that you have got to consider. You are charging on the gross income, and you do not consider

how many children the man has, what his family is and what his expenses are. Those are the considerations that you have to bear in mind. I would also be able to show to the House on the same reasoning, that even the income of Rs. 15,000 cannot be said to be the income of a very rich man.

Now, Sir, I want to tell the House that the income-tax incidence is a very high one. I have certainly my sympathy for the Honourable the Finance Member. I submit that it is not his fault as he has joined his office lately. I do have sympathy with him on that account, but I certainly cannot congratulate him on his increasing the incidence now. When we tell him that there should be a reduction, his reply is, "How are the expenses of Government to be carried on?" There are several ways of reducing expenditure. In a country like India, where taxation is already very high and where the new taxation is considered oppressive and is operating as a great hardship, why should new taxes be raised?

Now, Sir, I will show you what the history of the income-tax is, and what has been its incidence. The income-tax commenced in the year 1860, and it commenced with an incidence of 2 per cent. My contention that it should not be graded and that it should be flat five pies in the rupee will be borne out by this history. In 1860, it was 2 per cent. In 1862 it was raised to 4 per cent. In 1863 it was reduced to 3 per cent. In 1865, there was a great stir, and Government had to yield to it and it was abandoned. In 1867 again it reappeared as the licence tax at 2 per cent. Then in 1868 it became a certificate tax. In 1869 it became income-tax again, but the incidence was only one per cent. In 1873 it was totally abolished, but it was revived in 1877. It was governed by local Acts till 1886, when the Central Legislature came in and an all-India Income-tax Act came into existence. What do we find in 1886? In 1886 we find that income was assessed at 5 pies in the rupee, and that continued till 1915. Now, in the Manual of Income-tax you will find that from 1886 to 1915, Rs. 2,000 to Rs. 5,000 were assessed at 5 pies in the rupee, Rs. 5,000 to Rs. 10,000 at 5 pies in the rupee, Rs. 10,000 to Rs. 25,000 at five pies in the rupee, Rs. 25,000 upwards also at five pies in the rupee. Thus there was one rate and it continued until 1915. Then, Sir, the war began and during the war there was a revision made. Government came with an appeal to the House to raise it and they raised it and raised it abnormally. The Legislature agreed and came to the help of the Government at a time of distress. It is only after their distress is over that we are distressed by the Government. Since then, representations have been made and they have not been heeded at all. I submit that that is not reasonable at all. Now, Sir, to proceed with the history of this income-tax. This uniformity of tax was done away with in 1916. In the place of five pies on incomes of Rs. 2,000 to Rs. 5,000, the old position was maintained. On incomes between Rs. 5,000 and Rs. 10,000 it was made into six pies. Then, from Rs. 10,000 to Rs. 25,000 it was at once raised to nine pies. From Rs. 25,000 and upwards it was raised from five pies uniform rate into 12 pies.

(At this stage Mr. President resumed the Chair.)

This was in 1916. It went on up to 1918. In 1918 again there was a revision made and some pies were increased. In 1921 again where it was 12 pies in the rupee, they made it into 14 pies, and where it was 14 pies, they made it into 16

[Mr. Lalchand Navalrai.]

pies. In 1929, again, it was increased in the place of 14 pies to 15 pies and in the case of 16 pies it was increased to 18 pies. It will be observed, Sir, that the Honourable the Finance Member now makes an appeal in his Budget to increase the rate by one pie on incomes of Rs. 15,000 and over. That would bring it to 16 pies where it is 15, and where it is 18, it would bring it to 19 pies. This is the history that I have placed before the House. This shows clearly that there was a precedent before when there was a uniform rate. At present the only reason for this increase is that there is a deficit. If there is a deficit that can be met from many other ways, from retrenchment and from several other ways if the Honourable the Finance Member is pleased to consider it in that direction. The income-tax is a very unpopular tax. People are suffering very much from it and it is therefore not at all reasonable that it should be increased. On the contrary, I submit in fairness and justice, just as history shows, just as the precedent shows and just as the distress of the country at present shows, it should be reduced. I therefore submit that I have made out a case, and a very strong case for showing to the House that five pies was the uniform rate before the war and that after the war the income-tax has increased by leaps and bounds and that it should be brought to the pre-war level, by accepting my amendment.

Mr. President: Is there any income-tax in the Indian States?

Mr. Lalchand Navalrai: I do not know, Sir.

Sir Hugh Cocke: Sir, it is hardly considerate for the Honourable Member at this hour of the sixth day of the week to get up and make a suggestion of this sort and to go into the history of income-tax rates during the last ten years. I thought that the Honourable Member was going to make a humorous speech as his amendment is obviously a humorous one, for he suggests the altering of the income-tax rates, which at present range from five pies in the rupee to one anna seven pies in the rupee, into a flat rate of five pies in the rupee. He spoke of benefiting the masses, as if any of the masses were interested in this proposal at all. If the Honourable Member wants to give any relief to the lower paid people who are subject to income-tax, why does he not limit his proposition to Item II? But he brings down the whole of the rates on Items 2 to 8, to five pies, so that the man in receipt of an income of Rs. 50,000 who now pays, and who can very well pay a tax at the rate of one anna seven pies in the rupee, should be taxed at five pies. It is obviously a ludicrous suggestion and it would cost the Government many crores of rupees.

Pandit Nilakantha Das: I am not here to make a speech on the amendment, but some points arose incidentally on which I feel inclined to explain to the House what the real situation is. The Honourable Member from the European Benches stated that the poorer man does not pay any income-tax. My Honourable friend Mr. Lalchand Navalrai contended that those who earn Rs. 2,000 a year are poor men, and therefore the income-tax falls on poor men. Yes, it is something to say that the poor man is taxed, but actually the man earning more than Rs. 2,000 must not be said to be a very poor man in this country. But as a matter of fact, the theory is that all taxes percolate down to the poor man and they are realised from the poor man in the long run. This theory is a truism. When, for instance, we propose an increment of pay of the officials, don't we take into account the income-tax which those officials

have got to pay? Does not the merchant pay the income-tax out of his earnings out of the pockets of the poor man ultimately, and does he not take that into account at the time of fixing prices? Thus in every item of income we tax do we not ultimately realise the tax money from the poorest of the land, though directly we do not tax the poor man? And a real economic insight into the subject will make it clear that all taxes that we levy are ultimately realised from the poor man.

But I wish to give you here a particular instance which I know, where the poor man, the poorest of the poor, directly pays the income-tax. I have experience in my constituency of some very rich men who are money-lenders and they are taxed very heavily on account of their great income in interest. As I was saying the other day, Sir, these are the people who are selected by our officials, and officially minded non-officials sometimes to serve as members on banking committees, on co-operative societies and co-operative banks, and these are the people who are known as bankers and men who can deal with economic problems of the country, and what do they do? My own relatives and my own servants have often approached them for loans, big or small. What do they do? At the outset these money-lenders say, "Before you take this loan, say of Rs. 200 or Rs. 500, you must pay the income-tax". Before the loan is given, some percentage is deducted for the prospective payment of income-tax, so that if the borrower writes the bond, say for Rs. 1,000 he gets only, say about Rs. 940 or so. This is the custom that has been going on amongst the money-lenders. I daresay and I know as a matter of fact many of our money-lenders are used to this vicious practice and a money-lender is a money-lender after all all over India, and mostly we depend on money-lenders for this income-tax. Now, my Honourable friends will realise that directly the poorest of the poor, the most needy who ought to be helped by the Government in every way and the indebted peasants are the persons who pay this tax. Therefore the argument that the poor man does not pay this income-tax either directly or indirectly has no meaning. Realising this, I think, my Honourable friends will be guided in their votes.

The Honourable Sir George Schuster: Sir, I need only add to this discussion a plain statement of fact, that this particular amendment would cost the Government seven crores and 28 lakhs. I think, Sir, that that puts it out of court as a practical proposition, however much we may desire to see reduction of taxation under all heads.

Mr. President: The question is:

"In part I-A of Schedule III to the Bill for entries (2), (3), (4), (5), (6), (7) and (8) the following be substituted:

"(2) When the total income is Rs. 2,000 or upwards ... Five pies in the rupee."

The motion was negatived.

Rai Bahadur S. C. Dutta: Sir, I beg to move:

"That in Part I-A of Schedule III to the Bill for entry (2) the following be substituted:

"(2) When the total income is Rs. 2,000 or upwards, ... Three pies in the rupee." but is less than Rs. 5,000 ...

Sir, this is a very modest proposal and I hope this will be accepted by the House. I need say only this in favour of its acceptance.

The Honourable Sir George Schuster: Sir, this amendment would cost Government 58½ lakhs. I am afraid that on that ground I must oppose it.

Mr. President: The question is:

"That in part I-A of Schedule III to the Bill for entry (2) the following be substituted:

(2) When the total income is Rs. 2,000 or upwards,
but is less than Rs. 5,000 ... Three pies in the rupee."

The motion was negatived.

Mr. Saradindu Mukerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, my amendment does not touch the pockets of the Finance Member. There is a great deal of chaos in the interpretation

Mr. President: Will the Honourable Member read the amendment first?

Mr. Saradindu Mukerjee: My amendment runs as follows:

"In part I-A of Schedule III to the Bill, in entries (2), (3), (4), (5), (6), (7) and (8), before the words 'total income', the words 'net and actual' be inserted."

The Honourable Sir George Schuster: Sir, I rise on a point of order. I shall be very glad to discuss this amendment with the Honourable Member out of this House. I would suggest however, on a point of order, that in a Bill which is a Bill to fix the rates of the tax, an amendment of this kind, which is going to alter the whole basis of assessment and which involves very complicated considerations and calculations of income is, strictly speaking, out of order. I know, Sir, that on previous occasions you have been prepared to take a wide interpretation of what is in order. But I would submit to you that, in the present case, as the time has got very late, and as this raises very complicated issues, my Honourable friend might be prepared not to move his amendment and to discuss the complicated issues involved with the Income-tax Department. I would be very pleased to give him every assistance that I can to understand the matter but if he moves his amendment I shall be bound to oppose it.

Mr. President: Is the Honourable Member satisfied with that?

Mr. Saradindu Mukerjee: My idea is that, if the Honourable the Finance Member gives instructions to the Department to interpret the total income properly, I may withdraw my amendment. What I mean is that, in coming to the actual figure of income-tax, these Income-tax Officers all take upon themselves the role of Advocates-General, and instead of finding out the actual income the man has, they try to take advantage of a hypothetical income which he might have derived two or three years previously.

Mr. President: The Honourable Member has heard what the Finance Member has said. If he is satisfied, he need not move his amendment; otherwise he may move it.

Mr. Saradindu Mukerjee: I have submitted to the Honourable the Finance Member that, if he gives orders to the Department I could meet them and explain my point of view, in which case I will be prepared not to move my amendment.

The Honourable Sir George Schuster: I have already said that I was prepared to arrange with the Income-tax Department to go fully into this matter with my Honourable friend. I am not prepared to give any undertaking which would imply that the income is not being assessed in a proper manner now; and if that is what my Honourable friend wants, I am afraid I cannot give him such an undertaking. But I would advise him to discuss the matter with the experts who are available here, and I think he will be prepared to modify his views on the subject.

Mr. Saradindu Mukerjee: Very well, Sir. I do not move my motion.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, the amendment which stands in my name and which I now move runs as follows:

"In Part I-A of Schedule III to the Bill for entries (4), (5), (6), (7) and (8) the following be substituted:

- (4) When the total income is Rs. 10,000 or upwards, but is less than Rs. 20,000. Nine pies in the rupee.
- (5) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000. One anna in the rupee.
- (6) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000. One anna and three pies in the rupee.
- (7) When the total income is Rs. 40,000 or upwards. One anna and six pies in the rupee."

The purport of my amendment is to maintain the *status quo*, that is to say, the present rate of income-tax and super-tax, and with that object in view I have, as Honourable Members will find not only tabled this amendment but another amendment which has the same purpose in view. I shall now give my reasons for asking Honourable Members to support this amendment. As I have already submitted, I want that the income-tax and the super-tax should be levied at the same rate as has been in force hitherto, and there should be no increase of one pice either in the income-tax or in the super-tax. My present amendment deals with income-tax but the reasons which I now give against the enhancement of the income-tax apply equally, *mutatis mutandis*, to the increase of super-tax. I shall therefore make one speech and give the Honourable Members my reasons why there should be no increase at all.

Sir, the House is aware of what I said at the general discussion of the Budget. I then pointed out that a great deal of the deficit of which the Honourable Finance Member has complained is due to abnormal and transitory causes, and that the Retrenchment Officer who has been appointed to effect retrenchments on the civil side and the retrenchments that the Military Department are effecting in their own expenditure, ought to be sufficient for the purpose of balancing the Budget. In any case I pointed out that the Finance Member has resisted any change of policy during the transitory stage through which the Government of India are passing. He appealed to this House not to ask him or the Government of India to launch upon any large proposal for a change of policy pending the reforms consequent upon the report of the Statutory Commission, and on that ground he asked that there should be a political as well as an economic armistice. If you do not wish to make any change of policy, do not also make any change in the rate of taxation. But unfortunately while he is against any change of policy, he persists in saddling the country with additional taxation to the extent of 5 crores and odd. We have therefore to

[Sir Hari Singh Gour.]

fight the ground with him inch by inch, and I am afraid this is the last ditch. But at the same time I hope Honourable Members will rise to the occasion and stand up like one man and resist this most odious burden which is sought to be thrown upon the tax-payers of this country. Honourable Members are aware that the effect of the tax being levied upon one class or community does not rest upon that class or community at all. It passes on,—this is one of the economic problems,—it passes on to the general community. Take for instance, a very simple case. If a doctor is in the habit of charging a fee of Rs. 16 for a visit, and he has to pay a heavy income-tax and super-tax, he reimburses himself by immediately raising his fee to Rs. 25; and a doctor who charges Rs. 2 per visit raises his fee to Rs. 3. And thus it goes on. Therefore let Honourable Members once for all believe the great, grand economic truth that whatever may be the circle of people upon which the tax is immediately levied it is distributed like a small wave in the ocean. It gets on expanding, expanding and expanding till it reaches the uttermost corners of the earth. That is exactly how these taxes react upon the life of the nation at large. Therefore, let not any Member in this House for one moment remain in a state of delusion by thinking that this is a rich man's tax and the poor man is free from it, and therefore he need not give his helping hand to the relief of the rich man. The interests of the rich and the poor in this respect are identical.

Now, Sir, Honourable Members on the other side are aware and if they are not aware they will very soon be convinced, that the Indian Income-tax Act is not only about the most obnoxious, but about the most inequitable Act that any Government could place upon the Statute-book. I, Sir, as a responsible Member of this House, speaking with due reserve—and I have before me the Statutes of the United Kingdom, Australia, South Africa, Canada and the United States of America and I shall not weary this House by going through all of them—I wish to bring out a few salient points which will at once convince this House how unjust, inequitable and extortionate is the Indian Income-tax Act when compared, let us say, with the income-tax and super-tax laws of the United Kingdom, and when we remember that this tax was placed permanently on the Statute-book in 1886 and the plausible reasons that were then given by the then Finance Member, they are the reasons which we have become accustomed to hear from his successors with as little credence as must have been given to the exponent of the law in 1886. What did he then say? Gentlemen, he said, this is the year of deficit. The deficit is caused by the heavy fall of silver and also by our commitments in the Burmese war. Moreover, he said, Russia is showing signs of aggression and therefore we have to fortify our frontiers and therefore we require about a crore of rupees, about £66,000, and therefore this tax is levied for these transitory causes. That was the motive and the purpose for the enactment of general income-tax law in 1886. It was then never suggested that it was to be a permanent burden on the country. It was a thin end of the wedge driven in 1886, inserted by Sir A. Colwin, the Finance Member, who told the then Members of the Imperial Legislative Council that it was more or less a passing phase and the burden was necessitated by passing events. But since 1886 the tax has remained and as the Honourable Member, Mr. Lalchand Navarai pointed out, it was at a small flat rate and consequently the people got used to it. When they got used to it and the Government felt that they had now become sufficiently inured to it, they super-imposed upon the people of this country an additional burden in the shape of a super-tax, and

Honourable Members will remember the reasons which were given in 1917 for the levy of the super-tax. The history of the super-tax will be found not in connection with the discussion of the Super-tax Act, but in connection with the discussions of the Finance Bill of that year, and Sir William Mayer, the then Finance Member, suggested the imposition of the super-tax as a war measure. The Honourable Mr. Sarma, afterwards a Member of the Executive Council said, well, if this is going to be a mere war measure, I will introduce an amendment to the effect that the Super-tax Act should last during the period of the war only and six months thereafter. But this was resisted by the Finance Member. As a matter of form, he said it was much better to have a permanent statute and then repeal it than to have a statute limited for a certain time. Consequently the opposition was disarmed and the Members of the old Imperial Council permitted the Super-tax Act to be passed. What has been the result? The war was over in 1918 and it is now 12 years that the super-tax has been imposed and there is no sign either of its remission or of its reduction. The old promises are forgotten. The old reason that was given for the imposition of this tax is ignored and to add, as it were, insult to injury, the present Finance Member has the temerity to come before this House and ask the elected Members of the popular Chamber to perpetuate this odious burden by increasing it by one pie. Honourable Members will remember the implication of any proposal if it is carried by this House by their votes and voices. They should resist, as I have said with the utmost power that they possess this further imposition of income-tax and super-tax if only on the ground that the super-tax was intended to be a transitory or temporary measure for a temporary period and that the Government are morally bound to repeal it. If they wish that another tax should be levied, they should come with a fresh Act and ask this House to pass it, and it is then and then only that they would be justified in having a permanent measure of super-tax on the Statute-book. I say this, Sir, for this reason. Honourable Members will find that, during the short time that they had been Members of this House, every season, every Session of the Legislative Assembly, we are treated to small, puny looking Bills of about two sections, sometimes three sections and sometimes only one section. They are all *ad hoc* Bills to rectify here or to tighten the screw there, and all for the purpose of tying up the poor assessee in the meshes of the fiscal department of the Government. But while they do this, they do not seem to have any regard whatever either to the feeling or to the agony of the assessee. The assessment in this country, the highest maximum assessment in this country, is 6 annas 6 pies super-tax, in addition to the income-tax, which Honourable Members will find is equally if not in excess of that which obtains in the United Kingdom, and when I said, at the opening of my address, that this is by far the most odious Act and a more inequitable Act than the English Act, I said I spoke with reservation and with the full possession of facts.

Let me give Honourable Members a comparative history of the assessments in England and in this country, and they will at once realise the gross injustice of the Indian Income-tax Act. In England—I am relying for my information upon the only book that is available in the Library here, third edition of Sander's Income-tax and Super-tax Act 1923 edition. Honourable Members will find at page 18 of this book, that in England, at any rate, up to 1923-24 the assessment was for five years. Here Honourable Members will find that, until 1917-18, the assessment used to be for three years, following the English law, but they found that they could

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not put the assessee to auction every three years, and the result was that thereafter they started annual assessment. Now, the history of this annual assessment is—every assessee will bear witness to the fact—that from the year's beginning to the year's end half your life is spent in answering questions and in producing accounts which, as often as not are rejected as incomplete or unreliable, and the taxing authorities use their own information, sometimes true, sometimes false, for whatever it is worth, and assess you according to their estimate. Now that I regard as gross injustice. Against this, what is your remedy? In England you have your remedy by an appeal to the Income-tax Commissioners. Mark the words "Income-tax Commissioners". I do not wish to labour this point further, but I would ask what is the remedy of the assessee in India? He goes from the income-tax officer to the Assistant Commissioner of Income-tax. It is just as if I was robbed by a highway man on my way to the House and the Government said, "Your appeal would be to his chief brigand". Now, is this fair or just? They are all servants of the same Department; they scratch each other's backs. The income-tax officer assesses you, he goes, and you appeal against his assessment to his brother officer, and that brother officer will assess you, against which another higher brother officer will hear your appeal. If there is anything in the British Empire truly Gilbertian, it is this Indian income-tax assessment and appeal. Is there anything more monstrous? And yet Honourable Members are accustomed to this dose of annual poison; they have become used to this annual administration of toxin; they don't see anything wrong in it, any more than Honourable Members here and Honourable Members outside see the gross injustice that is being done in the vicarious administration of the criminal law, merely because they have got used to it.

Now, I wish to bring it home to you that, if you really wish to have a right of appeal, that right of appeal means and implies an appeal to a tribunal which is disinterested, independent and impartial, and which is at any rate not interested in the accumulation of wealth for the Chancellor of the Exchequer; otherwise, if the right of appeal is only to the departmental heads, the Chancellor of the Exchequer may send down a demi-official letter and say, "Dear Mr. So and So: You don't seem to be wide awake to your duties. Last year the income-tax from your province was so much; this year it has fallen by so many lakhs; what could have been the reason for it?" Well, that is enough to shake the poor income-tax officer.

The Honourable Sir George Schuster: On a point of order, Sir. Is the Honourable Member at all in order?

Mr. President: Not at all.

The Honourable Sir George Schuster: I suggest to my Honourable friend that, if he wishes to narrate his relations with the Income-tax Department, he should ask me to lay on the table of the House all the correspondence that has passed between him and the Department during the last three years.

Sir Hari Singh Gour: I am stating, Sir, to this House, not my own views or my own experience; I am stating to the House what is the common experience of every Member of this House. Am I wrong? (Several Honourable Members from the Non-Official Benches: "No, no".) Well, that is the position.

Sir Darcy Lindsay (Bengal: European): You are not talking to the amendment.

Sir Hari Singh Gour: I say that, if you wish to give a man a right of appeal, then give the right of appeal to an independent tribunal unconnected with the assessment. Now my third point is, under the English Income-tax Act you have what is called, "earned income" and "unearned income". On earned income is allowed a reduction of one-tenth up to £200.

Mr. D. G. Mitchell (Legislative Department: Nominated Official): One-sixth.

Sir Hari Singh Gour: My friend says it is one-sixth. That is better than one-tenth. I stand corrected. Under the English law every assessee gets a certain reduction under personal allowances for his wife and for his children, and he further gets allowances for his dependent relations. Now, do you get any allowance here at all? Again, under the English law an assessee, if he has got children at the Universities, gets allowances for the children in the Universities.

The Honourable Sir George Schuster: Does my Honourable friend then wish to adopt the English income-tax rates—4s. in the £?

Sir Hari Singh Gour: I shall reply to the Honourable the Finance Member by saying, "I am quite prepared to pay you 4s. in the £ if you will give us the English income". What is the comparison between India and England? Then, Sir, there are distinctions under the Australian Income-tax Act and certain other Dominion Income-tax Acts between precarious income and certain income. Take, for instance, a doctor or an engineer who has a precarious income; when he is hale and hearty he carries on his profession, but when he is struck down by disease or by other disability which disqualifies him from work, how is he going to pay? How is he going to live at all? Now so far as this country is concerned, they have no such distinction between incomes which are precarious and incomes which are certain, between earned and unearned incomes. Then, Sir, I think my Honourable friends of the European Group will support me at least on one point. Their representatives have been complaining about a double super-tax. Persons who invest in joint stock companies pay a certain rate of income-tax on their dividends because these are deducted at their source, but on the top of it all that income is lumped together with their ordinary income and upon that the assessee is super-taxed. Representations have been made by the Chambers of Commerce and by others about the levy of this double super-tax, but the general reply of the Finance Department is *non-possumus*. I wish, therefore, to point out to the House that, if Government wish to follow the analogy of the English law, they must, at any rate, follow the spirit of the English law. That they have not done, and now they ask this House not only to confirm what was a transitory measure, remember, not only confirm, but to enhance the rates which were fixed under that transitory measure of 1917. Honourable Members should be fully cognisant of the implication of their vote. They voted for this measure in 1917, because the unreformed Imperial Legislative Council had not a majority of elected representatives; it was the legislative side of the Executive Government to which certain Members were sworn in as Additional Members. The complexion of the House has now been altered, and we are representatives of the people here, and if you are to allow this income-tax and super-tax to be raised—it does not matter whether it is even by one pie; today it is one pie, it may perhaps be one anna tomorrow—if you allow your tax to be raised, be sure you will be self-condemned. You will not be hereafter heard to say that, "this

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is a bad measure to which we have never agreed. It was a temporary measure; it is a measure which we should like to revise; it is a measure which we should make more equitable". You will never be heard, because by your own action and your vote you shall have ratified the acts of the Legislative Council of 1917. Sir, these are briefly my grounds for opposing the enhancement of the income-tax. Let me add two more grounds.

I have said, and I wish to recall that fact, I have said in the course of the general debate, that you cannot permanently add to the taxes of the people of this country unless you justify a case of permanent necessity. That there is no case of permanent necessity is now made manifest by the Finance Member's own speech. We have the silver duty which, according to the conservative estimate of the Finance Member, will bring one crore of rupees. According to Sir Purshotamdas Thakurdas, if I understood him aright, it will bring in at least two crores of rupees, and I said the other day, striking a golden mean, that if it does not bring two crores, it will at any rate bring $1\frac{1}{2}$ crores. That will give at least 50 lakhs of surplus over the estimate, and that I submit, will fill in the gap that will be created by the throwing out of this income-tax and super-tax. Therefore, there would be really no deficit after that. There are other cases like the cotton duties. If the cotton duties are passed in the manner suggested by one of the non-official Members, that will also bring in additional revenue in the country. In any case, I do not fear for one moment that, by throwing out this proposal of Government for the increase of income-tax and super-tax the Finance Department will be put to any difficulties.

My second reason is that we are now in the last year of our elections. The country is in a state of tremendous ferment, and there is political unrest. Do you think that you will be settling the country down to a state of peace if you were to go out of this House and go to your constituents and say that during our three years of stewardship we have saddled upon them additional taxes to the tune of $5\frac{1}{2}$ crores of rupees? The country is not in a mood to bear any additional burden. The Finance Member has himself ascribed the deficit of the last three years to the world depression in which India has taken her share. Now, I ask him, is that depression not likely to be further depressed if you were to saddle upon this country these heavy taxes? I therefore submit that, on the general ground as well as on the special grounds which I have mentioned, this House should unitedly, especially the elected Members of this House at any rate, I hope will conjointly oppose the Honourable the Finance Member's proposal for the increase of income-tax and super-tax.

Mr. Fazal Ibrahim Rahimtulla: Sir, I have given notice of a similar amendment, and that is the only justification I have for rising 7 p.m. to say a few words. I think, Sir, it is a cruelty to inflict a speech on this House at this late hour, and therefore, Sir, I will only deal with one important point and sit down. We are proposing this amendment, Sir, as one which we think to be reasonable, having regard to the fact that this House has agreed to accept all the taxes that have been proposed by the Finance Department. The Honourable the Finance Member's position in this House is not at all enviable. From the introduction, up to the Finance Bill's progress, he has been listening to subjects of all sorts on the face of the earth

Mr. President: What about me?

Mr. Fazal Ibrahim Rahimtulla: I entirely sympathize with you, Sir, and that is the reason why we are also sitting with you to finish the work. But the position of the Finance Member is different in this respect. He is expected to reply to all the subjects raised by the non-official Members; he is expected to make replies to all the points raised by this side, because he is in charge of the Bill. Now, the point I wish to make, Sir, is regarding the carrying forward of losses. That point was touched upon by Sir Purshotamdas Thakurdas, and I wish also to emphasise it in view of the taxes that have now been passed by the House. I will first take three years. A man for instance makes a loss of Rs. 5 lakhs in the first year; in the second year he makes a profit of Rs. one lakh, and in the third year he again makes a loss of Rs. 75,000. The result is that during these three years he loses about Rs. 25,000. Now, Sir, without taking into consideration any of these facts, the income-tax that he has to pay for the year, I may say, is Rs. 9,000 and approximately Rs. 4,500 super-tax. Therefore, in addition to Rs. 25,000 loss, the man has to incur an additional loss of Rs. 13,500. Sir, there has been a good deal of agitation on this score, and numerous representations to the Finance Member, and I hope he will be good enough to take these points into consideration and get rid of the injustice that is now existing.

Sir Cowasji Jehangir: Sir, I shall be very brief. My friend Sir Hari Singh Gour has made rather a severe attack upon income-tax officers, and he appealed to the non-official Benches and asked whether they all agreed with his statement. I do not think he was given a very satisfactory reply from this side, and I therefore should like to openly dissociate myself with the attack that he made on income-tax officers, specially so far as my Presidency is concerned. I have no idea of the circumstances under which my friend is placed in his province, so far as the Income-tax Department is concerned, nor do I know anything about the officers of the Income-tax Department of his province. But so far as the Bombay Presidency is concerned, I would like to say that the attack made by him is unfair and that the income-tax officers do their very best to perform their duties justly and fairly. They may make mistakes; they are only human. The system may be wrong, but wrong as the system may be, it is unfair to criticise the officers of the Bombay Presidency.

Sir Purshotamdas Thakurdas: Sir, I desire to support very briefly the point made by my friend Mr. Fazal Ibrahim Rahimtulla. I wish to make it clear that, as far as I am concerned, I am not anxious to vote for this amendment if the Finance Member can hold out a promise of relief in the direction indicated by the Mover. What we feel is . . .

Mr. President: That has nothing to do with this amendment.

Sir Purshotamdas Thakurdas: It has, Sir; if I cannot get the assurance I will have to vote against the taxation and for the amendment.

Mr. President: I am not concerned with that.

Sir Purshotamdas Thakurdas: If the Honourable the Finance Member is not able to give a satisfactory reply

Mr. President: It is not relevant to the amendment.

Sir Purshotamdas Thakurdas: The amendment is that the income-tax should be retained as at present. I say I may oppose this amendment if the Finance Member gives us an assurance

Mr. President: In regard to some other matter.

Sir Purshotamdas Thakurdas: No, Sir; in connection with this matter under the head of income-tax and super-tax, the assessment of income-tax being in a manner that three years' loss can be written off before assessment is made. I developed the point previously. I therefore feel, Sir, that, where an increase in income-tax or super-tax is sought, it is very necessary that Government should remove the grievances of the community concerned, and I particularly refer to the commercial community.

I want to say just one word regarding the strong words used by my friend, Sir Hari Singh Gour, regarding income-tax officers . . .

Sir Hari Singh Gour: I think both Sir Cowasji Jehangir and Sir Purshotamdas Thakurdas are wrong.

Mr. President: Perhaps the Honourable Member was referring to income-tax officers in his province.

Sir Hari Singh Gour: No, Sir. I was describing only the system which arose out of the Act. I was not dealing with any province at all. I was only dealing with the system.

Sir Purshotamdas Thakurdas: I do not propose to talk either of the Bombay Presidency or of the Central Provinces, I am thinking of India as a whole, and I say it is very inadvisable and very wrong to criticise those officers who are trying to do their best under circumstances, which in many cases are most difficult. The income-tax officer has a very unpleasant duty to do as a tax gatherer and I feel that I ought to completely dissociate myself from the words used by him such as "high way robber" and "brigand".

The Honourable Sir George Schuster: Sir, I propose to respond to the note struck by my Honourable friend Mr. Fazal Ibrahim Rahimtulla and to be as brief as possible. I should like at the outset to express my personal gratitude to my Honourable friends, Sir Cowasji Jehangir and Sir Purshotamdas Thakurdas, for what they have said about income-tax officers. There is no class of public servant in this country who has a more unpleasant duty to perform than the income-tax officers. The great majority of the staff in that Department are Indians. They are doing their work, as far as I have been able to see, in a most able and conscientious manner, and although perhaps occasional mistakes are made, and although there is no country in the world where income-tax officials are popular, I do feel that they deserve whole-hearted support in their extremely difficult task.

Before I say a few words on the general question before the House, I should like to take up the suggestion which was made, both by Mr. Fazal Ibrahim Rahimtulla and Sir Purshotamdas Thakurdas that I should give some undertaking about the principle of carrying forward business losses. I regard myself as already pledged in this matter. I have made definite statements on various public occasions. My pledge as I interpret it is this. I am pledged, as soon as I am satisfied that the revenue position will stand it, to make a start with the introduction of this principle of carrying forward losses. I would like to make it clear, because I never like saying things which might be understood to mean more than I intend, that there will be difficulties in introducing this principle with full effect at once. If, for example, we were to say, "From today onwards

three years' losses may be carried forward", the result on our revenue might be quite overwhelming. We shall have to start by degrees. I have already issued instructions, before these debates, that a start should be made in collecting statistics, so that we may know what the first step is going to cost us, and I give this House a definite undertaking that I regard this as a first charge on Government revenue. My own present idea is that we shall have to start it step by step, picking up one year first and then carrying it on to two years, and then to three years. Whether we can go beyond three years, I would not like to say at present, but it is my present opinion that that should be the limit. To the extent which I have now explained I regard myself, I have already regarded myself, as pledged to give effect to this principle.

As regards the main proposal, I have already spoken at length on the general situation today. I can only sum up the position as follows. We want the money. I think I am justified in interpreting the votes that have been given in this House as showing that a majority of this House have accepted my general statement of the financial position. My proposals, as I put them forward were intended to be a balanced whole, and I should regard the balance as completely upset if this proposal for a slight increase in the income-tax were not included. Speaking personally, for myself, I could not have reconciled it with my conscience to bring forward a big programme of taxation without introducing a fair proportion of taxation which directly falls on the class which I represent. The Honourable Mover of this amendment has tried to persuade this House that, whatever form of taxation you adopt, the burden will be felt by the poor man. That, Sir, is an argument which I cannot accept. It is quite obvious that an increase in the salt tax is more directly felt by the poor man than an increase on the higher rates of super-tax. I cannot believe that taxes can be passed on in this way. My Honourable friend quoted the case of the doctor who would put up his fees by, I think, he said 40 per cent., when the income-tax is increased by one pie. In that case my proposals ought to be highly popular in the medical profession. But it is obvious that it is impossible to pass on taxes in this way. Consider only the whole class of Government officials. They cannot pass on this tax. They cannot come and ask for an increase in their pay; and the sort of tax which I am proposing which falls on incomes of 15,000 and over, will very largely be paid by the class of Government officials. I would point out that the burden of this tax is a small one. It only represents an increased charge of half per cent. on incomes of Rs. 15,000 and over and I think the class on which this burden will fall can definitely afford to pay it. It has been argued that the whole programme of taxation which I have put before this House will tend further to increase the depression which prevails in the country. I maintain, on the contrary, Sir, that the purpose which lies behind these taxes is one which offers hope for improvement in the economic development of the country. I agree that, as regards income-tax it cannot be claimed that any such direct effect will be felt, but I do maintain that the undertaking which I have given as regards the introduction of this principle of carrying forward losses, illustrates what is in my mind in introducing this tax. There are certain forms of taxation which are hampering burdens on industry, and the reason why I hold out a response to the suggestion which has been made is that I think that if we are to introduce this principle of carrying forward losses it would be a definite encouragement to business. This

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extra pie on incomes over Rs. 15,000 will not appreciably hamper business, but I hope it will put me in possession of funds which will enable me to make that redistribution of the burden of taxation which will relieve the main burdens on active industries. Sir, I do not think it is necessary for me to say any more and I hope, to use the words of my Honourable friend, Sir Hari Singh Gour, that this House will rise to the occasion and pass this last and most just item in my programme of taxation.

Mr. President: The question is:

"That in Part I-A of Schedule III to the Bill for entries (4), (5), (6), (7) and (8) the following be substituted:

- '(4) When the total income is Rs. 10,000 or upwards, but is less than Rs. 20,000. Nine pies in the rupee.
- (5) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000. One anna in the rupee.
- (6) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000. One anna and three pies in the rupee.
- (7) When the total income is Rs. 40,000 or upwards. One anna and six pies in the rupee."

The Assembly divided:

AYES—17.

Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chettiyar, Rao Bahadur P. T.
Kumaraswami.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Gour, Sir Hari Singh.

Gulab Singh, Sardar.
Lalchand Navalrai, Mr.
Mukerjee, Mr. Saradindu.
Patil, Rao Bahadur B. L.
Rahimtulla, Mr. Fazal Ibrahim.
Rang Behari Lal, Lala.
Sarda, Rai Sahib Harbilas.
Sinha, Mr. Rajivaranjan Prasad.
Venkatakrishnayya Choudhri, Mr. P.

NOES—47.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qiayum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Crerar, The Honourable Sir James.
Dalal, Dr. R. D.
Das, Mr. B.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gwynne, Mr. C. W.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Ismail Khan, Mr. Muhammad.
Jawahar Singh, Sardar Bahadur
Sardar.

Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir
Bhupendra Nath.
Mitter, The Honourable Sir
Brojendra.
Monteath, Mr. J.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Noyce, Sir Frank.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Sahi, Mr. Ram Prashad Narayan.
Sams, Mr. H. A.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slaters, Mr. S. H.
Sykes, Mr. E. F.
Tin Tut, Mr.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. President: Does the Honourable Member Mr. Lalchand Navalrai wish to move his amendment No. 40?

Mr. Lalchand Navalrai: Yes, Sir. I beg to move:

"For Part I-B of Schedule III to the Bill the following be substituted:

'B. In the case of every company and registered firm, whatever its total income ... Five pies in the rupee'."

Sir, the principle on which I move this amendment is the same as that which I put forward before the House a little while ago in moving my amendment No. 35. In this case also, it will be seen that from 1886 to 1916 the rate of income-tax was a flat rate of five pies in the rupee, but it was raised in 1916 as a war measure to 12 pies in the rupee and it now stands at one anna six pies in the rupee which again is now sought to be raised to one anna seven pies in the rupee. The reason that is given for not reducing it is that it will cause a loss to the Government in revenue. That will be the reason given for every reduction that is asked for. I do not think that is a reason that will appeal to the House. I expect that, if this reason was known to the House which raised this tax in 1916 to this abnormal extent, it would not have sanctioned it. I would therefore ask this House to accept my amendment.

Mr. President: I take it that the Honourable Member's reply is the same as he had given a little while ago.

The question is:

"For Part I-B of Schedule III to the Bill the following be substituted:

'B. In the case of every company and registered firm, whatever its total income ... Five pies in the rupee'."

The motion was negatived.

Schedule III was added to the Bill.

Mr. President: The question is that clause 4 stand part of the Bill.

The motion was adopted.

Clause 4 was added to the Bill.

Sir Purshotamdas Thakurdas: Sir, I beg to move the amendment which stands in my name and which runs as follows:

"After clause 4 the following new clause be inserted, namely:—

'4A In Schedule II to the Indian Tariff Act, 1894—

(a) after Item No. 43BB, as inserted by Section 4, and under the head 'Metals' the following Item shall be inserted, namely:—

'43BBB. Silver plate, silver thread and wire (including so-called gold thread and wire mainly made of silver), silver leaf and silver manufactures, all sorts not otherwise specified. *Ad valorem.* 38 per cent.'

(b) in Part VI, under the head 'Metals' the Item which reads 'Silver plate, silver thread and wire, silver leaf and silver manufactures, all sorts not otherwise specified', together with its serial number, shall be omitted."

[Sir Purshotamdas Thakurdas.]

I have referred to this amendment twice in my speeches in the course of the debate on this Finance Bill. I do not wish to say much more, particularly as Government have indicated their intention of accepting this amendment. I will only say one word. I have not referred to what is known as imitation gold thread under this as I understand that this is not made out of silver. If it is made out of silver it will be included in the higher duty and therefore imitation gold thread has not been referred to at all by me in the amendment.

The Honourable Sir George Schuster: Sir, I accept my Honourable friend's amendment.

Mr. President: The question is:

"That after clause 4 the following new clause be inserted, namely:—

'4A In Schedule II to the Indian Tariff Act, 1894—

(a) after Item No. 43BB, as inserted by Section 4, and under the head 'Metals' the following Item shall be inserted, namely:—

'43BBB. Silver plate, silver thread and wire (including so-called gold thread and wire mainly made of silver), silver leaf and silver manufactures, all sorts not otherwise specified. . . . *Ad valorem.* 38 per cent.'

(b) in Part VI, under the head 'Metals' the Item which reads 'Silver plate, silver thread and wire, silver leaf and silver manufactures, all sorts not otherwise specified', together with its serial number, shall be omitted'."

The motion was adopted.

Mr. President: The question is:

"That clause 1 stand part of the Bill."

Sir Purshotamdas Thakurdas: Sir, I have an amendment to clause 1 which I beg to move. It runs thus:

"In sub-clause (3) of clause 1, after the figure '3', the comma, figure and letter '4A' be inserted."

The main reason for inserting this here is that Government are unwilling to increase this duty on silver manufactures and gold thread beyond a period of one year. I have agreed to it and have embodied it in my amendment on the understanding that, during the course of the year, Government will refer the question to the Tariff Board. If, however, Government are unable to secure a report from the Tariff Board before the next Budget, I take it that Government will continue this in the next Finance Bill also.

The Honourable Sir George Schuster: I think, Sir, that my Honourable friend has correctly stated the position. If we cannot carry out an inquiry which will give the country an opportunity to decide whether this higher duty is justified or not, it is obviously fair that the duty should be continued. But I have every hope that it will be possible to carry out the inquiry this year.

Sir Purshotamdas Thakurdas: On this understanding I do not think I need say anything further.

Mr. President: Does the Honourable Member wish votes to be taken on this amendment?

Sir Purshotamdas Thakurdas: No, Sir, as Government have accepted it.

Mr. President: The question is:

"That in sub-clause (3) of clause 1, after the figure '3', the comma, figure and letter '4A' be inserted."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Title and Preamble were added to the Bill.

The Assembly then adjourned till Eleven of the Clock on Monday, the 24th March, 1930.



LEGISLATIVE ASSEMBLY.

Monday, 24th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

ANNOUNCEMENT OF RESULTS OF INDIAN CIVIL SERVICE EXAMINATIONS.

800. ***Maulvi Mohammad Shafee Daoodi:** (a) Has the attention of Government been drawn to a grievance in the Indian Civil Service examination regarding the undue advantage which a candidate from the United Provinces has over those from other Provinces in knowing the result of his examination, as published in the *Pioneer* of October 13, 1929, under the heading, "A Civil Service Examination Grievance" of October 14, 1929, under the heading "Another View", by the *Justice* of Lucknow, of October 18, 1929, under the heading "The Public Services Examinations"?

(b) Will Government be pleased to state whether the result of the Indian Civil Service Examination is announced simultaneously with that of the Provincial Civil Service Examination, so that the candidates from all the Provinces may know the result at one and the same time? If not, will Government explain the reason?

(c) Do Government propose to rectify the oversight, if any, by introducing a system which may not prejudice any examinee from any Province?

The Honourable Sir James Crerar: (a), (b) and (c). The attention of the Public Service Commission was drawn to the articles in question and they have taken steps to ensure that in future the results of these two examinations are published simultaneously.

REPORTED THREATENING BEHAVIOUR OF CERTAIN SOLDIERS AT VICTORIA TERMINUS STATION.

801. ***Mr. Sarabhai Nemchand Haji:** (a) Has the attention of Government been drawn to the incident which took place on the 8th June last at the Victoria Terminus in the Poona Passenger Train leaving that station at 10-45 p. m. in which certain soldiers of the Royal Warwickshire Regiment, 2nd Battalion, were reported to have behaved threateningly towards some Indian fellow passengers of theirs, chucking away the luggage of one of the passengers, taking up the seat that he had occupied previously and threatening to throw another out of the window if he dared to take up any further the cause of the injured passengers? If so, has any complaint been made to the authorities concerned by the aggrieved parties, and what steps have been taken in connection with the same?

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(b) Will Government be pleased to make a statement on the subject particularly indicating the steps they propose to adopt in future to avoid the repetition of such outrageous incidents to the Indian travelling public?

Mr. G. M. Young: (a) The attention of the Honourable Member is invited to the reply given to his question No. 989 on September 26th, 1929. A complaint was made to the military authorities, and enquiries were held both by them and by the railway authorities. A complaint was thereafter filed in September in the Court of the Chief Presidency Magistrate against one of the soldiers. It does not appear to have been proceeded with. I am, however, inquiring how the matter stands and will inform the Honourable Member of the result.

Mr. Sarabhai Nemchand Haji: With reference to the old question of mine mentioned in the reply, may I know on which date that question was put, because I do not remember having put such a question before?

Mr. G. M. Young: 26th September, 1929.

Mr. Sarabhai Nemchand Haji: I did not put any question on that day, Sir.

Mr. G. M. Young: I was not in the House, of course, last September. I have only got a copy of the official record. Mr. Sarabhai Nemchand Haji asked a question No. 989 on the 26th September, 1929, and a reply was given.

Mr. Sarabhai Nemchand Haji: It may be that the question was on the agenda on that day, but I am sure I did not put the question.

Mr. President: The Honourable Member may not have asked that question. But the practice is that unless a Member says that he does not want to put any question, the question and answer are entered in the proceedings.

Mr. Sarabhai Nemchand Haji: Sir, you stopped allowing any further questions that morning about the time my questions were going to be reached and so those questions were not asked at all.

Mr. President: The Honourable Member must read the proceedings. If he reads the proceedings he will find that the question and answer do appear there.

DRAFT INTERNATIONAL CONVENTION ON THE TREATMENT OF FOREIGNERS.

802. ***Mr. Sarabhai Nemchand Haji:** Has the opinion of the Government of India been invited on the draft International Convention on the treatment of foreigners? If so, do Government propose to invite the opinions of Indian commercial associations with a view to forwarding them to proper quarters?

The Honourable Sir George Rainy: The draft International Convention on the Treatment of Foreigners was discussed at a Conference held at Paris in November last. The decision arrived at was that the Delegates should submit to their Government for consideration all documents relating to the work of the Conference and ask them to forward to the Secretariat of the League before the 1st June, 1930, any observations and suggestions which they may wish to make with regard to those documents. The

documents are still awaited. When they are received, Government will consider the feasibility of consulting commercial opinion before communicating their views to the Secretariat of the League.

Sir Hari Singh Gour: Will the Government consider the advisability of consulting this House on the subject?

The Honourable Sir George Rainy: I am afraid that if the replies have to reach the League of Nations before the 1st of June, there may be no possibility of consulting this House.

Sir Hari Singh Gour: Is it necessary that Government must send the replies by the 1st June? In view of the fact that there will be a Simla Session, will it not be advisable for the Government to place this matter before this House and take the opinion of this House on a very important question like this?

The Honourable Sir George Rainy: I do not think it has been the practice of the Government at the stage which this question has reached to bring such questions before the House. It is at the stage between signature and ratification that in certain cases Conventions are brought before the House.

Sir Hari Singh Gour: Is the Honourable Member quite sure about the practice in regard to the Washington Convention? Because if I remember aright, it was first raised and discussed by this House before Government took the final action.

The Honourable Sir George Rainy: I should be quite ready to consider whether this is a suitable case in which to take the opinion of this House before sending our own opinion.

CONSULTATION BY THE LEAGUE OF NATIONS *re* MARITIME COASTING TRADE.

803. ***Mr. Sarabhai Nemchand Haji:** (a) Has the attention of Government been drawn to the consultation proposed to be held by the League of Nations on the subject of maritime coasting trade; if so, when is the consultation going to take place?

(b) Has any questionnaire been issued by the League of Nations in this connection? If so, do Government propose to invite answers from Indian Commercial Associations to the questionnaire?

The Honourable Sir George Rainy: (a) The Advisory and Technical Committee for Communications and Transit of the League of Nations has referred to its Permanent Committee on Ports and Maritime Navigation the examination of the meaning which the different States attach to the term "coasting trade" and the law and practices relating thereto. I presume that this is the consultation to which the Honourable Member refers. The Government of India have received no information in regard to any general Conference of the League of Nations on this subject.

(b) In connection with the above enquiry, the Government of India have received a questionnaire from the League of Nations. As the questionnaire only asks for information in regard to the present position of the coasting trade of India under the existing laws and regulations, the Government of India do not propose to consult commercial associations before replying to the questionnaire.

Mr. Sarabhai Nemchand Haji: Would the present position regarding this point include the question of the Coastal Reservation Bill as reported by the Select Committee of this House?

The Honourable Sir George Rainy: That is no part of the existing provisions of the law.

Mr. Sarabhai Nemchand Haji: But, Sir, would the attention of the authorities at Geneva be drawn to the fact that non-official efforts are being made to bring about a change in this matter?

The Honourable Sir George Rainy: I do not think, Sir, that that naturally arises under any question in the questionnaire.

Mr. Sarabhai Nemchand Haji: Would not the whole purpose of the replies of this Government be misleading to the International authorities if their attention was not drawn to the pending legislation?

The Honourable Sir George Rainy: No, Sir. When they ask merely for information as to the present position, I do not think they would naturally expect to receive information as to mere possibilities.

SLOOPS OF THE ROYAL NAVY REFITTED OR REPAIRED IN THE ROYAL INDIAN MARINE DOCKYARD.

804. ***Mr. Sarabhai Nemchand Haji:** Will Government please state the number of sloops of the Royal Navy that have been either refitted or repaired in the Royal Indian Marine Dockyard during the last two years, and if so, what payments have been received for the same?

Mr. G. M. Young: A statement has been called for, and will be communicated to the Honourable Member on receipt.

CONSTRUCTION OF NEW VESSELS BY THE ROYAL INDIAN MARINE DOCKYARD.

805. ***Mr. Sarabhai Nemchand Haji:** (a) Is it possible to use the Royal Indian Marine Dockyard for the construction of new vessels? If so, will Government please state the size of the vessels that could be built there?

(b) Will construction have to be confined only to war vessels, or would it be possible to build mercantile vessels as well? If so, of what tonnage?

Mr. G. M. Young: (a) Yes, Sir. Every kind of boat, barge and steam trawler can be constructed in the Royal Indian Marine Dockyard, Bombay. If and when the dockyard is expanded, it will be in a position to undertake the construction of sloops suitable for the Royal Indian Marine up to 2,000 tons.

(b) With expansion of the dockyard it would be quite possible to build ships for the mercantile marine up to probably about 3,000 tons.

Mr. Sarabhai Nemchand Haji: With regard to part (b) of the question, in view of the fact that it would be possible, with the enlargement of the dockyard, to build mercantile vessels, will Government consider the advisability of preparing a scheme under which such vessels could be built in these Government dockyards when they are ready?

Mr. G. M. Young: The Government have that matter under consideration.

ADVERTISING THE WORK OF THE ROYAL INDIAN MARINE (DOCKYARD).

806. ***Mr. Sarabhai Nemchand Haji:** Will Government please state if they take any steps to make the work of the Royal Indian Marine more known than is the case? If not, do they propose to do so?

Mr. G. M. Young: Yes, Sir. It has already been decided to publish the annual Administration Reports of the Royal Indian Marine and of the Marine Survey of India, in future, for general information. The report of the Flag Officer Commanding on the reorganisation of the service was published in an official communiqué, and considerable prominence was given to it in newspapers. Admiral Walwyn has also instituted a practice of visiting ports, other than Bombay, with his ships in order to acquaint the public in those ports with the character and functions of the reorganized force.

Mr. K. C. Roy: May I ask the Honourable Member what is the position as regards the proposed Royal Indian Navy which is to supersede the Royal Indian Marine?

Mr. G. M. Young: If the Honourable Member refers to the Indian Navy Discipline Bill which was introduced in this House two years ago, the position is that Government are waiting for some indication from this House or from the public that the Bill should be proceeded with again.

Mr. Sarabhai Nemchand Haji: Is it not the fact that the public are waiting for some signal from the Government that their policy has changed in the matter and that the Government propose to trust the people of this country as against the orders of the British Cabinet?

Mr. G. M. Young: I am afraid I am unable to answer that question.

Mr. K. C. Roy: May I ask what actually happened to the Bill which was passed by the British Parliament for creating the Royal Indian Navy?

Mr. G. M. Young: It was passed, that was all.

Mr. Sarabhai Nemchand Haji: With reference to the Administration Report of the Royal Indian Marine referred to by the Honourable Member, may I know when it is proposed to publish such an Administration Report?

Mr. G. M. Young: I cannot give the date. I do not remember at what time of the year the Report comes out.

Mr. Sarabhai Nemchand Haji: When does the naval year begin?

Mr. G. M. Young: I think the reports are for the financial year.

CONSTRUCTION OF NEW SHIPS FOR THE ROYAL INDIAN MARINE.

807. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state if any orders for the construction of new ships for the Royal Indian Marine have been placed during the last 18 months?

(b) If the answer to part (a) is in the affirmative will Government be pleased to state whether it is usual to invite tenders before the final orders are placed?

Mr. G. M. Young: (a) Yes for one new sloop.

(b) The sloop is being built under the orders of the Admiralty and I am not aware of what their practice is in the matter of inviting tenders.

SEPARATION OF THE ROYAL INDIAN MARINE BUDGET FROM THE MILITARY BUDGET.

808. ***Mr. Sarabhai Nemchand Haji:** Is it a fact that the amount of money annually allotted to the Royal Indian Marine and remaining unspent within a year lapses into the general fund of the Military Budget? If so, have Government considered the advisability of separating the Royal Indian Marine Budget from the Military Budget with a view to enable the Royal Indian Marine to have the full benefit of the amounts allotted to it from year to year?

Mr. G. M. Young: The answer to the first part of the question is in the negative, the second part does not therefore arise. The Royal Indian Marine have the full benefit of savings effected within their separate budget allotment.

RECRUITMENT FOR THE ROYAL INDIAN MARINE.

809. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please state the parts of India to which recruitment parties are sent in order to secure fresh supplies of men for the ships of the Royal Indian Marine?

(b) Have Government received representations from certain districts or castes to the effect that their claims for recruitment for the Royal Indian Marine are being disregarded by Government? If so, will Government please state the action they propose to take in the matter?

Mr. G. M. Young: (a) Recruiting parties were formerly sent regularly to the Ratnagiri district, which used to be practically the sole recruiting ground for the Royal Indian Marine before its reorganization. At the time of reorganization, it was the intention of Government to send recruiting parties to this area only until such time as the Royal Indian Marine was enlarged, when they expected to go further afield. Since the force was reorganized on a combatant basis, and service was made permanent and pensionable, the popularity of the Royal Indian Marine with this community has heavily declined: and the last recruiting party that went to Ratnagiri failed to obtain any good recruits. Attempts were made accordingly to get recruits from elsewhere, and parties have been sent to the Punjab, principally to the districts of the Salt Range, where the service seems to be popular and recruits of an excellent stamp are readily forthcoming.

(b) The only representation of the kind suggested in the question came from the Bhandari community in 1926. I quoted their resolution in answer to Mr. Aney's question No. 324 on the 25th August, 1927. I would add that there is nothing to prevent youths of the Bhandari or any other community from presenting themselves at the Royal Indian Marine Depot for recruitment if they wish.

Mr. K. C. Roy: Will the Honourable Member say whether recruiting parties will be sent to Chittagong?

Mr. G. M. Young: Government have considered the question of recruitment from Chittagong, and I have no doubt they will keep it in mind.

RECRUITMENT OF INDIANS FOR THE ROYAL INDIAN MARINE.

810. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government please state how far the Royal Indian Marine has been reorganised during the last few months?

(b) Is it a fact that the force has been short of the full numbers in the ranks of the executive officers and the engineer officers?

(c) If the answer to part (b) is in the affirmative, are Government prepared to make up the deficiency by recruiting Indians only, with a view to utilise the existing vacancies for the purposes of Indianising these services more rapidly?

Mr. G. M. Young: (a) The reorganization may now be considered as complete.

(b) and (c). There has been some shortage, owing mainly to the time it took to introduce the open competitive examination for the service. There does not appear to be any difficulty, however, in obtaining British candidates for either branch of the service. Indian candidates have so far only been forthcoming for the Engineer branch. Two Indian candidates for this branch passed the examination held last November. As I have already informed the House, three executive vacancies are being offered for competition among the cadets of the "Dufferin" at a special examination to be held in May this year. In view of these facts, Government do not propose immediately to increase the proportion of Indian vacancies, but they have that possibility constantly in mind.

Sir Hari Singh Gour: May I ask if any Indian has so far been appointed to the combatant ranks?

Mr. G. M. Young: To the executive branch?

Sir Hari Singh Gour: To the officer's rank.

Mr. G. M. Young: Yes, but to the executive or engineer branch?

Sir Hari Singh Gour: I mean both.

Mr. G. M. Young: I have just said, in answer to the main question, that two cadets have succeeded in entering the Engineer Branch. They have not yet been appointed, but they have gone to England for training.

RECRUITMENT OF SEAMEN.

811. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state the exact method of recruitment of seamen at the major ports of India?

(b) What is the exact manner in which the registers of serangs lascars, firemen, stewards and butlers are maintained at these ports?

(c) Is it a fact that in Bombay the licences for the supply of seamen have been issued to one party only for the last 40 or 50 years?

(d) If the answer to part (c) be in the affirmative, do Government propose to issue licences to other brokers? If not, do they propose to establish a regular Bureau of Employment attached to the shipping office?

The Honourable Sir George Rainy: (a) The large majority of Indian seamen are recruited at the two major ports of Bombay and Calcutta. As regards the method of recruitment at Bombay, I would refer the Honourable Member to the reply I gave to starred question No. 691 asked by Mr. S. C. Mitra on the 23rd September, 1929. At Calcutta the seamen required for vessels belonging to the British India Steam Navigation Company are recruited at the Company's offices by its own officers. In the case of the other shipping companies, the sukhanyas are selected at an open muster held at the Shipping Office. At present the other ratings are recruited largely through the medium of the licensed brokers. Arrangements have, however, recently been made for the introduction of the following alternative methods of recruitment. According to the first method, the shipping companies will maintain registers of the Serangs and Butlers in their regular employ, and these ratings will be selected by the Companies' officers at their own offices the lower ratings being selected by the Companies' officers with the aid of the leading ratings. The second method is intended for those companies who may not find it possible to make the necessary internal arrangements for the recruitment of seamen at their own offices. An employment register of serangs and butlers will be maintained at the Shipping Office and these ratings will be selected by the Companies' officers at an open muster held at the Shipping Office. The lower ratings will be recruited as in the case of the first method by the Companies' officers with the aid of the leading ratings.

(b) Employment registers of Serangs and Butlers are maintained at Bombay and Calcutta. The registers show, *inter alia*, the ship on which the rating has obtained employment and the date on which he signed on.

(c) The three licensed brokers at Bombay are members of the same firm. This firm has held this business for many years.

(d) Government do not propose to issue licences to other persons, nor do they at present contemplate the maintenance at the Bombay Shipping Office of employment registers for lower ratings.

STATEMENT SHOWING THE NUMBER OF INDIAN OFFICERS HOLDING CERTAIN RANKS IN STATE RAILWAYS.

812. ***Mr. Sarabhai Nemchand Haji:** Will Government be pleased to lay on the table a statement showing the numbers of Indian officers holding the following ranks in each of the State Railways:

- (1) Heads of Departments.
- (2) Deputy Heads of Departments.
- (3) Divisional Operating Superintendents.
- (4) Divisional Traffic Superintendents.
- (5) Executive or Divisional Engineers?

Mr. A. A. L. Parsons: The Honourable Member will find this information in the Classified List of State Railway Establishment, a copy of which is in the Library of the House.

CARRIAGE OF PIECE-GOODS FROM BOMBAY TO CALCUTTA BY RAIL AND STEAMER.

813. ***Mr. Sarabhai Nemchand Haji:** (a) Has the attention of Government been drawn to the Statement of the Agent of the Great Indian Peninsula Railway that the rate of piece goods from Bombay to Calcutta *via*

Nagpur has been reduced from Rs. 3-8-3 to Rs. 1-8-0 with a view to compete against the carriage of piece-goods from Bombay to Calcutta by steamers?

(b) Has the policy of the Agent of the Great Indian Peninsula Railway been endorsed by the Government of India?

Mr. A. A. L. Parsons: (a) The answer is in the affirmative except that the rate in question has, I understand, been reduced from Rs. 3-7-3 first to Rs. 2-5-0 and then from Rs. 2-5-0 to Rs. 1-8-0 and Government are not aware that the Agent of the Great Indian Peninsula Railway stated that the rate was reduced from Rs. 3-8-3.

(b) Yes.

POWER SUPPLIED BY THE HYDRO-ELECTRIC CONCERNS FOR THE SUBURBAN SERVICE OF THE GREAT INDIAN PENINSULA RAILWAY.

814. ***Mr. Sarabhai Nemchand Haji:** Will Government be pleased to lay on the table a statement showing:

- (a) the cost per unit of power supplied by the Hydro-electric concerns for the suburban service of the Great Indian Peninsula Railway;
- (b) the minimum quantity of electric energy in terms of units the authorities of the Great Indian Peninsula Railway have agreed to pay for irrespective of the actual consumption;
- (c) the actual consumption in terms of units supplied by the Hydro-electric concerns to the Great Indian Peninsula Railway month by month during the last 12 months ending 30th June, 1929; and
- (d) the payments made with reference to (c) for the power consumed by the Great Indian Peninsula Railway for their suburban service?

Mr. A. A. L. Parsons: The information is being collected and will be furnished to the Honourable Member when ready. As possibly other Members of the House may be interested, I will lay the statement containing the information on the table of the House as soon as an opportunity occurs.

TRAINING OF INDIANS IN MARINE WIRELESS.

815. ***Mr. Sarabhai Nemchand Haji:** Will Government be pleased to state whether they have taken any action for the training of Indian youths in Marine Wireless as referred to in the speech of His Excellency the Viceroy at the Annual Meeting of the Federation of Indian Chambers of Commerce and Industry at Calcutta in December, 1928? If so, will they be pleased to give the details of the scheme they propose to inaugurate?

The Honourable Sir George Rainy: A scheme for the training of wireless operators on the Training Ship "Dufferin" was considered by the Governing Body at their meeting held on the 4th July last. After careful consideration, the Governing Body resolved that they were not in favour of the training of wireless operators on the "Dufferin". The matter is still under consideration.

Sir Hari Singh Gour: May I ask what was the reason for the unfavourable decision of the Governing Body?

The Honourable Sir George Rainy: The difficulty was this, that, if it were merely a question of wireless training, a course of nine months might be sufficient, but the ordinary course is three years on the "Dufferin" and it is not considered desirable to have boys on board under training for so short a period as nine months. I am not yet satisfied that the difficulties might not be overcome, and we are making further inquiries about it.

FELLOWSHIPS OFFERED TO INDIA BY THE ROCKEFELLER FOUNDATIONS.

816. ***Dr. B. S. Moonje:** Will Government be pleased to state:

- (a) whether any Fellowships were offered to this country by the Rockefeller Foundation either in the year 1928 or 1929, and if so, the date when the offer was received and the number of Fellowships offered;
- (b) whether applications were invited from the different provinces for selection of candidates for the award of these Fellowships, and if so, the last date for receiving the applications;
- (c) the procedure adopted by the Government of India for the selection of candidates to be recommended to the Rockefeller Foundation for the award of the Fellowships;
- (d) the date or dates on which the various Provincial Governments sent in the lists of candidates with their recommendations for the award of the Fellowships;
- (e) the date when the Government of India forwarded their recommendations to the Rockefeller Foundation;
- (f) the names of persons recommended by them for the award of the Fellowships and of the subjects chosen by them; and
- (g) the nature of the reply received from the Rockefeller Foundation with regard to the names recommended by the Government of India?

Sir Frank Noyce: (a) No Fellowships were offered in 1928. In October, 1928, Government enquired from Dr. J. F. Kendrick, who is the representative of the Rockefeller Foundation in India, whether it was proposed to award any Fellowships to India in the near future, and if so, when. Dr. Kendrick replied in January 1929, that the Foundation did not set aside any definite number of Fellowships for Indian students but that if there were deserving men, he had no doubt that Fellowships could be secured for them.

(b) Yes. Local Governments and Administrations were asked to submit their recommendations, if possible, by the 31st March, 1929.

(c) The candidates who are nominated by Local Governments and Administrations and who fulfil the conditions prescribed by the Rockefeller Foundation as to qualifications and prospects of employment are arranged in order of preference by the Scientific Advisory Board of the Indian Research Fund Association and the final selection is made by the Rockefeller International Health Board itself.

(d) The recommendations from Local Governments were received between the 25th March, 1929, and the 5th June, 1929.

(e) The list of candidates drawn up in order of preference by the Scientific Advisory Board was forwarded to Mr. Kendrick on the 6th July, 1929, together with the original applications.

(f) A list showing the names of the applicants and the subjects chosen by them is placed on the table of the House.

(g) Government were informed by Dr. Kendrick on the 31st October, 1929, that the applications had been received in New York only on the 5th September and that all available funds for fellowships in the East had been allotted by then except one which had been ear-marked for an officer in connection with co-operative arrangements for rural health work in Burma. Only one Fellowship was, therefore, awarded to Dr. Fenn who was serving in Burma. Dr. Kendrick, however, added that the applications would be kept on the file of the Executive Committee of the Rockefeller Foundation and would be given due consideration, should funds become available for 1930.

Statement referred to in the reply to part (f) of question No. 816, regarding Rockefeller Foundation Scholarships.

Subjects selected for study.

- | | | |
|---|-------------------|--|
| 1. Dr. Ramaswami Subramanian. | Madras | Public Health administration, Epidemiology with special reference to Malariology. |
| 2. Dr. Walajanagar Viji-ragava Perumal. | Madras | System of medical inspection of schools in America and rural sanitation in other countries especially America. |
| 3. Dr. Shankar Kashinath Gokhale. | Bombay | Chemistry of Vitamin and Nutrition problems. |
| 4. Dr. Mukundraj Ganpat Pandit. | Bombay | Analytical Chemistry, Bacteriology and preparation of calf lymph. |
| 5. Vasudeo Lakshman Deshpande. | Bombay | Infectious Diseases with special reference to Public Health. |
| 6. Dr. Ramchandra Govind Dhayagude. | Bombay | Bacteriology and Tropical Pathology. |
| 7. Dr. Ramkrishna Pandurang Kappikar. | Bombay | Anatomy and Embryology. |
| 8. Dr. M. O. T. Iyengar. | Bengal | Malaria research, survey and prevention. |
| 9. Dr. Mohammad Yacob. | Punjab | Technique of the preparation of anti-variola vaccine lymph and problems connected with vaccination in United States of America and the United Kingdom. |
| 10. Dr. Samad Shah. | Punjab | Malariology. |
| 11. Dr. Ayodhya Nath Dass. | United Provinces. | Epidemiology and vital statistics as specially applicable to the tropics with a view to obtaining the degree of Doctor of Public Health. |

Sir Frank Noyce: The information is contained in the statement which I have placed on the table of the House.

Madras	Dr. R. Adiseshan, L.M.S. Dr. K. V. Krishnan, M.B.B.S.
United Provinces	Dr. H. G. D. Mathur, B.Sc., M.B.B.S. Dr. A. C. Banerjee, M.B.B.S., D.P.H.
Punjab	Dr. A. R. Mehta, M.B.B.S., D.P.H., D.T.M. and H. Dr. Ram Behari Lal, M.B.B.S., D.P.H., D.T.M. and H.
Burma	Dr. V. W. Fenn.
Central Provinces	Dr. C. R. Edibam, M.B.B.S.
North West Frontier Province	Dr. Saranjam Khan, B.S.C., M.B.B.S.
Officer in Military employ	Captain (now Major) S. S. Sokhey, I.M.S.

UTILIZATION IN INDIA OF INDIANS GIVEN FELLOWSHIPS OF THE ROCKEFELLER FOUNDATION.

820. ***Dr. B. S. Moonje:** Will Government be pleased to state:

- How many Fellows who were given the Rockefeller Fellowships have returned to India so far;
- How many of them have been utilized in the Medical Research Department, giving the names of the Fellows and the institutes to which they may be attached and the inquiries that may be entrusted to them for carrying out in each case; and
- How many of them are not utilized in the Medical Research Department stating reasons why they have not been so utilized?

Sir Frank Noyce: (a) Nine. Government have no information about Dr. Fenn who was awarded the Fellowship in 1929.

(b) One, viz., Major S. S. Sokhey, I.M.S., who is serving as an Assistant Director of the Haffkine Institute, Bombay.

(c) Eight, six of whom are employed in suitable appointments in provincial Public Health Departments. The remaining two, viz., Drs. Saranjam Khan and K. V. Krishnan are employed on Bacteriophage and Kala-Azar inquiries, respectively, under the Indian Research Fund Association. The cadre of the Medical Research Department is fixed according to its requirements.

Dr. B. S. Moonje: Are there any who are unemployed?

Sir Frank Noyce: I do not think any of them are unemployed. Fellowships are granted on the distinct understanding that those who hold them are ear-marked for suitable appointments on their return to India.

APPOINTMENT OF A NON-INDIAN JUDGE IN THE PATNA HIGH COURT.

821. ***Munshi Iswar Saran:** (a) Is it a fact that, in the Patna High Court, in place of the Honourable Mr. Justice P. R. Das (resigned), the appointment of a non-Indian is contemplated?

(b) If so, are Government aware that such a step will be regarded by Indians in this country as a reversal of the policy of Indianisation?

The Honourable Sir James Crerar: (a) and (b). The question of filling the appointment which, under section 101 of the Government of India Act, is made by His Majesty is still under consideration and I regret I am unable to make any statement on the subject.

Mr. Gaya Prasad Singh: Is it a fact, Sir, that the gentleman who is going to officiate for Mr. Justice P. R. Das is neither an Indian nor a lawyer Judge?

The Honourable Sir James Crerar: I must ask for notice of that question.

Munshi Iswar Saran: Why has there been so much delay in making the appointment of the successor of the Honourable Mr. Justice P. R. Das?

The Honourable Sir James Crerar: I presume, Sir, in order that the best selection may be made.

Munshi Iswar Saran: Will the Honourable Member kindly tell the House the recommendation made by the Patna High Court?

The Honourable Sir James Crerar: The Government of India are not officially consulted in these matters, and I regret that I cannot make a statement.

Munshi Iswar Saran: Will the Honourable Member kindly tell the House what recommendation the Home Member made in regard to this matter.

The Honourable Sir James Crerar: I cannot do that.

Munshi Iswar Saran: Will the Honourable Member convey to the Secretary of State for India the information that the appointment of a non-Indian to a post which has been vacated by an Indian will give rise to much dissatisfaction among Indians?

The Honourable Sir James Crerar: I will see that the questions and replies are communicated to the Secretary of State.

Mr. Gaya Prasad Singh: Are Government aware that the prestige of the Patna High Court will suffer if this sort of jobbery is perpetrated?

Mr. President: Order, order.

Mr. Amar Nath Dutt: What are the reasons, Sir, for overlooking the claims of the Provincial Judicial Service in giving them a seat on the Patna High Court in the present vacancy?

The Honourable Sir James Crerar: As a general proposition, the claims of members of the Provincial Service are duly considered when a suitable vacancy arises.

Munshi Iswar Saran: Is the Honourable Member aware that there are competent lawyers in the Patna High Court as well as in other High Courts who can be appointed to this post?

The Honourable Sir James Crerar: I note the Honourable Member's expression of his view on that point.

Mr. Amar Nath Dutt: Is it not a fact that a member of the Judicial Service was available to act for this post, and yet a Civilian Judge has been selected?

The Honourable Sir James Crerar: It is true that, as a temporary measure, there are two additional Civilian Judges at present.

Mr. Amar Nath Dutt: Was not a member of the Provincial Judicial Service available who officiated as High Court Judge in the same Court?

The Honourable Sir James Crerar: I must have notice of that.

Mr. M. A. Jinnah: May I know whether the Government of India recognise that this is an Indian vacancy and that an Indian should be appointed?

The Honourable Sir James Crerar: That question will doubtless be considered by the competent authorities.

Mr. M. A. Jinnah: Do the Government know that, even if there is no Indian available in this particular province, there are other capable men in other provinces, and will they try and secure an Indian from any part of India if he is available to fill up this post?

The Honourable Sir James Crerar: I have no doubt that all the considerations bearing on the matter will be carefully taken into account by the competent authorities. I regret I cannot say anything more at present.

Munshi Iswar Saran: Is it not a fact that there is an Indian gentleman practising in the Patna High Court who, on more than one occasion, has officiated as a Judge of the Patna High Court?

The Honourable Sir James Crerar: I believe that is a fact.

INELIGIBILITY OF INDIANS FOR THE DIPLOMATIC SERVICE.

822. ***Sir Hari Singh Gour:** With reference to the reply to starred question No. 533 on the 12th March, 1930, regarding the ineligibility of Indians for Diplomatic Service, will Government be pleased to state what action, if any, they propose to take to get the rules amended so as to remove their ineligibility?

Mr. E. B. Howell: The Government of India are in sympathy with the spirit underlying the Honourable Member's question. They have already once made representations upon the subject and are prepared to renew them when a favourable opportunity presents itself.

LACK OF WAITING ROOMS AT BOJRA STATION.

823. ***Mr. S. C. Mitra:** (a) Is it a fact that there is no waiting room at Bojra Station in the Noakhali Branch of the Assam Bengal Railway either for males or females?

(b) Is it a fact that several representations were made by the local people to the railway authorities for a waiting room?

(c) Are Government aware that passengers are put to great inconvenience and difficulties for the want of such a waiting room or any shade?

(d) Are Government aware that in the absence of any waiting room for ladies, the *pardah* lady passengers are much inconvenienced?

(e) Do Government propose to remove the long-felt grievance of the local people?

Mr. A. A. L. Parsons: Government are not aware of the exact arrangements, but a copy of the question will be sent to the Agent.

QUALIFYING EXAMINATIONS IN THE SECRETARIAT AND ATTACHED OFFICES.

824. ***Mr. S. C. Mitra:** (a) Are Government aware that the matriculates employed in the Third Division of the Secretariat offices were not allowed to take the First or Second Division (Secretariat) qualifying examination held by the Public Service Commission in November 1929?

(b) Is it a fact that the matriculates employed in the Second Division of the Attached Offices (having previously qualified for the Third Division, i.e., the examination passed by the candidates referred to at (a) above or the Second Division Attached Offices examination) were permitted to take this examination for:

(i) the First Division Secretariat,

(ii) the Second Division Secretariat,

(iii) the First Division Attached Offices,

unlike their fellow colleagues in the Secretariat?

(c) Are Government aware that, under the rules framed by them for admission of candidates to this examination, the matriculate clerks of the Attached Offices were only eligible for the Upper Division of their offices and not for the Second Division of the Secretariat for which category some clerks have been declared successful? How is this anomaly to be explained?

(d) What is the number of such matriculates employed in the Attached Offices who have been declared successful for the Second Division?

(e) Is it a fact that both the classes of clerks referred to at (a) and (b) above are eligible for promotion to the next higher category of their respective offices according to a certain fixed percentage?

(f) If the answer to part (e) is in the affirmative, will Government please state the reasons that led them to make a distinction between the

Attached Office matriculates and the Secretariat matriculates for the purpose of allowing them to take the qualifying examination?

(g) Are Government aware that this distinction caused great discontent among the clerks concerned, and is it a fact that representations were made to Government?

(h) Do Government propose to redress their grievance by affording them an opportunity of appearing at the next examination as Departmental candidates and extending to them the concessions allowed at the November 1929 examination? If not, why not?

The Honourable Sir James Crerar: (a) Yes.

(b) Yes, if recommended by the Heads of their Departments.

(c) The position of an Assistant in an attached office is slightly superior to that of a second division clerk in the Secretariat; consequently it was considered that if a clerk was held to be fit for Assistant in an attached office he could properly be held fit for the second division in the Secretariat.

(d) Nine.

(e) Yes.

(f) The second division in attached offices consisted partly of persons who had qualified for the second division and partly of persons qualified as typist and routine clerks. I understand that the Public Service Commission considered it undesirable to distinguish between clerks who were working in the same division in the same office. These conditions did not prevail in the Secretariat.

(g) Certain representations were made in the matter.

(h) There will be no departmental qualifying examinations in future, but under the rules it is open to departments, in cases of exceptional merit, to promote third division clerks to the second division in not more than one of every five vacancies.

EXPENDITURE FROM RAILWAY REVENUE ON THE BAMUNGACHI SHOOTING CASE.

825. ***Pandit Nilakantha Das:** (a) Will Government be pleased to state what amount of expenditure has been incurred from the Railway revenue to conduct the case in connection with the Bamungachi shooting incident to defend the Railway officials?

(b) Will Government be pleased to lay on the table the correspondence that passed between the Railway Board and the Government of Bengal or the Advocate General of Bengal in connection with the Appeal preferred against the acquittal of Sj. Shanti Ram Mondal?

Mr. A. A. L. Parsons: (a) Information will be obtained and supplied to the Honourable Member on its receipt.

(b) The Honourable Member presumably refers to correspondence between the Government of India and the Bengal Government. Government regret that they are not prepared to lay this correspondence on the table.

RESEARCH IN PLANT PHYSIOLOGY AND SCHOLARSHIPS FOR AGRICULTURAL RESEARCH AND ANIMAL HUSBANDRY.

826. ***Mr. K. C. Neogy:** (a) Are researches in plant physiology conducted at the Agricultural Institute at Pusa? If so, are annual accounts of the results of such researches published, and has any of them received any appreciative notice so far in scientific journals published abroad?

(b) Does the Imperial Council of Agricultural Research intend to encourage better teaching of physiology of plants and research therein? If so, in what manner?

(c) Are Government aware of any institution in India where research is carried on in plant physiology? If so, is the Imperial Council of Agricultural Research considering the question of helping it in any way?

(d) Is there any intention on the part of the said Council or Government to grant scholarships to suitable Indians to qualify themselves in agricultural research and animal husbandry in any foreign country like Denmark which is a leading centre of such research and scientific study?

Sir Frank Noyce: (a) There is no separate section of plant physiology at the Pusa Research Institute and such research in that subject as has been conducted there has been connected with and subsidiary to problems in plant-breeding. The results of the research work carried out at Pusa are published in the Memoirs and Bulletins of the Imperial Department of Agriculture in India and the work done has repeatedly received appreciative references in scientific journals published abroad.

(b) The attention of the Imperial Council of Agricultural Research will be invited to this matter.

(c) Research in plant physiology is carried out in several institutions in India which are in receipt of assistance from Government.

It is open to any institution to apply to the Imperial Council of Agricultural Research for a grant for research in any branch of agricultural science.

(d) The question has already been remitted to the Council of Agricultural Research for consideration.

NUMBER OF MEMBERS OF EACH COMMUNITY IN DIFFERENT RANKS OF THE ARMY.

827. ***Mr. Mukhtar Singh:** (a) Will Government be pleased to state how many Indians have up to now been given King's Commissions and how many of these commissions are honorary?

(b) How many of these commissions are allotted to Hindus, Sikhs, Muhammadans and Christians and untouchables?

(c) How many Indians have been given Viceroy's commissions till now, and how many of these are Hindus, Sikhs, Muhammadans, Christians and so-called untouchables?

(d) How many Indian other ranks and Indian camp followers are there in the Army? How many of them are Hindus, Sikhs, Christians and depressed classes?

Mr. G. M. Young: 78 Indians have hitherto passed out of Sandhurst and have been granted King's Commissions: 29 of these were Hindus, 29 were Muhammadans, 18 were Sikhs, one a Burman and one a Christian. The remainder of the information desired by the Honourable Member is not available, and could only be collected, if at all, by the expenditure of an amount of time and labour, which would be disproportionate to its value result.

MILITARY CONTRACTORS.

828. ***Mr. Mukhtar Singh:** What is the total number of military contractors entered in the register of military authorities and how many of them are Hindus, Sikhs, Mohammadans and belong to the depressed classes?

Mr. G. M. Young: There is no register showing the total number of contractors employed by the various military authorities, nor would it be practicable to compile such a register. I am sorry therefore that I cannot give the information required by my Honourable friend.

REPRESENTATION OF THE ARYA SAMAJ IN THE DELHI UNIVERSITY.

829. ***Mr. Mukhtar Singh:** With reference to my starred questions Nos. 560 and 561 answered in the Legislative Assembly on the 18th February 1929, will Government be pleased to state the conclusions arrived at by Government on the communication received from the Arya Samaj, Delhi?

Sir Frank Noyce: Government were unable to accede to the request made in the communication referred to by the Honourable Member. A representative of the Arya Samaj, Delhi, has however been appointed as a Member of the Court by the Chancellor of the Delhi University.

RACIAL DISCRIMINATION IN LEAVE RULES ON THE BOMBAY BARODA AND CENTRAL INDIA RAILWAY.

830. ***Rai Sahib Harbilas Sarda:** (a) Is it a fact that the Indian officers of the Bombay, Baroda and Central India Railway have been representing matters for several years and asking for the removal of racial discrimination against them in the application of leave rules?

(b) Is it a fact that in the same city of Bombay, the old Great Indian Peninsula Railway has made no such racial discrimination in the leave rules against its Indian Officers, while the Bombay, Baroda and Central India Railway does?

(c) Will Government state if there is any other State-owned railway in India which has such racial discrimination against the Indian officers in the matter of leave regulations?

(d) Is it a fact that the Bombay, Baroda and Central India Railway Company has recently issued a fresh set of leave rules; but that, even in them, these discriminations have not been removed, and that they are far less favourable than those applicable to the European officers?

(e) Is it a fact that these new leave rules have not been brought into line with those in force on the State Railways?

(f) Is it true that whereas a European officer on the Bombay, Baroda and Central India Railway can get 22 months' combined leave at a time, the Indian officer is restricted to six months' combined leave only?

(g) Is it true that whereas the European officer earns furlough at the rate of one-fourth of active service rendered, the Indian officer earns it at the rate of one-eleventh only?

(h) Is it true that, whereas the European officer gets one month's sick leave on full pay per year non-cumulative without affecting his other leave and furlough, no such leave is given to the Indian officer though he may be ill?

(i) Is it true that, whereas the European officer can get 22 months' combined leave after retirement, the Indian officer is allowed six months' combined leave only?

(j) Is it true that the European officer can commute his furlough irrespective of his going overseas, whereas the Indian officer can only commute it provided he goes overseas?

Mr. A. A. L. Parsons: (a) Government believe it to be so.

(b) No; the leave rules of the old Great Indian Peninsula Railway gave greater leave benefits to European officers.

(c) Both the revised leave rules of the Bombay, Baroda and Central India Railway and the revised leave rules applicable to State Railway employees allow a more liberal scale of leave to persons of non-Asiatic domicile, but the increased limits in the B., B. and C. I. rules are much higher.

(d) Yes, except that the discrimination is on domicile and not on race.

(e) Yes, but Government propose to invite the Company to consider a revision of their rules on the basis of the revised leave rules applicable to State Railway employees.

(f), (h) and (i). The answer is in the affirmative if a comparison is made of the privileges applicable to officers of non-Asiatic domicile with those applicable to officers of Asiatic domicile.

(g) Officers of non-Asiatic domicile earn furlough at the rate of a quarter of active service and officers of Asiatic domicile at the rate of 30 days for each calendar year.

(j) Yes, except that an officer of Asiatic domicile can commute furlough on half pay into furlough on full pay up to a maximum of four months on each occasion if the leave is taken on Medical Certificate and spent in India or Ceylon.

RACIAL DISCRIMINATION IN LEAVE RULES ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

831. ***Rai Sahib Harbilas Sarda:** (a) Are the new leave rules which are in force on the Bombay, Baroda and Central India Railway as applicable to the Indian officers also applicable to the Anglo-Indian Officers?

(b) If the answer to part (a) be in the affirmative, what is the date fixed, after which Anglo-Indian officers recruited would be governed by the new leave rules?

(c) What is the number of Indian officers who were in service before the date which may be mentioned in reply to part (b) above?

(d) What is the number of Anglo-Indian officers who were in service before the date mentioned in reply to part (b) above and who are getting the benefit of the old leave rules as applicable to the European officers?

(e) Is it true that even the European subordinates drawing over Rs. 300 per month and in certain cases drawing even Rs. 150 per month, in service before the date mentioned in reply to part (b) above, get the benefit of these old leave rules as applicable to the European officers, and which are denied to the Indian officers?

(f) Will Government state what action they propose to take for the removal of these racial discriminations?

(g) Are Government prepared to advise the Bombay, Baroda and Central India Railway company to bring its leave rules for Indian Officers into line with those in force on the State managed Railways?

Mr. A. A. L. Parsons: (a) They are applicable to all officers of Asiatic domicile.

(b) All Anglo-Indian Officers of Indian Domicile appointed after the 1st April 1929, come under the revised leave rules.

(c) and (d). Information will be obtained and supplied to the Honourable member on its receipt.

(e) Yes.

(f) and (g). Attention is invited to the reply given by me to clause (e) of the Honourable Member's previous question.

Pandit Hirday Nath Kunzru: May I ask the Honourable Member whether he is developing a style of speaking which makes it impossible to follow him?

Mr. A. A. L. Parsons: I hope not.

Mr. President: Every one has his own style.

Pandit Hirday Nath Kunzru: I thought the Honourable Member was improving.

PURCHASE OF THE BUSINESS OF THE DELHI ELECTRIC SUPPLY AND TRACTION COMPANY BY THE DELHI MUNICIPALITY.

832. ***Mr. B. Das:** (a) With reference to Mr. K. C. Roy's starred questions Nos. 573 and 574 regarding the Delhi Electric Supply and Traction Company, on the 12th March, 1930, will Government be pleased to communicate to the House the reply thereto?

(b) Will Government be pleased to state when the Delhi Electric license of the present licensees will expire?

(c) Have Government obtained the opinion of the local authorities, the Delhi Municipality, as to their intention to purchase the undertaking for the Municipality?

(d) Has the Delhi Municipality asked Government for any loan towards the purchase of Delhi Electric Supply Co.?

The Honourable Sir Bhupendra Nath Mitra: (a) When a reply to Mr. K. C. Roy's questions referred to is furnished to him, a copy thereof will be placed in the Council Library for the information of the House.

(b) and (c). The licence will expire in 1947, and so far as Government are aware no proposal has been made by the Delhi Municipality that they should buy the rights of the Company under the licence, which has been granted by the Chief Commissioner.

(d) No such application has been received.

PURCHASE OF THE BUSINESS OF THE DELHI ELECTRIC SUPPLY AND TRACTION COMPANY BY THE DELHI MUNICIPALITY OR THE GOVERNMENT OF INDIA.

833. ***Mr. B. Das:** (a) Will Government be pleased to state the present capital value of the Delhi Electric Supply and Traction Co. Ltd.?

(b) Have Government computed the figure that will be paid to the Company in case option of purchase is exercised either by the local authorities or by the Local Government—the Government of India?

(c) Is it a fact that under the Indian Electricity Act the option of purchase evolves on the Government of India—in case local authorities are not in a position to do so?

The Honourable Sir Bhupendra Nath Mitra: The information asked for is being collected and will be supplied to the Honourable Member in due course.

RATES CHARGED FOR SALT TO TRADESMEN OF THE SAMBALPUR DISTRICT.

834. ***Mr. B. Das:** (a) Have Government received a petition signed by the salt merchants in Orissa and addressed to the Salt Commissioner of Madras, of which a copy was forwarded to the Honourable the Finance Member?

(b) Is it a fact that salt monopolists at the Ganjam factories charge different prices for different districts?

(c) Is it a fact that traders of Sambalpur District are charged rates varying between seven to nine annas per maund, while traders at Cuttack pay much less?

(d) Is it a fact that the Government rate for sale *ex* factory is four annas per maund?

(e) Do Government propose to see that no unfair rates are charged by salt monopolists to tradesmen of the Sambalpur District?

The Honourable Sir George Schuster: Yes, the Government have received the petition and have already asked for reports on the subject. When the replies are received I shall inform the Honourable Member of the result.

Pandit Nilakantha Das: Is it not the duty of the officials of the Salt Department to see that the price and supply of salt is controlled all over India?

The Honourable Sir George Schuster: The Government of India do not exercise any control over the retail prices of salt.

WITHHOLDING IN THE DELHI TELEGRAPH OFFICE OF A TELEGRAM ABOUT THE SARDA ACT.

835. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Will Government be pleased to state if it is a fact that a message sent to the Press from the office of the *Jamiatul Ulmaa-e-Hind* regarding the Sarda Act and Mussalman's attitude was withheld by the Telegraph officer of Delhi?

(b) If so, what is the reason?

Mr. H. A. Sams: (a) Yes, a message of the 10th March, 1930, was withheld.

(b) The message was considered objectionable and its transmission was withheld under rule 13 of the Indian Telegraph Rules, 1927.

Maulvi Mohammad Shafee Daoodi: What were the grounds on which it was held objectionable?

Mr. H. A. Sams: I can only say that the telegram was held to be objectionable. That was the ground on which it was withheld.

Mr. K. C. Roy: By the Telegraph Master or by the Local Government?

Mr. H. A. Sams: By a responsible official of the Telegraph Department.

Mr. Gaya Prasad Singh: Will the Honourable Member point out the objectionable passages in the message?

Mr. H. A. Sams: I have not memorised the message and even if I had, I would not be prepared to say what were the objectionable passages. If any gentleman wants to find out what it was about, he can ask the sender.

Mr. Abdul Latif Sahib Farookhi: Were any similar messages withheld?

Mr. H. A. Sams: As far as I am aware, no, Sir.

Maulvi Mohammad Shafee Daoodi: Is the Honourable Member aware that things like that are repeated, recently in another message sent by Maulana Muhammad Ali on the same question?

Mr. H. A. Sams: I have no information.

APPOINTMENT OF MUSLIM ENGINEERS IN THE DELHI PUBLIC WORKS DEPARTMENT.

836. ***Mr. Abdul Latif Sahib Farookhi:** (a) Is it a fact that no Muslim Temporary Engineer was appointed in the Delhi Public Works Department since 1923? If not, why not?

(b) With reference to the reply to question No. 101 in the Council of State on the 17th September, 1928, will Government be pleased to lay on the table a statement showing the names of the registered Muslim candidates for the post of Engineers in the Delhi Public Works Department?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) A statement was furnished to the Honourable Mr. Suhrawardy with Mr. Clow's demi-official letter No. E.-87, dated the 24th October 1928. A copy of the statement is being sent to the Honourable Member separately.

SAFEGUARDING OF MUSLIM CLAIMS IN THE DELHI PUBLIC WORKS DEPARTMENT.

837. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state what action has been taken to safeguard the Muslim claims in compliance with Lord Reading's declaration published in the *Statesman* of the 1st January, 1925, and to prevent class monopoly in the Delhi Public Works Department?

The Honourable Sir Bhupendra Nath Mitra: Instructions have been issued to the Chief Engineer, Public Works Department, Delhi, to ensure the adequate representation of minority communities (including Muslims) in the clerical and subordinate technical establishments under his control.

UNSTARRED QUESTIONS AND ANSWERS.

THE CONNAUGHT PLACE BOOKING OFFICE, NEW DELHI.

315. **Pandit Nilakantha Das:** (a) Is it a fact that the New Delhi Connaught Place Booking Office was opened for goods traffic about 12 months ago?

(b) Is it a fact that in the last week of October 1929, the Railway authorities at Lahore Junction refused to accept goods for that booking office, on the plea that they were not aware of the booking office?

(c) Is it a fact that the matter was reported by the consignee to the Divisional Superintendent, North Western Railway, Delhi, who forwarded it to the authorities at Lahore *vide* his letter No. 4118-CD/29, dated the 9th December, 1929?

(d) Is it also a fact that the consignee has sent half a dozen reminders to the Railway authorities at Lahore during the last three months but has heard nothing in reply?

(e) What action do Government propose to take in the matter to avoid repetition of such action on the part of Railway officials?

Mr. A. A. L. Parsons: (a) Yes.

(b), (c), (d) and (e). I am obtaining a report and will communicate with the Honourable Member in due course.

INDEBTEDNESS OF GOVERNMENT SERVANTS.

316. **Pandit Nilakantha Das:** (a) Is it a fact that, under rule 16 of the Government Servants Conduct Rules, Government servants habitually in debt should be dismissed from service?

(b) Is it a fact that action under this rule is not taken against the employees of the Government of India Secretariat and Attached Offices who are reported to the heads of their offices to be in debt?

(c) Is it a fact that, instead of taking disciplinary action, the officers of the Indian Stores Department started a private fund for liquidating the debts of thousands of rupees against a clerk and closed the fund only when it was found that instead of reducing, his debts were further increasing?

(d) How many victims of the extravagance of the clerk have during the last two years verbally or in writing reported to the officers of Indian Stores Department regarding their outstanding claims?

The Honourable Sir Bhupendra Nath Mitra: (a) When a Government servant has been adjudged or declared insolvent, or when a moiety of his salary is constantly being attached, has been continuously under attachment for a period exceeding two years, or is attached for a sum which, in ordinary circumstances, cannot be repaid within a period of two years, he will be considered liable to dismissal under rule 16.

(b) I invite the Honourable Member's attention to the reply given to Mr. Siddheshwar Prasad Sinha's starred question No. 873 on the 25th September, 1929.

(c) No. The question of the indebtedness of the clerk referred to was taken into consideration immediately it assumed serious proportions and the matter has not yet been closed.

The clerk was informed by the Chief Controller of Stores, on the 20th January, 1930, that unless he succeeded within three months in freeing himself from debt or at least in reducing his liabilities to an extent which would permit of their being entirely liquidated in a reasonable period, a recommendation would be made to the Government of India for the termination of his appointment, under rule 16 of the Government Servants' Conduct Rules.

No fund was started by the officers of the Indian Stores Department, for the purpose of liquidating the clerk's debts. One-half of his pay was attached monthly under the orders of the courts for the purpose. As these deductions and also the deductions from his pay to meet Government dues on account of house rent, etc., left him a small sum monthly which was totally inadequate for the maintenance of himself, his wife and four children, some members of the staff contributed, as a purely private arrangement, a small sum monthly for a short period to help him and his family to eke out a bare existence. As, however, it was found that he continued to incur liabilities, this voluntary assistance was withdrawn.

(d) Four.

INDEBTEDNESS OF GOVERNMENT SERVANTS.

317. **Pandit Nilakantha Das:** (a) Is it a fact that a Superintendent in the Wireless Branch of the Director General of Posts and Telegraphs and also a clerk in the Library of the Railway Board are in debt?

(b) If the replies to the above be in the affirmative, will the Government be pleased to state whether any action under the Government Servants' Conduct Rules has been taken against the clerks referred to? If not, why not?

(c) Do Government propose to draw the attention of the heads of the various Departments of the Government of India to the provisions of the Government Servants' Conduct Rules regarding the action that should be taken against those in debt irrespective of their position or nationality?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The Superintendent referred to in part (a) has since liquidated practically the whole of his debts. The case of the Librarian of the Railway Board's office does not come under rule 16 of the Government Servants' Conduct Rules and no action has therefore been taken against him.

(c) I invite the Honourable Member's attention to the reply given to part (b) of his previous question.

POSTS IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

318. **Mr. Mukhtar Singh:** (a) With reference to the answers to my unstarred questions Nos. 261 to 263 and 274, on the 26th September, 1929, regarding the Government of India Press, Simla, will Government be pleased to state whether they propose to take any action in the matter of the practice in vogue in the Simla Press in giving high responsible posts to persons of inferior education both technical and literary?

(b) Is it a fact that a few learners were sent to England to pick up the work of an Assistant Manager?

(c) If the answer to (b) is in the affirmative, will Government please state whether they have come back? If so, where have they been posted and in what capacity?

The Honourable Sir Bhupendra Nath Mitra: (a) I have nothing to add to the reply given by me to the Honourable Member to his unstarred questions Nos. 261 to 263 and 274 on the 26th September, 1929.

(b) Yes; a few scholars have been sent to England for training in the art of printing and allied trades.

(c) One scholar has returned and has been posted as an overseer in the Calcutta Press.

EDUCATIONAL QUALIFICATIONS OF THE ASSISTANT MANAGER OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

319. **Mr. Mukhtar Singh:** (a) Will Government be pleased to state the educational qualifications of one Mr. Jawahar Khan, Assistant Manager of the Government of India Press, Simla?

(b) Is it a fact that the office records clearly show that he commits grammatical mistakes, as "why did you went", "why did you done" and "send to time", which are not expected from a person of ordinary education?

(c) If the answer to (b) is in the affirmative, have Government considered the question of the desirability of removing this gentleman from this responsible post and of appointing one of those gentlemen who were specially sent to England for training in this line?

The Honourable Sir Bhupendra Nath Mitra: I propose to deal with questions Nos. 319, 320 and 321 together. The Controller of Printing and Stationery is responsible to Government generally for the efficient administration of the Government of India Press and Government do not propose to call for information regarding these administrative details, which are matters for his discretion.

PERSONAL RECORDS OF THE OFFICIATING ASSISTANT MANAGER OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

320. **Mr. Mukhtar Singh:** (a) Is it a fact that the personal record of Mr. Jawahar Khan, officiating Assistant Manager of the Government of India Press, Simla, is not good and that he was fined Rs. 5 some time ago?

(b) Is it a fact that he was badly reported upon by Mr. Aylmer, and also by the Controller who too wrote against his work?

†For answer to this question, see answer to unstarred question No. 319.

(c) Are Government aware that his treatment towards his subordinates is anything but satisfactory, and that very often he uses bad language to them?

(d) Is it a fact that some compositors made a representation to the late Manager regarding their legitimate grievances and that, instead of taking any notice of these, departmental action was taken against these people?

(e) If answers to (a), (b), (c) and (d) are in the affirmative, have Government considered the question of the desirability of removing Mr. Jawahar Khan from his present post?

PROMOTIONS IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

†321. **Mr. Mukhtar Singh:** (a) Is it a fact that one B. Niaz Mohammad, a receipt clerk without experience of the composing work, was promoted to the post of a time-checker? If so, was this gentleman related to Mr. Jawahar Khan?

(b) If so, will Government please state what action they propose to take in the matter?

(c) Is it a fact that consequent on the amalgamation of both the Government Presses, one B. Mushtaq Ahmed, a junior compositor, was served with a notice of being retrenched and of being offered a post of a lino operator?

(d) Is it a fact that, after having worked for a few months on the lino machine, he was promoted as an officiating section holder, although in 1925 Mr. Aylmer found the Lino Section in a hopeless state and consequently reverted him to his former post with the remarks that he should never in future be promoted to the post of a section-holder?

(e) If the answer to part (d) is in the affirmative, will Government please state why this gentleman has again been offered a chance soon after the transfer of Mr. Aylmer?

HOURS IN GOVERNMENT OF INDIA PRESSES.

322. **Mr. Mukhtar Singh:** Is it a fact that the tiffin time from 1-30 to 2 P.M., given to the employees in the Government of India Presses, is not included in the office time and that the men are made to stay half an hour longer? If so, have Government considered the undesirability of the existing practice and what steps do Government propose to take in order to redress this grievance?

The Honourable Sir Bhupendra Nath Mitra: I presume that the Honourable Member refers to the clerical staff. The normal hours of work are from 10 A.M. to 5 P.M. and no clerk is required to remain half an hour longer in office by reason of the fact that he avails himself of a lunch interval of half an hour. The latter part of the question does not arise.

HOURES IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

323. **Mr. Mukhtar Singh:** (a) Is it a fact that the employees of the Government of India Press, Simla, are compelled to stay overtime? If so, under what rules are they compulsorily booked for overtime?

(b) Is it a fact that a request was made through the Works Committee to reduce the time of the Government of India Press, Simla, specially in the winter months? If so, what action did Government take in the matter?

†For answer to this question, see answer to question No. 319.

The Honourable Sir Bhupendra Nath Mitra: (a) Except in cases of sickness and emergent private affairs, the employees of the Press are expected to work overtime when required. This liability is part of the ordinary conditions of their service.

(b) The Government of India have no record of any such request made through the Works Committee of the Press. The latter part of the question does not arise.

SALARIES OF COMPOSITORS IN GOVERNMENT OF INDIA PRESSES.

324. **Mr. Mukhtar Singh:** Is it a fact that the average salary of a compositor in the Government of India Presses is far below the amount which they drew under the old piece system? Did the men draw the attention of the Government of India to this fact, and did they ask for a time-scale of pay? If so, what action do Government propose to take in the matter?

The Honourable Sir Bhupendra Nath Mitra: The Honourable Member apparently refers to certain piece work compositors in the old Government Central Branch Press at Simla. who were, with their consent, placed on fixed rates of pay when that Press was amalgamated with the Monotype Press to form the present Government of India Press at Simla. The men earned higher wages as piece work compositors, but as there was no provision for piece work composition in the reorganized Press, they agreed to be employed on fixed rates of pay corresponding to those fixed for salaried compositors in the old Monotype Press. A petition from these men asking for the substitution of time scales of pay for their present fixed graded scales of pay was received by the Government of India in 1925 and rejected after careful consideration.

PROVIDENT FUND FOR GOVERNMENT OF INDIA PRESSES.

325. **Mr. Mukhtar Singh:** Is it a fact that a question was asked in the Legislative Assembly about the Provident Fund for the Government of India Presses and the Government replied that the rules were being considered by the Secretary of State for India? If so, how does the position stand now and when are the new rules to be promulgated?

The Honourable Sir Bhupendra Nath Mitra: Yes. The attention of the Honourable Member is invited to the reply given by me in the Legislative Assembly on the 21st March, 1930, to Mr. S. C. Mitra's starred question No. 720.

QUARTERS FOR EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

326. **Mr. Mukhtar Singh:** (a) Is it a fact that the Government Press employees at Simla were promised by the late Board of Industries that they would be provided with quarters near the Press and that to carry out this a site was selected near the Forest Nursery in Tutikandi? Is it a fact that this proposal was subsequently dropped and that the old Monotype Press was enlarged but that no quarters have been built near the Press? Are Government aware that the limited number of quarters on the ground floor of the Babu Barracks on the Cart Road is quite insufficient and too far away from the Press?

(b) Is it also a fact that the quarters at Dhar known as the "quarters for the Press employees" which were vacated by the Foreign and Political Department Press were offered to the Government Press at a high rate of rent? Are Government aware that this rate was too much to meet the pockets of the poorly paid men of the Press?

The Honourable Sir Bhupendra Nath Mitra: (a) The reply is in the affirmative except that the quarters allotted in the Indian Clerks' Barracks to the Press employees are not at a great distance from the Press.

(b) The Dhar quarters were offered to the Press employees on rents based on the cost of building and repairs, but the offer was rejected by the men concerned as they considered that the rents were too high.

PROVISION OF A RAILWAY STATION AT THE HEADQUARTERS OF THE DISTRICT OF FARIDPUR.

327. **Mr. K. C. Neogy:** (a) What action has been taken in the direction of providing a permanent railway station at the headquarters of the District of Faridpur in Eastern Bengal, together with necessary amenities, such as suitable platforms and waiting rooms, etc?

(b) Have responsible railway officials consulted public opinion at Faridpur in regard to the location of the station and other connected matters?

(c) Have the District Board, the Municipality, the People's Association and the Merchants' Association at Faridpur been formally consulted on the subject? If not, why not?

Mr. A. A. L. Parsons: (a), (b) and (c). Government have no information, but a copy of the Honourable Member's question will be forwarded to the Agent.

MURDER OF A POSTAL MAIL RUNNER.

328. **Mr. K. C. Neogy:** (a) Are Government aware that a few months ago, a postal mail runner was brutally murdered and a considerable amount of money looted in a place called Kamarhatty, only about three miles from Calcutta?

(b) If so, what special action has been taken since to ensure the safety of mail runners in localities where such murders or robberies have taken place?

Mr. H. A. Sams: (a) Yes. The official was a Cash Overseer.

(b) Arrangements for the conveyance of cash by officials travelling in motor vans are under consideration. In the meantime police escorts have been provided as a temporary measure for the cash overseers who have to work in the mill areas.

REDUCTION OF INTERMEDIATE CLASS FARES OF THE EASTERN BENGAL AND ASSAM BENGAL RAILWAYS.

329. **Mr. K. C. Neogy:** (a) With effect from which date or dates did the Eastern Bengal and Assam Bengal Railways, respectively, carry out the reduction in intermediate class passenger fares in 1929?

(b) Is it a fact that in through bookings from the Assam Bengal Railway and steamer service stations, the reduction in the Eastern Bengal intermediate class fares was not taken account of for about a month? If so, why?

(c) If the answer to the first part of part (b) is in the affirmative, will Government be pleased to state the total extra amount that was collected by such excess charge?

(d) Was any application for refund of such excess charge made by any passenger? If so, with what result?

Mr. A. A. L. Parsons: (a) Inter class passenger fares over the Eastern Bengal and Assam Bengal Railways were not reduced in 1929.

(b), (c) and (d). Do not arise.

SHORT NOTICE QUESTIONS AND ANSWERS.

COLLISION BETWEEN THE POLICE AND PUBLIC AT RANGOON.

Mr. Jehangir K. Munshi: (a) Will Government be pleased to call for full detailed information from the Government of Burma with regard to the clash between the Police and a section of the public at Rangoon on the 19th of March and the riots which are alleged to have taken place at Rangoon in connection with Mr. J. M. Sen Gupta's trial?

(b) Will Government communicate to this House full information in connection with the matters specified in the last question?

(c) Are Government prepared to issue instructions to the Government of Burma to impress on the police the necessity of non-interference with crowds and restrained behaviour on such occasions?

The Honourable Sir James Crerar: (a) and (b). The report of the Local Government states that a group of persons persisted in parading up and down the street in front of the District Magistrate's Court House. They were directed on to the pavement by the police, who were keeping the road clear for traffic, but refused to obey. One of their number was then arrested. The crowd thereupon began throwing stones at the police, who cleared the street and the compound opposite the Court, where crowd had collected. About an hour later, the crowd began to re-assemble and were again dispersed. Three members of the crowd were arrested, of whom one is being prosecuted under sections 147 and 150, Indian Penal Code. The latest information shows that 43 persons, including 9 police, attended hospital for injuries. Mr. S. A. S. Tyabji, who attempted to check the stone throwing, was unfortunately struck by a brick. No fire-arms were used and no troops were employed or requisitioned. A force of 125 military police were sent for as a precaution and arrived after order was restored. Fifty military police were also present to assist in preventing the crowd collecting again during the subsequent hearing of the case. No further disturbance is reported.

(c) I do not consider that any instructions are necessary.

The Honourable Sir James Crerar: I think that is really a matter to be taken up in the Burma Legislative Council.

Mr. President: Is the Burma Legislative Council sitting?

Mr. A. H. Ghuznavi: No, Sir.

Mr. Jehangir K. Munshi: Are Government aware that several European sergeants and Indian policemen rushed into the Sangu Valley tea shop and indiscriminately assaulted a number of persons there unconnected with the crowd, and caused considerable damage to property?

The Honourable Sir James Crerar: No.

Diwan Chaman Lall: May I ask the Honourable Member if he is prepared to institute an inquiry into the allegations now being made in regard to this matter?

The Honourable Sir James Crerar: A case is already pending in the court, and I hope Honourable Members will not ask me questions which might prejudice the issues now under trial.

Diwan Chaman Lall: May I ask the Honourable Member whether the allegations now made by Mr. Munshi on the floor of this House, to which the attention of the Honourable Member has been drawn, are matters pending before any court; whether the charges are that certain assaults were committed on certain citizens in Rangoon, and whether the Honourable Member is prepared to make an inquiry into these allegations or not?

The Honourable Sir James Crerar: That is a matter for the Local Government.

Diwan Chaman Lall: May I ask the Honourable Member whether it is not a matter of law and order, for which he ultimately is responsible and the Government of India are ultimately responsible.

The Honourable Sir James Crerar: The Local Government are primarily responsible.

Diwan Chaman Lall: Is the Honourable Member ultimately responsible or not?

Mr. Gaya Prasad Singh: No.

Diwan Chaman Lall: May I ask for a reply on this question? Whether the Honourable Member-in-charge of law and order and the Government of India are ultimately responsible in this matter or not?

The Honourable Sir James Crerar: The Government of India are certainly responsible for the general policy, but not for the actual incidents of a particular executive action taken in emergent cases which are matters for the local authorities.

Diwan Chaman Lall: May I ask if a wrong had been done in regard to this matter and certain citizens of Rangoon had complained that a wrong had been done, whether the responsibility for finding out whether the allegations are correct or not rests upon the Government of India or not?

The Honourable Sir James Crerar: To any person aggrieved the courts are open.

Diwan Chaman Lall: May I ask whether the Honourable Member has given this as his considered reply when very serious allegations are made against his officials?

(No answer was given.)

Mr. Jehangir K. Munshi: Are Government aware that the police indulged in indiscriminate acts of hooliganism, entered private premises and assaulted people in different parts of Rangoon, apart from the scene of disturbance?

The Honourable Sir James Crerar: My information is to the totally contrary effect.

MOTION FOR ADJOURNMENT.

COLLISION BETWEEN THE POLICE AND PUBLIC AT RANGOON.

Mr. President: Order, order. I think we must now come to Mr. Munshi's notice of motion for adjournment. Some of the matters proposed to be discussed by that motion are in my opinion more or less *sub judice*, but I was doubtful whether, if troops were called out or used, I should not admit the motion. But now that it has been made quite clear by the Leader of the House that the troops were neither requisitioned nor used, . . .

Mr. Jehangir K. Munshi (Burma: Non-European): Nor posted.

Mr. President: Therefore I am not satisfied that any case has been made out for a motion for adjournment. I must, therefore, rule the motion out of order.

Mr. Jehangir K. Munshi: In this connection, will you permit me, Sir, to refer to the further notice which I gave this morning, amending the original text of my motion for adjournment?

Mr. President: Order, order. The Honourable Member wishes to amend his original motion for adjournment. That motion has already been disposed of. In any case I am not prepared to permit notices of motions for adjournment to be amended from day to day as new situations arise. (Hear, hear.)

Mr. Jehangir K. Munshi: Sir, may I request you to treat this as a special case in consideration of the fact that the representatives of Burma in this House are at a serious disadvantage by reason of difficulties in the matter of communications with Burma?

Mr. President: I am sorry.

THE INDIAN FINANCE BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move that the Finance Bill, 1930-31, as amended, be passed.

[Sardar Kartar Singh.]

Sir, the nation as a whole has become poorer. The average income of an Indian is less than two annas a day, and is going down every day. They cannot have two meals a day. The majority of them have to content themselves with one meal a day. The impoverished millions of India are crying for bread, but the Government give them a stone instead. Instead of bettering their condition and making them happy, the Government have come forward with a demand for further taxation. Now, Sir, would this taxation improve their lot in any way or would it impoverish them still more? Would it not deprive them of the scanty food? Would they have not to cut down their meals to pay this enhanced taxation? Sir, every one is suffering from general depression. The sugar industry has practically died out. The Government did nothing to develop this industry nor did they give it any timely help. The cotton and wheat growing industries are in constant danger of being wiped out of existence. The Punjab, United Provinces and Bombay Governments have now begun to realise that their canals will not pay until the sugar industry is revived and wheat and cotton growing industries are helped. The prices of wheat and cotton having gone down, the Government cannot find a purchaser to dispose of the crown waste lands. Illiteracy and ignorance are prevailing among the people. In spite of successive failures of harvests, coupled with a considerable fall in the prices, the poor peasants have not been granted any relief; no remission in land revenue has taken place, no other taxes have been remitted. On the other hand, they are being taxed heavily. There is no tax which does not ultimately fall upon the poor peasant. Go to the villages and find out for yourself what their condition is. You will find them living in miserable huts and suffering from chronic poverty. Sir, the constant drain of money from this country is telling upon the people. Every year, about 300 crores of rupees are drained away from India. Who can bear this drain? Exploitation has been so successfully carried out that the poor peasant is bled white. This Government who have always been eulogising the peasantry class have not moved their little finger to improve his lot.

Sir, we are talking of industrial development of India. Are we going to build our industries at the expense of the impoverished millions of India? Have you developed the agricultural industry? Unless you develop that, unless you better the condition of the poor classes, unless you improve their income and unless you raise their purchasing power, you cannot develop any other kind of industry. Who would purchase your goods or the cotton piece-goods of Bombay mills, unless the people have money to do so?

Instead of exporting sugar, we are now importing sugar, and instead of exporting wheat, which we always used to do, we are importing wheat. Now, what have the Government of India been doing all this time? They have been sleeping, unmindful of their duty to keep a vigilant eye. Sir, we are not organised and so we have not been able to rouse them from slumber. Unless the condition of the tax-payers is bettered, they will not be able to bear the burden of further taxation and it will be the last straw that breaks the camel's back. They would refuse to pay the taxes, because they would have no means to pay. The civil disobedience campaign will receive greater strength on account of this short-sighted policy of the Government.

In the end, I would like to submit that the Government should cease to exploit India any further. They should reduce expenditure and thus give the tax-payer a little relief from his burden. This policy of increased expenditure and increased taxation is leading them as well as India to ruin. But intoxicated with power, they do not open their eyes and see. Nor do they realise the consequences. Why is Mahatma Gandhi's no-tax campaign gaining strength every day? The Government's policy of taxation and exploitation is chiefly responsible for this. Even if the Government wanted to raise any further tax, they could have chosen a less objectionable subject. Why do you not put a heavy import duty on artificial ghee and realise more revenue and at the same time save the public from the injurious effects of this bleached oil? Sir, the Government do not take action in time. They only take action when they require money. A Resolution was passed in the Council of State that the import of this artificial ghee should be stopped. Speeches are made in this House that this ghee is competing with our indigenous ghee and that this artificial ghee is no ghee at all. We asked that this import should be stopped and if Government does not want to stop that, at least let it put a duty of Rs. 40 a maund. By this way they can make 4 crores of rupees, and they need not tax piece-goods, they need not tax sugar and other things which are required by all poor people. If further taxation is to be resorted to and if more money is required, let the Government select some other subject which would be less objectionable. Let the Government consult some of the Honourable Members of this House, and they will be able to tell the Government which commodities ought to be taxed. I submit, Sir, that they have selected cotton piece-goods, because they wanted to win over the millowners. They know that the millowners are a great power in this country. They know that they are organised and they have succeeded in winning them over. They thought that they would be able to carry this Bill in this House and succeed in taxing the people to the extent of 6 crores of rupees. I submit that this policy of theirs is quite short-sighted. Neither the millowners nor the Government will succeed in exploiting the people unless the condition of the masses is improved, and no protection of mill industry can ever succeed. Government never wanted to protect the mill industry, but they simply wanted to raise their revenue and they have played this trick in order to win over these millowners. Therefore, I would submit that we are already overtaxed and we will never agree to pay this further taxation. We know that the Government can retrench if they want. But the will is not there. They do not want to retrench, and they have to carry out the demands of their superior masters, the British people, who would not like the Government to retrench. They would not like them to curtail the Army expenditure. They would not like them to disband the British officers and they would not like them to Indianise.

Sir, only today the question of my friend, Mr. Mukhtar Singh, has been answered and what we find is that, upto this time, only 78 Indian cadets have been given the King's commission. Is this the rate at which you are going to Indianise? Is this the way in which you take away the money of this country and don't leave anything here? You don't take into consideration the fact that the people have become poorer and poorer; you don't take the hint from the speeches of Honourable Members. Why don't you try to better the lot of the poor? Why don't you try to increase their purchasing power so that they may be able to encourage the mill industry? With these remarks, Sir, I would strongly oppose the passing of this Bill because it is highly detrimental to the best interests of India.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, I cannot but view with very great regret the impatience exhibited on all sides of the House to rush the Finance Bill through. Sir, you from your experience know that the Finance Bill is the biggest supply Bill of the Government of India. In all countries where parliamentary institutions have been allowed to grow, a good deal of time is given to its discussion; in fact, in the British House of Commons, not only days, but weeks and even months are given to discuss the Bills of supply. I see no cause for impatience on the part of Honourable Members, and if they are impatient, it shows they are not prepared to enjoy what is their privilege. If any Honourable Members have any grievance, they must put it before this House. My Honourable friend, Mr. Acharya, has undoubtedly a great grievance, i.e., the Sarda Bill, and if he wishes to bring it forward today, I think we ought to offer him a chance. There should be no impatience on the part of the Treasury Benches or on the part of those Bombay mill magnates who are anxious to get their Tariff Bill and run away with their bag of money. I think this is unfortunate, and contrary to what we had seen in past years. But, Sir, I shall discharge my duty and I will confine myself to a few items which have cropped up during the second reading of the Bill. The second reading of the Bill was also closed, and the Honourable the Finance Member was not in a fortunate position to give his reply. He made three announcements in asking this House to consider the second reading of the Bill. The first and foremost was that he was going to place a countervailing excise duty on silver; he was going to increase the import duty on silver wire and silver thread. We do not know, even now, the implications of these changes; or how they will affect his Budget. Will they give him more money or will it result in a deficit?

Another announcement he made was that the Governor General in Council was prepared to accept the cut of Rs. 100 proposed by Sir Hugh Cocke in connection with retrenchment. We do not know the Government's view on that point. Is he going to associate two non-official business men with the retrenchment inquiry? The Honourable the Finance Member may kindly consider and give us a reply. Speaking for the House, I think it will be a welcome change; but speaking as an individual Member of this House, I do not believe it will achieve much. What has a business man got to do with the internal machinery of Government? Business men do not know what is required; they have no knowledge of Government Departments. If you like to appoint an *ad hoc* Committee of the House, with the Finance Member as Chairman, that will really assist the Government; but the inclusion of two business men to assist Mr. Jukes who is a very able man and who has served in the Government of India as well as in the Provincial Governments for many years will be of very little use. Sir, as I have already stated before, there is very little room for economy in the civil expenditure of the Government. On the contrary, if we can stabilise the civil expenditure at the present figure, we shall be very lucky indeed, and that should be our major and primary effort. How can we do it? That is the question. There are many checks on the Government of India at the present moment. There is the statutory check by the Secretary of State in Council; there is the check of the Governor General in Council; there is the check by the Standing Finance Committee; and then there is the post-mortem examination by the Public Accounts Committee. I think, Sir, they do their work very well, although I cannot help complaining that there has been some degree of laxity on the part of the Standing Finance Committee in approving grants, many of which some of us had

not contemplated. I hope that future Committees will be careful in the discharge of their duties.

Then, Sir, I come to another announcement which the Honourable the Finance Member made, and that is that His Excellency the Viceroy had restored the big cut in the Demand for the Army Department. This is what we expected. We are within our rights in retrenching in the way we think best; the Governor General is within his rights in restoring what he thinks is necessary for the good government of India. I think, Sir, the Governor General is perfectly right. How is the Army Department to function without clerks, without dufftries, without chaprasis? If it was a mere demonstration cut, it failed to achieve its political object. What is the political object of the cut? The political object of the cut was to impress upon the Government of India the great need of retrenchment in Army expenditure, for which there is ample room. The Honourable the Finance Member has given no indication as to what he is going to do about Army expenditure. Sir Hugh Cocke, in his speech, advocated an *ad hoc* committee. We had a Committee presided over by Sir Charles Innes. What did it achieve? It achieved next to nothing. Sir, frequent references have been made about the Inchcape Committee's recommendations. The Inchcape Committee's Report is as dead as a door nail; it was appointed to tide over the post-war conditions which do not exist today. If there is to be a reduction in the Army expenditure of the Government of India, the question will have to be viewed from the wider standpoint of policy, not only with reference to the obligations in India, but also with reference to the international obligations which we have undertaken. The House ought to know what is our international obligation. Our international obligation is that we are a signatory to the Covenant of the League of Nations, and in that Covenant, Sir, this clause appears. "The members of the League recognise that the maintenance of peace"—I want the House to mark the words "maintenance of peace"—"requires the reduction of national armaments to the lowest possible minimum consistent with national safety, and this is to be ensured by common action". Sir, this is our international obligation. It has been implemented by the Kellogg Pact. What have we done since then for the last three or four years? At one time your military expenditure stood at 54 crores and some odd lakhs, but today, we find, for the last three years, it has been stationary at 55 crores and 10 lakhs.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Does the Honourable Member, in view of his observations, want to reject the Finance Bill, lock stock and barrel?

Mr. K. C. Roy: If the Honourable Member is patient, he will hear me on the subject. As I have said, Sir, what have we done to discharge our moral obligation to the League of Nations? Have we done anything? We have done nothing. On the contrary, Sir,—I shall not be so bold as to charge our representative at the League of Nations for making mis-statements—I shall not do that, but I should like to tell the House what Sir Muhammad Habibullah, speaking on military expenditure, said at the League of Nations. This is to my mind a most amazing proposition, but I shall read it for the benefit of the House from the despatch:

"India had experience enough of the effects of the Great War to be able to visualise what those of a new war would be, and she was as anxious as any other country to see peace perpetuated on the basis of disarmament."

[Mr. K. C. Roy.]

Have we had any disarmament? Sir Muhammad Habibullah then goes on to say:

"A glance at the map of India and the frontiers of India would show what the difficulties of India were and so long as they existed, India must be prepared to meet them, subject to this condition which was really an obligation of national safety. India was always ready to play her part in the preservation of peace."

Mr. B. Das (Orissa Division: Non-Muhammadan): You are only quoting from a gramophone repeating his master's voice.

Mr. K. C. Roy: I have nothing to do with that, and I deprecate such an expression of opinion in respect of such a distinguished man as Sir Muhammad Habibullah. We may have differences of opinion, but we could not have a better representative than Sir Muhammad Habibullah. (Cheers.)

Mr. B. Das: You have no recognised rights at the League of Nations. You have only to carry out the orders of the British Government.

Mr. K. C. Roy: You can raise that point yourself. I am not so bold as to say all that. Sir, here is an expression of opinion given on behalf of the Government of India, which I claim is in complete variance with the opinions expressed by the Leaders of the House; it may be my friend Mr. Jinnah, it may be my friend Pandit Madan Mohan Malaviya, and even today Sardar Kartar Singh has spoken in terms that showed he was bitterly opposed to the present scale of military expenditure. The whole thing does not end here.

I shall now turn to the Committee's Report on the reduction of armament. When the question of guarantee came in and a draft convention was under consideration, Sir Muhammad Habibullah's despatch contained the following observations:

"Acting in accordance with the instructions which we had received, Sir Muhammad Habibullah explained that from her geographical position India had much less interest in the scheme than other countries."

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Who has written it? Are you quoting from Mr. Bajpai's Report?

Mr. K. C. Roy: I am quoting from a despatch submitted to the Secretary of State for India. I am sorry for the interruptions, Sir.

"Acting in accordance with the instructions which we had received"

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): You ought not to be sorry if you quote Sir Muhammad Habibullah in this House and if you are questioned.

Mr. K. C. Roy: The Honourable gentleman never listens. That is not his virtue. I am quoting actually from the text. If he cannot follow, and if he has no intelligence to follow what I say, it is not my fault.

Maulvi Muhammad Yakub: No intelligent man would ever care to quote from his speech.

Mr. K. C. Roy: I am quoting textually from the despatch.

"Acting in accordance with the instructions which we had received, Sir Muhammad Habibullah explained that from her geographical position, India had much less interest in the scheme than other countries, but that, being a civilized country, she felt it her duty to accept any general scheme which tended towards the peace of the world."

This is to make clear the first point. Considering India's obligations on the frontier and elsewhere, the Government of India were unable to see eye to eye on the question of disarmament with the other powers. This is how I read the position. Then the despatch proceeds to say that the delegation are prepared to consider the question of accepting the draft convention. Now, let us at this stage find out what is India's position today so far as her neighbours are concerned. What is Afghanistan? Afghanistan is already broken to pieces. Then there is the impotent Persia and there is also the curse of Soviet Russia. If we look for our enemies, Sir, in the Pacific, there may be one or two who might try to disturb the peace of India, but at present I see nothing but peace all round India.

Maulvi Muhammad Yakub: There can be no peace as long as the Associated Press is in this country. (Laughter.)

Mr. K. C. Roy: Sir, the position is this as explained in the despatch. "The Government of India would have to justify to the Legislature any proposal to give assent to the Convention, and for this purpose it would be necessary to know what other countries had accepted it. Unless and until the Indian Legislature and the Government of India felt convinced that the Convention had been accepted, not merely by a handful of countries or even by the great powers, but by countries representative of the world as a whole, whose participation would be a guarantee of its effective use, India would see no object in signing the Convention or in incurring financial liability in connection with it". Now, this will require some explanation. When the Committee met to discuss Article 6 of the draft Convention which provides for the manner in which the guarantees are to be distributed among the signatories, it was explained to the Committee that India would not be prepared to accept liability, because the guarantee implied financial obligations, and that would require the approval of this House. So much for our military position before the League of Nations.

Now, Sir, if you will permit me, I will turn for a moment to one or two topics which are now before the country. First and foremost, there is the immediate prospect of the Imperial Conference. We must raise this question of military expenditure at the Imperial Conference before we go to any other court. Now it is clear that we can go to the League of Nations with our military burdens, and we shall be able to establish our right that our military burdens should be reduced. I recognise that it is not a problem so much for the Government of India as it is a problem from His Majesty's Government and for the Committee of the Imperial Defence. I am not one of those who, like my friend Sardar Kartar Singh, would say that we should put all the white troops in the ship and send them away to England. They are necessary, and they will be necessary for a good many years to come, but even with them here, there is ample room for reduction of the military expenditure.

Then there is the Economic Conference. We ought to be properly represented there. I should have liked that the Bill granting preference to

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British Industries should be tested there. But that has not been done. Of course, I recognise that the Bill is urgently needed in the interests of Bombay, (*Some Honourable Members*: "Question"), and we should do our best to help Bombay in her crisis. At the same time, Sir, I feel that these matters affecting our fiscal system and taxation problems should form the subject of a careful inquiry by a Committee of the Imperial Economic Conference, either here in India or in London before Legislation is undertaken.

Then, Sir, you will forgive me if I turn now for a moment to the Round Table Conference, of which we have heard so much recently. Of that Round Table Conference we have no news at all as to when it is going to be held. Only the other day, when the question was discussed in the other place, a hint was thrown out that it would be summoned at as early a date as possible. What is the early date going to be? This House is going to be dissolved in July. There are going to be elections in October. So how can you, with elections in the Autumn, hold a Conference at that time? And who will go to the Conference? Not the handful of Moderates. They will never be able to deliver the goods. The Government of India will have to wait and see how many Congressmen they can get to go to the Round Table Conference before they can fix a date. If they summon a Round Table Conference without the Congressmen, it will be a repetition of the Irish history; without the Congressmen, it will be a repetition of the Egyptian story. What is the good of calling a Conference without the Congressmen in it? The Government of India might fix a date some time in April next year. By that time many things might happen. What is the good of holding a Conference this year? And so far as I can see, no opportunity has been given to this House to discuss this important problem.

Then, Sir, along with this question comes the question of civil disobedience. We have been hearing a lot on this subject, and perhaps speakers who follow me will have something to say about it. Sir, all I feel is that, as one who has studied the Indian position for many years, I ought to counsel patience to Government. A civil disobedience movement can never grow in India, and if ever it grows, it can never achieve results it claims to achieve. What we want is Dominion Status, and the only way to secure it is by our own methods of constitutional agitation in co-operation with our friends sitting on the Treasury Benches. Sir, I support the Bill, because there can be no justification in opposing it both on economic, political and financial grounds.

Mr. C. S. Ranga Iyer: Sir, I propose to begin my speech where the Honourable the Nominated Member ended.

Mr. R. S. Sarma (Bengal: Nominated Non-Official): On a point of order, Sir. I may point out that all Members of this House owe their seats here to the pleasure of His Excellency the Viceroy after the 31st of December last, when the Viceroy extended the life-time of the Assembly.

(*Several Honourable Members*: "No, no.")

Mr. C. S. Ranga Iyer: Sir, another gentleman who just offered a gratuitous explanation has a constituency which he claims is the Viceregal Lodge. (Laughter.)

Mr. R. S. Sarma: Better than Moradabad.

Mr. C. S. Ranga Iyer: Did the Honourable gentleman say that the Viceregal Lodge was better than Moradabad from where the Deputy President hails?

Maulvi Muhammad Yakub: It is quite clear that those who are nominated have not the confidence of the people of the country and therefore they cannot come in here as elected Members.

Mr. C. S. Ranga Iyer: I can quite sympathise with my friend the Nominated Member whose constituency he boasts is the Viceregal Lodge

Maulvi Muhammad Yakub: No respectable persons from Moradabad are nominated in this House.

Mr. R. S. Sarma: He would never have withdrawn his candidature from the Haj Committee if he really enjoyed the confidence of at least this House.

Mr. C. S. Ranga Iyer: I am surprised at the absurdities in which the Honourable gentleman who comes from Bengal has been indulging because he feels rather upset that I referred to the Honourable gentleman who preceded me as the Honourable the nominated Member, a description to which at any rate my distinguished friend, Mr. K. C. Roy, did not take any objection, for the simple reason that he knows that he is a nominated Member. He aspires to be an elected Member, an aspiration which may be fulfilled at a future date. I hope a similar aspiration will animate the younger gentleman who felt rather annoyed. It would be sufficient justification if we endeavoured to reject this Finance Bill on the question of the existence in this House of nominated Members.

The first problem before us is, are we a self-governing people with a Parliament which is like the Parliament in Great Britain, or are we a people to be governed through an advisory council consisting of the pet boys and the prize boys of a foreign bureaucracy, called the nominated Members? Sir, this House is described in official publications as "India's Parliament" and we are also supposed to be members of the Empire Parliamentary Association, but, Sir, it is a wrong description altogether. This is no Parliament at all. This is a Parliament which has got nominated Members in it and no Parliament in the world, which can be described as a modern or a democratic Parliament, can have the luxury of nominated Members.

Mr. K. C. Roy: What about the Canadian Senate?

Mr. C. S. Ranga Iyer: The Canadian Senate is not the governing body, and I would ask the Honourable gentleman to go to the Library and refresh his ideas about the Canadian constitution. You might as well refer to the Senate of the Allahabad University, or the governing bodies in Timbuctoo. (Laughter.) The Canadian Senate is not the principal part of the Canadian Parliament, and I am afraid the Honourable gentleman does not know the A B C of the Canadian constitution.

Now, Sir, I am now directly concerned with the political and the constitutional issue. I regret the absence in this House of my old comrades of the Swaraj Party which had adopted the principle of the rejection of

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the Finance Bill on the question of grievances before supplies. I also regret, owing to his ill-health, the absence of my distinguished leader, Pandit Madan Mohan Malaviya, who was responsible for introducing the principle of rejecting the Finance Bill on the question of grievances before supplies. Sir, today our grievances have been accumulating. They have never been so great in any previous year as they are today and it is the accumulation of these grievances that has made our great and distinguished countryman, in my opinion the greatest living man in the world, Mahatma Gandhi, declare war on the British Government. (Nationalist Cheers.) Every Indian who holds the freedom of his country dear, sympathises with Gandhi's declaration of war on the British Government. It is at the same time a declaration for peace if the British Government are willing to grant peace. (Hear, hear.) If they are not willing to grant peace, they must be prepared for war. A war has been started by Mahatma Gandhi in his opinion not prematurely at all though I wish he had waited for the disillusionment of gentlemen who are looking eagerly to the Round Table Conference in the neighbourhood of Whitehall. I do not know why Mahatma Gandhi should not have been given adequate inducement to go to the Round Table Conference. I do not know why high authorities either here or in England should not have agreed to the demands of Mahatma Gandhi. What did he demand? He demanded that the Round Table Conference should draft a constitution of "Dominion Status". If the Viceroyal Proclamation means to prepare the country for Dominion Status, as I have no doubt whatever it means, because it is a sincere declaration, then India should henceforward be treated differently. What did Gandhi want? He wanted that we should go to the Round Table Conference and draft a constitution for Dominion Status. That constitution does not mean that you must have Dominion Status within six months or even six years. It means that it should be drafted with provision in it for the full attainment of Dominion Status stage by stage. He himself wrote that in *Young India* before the Lahore Congress declared for Independence. However that may be Independence is Dominion Status as Lord Russell and Lord Birkenhead have told us, and as some Members of the Treasury Bench may, I believe, be feeling. Dominion Status is Independence and Independence is Dominion Status to a country which is not a daughter country of Great Britain, which is entirely different in race and outlook, in colour and aspiration and ideals. An independent India aspires to teach mankind some of the ancient Hindu principles, or rather vedic principles

Mr. R. S. Sarma: If the Honourable Member really believes in the war that Mr. Gandhi is waging, he should be making salt and not speeches.

Mr. C. S. Ranga Iyer: I may tell the Honourable gentleman, who seems to have had some salt put on his tail before he came to the House, that I was fighting by the side of Mahatma Gandhi during the non-co-operation movement. I have just come back to this country after nine months' absence. I am carefully studying Gandhi's moves. Gandhi is not aspiring to be a manufacturer of salt. He is manufacturing freedom for this country. (Hear, hear.) Do not unworthily ridicule Gandhi.

Mr. R. S. Sarma: I am ridiculing the Honourable Member more than Gandhi.

Mr. C. S. Ranga Iyer: If salt manufacture in defiance of law is a method of preparing the country's freedom, and if I am convinced by my

study of the method, that it will prove efficacious, I will not be seeking admission to this House as a nominated Member. I would ask the Honourable Member not to utter blasphemy in this House against Gandhiji, who is a thousand times better than he, though even that comparison is odious. I was saying, Sir, that Gandhi is not manufacturing salt. He is deliberately disobeying the bureaucratic regulations or laws, and he is disobeying them not for the purpose of supplying salt to the gentleman from Bengal, who gets plenty of salt from Great Britain. (An Honourable Member: "Does he not come from your province?") I am afraid even Bengal is ashamed of him. (Laughter.) Gandhiji is therefore not manufacturing salt in order to compete with the British suppliers of salt to Bengal. Gandhiji is deliberately disobeying the salt laws in order to call the attention of this country, of Great Britain and of the whole civilised world to the manner in which India is being treated and the method of administration under which India has been groaning and the way in which India's aspirations are thwarted. That is, Sir, what I understand, and what I believe this House understands, and what I believe Honourable Members seated on the official Benches understand to be the purpose of Mr. Gandhi's mission. They understand that his mission is not to supply salt or to compete with the salt that is imported into this country. He has taken one of the rules or one of the laws of the Government to break with a view to call the attention of the Government to the existing state of things.

Now, Sir, coming again to the question of Dominion Status, I would say that the present campaign of what I may call repression must be withdrawn, and the Government should adhere to the Resolution which was adopted in the House of Commons, according to which the Government of India are not to prosecute people for the expression of opinion, much less suppress the expression of opinion as they had done in one important case in Gujrat, to which I have already referred in this House, and the arguments in regard to which I do not propose to repeat. Now, Sir, I find in another case in Bengal in regard to Mr. Sen Gupta, an old friend of mine, a co-worker, I find that they had launched a prosecution against him for expression of opinion.

An Honourable Member: He has already been sentenced.

Mr. C. S. Ranga Iyer: He has already been found guilty. I think the Government who launched this prosecution against him, the party which was responsible for the launching of that prosecution must be realizing by now that they were blundering into displaying what a Governor of a neighbouring province described as the demoniacal spirit, which lies dormant in the Government. I do not think that they should have made an exhibition of this against one of the most level headed leaders of the Congress movement in Bengal. If they think that, by displaying such methods, they can destroy the little spirit of independence that is left in us, if they think that, by taking up that attitude, they can kill the freedom-for-India movement, I may tell them, with all the responsibility attaching to my position, that we will defy the Government's defiance, and we will take the consequences. If, on the other hand, they propose to prepare the atmosphere for the Round Table Conference in the manner in which they have been asked to prepare it, judging from the speeches delivered in the House of Commons judging from the speeches delivered both on the issue of the Round Table Conference and also on a subsequent Resolution

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advising the Government of India not to disturb the atmosphere of peace and goodwill, if they are willing to prepare the atmosphere in that manner, I should say very gladly that we would come forward to co-operate with the Government. But, I say, Sir, that the Government, day after day, owing to a conspiracy, I should think of a few die-hard officials, are defeating the purpose of the Mother of Parliaments; they are day to day creating an atmosphere of repression, in which it would be utterly impossible for any self-respecting man to think of assisting the powers-that-be who want the Round Table Conference to be a success. I would even now say that they should withdraw all the measures of repression and try to meet Mahatma Gandhi half-way.

Let it be understood clearly that Mr. Gandhi alone can deliver the goods, not Mr. Muhammad Ali Jinnah, nor Dr. Sapru, but Mr. Gandhi alone can deliver the goods; not even, if I may say so with great respect, Pandit Madan Mohan Malaviya or Pandit Motilal Nehru, but Mr. Gandhi alone can deliver the goods. I made this observation in the Empire Parliamentary Association rooms addressing a meeting when the Right Honourable George Lansbury, a member of the British Cabinet, was presiding. I said that Mr. Gandhi alone could deliver the goods. The Government realise that, but they want that the goods should not be delivered. At any rate not the whole Government but perhaps some Members of the Government, some die-hard officials wanted the goods should not be delivered at all, and that is they have launched this campaign of what I may call suppression of the expression of opinion and prosecution for expression of opinion. Mr. Gandhi, I admit, is courting imprisonment and he is courting imprisonment because he thinks that there is more freedom within the prison walls than there is at present outside. He thinks by so doing he can draw the attention of the world to the manner in which this country is administered. Sir, the time has come when we should say frankly to the Government, even if we are not in a majority, we should tell them most frankly, with all the sincerity at our disposal, with all the frankness at our command, for it is the best symbol of true loyalty to all that we hold dear in our country and of all that is fragrant in the philosophy of the Indo-British connection we must tell the Government that this repression should go. I think with real frankness which is the true symbol of real loyalty, we must tell the Government that we are not snapping the bonds of loyalty. We want to be loyal to Britain, just as we expect Britain to be loyal to us, loyal partners in the Indo-British Commonwealth of Nations, as I should like to call it. It is for them not to goad us into the Independence group. Day after day, week after week, Mr. Gandhi explained, even after the declaration of Independence by the Congress, that Independence was Dominion Status. (Hear, hear.) He has very clearly stated that his object is not to break off all connection with Great Britain, if Great Britain values association with India. Sir, the spirit that animates that little group in Gujrat, like a little cloud no bigger than a man's hand growing larger and larger, will spread all over the land. That little group which is fighting in Gujrat and which is making every Indian worth his salt, think and ponder deeply whether he should throw his weight on the side of Government or on the side of the people, that little group is bound to conquer, it is animated by that noble spirit to which the greatest Viceroy of modern times gave expression, speaking at the Convocation of the Delhi

University on Friday the 21st March, 1930. In his magnificent speech, His Excellency the Viceroy quoted a passage from the memorable speech of Henry V before Agincourt as set in his mouth by the greatest of all English Poets:

"If we are mark'd to die, we are enow
To do our country loss; and if to live,
The fewer men, the greater share of honour."

That is the spirit, Sir, in which the little band has started on a pilgrimage, the pilgrimage of freedom in Gujrat. That is the spirit in which they have started that pilgrimage. That is the spirit that animates them. No Indian can for long support this campaign of what I may call repression, for it is nothing more and nothing less than to deny to us our right to freedom. Every nation, like every man has a right to freedom. I am quite willing to accept the definition of freedom by one of the great English authorities as the equality of restraint. We want to practice that equality of restraint. We do not want that liberty which means licence to attack any nation's throat. We want to live and let live, so long as we are not given the right to live and let live, we cannot grant you a single penny for the carrying on of the administration. You may do it by the power of your votes, which you have got owing to the defection of the leading party in the House, owing to the blundering policy of the Congress politicians, for walk out or resignation was nothing less than a disastrous blunder and a magnificent failure of Congress leadership. I wish they were here today in full force—allowing Mr. Gandhi and others to carry on the fight in the country. I wish they were here to unfold the banner of revolt within this House, for I believe we cannot surrender this House in the hands of those who do not believe in revolt. Every seat in this House will have to be captured, every man in this House will have to be wedded to the principle of fight, fight, fight, until the fight inside and the fight outside inspire the country to continue the fight until victory crowns our efforts. (Hear, hear.) Therefore we will have to fight very hard, but we cannot fight on the old lines. We have to endorse the fight outside. It is not a selfish fight, the fight that is going on outside. It may be that we may not be able even to proceed to the Round Table Conference, if Government do not act with restraint, if Government do not change their tactics, if Government do not court our goodwill, if Government do not release our political prisoners, detenus and internees, if Government do not come forward and shake hands with us, even as they shook hands with Michael Collins and Arthur Griffith. We have not gone yet to the length to which they had gone, and I hope we will not be goaded to go to that length. At any rate so long as Mahatma Gandhi is the leader of this movement, there is no danger of his going to that length. All the more reason why Government should not take advantage of his non-violent programme and ask him to go ahead with his policy of breaking the laws, by declining to listen to him. It is not a cheerful thing for anybody to persist in breaking the laws. Does Mahatma Gandhi break the laws because he likes to break them? Nobody likes to do it. He wants that you should see that the time has come when you should change your old method. He did not ask you to give us Dominion Status tomorrow, but he asked you to draw up a constitution for Dominion Status. Coming to another aspect Pandit Motilal Nehru, the former Leader of the Opposition, served for a while on the Sken Committee. The Sken Committee's Report wanted Indianisation of half the officers of the Army by 1952, and Mr. Jinnah

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That is the spirit, Sir, in which the little band has started on a pilgrimage, the pilgrimage of freedom in Gujrat. That is the spirit in which they have started that pilgrimage. That is the spirit that animates them. No Indian can for long support this campaign of what I may call repression, for it is nothing more and nothing less than to deny to us our right to freedom. Every nation, like every man has a right to freedom. I am quite willing to accept the definition of freedom by one of the great English authorities as the equality of restraint. We want to practice that equality of restraint. We do not want that liberty which means licence to attack any nation's throat. We want to live and let live, so long as we are not given the right to live and let live, we cannot grant you a single penny for the carrying on of the administration. You may do it by the power of your votes, which you have got owing to the defection of the leading party in the House, owing to the blundering policy of the Congress politicians, for walk out or resignation was nothing less than a disastrous blunder and a magnificent failure of Congress leadership. I wish they were here today in full force—allowing Mr. Gandhi and others to carry on the fight in the country. I wish they were here to unfold the banner of revolt within this House, for I believe we cannot surrender this House in the hands of those who do not believe in revolt. Every seat in this House will have to be captured, every man in this House will have to be wedded to the principle of fight, fight, fight, until the fight inside and the fight outside inspire the country to continue the fight until victory crowns our efforts. (Hear, hear.) Therefore we will have to fight very hard, but we cannot fight on the old lines. We have to endorse the fight outside. It is not a selfish fight, the fight that is going on outside. It may be that we may not be able even to proceed to the Round Table Conference, if Government do not act with restraint, if Government do not change their tactics, if Government do not court our goodwill, if Government do not release our political prisoners, detenus and internees, if Government do not come forward and shake hands with us, even as they shook hands with Michael Collins and Arthur Griffith. We have not gone yet to the length to which they had gone, and I hope we will not be goaded to go to that length. At any rate so long as Mahatma Gandhi is the leader of this movement, there is no danger of his going to that length. All the more reason why Government should not take advantage of his non-violent programme and ask him to go ahead with his policy of breaking the laws, by declining to listen to him. It is not a cheerful thing for anybody to persist in breaking the laws. Does Mahatma Gandhi break the laws because he likes to break them? Nobody likes to do it. He wants that you should see that the time has come when you should change your old method. He did not ask you to give us Dominion Status tomorrow, but he asked you to draw up a constitution for Dominion Status. Coming to another aspect Pandit Motilal Nehru, the former Leader of the Opposition, served for a while on the Sken Committee. The Sken Committee's Report wanted Indianisation of half the officers of the Army by 1952, and Mr. Jinnah

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I suppose in about 12 or 13 years. Both Pandit Motilal Nehru representing the Congress and Mr. Jinnah representing the Mussalman community out in the country wanted Indianisation of the Army. They wanted a definite step forward in the direction of rapid substitution of Indian in place of the European officers of the Army. Why did the Government shelve the Skeen Committee's Report? How can we be responsible for giving money to a Government which shelved the Skeen Committee's Report, a very humble document, a modest document, a document which bears the signature not only of Indians, but also of Englishmen, who were members of that Committee, a document which was endorsed by Sir Andrew Skeen and signed by Mr. Burdon, who was the Army Secretary, and also by the Indian leaders, who were members of that Committee? Why should they shelve it? And then why should the Finance Member come cheerfully to this House and ask us to pay for the continuance of this foreign army of occupation? For it is nothing more than a foreign army of occupation. We do not want this Army, we never wanted it. You want it to carry on the administration, and then you say that Indians are not fit to carry on the administration and much more unfit to work as officers in the Army. It is a ridiculous excuse, ridiculous because we all knew what Lord Birkenhead and others have said in writing about the competence and capacity of Indians as soldiers. We all know how, when officer after officer fell in the battle-front, the Indian soldier took up the lead and carried on the fight. And if Indians have become incompetent during the last 150 years, if the race of Sivajis, if the race which fought the battles against the British and fought also for the British to enable them to establish their own rule over us, if the race that produce the heroes is dead, I think that destruction and death has been brought about by these 150 years of foreign rule. Therefore I say that we must immediately get an assurance from the Finance Member that this policy of shelving the Skeen Committee's Report will at once be given up. This is 1930 and I believe it was about this time that an assurance was given that a military college would spring into existence in three years in Dehra Dun. I want an assurance from him straight-away that a military college will be established in India. I myself have never been satisfied with the Skeen Committee's Report. I did not want only one military college for India. Why should England have more than one military college, may I ask? England is a much smaller country, and I do not think Englishmen are the only race of soldiers. I do not think that we cannot have soldiers and competent officers. I do not accept their excuses, ridiculous excuses. If we can produce great judges, great administrators and great sepoys, we can also produce great soldiers. We produced them in the past, and if we do not produce them at the present time, it is because the administration is not our own and the country is ruled by people who are not responsible to the people of this country. Therefore, Sir, I say that this military policy will have to be forthwith revised. Last year I voted against Government even though I was in a minority of one, of which there is no likelihood this year. I think the members of my party will not support the Finance Bill though I even personally wish they would go to the lobby with me for the absolute rejection of it, if the Finance Member does not satisfy us on the question of how they propose to give effect to the Skeen Committee's Report and what measures are going to be taken forthwith to have 50 per cent. of officers of the Army Indianised within the time prescribed by the Skeen Committee. That is a matter which is very important.

Then there are various other reports. We have got for instance the Agricultural Commission's Report reading which we ought to know what measures have to be taken to increase the agricultural prosperity of the people. My friend here tells me that two volumes have been sent to every Member of this House. I do not want only opportunities for Members of this House to read the Reports, which are written in bad English, if not in bad taste, but I want Government to give opportunities to the Members of this House to criticise measures of agricultural improvement, and I want the Finance Member to make provision in his Budget for bringing about an agricultural millenium in this country which was, I believe, the purpose for which the Agricultural Commission was brought into existence.

Mr. K. C. Roy: The Finance Member has made ample provision in the Budget for agricultural improvements.

Mr. C. S. Ranga Iyer: My friend Mr. Roy had got an abundance of faith in the coming of the millenium when the appointment was made of the Agricultural Commission. Does Mr. Roy contend that the Finance Member prophesied the coming of the golden era of agricultural prosperity? I am afraid the Finance Member himself has made no such claim. Mr. K. C. Roy may be left alone in regard to what he thinks the Finance Member is going to do, because I do not think he is so much more in the confidence of the Finance Member than he has chosen to confide, through his Budget, to the Members of this House.

However, these do not go to the root of the present discontents. The Government must withdraw the measures of repression that they have put into force in this country and make a real satisfactory effort to come to terms with Mahatma Gandhi. If they do not come to terms with him, it may be that we will come to this Legislature with our numbers strengthened; but not to help Government. The non-co-operation movement failed on the last occasion, or rather it did not fully succeed, for various reasons, one of which was that the Councils were peopled by men who were as good as nominated Members. We have to make up our minds, to carry on a raging, tearing campaign in the country and to come back to these Councils. We do not want any extension of the life of this Legislature. We want an opportunity to put our case before the people, the case against the continued maladministration by Government. If we are not returned because we do not have the co-operation of the Congress, that may be another matter; but if we are returned, the result will be that we will put up a continued fight against the manner in which Government have been carrying on the administration of this country.

Sir, I do not want to make a longer speech. I would not have made even so long a speech as this, but for the fact that I want to protest strongly against the way in which things have been going on in the country. In Burma force was resorted to to harass an unarmed set of people who came out just to show their admiration of Mr. Sen Gupta, who was snatched away from Bengal for a speech that he made, a most inoffensive speech, which even the presiding officer of the court thought harmless, because Mr. Sen Gupta has been so lightly let off. It is not a matter of generosity. There was no case against him. And yet he was prosecuted. He was removed from his hearth and home; and much fuss and sensation was created. So I say that the Government must revise their policy of unnecessarily arresting people. The best thing for them would be to send for Mahatma Gandhi just as Mr. MacDonald in 1924 sent

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for Zagluul Pasha who had been interned. Zagluul Pasha, the leader of the Egyptian Independence movement was sent for by Mr. MacDonald, the British Prime Minister. The British Government invited the leader of the Egyptian people to negotiate the question of Egyptian independence on equal terms without any reservation whatever, without any conditions explicit or implicit. In these terms was Zagluul Pasha invited, the same Zagluul Pasha, be it remembered, who had rejected the British declaration of independence of Egypt. Mahatma Gandhi has done nothing of the kind. He accepted the Viceroy's proclamation. He said it was a sincere proclamation, and then he said, now that the proclamation for Dominion Status has been made, let there be a regular preparation of the country for Dominion Status and let those who go to Whitehall draft the constitution of Dominion Status. It does not mean that Great Britain should clear out of this country bag and baggage in one year, in two years, in six years or even in ten years. But it certainly means that a rapid preparation should be made, a steady rapid preparation should be made, for the attainment of complete Dominion Status and when he was not told that such a thing was going to take place at the Round Table Conference, Mahatmaji, in my opinion very hastily, in my opinion very unfortunately, but with the responsibility attaching to his position, in deference to the great following that he has in the country whom he has to take with him, Mahatmaji said, I am not coming to your Conference, and I shall carry on a non-violent fight with a view to make you agree with me. Under these circumstances, Sir, we must absolutely withhold our support to the Finance Bill unless we have an assurance from the Finance Member that the present policy which the Government have set in motion is going to be revised; unless, in regard to military matters we get an assurance that the recommendations of the Skeen Committee's Report will be adopted. It is the least little which the moderate opinion in the country wants—the recommendations of the Skeen Committee have been endorsed even by the Central Committee. Though the Members of the Central Committee have spoken with a babel of tongues on constitutional and other matters, they are united in regard to this military matter. That is why I urge that we are entitled to a definite assurance from the Finance Member as to what he or his Government, what the Government of India, propose to do in regard to this military matter.

Secondly, we want a definite assurance that the present policy of repression, which has been set in motion in this country, will be without delay, reversed.

Maulvi Muhammad Yakub: Sir, serious allegations have no doubt been made against the Government for the manner in which they have handled the finances of the country. There might be some exaggeration in the terms of the allegations which have been made. But there can be no doubt that the Government of India have failed in securing the confidence of a large section of the politicians of this country for the manner in which they are spending the money of the public and for the manner in which they have handled the finances of this country (Hear, hear.) This state of affairs, to my mind, is to a very large extent due to the present constitution of the Government of India. It is, Sir, really surprising that for the administration of a huge country like India for handling the huge finances of a country like India, we have got an Executive

Council of half a dozen Members, while the Cabinet in a small country like Great Britain, which is not even as big as one of the provinces of our country, consists of 26 Members.

Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): What are the revenues of Great Britain?

Maulvi Muhammad Yakub: I will come to that, the defender of the Treasury Benches.

Sir Zulfiqar Ali Khan: I am not a defender. I want to test your knowledge.

Maulvi Muhammad Yakub: I know that the Executive Council has got certain unpaid gentlemen who hold their portfolios in this House. But I wish they would have some patience and listen to what I have got to say about them also. (Hear, hear.) Well, Sir, there is no reason why the Members of the Executive Council of this country should draw fat salaries, as much as Rs. 6,666 and some annas. The salary which the Members of the Executive Council draw in this country is much larger than the salary of even the Prime Minister of England.

Mr. M. S. Aney (Berar Representative): Besides a saloon.

Maulvi Muhammad Yakub: Yes, besides saloons and other amenities. Out of these half a dozen Members of the Executive Council, there are only three gentlemen belonging to my country, while out of the four Europeans, the Commander-in-Chief is mostly concerned with the Army affairs and has got very little to do with the general administration and affairs of the country. The Finance Member is a gentleman who comes as a stranger to this country every five years, he does not know the people of the country. He is unaware of the needs and requirements of the people; he is unaware of the problems of this country; and before he comes to learn anything about this country, the time of his retirement comes and he goes away. Out of the three Indian Members of the Executive Council, there is generally only one gentleman who has some experience of public life. While two of them usually come from the service of the Government and they are as ignorant of the conditions prevailing in the country, they are as ignorant of the real views and opinions of the people of this country, as the European gentlemen sitting on the Treasury Benches. (Applause.) Again, Sir, can we expect that three Indians can give sound advice to the Viceroy? Can we understand that the three Indian Members can be in a position to know the feelings, the sentiments and the administrative problems of such a huge country as India? Again, Sir, out of these three, there is only one gentleman, as the representative of my community, seven crores of Muslims of India. Now, Sir, it is really absurd to think that one solitary Muslim Member of the Executive Council can represent the views of the seven crores of Muslims. Has he got any means of knowing the problems of the Mussalmans of India or their feelings, or can he be aware of the real state of affairs of the Mussalmans? If unfortunately that Member fails to secure the confidence of his co-religionists, or he happens to be an incapable man, or he happens to be a toy in the hands of his Secretary, then the cause of the Mussalmans of India not only remains unrepresented on the Executive Council of the Viceroy, but great harm and injustice is done to the Mussalmans. Now, Sir, if this is the constitution of the administrative machinery of this country, how can we

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need not name them. They are too obvious to the Honourable Members of the House; they know them too well.

Now, Sir, another point was raised as regards the holding of the Round Table Conference, and an Honourable Member has given the advice to the Government of India that they should delay the holding of the Round Table Conference. I would only say to the Government of India, 'Save us from our friends'. I tell the Government that it is advice of friends like these that has created this state of affairs in the country. The healthy atmosphere which was created by the announcement of His Excellency the Viceroy, the hopes that were kindled in the minds of my countrymen after the announcement that the settlement of our constitution is near at hand, those hopes are even now getting dim, and people are beginning to feel hopeless as to the outcome of the Round Table Conference, and if the Government would delay the holding of the Round Table Conference, it would be better not to hold the Conference at all.

Sir, these reasons would have been quite sufficient for me to reject the Finance Bill. But unfortunately I am not an irresponsible Member, like the Members of the Executive Council or like the nominated Members of this House. I have got my responsibility, Sir, and after having passed the Budget and after having allowed the Government to spend crores and crores of rupees, it would be simply illogical and absurd on my part to reject the Finance Bill, and therefore, reluctantly, very reluctantly, I will have to vote for the passing of this Bill.

Mr. W. S. Lamb (Burma: European): Sir, after the lions comes the lamb. (Laughter.) Sir, I rise to support the motion before the House. When speaking on the general discussion of the Budget, I said that, when this time came, I would bless the Finance Member for his proposal to remit 25 per cent. of the rice export duty. U. Tok Kyi unfortunately is not here, and I am sure the House will regret to learn that he is still somewhat of an invalid. In his absence I was very glad to hear Mr. Neogy, whom I have at all times admired for his industry and advocacy of any theme in which he takes an interest. Sir, I do not propose to follow Mr. Neogy into a demonstration of the distressed condition of the rice business in Burma. Honourable Members have heard the appeals from the elected Members from Burma, and I hope they will be good enough to applaud this proposal of the Honourable the Finance Member. Now, Sir, my particular desire in the first place is to thank very heartily our Honourable friend the Finance Member. Thirty lakhs is not a very large sum, of which possibly 25 lakhs would go to Burma; it is not a large sum when we are dealing with crores, but it is very welcome. Now this time I wish to have the assurance from the Honourable the Finance Member for which I had asked in the general discussion of the Budget, namely, that when possible during this year if he gets bumper returns accruing to the Central Government, which many Members think he is going to have, he will, without any delay, remit the remainder of this tax. I have no hesitation in asking for that assurance for, in the Statement of Objects and Reasons to the Bill, there is much less warmth in his reference to this particular proposal than in his speech. Sir, I trust that that difference has no significance.

Now, Sir, Burma is very much in need of a certain sum for meeting the cost of research in rice, and I believe it is possible that, at no distant date, a proposal will come from the Burma Government that they be allowed to put on a rice cess. I trust that, if such a proposal comes to the Government of India, they will give it their approval and sanction without delay. As I mentioned a year or two ago, when I was speaking on the same subject, I understand that the Secretary of State gave his full approval to a tax of this nature, and therefore there should be no delay in sanctioning it.

Now, Sir, I desire to make a few remarks about the oil business. Except his reference, in a small paragraph in his speech, we have heard nothing from the Honourable the Finance Member, and I should like, if possible, to draw from him today a clear statement of sympathy with the small oil companies. In supporting amendments, I have made appeals to the Government, and I have pointed out what a heavy burden this additional taxation is. I said further, that we had every reason to expect that, very shortly, they may suffer very heavy losses owing to a war in the selling rates of kerosene, and in making this further appeal to the Honourable the Finance Member and to the House, I would draw their attention to the fact that, in the Government of India Resolution to the Tariff Board's Report, there is this:

"If, however, the price war had not come to an end it would have been necessary to examine the question whether any steps should be taken on national grounds to safeguarding the two companies which were not within the pool, that is, the Indo Burma Petroleum Company and the Attock Oil Company."

Sir, I trust the Honourable the Commerce Member will keep a close eye on the kerosene market, and that he will bear in mind that it was the Tariff Board, not merely the Oil Companies, who inspired the statement which I have just read.

I come now, Sir, before I sit down, to a duty which I have to perform to myself, to the European Group and to the House. In the debate last week on clause 7, my Honourable friend Sir Purshotamdas Thakurdas accused me of some foul deed, and having done so he proceeded to castigate Members of the European Group in language which, I think, the House will agree, was insulting and entirely unworthy of this Honourable House. I put it no more strongly than that. Sir, I have here the official Report of my speech untouched, and I propose to read my remarks to the House

Mr. President: Order, order; I am afraid the Honourable Member is not in order.

Mr. W. S. Lamb: Sir, I think I should have an opportunity of explaining matters.

Mr. President: The Honourable Member should have taken the opportunity at the proper time.

Mr. W. S. Lamb: I had already taken.

Mr. President: The Honourable Member might get up next year and would want to reply to some of the speeches made today.

Mr. W. S. Lamb: Sir, I had already spoken, and I could not get another opportunity.

Mr. President: The Honourable Member could have risen to make a personal explanation.

Mr. W. S. Lamb: Surely, Sir, considering what was said by the Honourable Member, I am entitled to reply to him. He accused me of—I have forgotten his exact words—but he could not possibly have used stronger language than that regarding myself and the Group. I have had no opportunity of meeting his charges.

Mr. President: The Honourable Member had ample opportunity. The Honourable Member is always entitled to rise in his seat to make a personal explanation. The Honourable Member did not do so, and he cannot, after five or six days, come to this House and say that he wants to meet a certain charge made against him.

Mr. W. S. Lamb: Sir, I must bow to your ruling. But I would like to say this. I refrained from attempting to make any statement until I secured the real official copy of my speech. I had certainly no knowledge that I would not be allowed to put before the House what I have to say exactly.

The Assembly adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, while speaking on the Finance Bill last year, I ventured to point out to Government certain existing anomalies and defects in the Indian income-tax law which operate as hardships upon the assessee, and my present speech is in connection with the same subject; and as the Finance Bill asks this House to grant supplies, I think this is a proper opportunity for me to put my views on record. This subject, Sir, may not be as exciting as the Salt Demand, for instance, which some of us were anxious to reach the other day, as giving an opportunity for strong speeches; but I venture to point out that the grievances of a large class of persons who have to pay income-tax need occasional ventilation in this House, especially now when we are called upon to sanction money to Government under the Finance Bill. Sir, you will recognise that, under the constitution of this House and the Rules of Procedure, it is not easy for private Members successfully to carry through private Bills, especially at the fag end of the life of this Assembly. We have therefore to do our best under the limitations imposed upon us. I shall now proceed to indicate, as briefly as I can, some of my suggestions in this connection. At the outset I must say that I do not approve of piece-meal interference with the Indian income-tax law, as seems to be the practice. My Honourable friend, the Finance Member, while introducing an Income-tax Bill on the 18th February last, thought it proper to offer an apology to this House "for the almost weekly introduction of a new Income-tax amendment Bill". I think it would be more appropriate to bring forward a somewhat comprehensive amendment of the law, a consolidating Bill, and to remedy those defects and ambiguities that may be found to exist, and to remove the genuine grievances of the assessee. I shall now proceed to deal with some of the matters that in my opinion call for revision.

While costs incurred for earning an income are allowed by law to be deducted under sections 10, 11 and 12 of the Income-tax Act, it is anomalous to find that section 8 does not provide for allowing any cost

for collecting interests on securities or on debentures from Treasuries and Banks. In the case of *Forbes v. the Commissioner of Income-tax, Bihar and Orissa*, which was decided by the Patna High Court on the 6th May, 1929, (10 *Patna Law Times*, page 424) the question raised was as to whether the assessee, who had paid to his bankers certain commission for the realisation of interest on the Government securities held by him, is or is not entitled to claim that the amount paid to the bankers by way of commission should be deducted from the interest receivable on those securities, and that the income-tax should be charged only on the sum actually received by him. The view taken by the Income-tax Department was that, under section 8, the tax is payable not on the amount actually received by the assessee, but on the interest receivable by him on the securities held by him. While holding against the assessee on a strict interpretation of the existing law on the point, the High Court Judge was constrained to make the following observation in this judgment which is significant. He said:

"It may however be observed that if the case was to be decided on equitable considerations alone, the petitioner had no doubt a good case; but the case has to be decided with reference to the law in force, and all I can say is that this case brings into prominence one of the obvious deficiencies in the present law."

This is the observation of a High Court Judge, and it ought to carry weight with the Government.

Sir, I come to section 23 of the Income-tax Act, and here I may say that the assessee living mostly in the country side and ignorant of the technicalities of the law are not being properly helped in the matter of filling in their returns. The income-tax officer very often takes advantage of some technical defects and rejects the return and proceeds to make a summary assessment, which cannot be called into question. In my opinion an assessment should be made summarily under section 23 (4) only when the assessee does not file a return at all, or fails to produce accounts and books, or other evidence in support of his return, and not for filing a merely technically invalid return which can easily be remedied in the course of assessment proceedings, such as under section 22 (3) of the Act, and an amendment of the section on these lines appears to be desirable. I need hardly remind Honourable Members that, if under section 23 (4) the income-tax officer makes the assessment "to the best of his judgment" the assessee is deprived of his right of appeal, and this I would submit is unjust. The assessee should not be put in a worse position than one against whom an *ex parte* decree has been passed in a civil court. He should be allowed to challenge the order as bad and erroneous.

I now pass on to section 30 of the Income-tax Act. In my opinion this section presents an anomaly in the case where an assessee denies his liability to be assessed under the Act, such as where an assessee lives outside British India, but the income-tax officer insists on his view that he is a resident in British India. In such a case, I think it is only just and equitable that an appeal should be allowed. But the High Court of Lahore in the case *Dunichand v. Commissioner of Income-tax* reported in *Indian Law Reports*, 1929, Lahore, vol. 10, page 596, remarked that it is for the Legislature to provide a remedy for the cure of this hardship. It is obviously desirable that the remedy should be provided in the Act itself, instead of driving him to the expensive and protracted proceedings of a regular suit.

Section 32 (1) provides that in certain cases mentioned in it an assessee

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"may appeal to the Commissioner within 30 days of the making of such order" by the Assistant Commissioner. But in many cases the dates of the order are not given and very often orders are passed considerably after the arguments are heard and behind the back of the assessee, and also there is no provision in law for communicating the order to the assessee. The result is that by the time he comes to know of the order, the period of 30 days passes away and he is left without a remedy. I would accordingly suggest that, in section 32 (1), it may be provided that the assessee may appeal to the Commissioner "within 30 days of the date on which he is served with the notice of such order". The suggested change will bring the provision of section 32 (1) in line with section 66 (2) in connection with which I had the honour of moving a similar amendment on the 20th February last, which was accepted by my Honourable friend the Finance Member on behalf of the Government. The acceptance of that amendment has removed a genuine grievance of the assessee for which they are no doubt thankful.

Section 33 (1) provides that the Commissioner may of his own motion call for the record of any proceeding under this Act and so on. I should like to suggest the addition that the Commissioner may, of his own motion, or on being moved by the assessee, call for the record. When an assessee sends an application by post to the Commissioner whose office is far away, it is a real hardship that such application is summarily rejected, without the assessee being heard. The assessee does not expect that the record should be called for in every case, but he should certainly be heard before his application is thrown out. It should accordingly be provided that the Commissioner shall not pass any order prejudicial to an assessee or reject his application without hearing him or giving him a reasonable opportunity of being heard.

I shall now make one observation on section 45. Assessee often experience great hardship in having to deposit the full amount of tax when their appeals are pending. The appellate authority is reluctant to grant stay of realisation of tax on the plea that no such power is given under the law. I would therefore suggest an amendment in section 45 which would empower the appellate authority or the Commissioner, as the case may be, to order stay of realisation of tax on such terms as may be directed.

Sir, with regard to section 50, I have only one word to say. Why should the Crown plead limitation against an assessee for an amount wrongfully withheld? Or why the period of limitation should not be extended to three years? Or again there should be a provision to set off the sum for later years. Under the Contract Act, a debt barred by limitation can in certain cases be recouped by the creditor out of the amount received when there is no specific direction to appropriate it to a particular debt. Limitation strikes at the remedy, but not the right.

Sir, section 66 of the Income-tax Act is an important section, and I should like to make one or two remarks on it. In the first place I would submit that the fee of Rs. 100 for making a reference to the High Court is too high and it should be reduced to Rs. 10 or Rs. 15. In a rich country like England the fee prescribed is 20 shillings only, (*vide* section 149(c) of the English Act, 1918). It may be replied that the fee is put down at Rs. 100 in order to discourage frivolous applications. But this is absurd. We must take into consideration the assessee's expenses involved in getting the papers printed for the High Court and other big

expenses, which is inevitable in taking a case to the High Court. It may also be argued that section 66 (2) provides a fee of Rs. 100 or such lesser sum as may be prescribed. But no lesser sum has been prescribed under the Act, or any rule made thereunder, at least so far as my province is concerned; and so in practice the maximum fee of Rs. 100 is, I understand, demanded in every case. Again it seems only reasonable that this fee should be deposited only after the Commissioner passes an order accepting the contention of the assessee to make a reference to the High Court. This will save the assessee the trouble and expense of withdrawing the fee if the Commissioner rejects his application.

Here I may also mention that in a great many cases no interest is paid to the assessee for the tax wrongfully realised from him by an assessment which has been modified in appeal or revision. In all fairness interest at the court rate should be allowed. But the law is silent on the point, and in practice no interest is allowed at all in a great many cases.

Another remark which I should like to make on section 66 is this. The present procedure of approaching the High Court and the Commissioner simultaneously is cumbersome, anomalous and in practice works hardship. I think in no other system of law is such a procedure provided. The assessee naturally is under the impression that he would go to the High Court after he has exhausted his remedy before the Commissioner; and in a great many cases, when he obtains the Commissioner's order, and wants to go to the High Court, he finds to his bewilderment that his remedy is barred. I would accordingly suggest the insertion of necessary amendments in this section on the lines indicated above.

Last year, Sir, I suggested that in computing the period of limitation prescribed for an appeal or for an application under section 66 the day on which the order complained of was made and the time requisite for obtaining a copy of such order shall be excluded. I am glad that this has been done, and a source of legitimate complaint on the part of the assessee has been removed.

Sir, these are some of my main suggestions on the Income-tax law, and now I should bring my remarks to a close. But before resuming my seat, I would add one word more. Under the Income-tax law, or more correctly under the Finance Act, an annual income of less than Rs. 2,000 is free from income-tax. Why? Obviously because it is thought that an income of less than Rs. 2,000 is just sufficient for the maintenance of a man and his family; and he is not in a position to spare anything as income-tax. But as soon as his income reaches or exceeds even a little over Rs. 2,000, he is made to pay not only on the excess but on the whole amount including the sum exempted from income-tax. Suppose a person's income is, say, Rs. 2,300, I would suggest that Rs. 2,000 which is intended to be just sufficient for his and his family's maintenance should, on grounds of equity and fair play, be excluded from the income-tax, and the tax should be levied on Rs. 300 only which is deemed to be in excess of his minimum requirements. In England the income-tax is levied on the above principle, and there are shares prescribed for the actual requirements of the family members and dependents, and these shares are excluded from the income-tax. I would suggest that some such principle may be introduced in our system also, and a much needed relief be given to the assessee. Sir, this is about all I have got to say now, and

[Mr. Gaya Prasad Singh.]

I hope Government will be pleased to give some indications as to what steps they propose to take to remedy the state of things which I have pointed out.

Mr. M. K. Acharya: Sir, I wish to repeat what my Honourable friend Mr. Ranga Iyer so ably put forward, namely, that this is an occasion on which we ought, on principle, to raise this ground of grievances before supplies. I do not, of course, propose to go in detail into all the many items into which my Honourable friend so eloquently went; but I believe as of late a Member, like him, of a party which once had the honour of being the most important party in this House, as one who had participated in demonstrating concretely that principle in this House, namely, of throwing out the Finance Bill on the general ground of larger grievances of the country being unheeded by the Government, I desire to take this opportunity once more to re-emphasise that principle, and to say that there is a great burden resting upon the shoulders of every one of us here who is an elected Member that he ought, if possible on this occasion, to show not only to the Government, but to the country at large, and also to the whole world, that there are grievances felt by the people of India on a very large scale which would justify, and amply justify, the application of the principle that the Finance Bill ought to be rejected today. I know, Sir, the Government may be feeling in their heart of hearts, "Let these people say what they like, we shall do what we choose, there are plenty of votes at our back and call, and it does not matter what a few of these Members may choose to say on principle". I am not concerned with that aspect of the question, with success or failure well-gotten or ill-gotten; and who can deny that success very often in this House is ill-gotten? But that does not affect me very much. I am here to make my humble appeal to every elected Member who has to go to the country; it is our duty to go to the country and it is our duty to go and tell every one who is an elector and every one who is not an elector, to every one in the country it is our duty to say that we have done all we can, that we have taken every possible step we can, that we have taken every advantage of the new constitution under which we are working to press upon Government the larger grievances of the people, and to say that we will not participate in what I must call the farce of voting away huge sums of money and in granting supplies to a Government that, so far as I can see, do not seem even to care to inquire what exactly are the grievances complained of.

Sir, we are thankful to you for having allowed us to ventilate some of our grievances on the floor of this House; but, Sir, what has been the response on the other side? So far, not one of the major grievances put forth on the floor of this House has been answered seriously. Sir, at the very beginning of the second reading of the Finance Bill, we raised the larger question of the Government's failure to make a satisfactory response to the larger political demands of the country. I wonder whether it was taken seriously, and whether there was any serious reply made to it either by the Finance Member or by the Home Member or by any Member of the Government. I should like to know, first of all, if this is all our business—for us to say what we like and for the Government to do what they please at the end. If that is so, we might as well be spared all this farce; for, I, for one, am not very anxious to hear my own voice in this House. Therefore, unless some major grievances expressed on the floor of this House are being dealt with seriously

by the Departments concerned, unless some serious answer is being given to the questions raised on the floor of this House, it is idle to say that this is an occasion on which each one of us may ventilate all our grievances. Of course, I, for one, should not feel very much aggrieved if for instance difficulties felt by income-tax assesses over the working of a particular section here or of a particular section there are of a serious character. It is a point of detail, which might be remedied elsewhere than probably now and on the floor of the House. But on the larger questions, I repeat, in which verily all, or the bulk of the people are concerned, if Government Members simply hear and pretend to hear, and then do not even condescend to give a reply on the points raised, I do not believe that we are treated fairly or that the constitution is being worked in the manner in which it ought to be worked.

Take this very simple example, namely, this debate as it is called on the Finance Bill. Of course I do not blame any particular individual. In fact I am thankful to you for having allowed us one extra day for discussing this Finance Bill. As originally planned by Government, the discussion of the Finance Bill would probably have come to an end on the 22nd. But I am just raising this general point. There were 12 days given for the whole of this Budget, 2 days for what was called the general discussion of the Budget, 5 days on the voting of Demands for Grants, and 5 days for the passing of the Finance Bill. I put it to you, Sir, in all seriousness, do this Government expect the civilised world, expect any intelligent man to believe that this is anything other than a farce? We are asked to vote away some 130 crores of rupees upon various demands even excluding military expenditure. Nearly a hundred Demands are put forward in the huge book that is placed in the hands of every Member of this House containing the detailed estimates and Demands for Grants. And we know—I do not blame any particular Member of Government—but we know that we have hardly time even to take up one or two Demands and discuss all the motions under them. And I wish the Deputy President were present here now. He said that we passed all the Demands for Grants and voted the expenditure. I do not think that we ever voted the expenditure or anything like it. We know there is an automatic way of passing it all; on the last day the guillotine falls, and then we are forced to go through the farce automatically. Everything is put to the vote, and is declared to have been carried. I do not know if there is any other country in the world where this would be called voting the demands for expenditure made by the Executive Government. There may be some few occasions; I dare say it may be impossible in any legislature under the sun for every demand put forward by the executive to be scrutinised carefully and passed leisurely; but I do not believe that there would be any legislature which has got anything like a responsible machinery working in it, where you will have this kind of thing, where we say what we like on this thing and that thing, and at the end the whole thing is supposed to have been passed. How are we responsible to grant the money for expenditure which has been passed in this way, not by us but by the automatic working of some rule? It is just the same autocracy now as in the old days; though I was not here then and was not connected with the then Budgets of the Government of India. I repeat, it is all an automatic machinery for which we are not responsible. Our views are not heeded; and

[Mr. M. K. Acharya.]

therefore morally speaking—whatever the legal technicality may be—morally speaking I do not grant the proposition that this House has voted the demands for expenditure, and that this House is bound therefore to grant supplies in order to meet that expenditure. Morally, we have not voted the expenditure, and morally therefore we are not bound to pass this Finance Bill. Therefore, on that one ground that we are not given, under the present constitution, ample opportunities either for passing the demands for expenditure or for scrutinising and passing the Finance Bill, on that one ground alone, I think we should be amply justified in rejecting the Finance Bill. That is to say, in so far as we are concerned, we decline to have anything to do with the Finance Bill. I am quite well aware, and everybody knows, that whether we pass the Finance Bill or do not pass it, it will become the Finance Act; that the Governor General is vested with ample powers under the Act to certify and pass this Bill into law. But I am stressing the moral ground that, whatever may be the technical aspect of things, we are morally bound to reject the Bill; we are morally entitled and indeed bound to force the Governor General to certify the Finance Bill and on his sole authority to pass it. Why all this farce of saying that we are parties to it, that the Legislature has been consulted and has approved of the Finance Bill, that, after serious deliberation and approval, all these taxes are imposed? I think, Sir, that it is a travesty of the truth, and I do not see why we should go to the country and make the people believe that we are really responsible for the passing of this Finance Bill.

These, Sir, are some of the passing reflections that came into my mind when I heard the Deputy President say that the grants for expenditure had been voted, and that we must pass the Finance Bill. We did not vote at all the demands for expenditure and we are not morally bound to pass this Finance Bill. By our not passing the Finance Bill it is not going to cease being passed. Now, I repeat that it is our duty

Maulvi Muhammad Yakub: Repetition is not allowed. Take your second point.

Mr. M. K. Acharya: I repeat that it is our duty to insist on Government giving proper replies to some of our major grievances; and it is our further duty, not having had anything like a proper or satisfactory response from Government, to tell Government, in what telling manner we can tell, that we shall not pass the Finance Bill. That is the only way in which we shall be discharging our duty to our electors. That is the one way in which we shall be acting in a manner which will be worthy of the country whose interests we are supposed to be safeguarding. There are other things besides the larger political questions into which I said I shall not enter today. There are very many other matters also. What has been the action of Government, of this very responsive Government, with regard to the complaints made by Honourable Members here about the trouble to which Indians are put in Ceylon? What has been the action or response of Government with regard to the complaints made about the troubles of Indians settled in South Africa? These are all matters which certainly, at the time of the Budget, at the time when Government come down to us for supplies, ought to receive as careful and as sympathetic a handling from Government as possible.

I do not know if there has been any answer to these questions that have been raised in this House. Even when we do all that we can to get some kind of sympathetic response to the most pressing problems in the country, to the way in which people are arrested for political offences, to the way in which they are tried, to the way in which they are sentenced and so on, nothing in the way of a satisfactory solution to these problems is at hand. The Finance Member may think that his only duty is to tell us how much money is required to carry on the Government of the country during the coming year, and ask us to vote that money. Probably that may be his strict legitimate work. But we look upon him as a Member of Government, as part and parcel of a big Government, and if the whole of that Government fails in its responsibility, I do not think he can have much reason to complain that we do not accede to his wishes or look upon his demands from the purely financial standpoint.

I find Sir Frank Noyce looking hard at me, but I am going to ask him what has happened to the Resolution passed in this House last September in regard to laying the stable foundations upon which responsible Government alone can be established in this country. It has been kicked into the air like a piece of cotton. This House passed the Resolution, saying that this Government should take steps to establish fully autonomous Panchayats all over the country, and thus begin responsible government at the lowest unit, and then develop it into the districts, and then in the provinces and then in the whole of India. It was a Resolution passed by the votes of almost all the elected Members of this House, in spite of the Government using all their strength against that Resolution. What has been done? Has anything been planned? Nothing, I suppose. If this is the way in which the Resolution of this House is treated by the Government, why should we now be asked to vote all this huge sum of money to the Government, and why should we support the Finance Bill at all? That, Sir, is a question for which I should like to have a definite answer from the Government. It is no use saying, money is badly wanted, retrenchment is impossible, and things of that kind. Our question is, why have not certain definite Resolutions of this House been carried out and why have not certain definite grievances been looked into by the Government. If you do not care to look into our grievances and carry out our Resolutions, why do you come to us and ask us to vote any supplies? You can pass the Finance Bill yourself and you can save your trouble and our trouble. We can go home earlier and you can certify. It is very humiliating for us to be told, "You must pass this Bill, we want money at once, so you must pass this in one hour or in one day". It is due entirely to you, Sir, that you have extended the Session by five more days and have given us a little more time to cry out. Ours may be a voice in the wilderness, but it is some consolation that we have got the chance of crying out on behalf of the many, many millions whom we are supposed to represent.

I come now to the Finance Bill itself. There are a few points which I would want to scrutinise. First comes the salt duty. Our old friend is kept on. Government say that, at some time, perhaps at the Greek Kalends, they will remove it. The Honourable Sir George Schuster may not be here then. I was talking till now only of the Finance Member and not Sir George Schuster who, I know, has got a very sweet face, a very sweet tongue, and that is exactly what disarms us, what conceals sometimes the deep thrusts he gives to us. However, Sir George Schuster

[Mr. M. K. Acharya.]

may not be here, but some other Finance Member may be here, and we do not know whether he is going to abolish this salt tax. All that I need say now is that the salt duty is kept on this year exactly where it was last year, in spite of all our protests. We have been saying that the salt monopoly is unjustified, and yet the Government thrusts it on us. What can we do? They say, it is very handy, it gives 6 or 7 crores to them and it is a very paying item in their revenue and they cannot give it up and because the Government find it handy, therefore this tax must be kept on in spite of its iniquity, in spite of the fact that it is a tax on the poorest man. It may be one pie or half a pie. I am not a financier and God forbid that I should ever become one in my life. But whether it is half a pie or quarter of a pie (Interruption)—I wish to live for higher ideals and not care for rupees, annas and pies—why should the poorest man be taxed? This is very repulsive. That may be the ethics of commercialism. I am not enamoured of commercialism; I leave that there.

Sir, the next item I wish to refer to is about the various kinds of duties on silver and other things. They are not even as much as they were last year. They are raised. The duty on silver is raised. The duty on sugar and so many other things is raised; there is now increased taxation and for what? What is the return for this increased taxation. Nobody has told us about it. Government are merely pleased to say that more money is wanted. Then there is the income-tax. Many speakers have already referred to it, and I do not want to go into any detail. So there is no reduction anywhere, except perhaps on what they call the export of rice from India or something like that. But there is an increase in taxation all round. The duty on kerosene is raised. Therefore, if you go into the details of the Bill, the net result is that there is larger taxation this year than there was last year. The Finance Member asks us to agree to larger taxation. Shall we do so, because there is greater repression in the country? There has been nothing gained during the past year, but there is to be larger taxation. Nothing gained or only minus quantity on the side of political privileges and economic advance and things of that kind, and on the other side, there is more expenditure, more taxation. It appears to me, therefore, that, so long as we have no power or responsibility in our hands, I do not see how any elected, or any non-official Member for that matter, should say that the money must be found. I do not understand the word "must" at all. It is for the Government to find the money. We have no responsibility. We do not incur the expenditure. We are not therefore morally bound to find the money. All this "must," I am unable to understand. Sir George Schuster knows how to find the money. Therefore it appears to me that considering the manner in which the Government have treated us, willingly or unwillingly—it does not matter whether deliberately or otherwise—considering the manner in which we have been treated, it does not lie in the mouth of the Government to say, "You are irresponsible people, we ask for more money and you do not give us." I do not believe Government can bring that charge nor that we should be afraid of being told that we are irresponsible. After all, the simple problem is there. We give the money in return for what? Is it in return for the many grievances which my friend Maulvi Muhammad

Yakub has put forward? He has stated that there is not sufficient Muslim representation in the services and so on. I shall not go into those details. What is the measure of our responsibility? Are we to go down on bended knees and say, "Yes we shall vote all the money that you want, because when meeting in the lobby you will say, I expected better from you"? Supposing some gentleman on the other side says, "I expected better from you," is that a reason why I should fall on bended knees? Surely we all expected better from the Government. In this respect I would take a leaf out of their book and treat with equanimity whatever is said about us. We shall tell them, "Mind your own business and try to find money in your own way and we shall not be in any way responsible for it". It is all very well for any Government Member to meet in the lobby and say, that any one of us has become a bad boy. I say we have a lesson to learn from them. They do not care for what we say and let us not care for what they say. Therefore I would make a strong appeal to all my non-official friends, because we are passing through critical times, because the Honourable the Law Member will not open his eyes, the Honourable the Home Member will not open his eyes and recognise what we want. Considering the attitude, the unyielding attitude of the Government, the unreasonable, obstinate attitude of the Government, towards the most reasonable demands of the most reasonable Members of this House.—should we alone go down on bended knees and say that the Finance Bill must be passed today? If the Finance Bill is not passed, the millowners will suffer; take care, the deluge will flow upon their heads. This is what they say.

And that is another trick to compel some to vote for the Finance Bill. The two things should have been separated; the Tariff Bill should have been brought at some other time or in some other environment. I do not see why the two things should be jumbled together, why we should be asked to pass the Finance Bill today, and then take up the Tariff Bill. I know what is in the minds of many of those who are anxious about the Tariff Bill. The feeling is that Government cannot drop the Finance Bill, but they may drop the Tariff Bill. They are bound to go on with the Finance Bill, and in some way or other, put it on the Statute-book; but the Tariff Bill for the millowners, what will become of it? I consider these are very immoral ways in which various influences are brought to bear upon us. I hope my friends will stand against any such temptation, direct or indirect, and will stick to this one principle that, until we become actually responsible in some measure for this huge expenditure of money, and until we are in a position to tell those whom we represent that we are really safeguarding their interests and we shall act in a manner which will be in the best interests of those who send us here, until we are in a position to say that, I think we ought simply to tell Government, "We thank you for the opportunity given to us for making the speeches we have to make, but the Finance Bill will have to be passed on your own responsibility; you have given us no power and we shall not take upon us the burden you have cast upon our shoulders". I hope my non-official friends will realise this, and not only make this Government understand, but the Government in England understand, so that they can eradicate this anomaly at as early a date as possible. We must make the Government here and the Home Government understand that we have no real constitutional power; when we get true power, we shall exercise it truly, but now when we have not that true responsibility, we do not propose to exercise any;

[Mr. M. K. Acharya.]

and we lay the whole responsibility on the shoulders of the Government. The Finance Bill must be their own responsibility and we have nothing to do with it. Let us either vote against it, or not vote at all. Let them take the full responsibility, for we cannot morally—and is it not also legally—I do not know what the legal aspect of it is—we cannot morally, I am sure, take any responsibility. As the Government, as at present constituted, are indifferent to the best interests of the people, and spend as they please the money voted by this House, and only ask for more and more money, I therefore think that it is the duty of every elected Member, who has got any self-respect, to tell the Government, point blank, that he shall not be a party to this very unfair and immoral transaction.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, we have been asked to give our support to the Finance Bill by the Honourable the Finance Member. Section by section, amendments have been brought forward; they were argued to the best of the ability of the Mover, but they failed to create any impression upon the Members of the Treasury Benches. We have been asked to supply the money that is necessary to carry on the administration. Who are we here? What is our position? Have we real power to deny them the money that they want through this Finance Bill? No, we have not. Then why this mockery? You may say that we have 104 elected Members. No doubt we have, but they include Members belonging to special interests such as the European Group, Chambers of Commerce and Landholders, and if you omit them you will find that the real representatives of the people in this House are an insignificant minority. Forty of them owe their seats to, and have been characterised by my Honourable friend over there, Mr. Ranga Iyer, as having for their constituency the Viceregal Lodge. One such Member was annoyed at the remarks made by my Honourable friend, but the fact remains that these nominated Members owe their seats to the Government. Under the circumstances, would it not have been better for you to ask, when you move for the acceptance of the Finance Bill, to ask the real representatives of the people to abstain from voting? No, under the rules and procedure of this Assembly, every one of us can vote, although in case of the Public Accounts Committee we have a rule that only the elected representatives will vote. But in that case, the Government ask the elected Members only to vote, because, as my Honourable friend Mr. Roy has said that the Public Accounts Committee is nothing but a *post mortem* examination and therefore a very harmless procedure.

Sir, whether we are in a minority or in a majority, we cannot lend our support to the passing of the Finance Bill. And why? Because of the elementary principle of all parliamentary Governments, *viz.*, redress of grievances before supply. And what are our grievances? If I were to relate the grievances of our people I could not possibly relate them within the short time I have at my disposal. (*A Voice*: "Then go on".) It is not a single legislation or a single act of the Government against which we raise our voice of protest; but a long series of acts of misrule which has accumulated during the period of nearly a century and a half. Sir, if we cannot lend our support to this Finance Bill, it is because we feel that we have not been treated as we ought to have been by the people who happen to rule over us at the present moment. Looking at the history of Councils, we have to go back to the early sixties of the last century when three Indian gentlemen became Members of the Imperial Legislative Council, not by

election, not by a suffrage of the people, but nominated by the Government. They were Raja Sir Dinkar Rao, the Maharaja of Burdwan (*An Honourable Member*: "Was it the present Maharaja of Burdwan?"), and Sir Salar Jung. It went on for some years when some time later on recruitment was made from the High Court Bar for the Imperial Legislative Council and the Indian National Congress from its earlier days began to demand representative institutions for this country. It was at Bombay, Sir, where that great man who would not take the prescribed oath in the House of Commons after being returned at the head of the poll from Northampton, the late Mr. Charles Bradlaugh. It was at Bombay, when Mr. Bradlaugh came there during the National Congress week, that he heard about the real situation in the country, and then, when he returned to England, he carried on an agitation on behalf of India which got us a representative Council as we knew it in the early nineties of the last century. But, Sir, what were their powers? Their powers were practically *nil*. The Members were merely putting a few interpellations and recording pious wishes just as we are doing today. (*An Honourable Member*: "Not pious.") But I don't see much difference between that Council and the Assembly of the present day because we are also equally helpless in this House. Of course, when that Council was inaugurated, we thought that was the beginning of a new era. Seventeen or eighteen years later, the Government thought that some concession must be made to satisfy the rising aspirations of the people,—I mean some honest Englishmen thought so. But at the same time, there were also certain Englishmen who were bitterly opposed to any measure of reform being granted to this country, and they always tried their best to whittle down reforms to such an extent that, for the first time in the history of this land, we had the inauguration of a so-called reform which made a difference between me and my friend over there, Dr. Suhrawardy, and which during the last 20 years has been responsible for much bitter communal dissensions and which we witness almost every day here. A charge has often been laid at the door of the Indian National Congress for the pact which it devised at Lucknow. It is very convenient to forget the past history of communalism. But who accentuated it? Who brought it here? Can any man with a grain of commonsense think that representation in State services should be according to one's religious faith? I stand here as simply Amar Nath Dutt, a Hindu Member of this House. I cannot be taken into certain services owing to my religious faith. But the moment I accept Islam, the moment I change my name to Azzizudin Ahmad, immediately all the Treasury Benches will have for me a soft corner in their heart; they will say all sorts of things to keep Azzizudin Ahmad away from the doings of those Members like my friend Mr. Kelkar.

Mr. President: Order, order.

Mr. Amar Nath Dutt: or my revered leader Pandit Malaviya.

Mr. President: Order, order.

Mr. Amar Nath Dutt: These are some of the unhappy things for which the Government are responsible and that is why I want to throw out the Finance Bill. *Divide et impera* has been the policy of the Government in this country because it suited their purpose better. No doubt, Sir, it is very unfortunate that I have to say all these things when the Finance Bill is before us, because that is the only occasion on which we can do it, but I must say that it does not cast any reflection on the Honourable

[Mr. Amar Nath Dutt.]

the Finance Member, who is hardly responsible for any of the happenings during the time of his predecessors. Sir, I wish that other Members of the Treasury Benches were in their seats, because all these indictments are directed more against another Department, and the Member in charge of that Department hardly listens to what is going on here, thinking that the Finance Bill concerns only the Finance Member. (*An Honourable Member*: "The Law Member is here.") He is of course very regular in listening, but he was sleeping when my friend Mr. Acharya was speaking. Probably he thought that Mr. Acharya would speak about the Sarda Act.

Sir, let me once more say that at least those of us who are on the Standing Finance Committee against which my revered teacher had a fling when delivering his speech. (*An Honourable Member*: "Who is he? Who is your Guru?") (*An Honourable Member*: "Mr. K. C. Roy.") I refuse to mention the name, because modesty forbids me from taking his name. I was under his guardianship in my boyhood and owe a good deal to him for training. (*An Honourable Member*: "It is no compliment to your teacher.") I will not wound other's feelings by uttering hard words; I am always meek and humble. (Laughter.)

Sir, it was said that there are several statutory checks on expenditure, and that the Standing Committee does not do its duty properly. If my friend had been present at least at one or two meetings he would have seen that every one of us tries to do our best. Above all, I may tell the House that Sir George Schuster himself is the most active Member of that body. He has got a very warm heart and is keenly solicitous for India's welfare and tries to curtail expenditure as much as possible to an extent that I never saw before. (Hear, hear.) For that we ought to be grateful to our friend the Finance Member. But, Sir, our indictment is not directed against him as an individual; but our indictment is directed against the whole system of administration. Therefore, Honourable Members should not think that anything that is said here is only directed against the Honourable Member. We have the highest regard and respect for Sir George Schuster, but at the same time we feel that, as representatives of the masses, we can not but oppose this Bill. How can we lend our support to a taxation Bill of this character?

Sir, I have in brief endeavoured to place before you how this constitution grew up. After the Minto-Morley Reforms worked for some time we got this piece of reform with which we are playing here. This reform has been condemned by every one and by the entire politically minded India (*An Honourable Member*: "Except Mr. Fazal Ibrahim Rahimtulla"), but he denies it and he also condemns it, because it is no improvement upon the previous reforms when we had men like Raja Sir Dinkar Rao and others. Now, what can we do in these Councils? We can only record our protest. You ask us to pass this Bill in order to enable you to meet your expenses. Now has this deficit been incurred by you?

Mr. President: Order, order.

Mr. Amar Nath Dutt: This deficit has been incurred by the Government, because they must have an army of occupation in this land, lest we should drive them out and ask them to clear out bag and baggage. This army of occupation costs no less than 55 crores, or more than half the revenue of the country. You won't reduce.

Mr. President: Order, order.

Mr. Amar Nath Dutt: They would not reduce this because it hits so many people of their own race who could not find better employment in their native home. My friend Mr. Howell is not here. He was a bit annoyed but very mildly put it to me one day "May I ask you, Mr. Dutt, is it very necessary to rake up old memories?" when I referred to the aftermath of the Cawnpore massacre? I would refrain from referring to anything which is unpleasant, but the pages of the history of India are full. What do we find from the time of Clive downwards? We Hindus, as the descendants of our ancestors of those days, have the sacred ceremony of *tarpan* in which we take the name of our fathers and offer them oblations. This is a pious duty which a Hindu owes to his ancestors. Every Indian knows how Lord Clive came here and won the battle of Plassey. I sympathise with my Muhammadan friends . . .

Mr. President: This is too much. Will the Honourable Member come to some recent date?

Mr. Amar Nath Dutt: Well, Sir, in the time of Warren Hastings. . .

Mr. President: Order, order.

Mr. Amar Nath Dutt: Do you want me to come to some later date?

Mr. President: Will the Honourable Member come to the Finance Bill?

Mr. Amar Nath Dutt: Yes, Sir, I protest against this Finance Bill. I do not want to lend my support to it, because the Government have treated us so shabbily. Let us begin with recent history. That superior person, Lord Curzon, brought about the dismemberment of our province. This is at the root of many of our grievances. To placate the moderates, they introduced the Minto-Morley Reforms, which brought in communalism, and then things went from bad to worse. Then came the days, when young men, the flower of the youth of the country, were driven to desperation. There were conspiracies and you deported . . .

Mr. President: Order, order. The Honourable Member ought to be very careful. If he is irrelevant, I will ask him to resume his seat.

Mr. Amar Nath Dutt: Another reason why I should oppose the Finance Bill is the treatment of political prisoners. I have just read in the papers that two political prisoners have been put on standing handcuffs in the Central Jail at Alipore and they have been locked up in solitary cells. All of them it is understood have resorted to hunger strike as a protest against the maltreatment of the jail authorities. Now, the Jail Committee's Report has been published. It was published on the 19th February. My Honourable friend Mr. Mitra asked the question whether it was going to be applied to Bengal. The Government gave us vague answers and the rules which have been framed are not applied even now. The Kakori prisoners have also gone on hunger strike. Today it is the 46th day, and the Secretary of the Bareilly District Congress Committee wires that the condition of Sachindra and Manmatha, who are on hunger strike in the Bareilly Jail, is very serious and both are on their death bed. The public of Benares are making arrangements for the reception of Sachindra and Manmatha, should the worst happen. These things the Government do

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not take into consideration. And are we to support the Government when things like this are happening? They do not find money to separate the judicial and the executive. Whenever other things are necessary, they find the money. Sir, why the separation of judicial and executive functions is necessary will be seen from an instance which I am giving at the present moment. There was a sedition case at Alipore against Mr. Subash Chandar Bose, Mr. Kiran Shankar Roy and others and they were tried by a Magistrate holding a listed appointment. Now, he knew that his promotion depended upon this. He gave them full one year under section 124-A, and after delivering the judgment, he was appointed permanently as District Magistrate. That is the reason why the judiciary should be separated from the executive for it leads to such undesirable state of things. From the times of Manmohan Ghose, we have been fighting for the separation of the judicial from the executive. In fact the late Manmohan Ghose laid down his life when writing an indictment against the vicious system. Since then the late Mr. Romesh Chunder Dutt pointed out the way in which you could separate the judicial and the executive functions. But the Government will not do it. They would find money for many other things, they would find money for luxurious saloons (Hear, hear), but they could not find money for the separation of judicial and executive functions. Money can be found for the army of occupation which did not cost more than 15 crores of rupees in 1900. But within thirty years, it has increased to the dimension of Rs. 55 crores, nearly 40 crores more. Money could be found for all these things, but not for a simple reform like the separation of judicial and executive functions. We have cried ourselves hoarse for free primary education and the late Mr. Gokhale till the date of his death was asking for free primary education. For that they cannot find money. But still they are asking us to vote money for other things, not for the separation of judicial and executive functions, not for free primary education. Besides these two grievances, there are a lot of other grievances at the present moment, which must be redressed before we can be asked to vote for the Finance Bill. I know how eager my Muhammadan friends are for the repeal of the Sarda Act, and in fact I am deeply grateful to them, for they are men of deep convictions and religious faith, and I am quite hopeful that they will support us in our opposition to measures like these against the Government. In fact the Muhammadans are going to launch civil disobedience against the Act. There are two methods of civil disobedience and I do not know which of the methods they are going to adopt. I have also read in the newspapers that unless the Government do something, in fact even the orthodox Hindus also are going to join that movement.

Mr. President: Order, order. This is irrelevant.

Mr. Amar Nath Dutt: That is one of the grievances against which we may ask the Government

Mr. President: The Honourable Member must now conclude as soon as possible.

Mr. Amar Nath Dutt: As I was submitting, Sir, this House has no real power. Such being the case, we can hardly be asked, consistent with

our dignity, to support this measure of taxation. I feel in the words of the great sage who wrote in the Bhagavat Gita:

Karmanyeba adhikaraste

Ma jalesoo kadachan.

"You have to do your duty without caring for the result."

One other fact I would refer to if the Chair would permit me, and that is with reference to the Round Table Conference, about which something has been said. It has been said by the Honourable Member in his speech that the times are not ordinary. Within a few months the representatives of the Indian people will meet the representatives of Great Britain. Sir, do they expect that, with men like Mr. Subash Chandra Bose and Mr. Sen Gupta in jail, and with the prospect of Mahatma Gandhi being put in jail, surely they do not expect that patriots like Mr. Jinnah and Pandit Madan Mohan Malaviya will attend the Round Table Conference? I beg to submit that the Government must declare a general amnesty to all the political prisoners before they expect leaders like Mr. Jinnah or Pandit Madan Mohan Malaviya to attend the Round Table Conference. Even when the question of Ireland was being settled, they reserved five seats for the revolutionary party. If you want to have really a Round Table Conference you must have all sorts of interests and all sorts of thinkers and every point of view placed before you.

One other point about the treatment of political prisoners at the present moment. The motive, they say, is no criterion, but, Sir, what other factors should be, except motive, the criterion to classify political prisoners? There is my Honourable friend Colonel Crawford sitting there. He might have shot down many people

Colonel J. D. Crawford (Bengal: European): Never, Sir.

Mr. Amar Nath Dutt: Or some other gallant friend might have shot down many people during a battle. Do you refuse to sit with him? No. Why, because his motive was very high, the honour of England and the freedom of his country was in his mind. I appeal once more, through you, Sir, that all the political prisoners who are the flower of the youth of our country and who are fired by the highest patriotism

An Honourable Member: Idealists.

Mr. Amar Nath Dutt: Yes, idealists, no doubt of a very high type, they should be treated as my Honourable friend was pleased to observe, as so many prisoners of war, and they should not be treated like ordinary felons in jail. I appeal seriously to the Treasury Benches, through you, Sir, that they should take into consideration all these things before they can ask us to co-operate with them or side with them in the matter of the Round Table Conference or in taxation Bills like this. They should give a general amnesty to all the political prisoners. Also the Government should not treat the prisoners, in the way they are doing by handcuffing them. What have the Government done for the Kakori prisoners? They are on hunger strike, because these prisoners have been denied the privilege of being classed as "A" class prisoners. As a protest against the Government not introducing this classification, so far as the Kakori prisoners are concerned, those prisoners have gone on hunger strike. I also hear, Sir, that one of the Kakori prisoners was denied any association

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with anybody or permission to see anybody. All these things fall within the province of the Home Member to reply to, not that of the Finance Member. The Honourable the Home Member should see his way to redress some of these grievances before he can set the Honourable the Finance Member upon us to ask us to pass this Finance Bill. I do not wish to take up much of the time of the House by dealing with other grievances. I wish only to touch one point.

Mr. President: Order, order. The Honourable Member must conclude.

Mr. Amar Nath Dutt: All right, Sir. Before I sit down, I wish earnestly to appeal, through you, Sir, to the Government to look into every one of these grievances before they come to this House to ask us to pass such taxation Bills.

Colonel J. D. Crawford: Sir, I would like, on behalf of the European Group, to clear up some of the confusion that possibly exists in the minds of the House and of Government as to our attitude towards the Finance Bill. Honourable Members will remember that, during the general discussion, my colleague Sir Hugh Cocke very clearly stated that, as a Group, we considered that the Budget must be balanced and the taxation, in so far as we could see it, was generally well distributed, and the Honourable the Finance Member's Bill would have our support. At a later stage, Sir Hugh Cocke again pressed for retrenchment, not that he intended to move a vote of censure on the Finance Member, who was already undertaking measures of retrenchment, but to point out that to our mind departmental inquiries into retrenchment are not very successful, and that it would be advisable to have associated with the Retrenchment Officer, whose ability we thoroughly recognise, some outside opinion.

The next position which the European Group took up was one with regard to the kerosene oil duty. I think our attitude on that particular measure has not been thoroughly understood. We had two points really to make; that the measure which had been brought in meant a change of policy, which had existed for 25 years, and that change had been introduced without any real consultation with the oil industry as to how the new proposals of Government might affect that industry. We believed, and still believe, that it will affect the industry in two ways, one, that it will hit very hard the small indigenous oil companies, one of which, as the Honourable the Commerce Member pointed out, was of strategic importance to India, the Attock Oil Company. I think it is up to Government to watch very carefully the effects of such a measure on the smaller companies and to give them such aid as may be necessary. The other point was that we felt that the imposition of this duty will, in actual practice, if not tomorrow or even within the next three months, at a later stage fall rather heavily on the consumer; the yellow oil which has been supplied for 25 years at a reasonable rate on an understanding with Government may be withdrawn and further refined for the production of higher priced kerosene and petrol which is more profitable to the companies concerned. Thereby the consumer is likely to find himself without the cheap oil which is his mainstay.

These were the real points and they were never actually refuted in the debate. Arising out of that point, there was an incident which the Group

took rather to heart. The Honourable the Commerce Member, in his reply to Mr. Lamb's speech, suggested that this Group sought to press Government to a favourable treatment of the European interests over Indian interests. That, Sir, has never been the position of the European Group and never will be. All we seek from Government is just treatment. As a Britisher, I am well aware of a trait in the British character which leads them to be rather severe on their own people for fear of being charged with favouritism. That is a position which I meet every day in India and which I believe is incorporated to a certain extent in the present measure and which was given voice to in the remarks of my friend the Commerce Member. We do not want you, in your endeavours, to be impartial, to weigh the scales against the European interests, but simply to do your best to treat all with equality and justice.

Mr. President: Order, order.

Colonel J. D. Crawford: There was one further incident, Sir, which arose during the various discussions on these measures, and with your permission I would like to say how much we regret the incident which arose from my colleague Mr. Lamb's remarks concerning the position of Mr. Birla. I feel sure that if my Honourable friend Sir Purshotamdas Thakurdas will read the official report of the debates he will get the impression that there was no insinuation in Mr. Lamb's remarks. In any case no insinuation was intended.

Finally, Sir, I think the Group would like to congratulate the Honourable the Finance Member on the skilful handling of this Bill to the present stage, and to add that we all hope that he will be equally successful in the final stage.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, before I commence the very few remarks which I wish to make on this third reading. . . .

Mr. President: Does the Honourable Member wish to speak on the motion?

Sir Purshotamdas Thakurdas: I have a few additional remarks to make, Sir.

Mr. President: I thought the Honourable Member wanted to say something in reply to Colonel Crawford.

Sir Purshotamdas Thakurdas: I am beginning with that, Sir. I wish to deal with what the last speaker wound up his speech. In view of the explanation given on behalf of the European Group by Colonel Crawford, and the assurance that in any case no insinuation was intended against Mr. Birla in the remarks of Mr. Lamb, on the 20th instant, I have no hesitation in stating on the floor of the House, that I would not have made the remarks I did on 21st instant except under that impression and provocation. I regret the incident equally with the European Group, as stated by Colonel Crawford; and in this controversy, if I happen to have hurt the feelings of any of my friends on the European Benches I assure them that I regret it also. (Applause.)

Sir, regarding the Finance Bill proper, I have, as I said, very little to add. I fully realise that, in spite of Government having, during the last few years, carried measures against the popular wishes, this House has

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this year voted extra taxation. The Honourable the Finance Member has held out a hope that the Government of India are formulating a new policy for the economic development of the country and one would, with interest look forward to what the Honourable Member is likely to achieve during the next year or within the next two years. But I feel that the best development of India under the present circumstances can be by making India self-contained in the sense of utilising her raw materials for the purpose of manufactures which she imports from abroad. I know that this is liable to the construction that a policy of that nature presupposes high tariff. But I would like the Honourable the Finance Member to point out to this House any instance of a country which has vast resources of raw materials which that country does not utilise and which it continues to export, and in return imports articles which she can manufacture within her own boundaries with a little effort on the part of the public and reasonable facilities by Government. As far as the public are concerned, there is not the least question of the public having the necessary enterprise to take to such manufactures. All that is required, to my mind, is a change in the policy of the Government of India as it has been till now. Take the instance of sugar alone. The duty on sugar has been increased to what works out now to 100 per cent. on the present prices. It is quite true that a good deal of research work is being done regarding larger production of sugar, as far as our agriculture is concerned, and I understand that there is a committee sitting for the purpose of investigating how the production of sugar within India can be increased. What I think is immediately necessary is assistance to the manufacturer of sugar in the direction of giving him more finance because during the last three or four years at least most of the sugar manufacturers of India have been working their factories at a loss. I understand that a good deal of facility is required for better and economic transport of sugar-cane from the field to the nearest factory. And I suggest to the Honourable the Finance Member that a part of the increased revenue which he will get from this source may usefully be employed in advances to sugar factory owners on terms which will give them real relief.

I have, Sir, only one more remark to make, and that is regarding what fell from my Honourable friend, Mr. Nilakantha Das, in connection with the Banking Enquiry Committee. In the ordinary course, as an office-bearer of that Committee, it would not be right for me to refer to the work of that Committee, whilst the work of the Central Banking Enquiry Committee can be said to have not even yet commenced. But my friend, Mr. Nilakantha Das, made some remarks in regard to the work of the Provincial Committees, and he particularly referred to the work of the Committee in his province of Bihar and Orissa. I have had the opportunity of seeing the work of that Provincial Committee at comparatively close quarters, when I met the Chairman and the Secretary of that Committee at the Conference which was held in last January at Calcutta. I can assure my friend, Mr. Nilakantha Das, that if any committee that has worked till now in any province is doing useful work, Mr. Nilakantha Das can rest assured that the Provincial Committee he referred to, the Bihar and Orissa Committee, will turn out work which will merit the admiration of even Mr. Nilakantha Das. I cannot help giving credit where, to my mind, it is due and even more than due. The Provincial Committees have worked wholeheartedly and will present a picture of the

economic conditions in the various rural areas of the country in a manner which will be found to be most useful. I feel that I should be failing in my duty to these Committees if I do not make these remarks in view of what fell from Mr. Nilakantha Das which is due more, I think, to want of knowledge of what they are doing than a genuine desire to criticise their methods of work.

Mr. M. S. Aney: Sir, the first and uppermost thought that must have been present to the minds of all the Members of this House today is one of regret at the absence of the Leader of the Opposition, the Honourable Pandit Madan Mohan Malaviya at the discussion of the third reading of the Finance Bill, which has been a day of national indictment in which he has been taking a very prominent part every year. In fact, it may be said that he has been the pioneer of the method of asking this House to reject the Finance Bill. If, as you, Sir, once said in very felicitous terms, the credit of having the Finance Bill presented to this House by the Government was due to the anxiety of your illustrious predecessor to introduce the conventions of the British Parliament in this House, I may say the credit of creating an effective Parliamentary opposition to that Finance Bill is due to the Honourable Pandit Madan Mohan Malaviya, who, in the year 1924, had come out with the resolve of moving for the rejection of the Finance Bill. And since that time, the third reading of the Finance Bill has become an annual national day of indictment of the Bureaucracy. This has been the feature of the third reading of the Finance Bill and, therefore, it is very natural that most of us, who have been used to hear the most eloquent and fervent appeals from him on those occasions, should feel that today we are missing those eloquent and soul-stirring appeals.

Sir, so far as the attitude of my party is concerned, it has been already declared by my Honourable friend, Mr. C. S. Ranga Iyer. We have decided not to support this Bill. That is our attitude. Even if we had gone further, as we had gone sometimes, it would have been perfectly justifiable. What the implications of the motion for the rejection of, or opposition to, the Finance Bill are, have been, in a very learned and eloquent speech, described by my Honourable friend, Mr. N. C. Kelkar. His learned dissertation on the constitutional aspect of this question, as the Honourable Members know, elicited a very friendly but a sarcastic retort from my Honourable friend, Sir George Schuster, that he would like to have some sort of teaching in his class.

The Honourable Sir George Schuster: I assure my Honourable friend that I did not intend to be sarcastic. I intended only to be friendly.

Mr. M. S. Aney: I am very glad to hear it. I thought he was sarcastic. I am only sorry that my friend, Mr. Kelkar, may not find the time to open a class for his benefit. I would not therefore like to go into that question of the implications of an attitude of opposition to the Finance Bill. Sir, this Finance Bill, or rather the third reading of the Finance Bill, naturally opens up a field for discussion to which an individual Member will be unable to do justice within the limited time. My Honourable friend, Mr. Amar Nath Dutt, has just now observed that, if one is allowed to have a full say on the subject before the House, even a year's time will not be sufficient. Some may take it as extravagant, but there can be no question that any adequate discussion of all the questions opened is impossible for any individual Member within the limited time at our

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disposal. Notwithstanding that, we have to summarise our observations in as brief a manner as possible so as not to be a bore to the other Members of this House and also to leave a reasonable margin to other Members for a proper share in the discussion in the course of this debate. Therefore, I will not like to go into all the details of this administrative system and discuss them at length. In fact, I shall try to limit my observations as far as possible to the Finance Bill and the Financial problems or the administrative questions that are closely allied to the proposals in the Finance Bill.

Sir, the present Finance Bill appears to be a Bill of a most challenging nature. I will explain what I mean. In the first place, this Bill is not like an ordinary Finance Bill which we have been used to, by which the Government generally come forward and ask us for supplies on the basis of taxation already existing for a long time. This is a Finance Bill in which the Honourable the Finance Member, for reasons of financial exigencies, which he has explained in his budget speech, comes forward with proposals of fresh taxation to the tune of nearly five crores and a half. This means, in the first place, that he thinks that, notwithstanding the cry regarding the impoverished condition of the people of this country, it is possible for him to recover from the people of this country 5½ crores without causing any inconvenience or without causing any material distress. That is the implication of a Bill like this. Secondly, it also means, notwithstanding the cry of the people that they are not in a mood to co-operate with this Government, there is a spirit of co-operation on which the Finance Member can easily rely for the recovery of this money. These are the two implications in the Bill. In fact, my Honourable friend, Sir George Schuster, in the course of the budget speech, casually referred to a passage in the speech of my Honourable friend, Mr. N. C. Kelkar, made one year ago, in which he observed that the spirit of co-operation was dead partly due to the action of the Government, and so on. The Honourable the Finance Member controverts the allegation and asserts that he has got abundant proof of the spirit of co-operation in this country. I believe that the course of events which have been and are being enacted before our eyes during this fortnight, references to which are being made in bold type in the newspapers, must have disclosed to him certain grounds to revise his opinion. That is what I feel. More than that, I would not like to refer to that matter at this stage. I am sure he is a very shrewd and careful reader of the newspapers, and clever enough to draw proper inferences from the events which he reads. And I am confident that the course of events which are now being reported every day could not have altogether failed to make an impression on him, and he would find therein abundant reason to revise his opinion about the existence of the spirit of co-operation in the country. I say further, whatever little spirit of co-operation there might have been in this country at the time when he presented his budget proposals and introduced his Finance Bill, after the presentation of the Budget and because of the proposals in the Finance Bill itself, that little spirit of co-operation must have become dormant if it has not altogether been killed, and in its place another spirit, a spirit of anti-co-operation or non-co-operation must have been awakened by the striking things that are taking place outside. That is the position today. We are considering this Bill in the midst of circumstances of this nature the gravity of which it is for the Treasury Benches to realise fully before they mean to give a fair trial to the various proposals of taxation that

have been incorporated here. Sir, when I say this, I mean that the Members on the Treasury Benches should make themselves sure of the existence of that abundant spirit of co-operation a belief in which was responsible for the numerous proposals of taxation which my Honourable friend has incorporated in the Finance Bill that he has presented to this House. That hallucination is the basic fact on which he has built up and worked out his proposals. Then he has appealed to us for sympathetic consideration solely relying upon this assumption of the spirit of co-operation, which, I say, is not a fact, but only a fiction. Even if it was a fact, then I assert that the little spirit has been completely washed away by the flood of repressive methods which the Government have since adopted. It is after that he has appealed to us saying that it is on financial consideration alone that he has found it necessary to approach this House to approve his taxation proposals. He is asking us to give supplies, not only the ordinary supplies that he can get under the existing scale of taxation, but additional supplies to the extent of something like Rs 5½ crores according to the new scheme of taxation proposed in the Bill. The reason he has given is that the expenditure has now arrived at a stage which cannot be balanced on the present level of our receipts. What he means by balancing the Budget is this: our receipts are stabilised, expenditure has grown up which cannot be curtailed, and therefore some more sources of income must be explored, and these are the sources which the Finance Member says he could tap. That is the meaning of the taxation proposals which he has placed before the House. Now in the first place, he has made a fervent appeal to the House in his speech calling upon the Members to give him all the assistance they can in scrutinising very carefully the items of expenditure and suggesting means of economy. He particularly referred, when he was dealing with his Budget, to the question of expenditure under civil administration and said that here was something which the Honourable Members of this House should carefully scrutinise and make such suggestions as they can.

Now, Sir, my grievance against the Finance Member is this. Before he made this appeal, he should not have committed himself to certain and fixed positions. My grievance is that, so long as a highly paid foreign Bureaucracy is considered as indispensable for the administration of the country in all Departments and so long as the maintenance of a foreign army of occupation is deemed indispensable and always maintained on a war footing, it is difficult for Members on this side to suggest adequate and effective remedies of economy and retrenchment. That is indeed a very difficult handicap on the critics, but I am prepared to go with him to examine the position of expenditure under Civil Administration itself, because that is the one point on which he laid great emphasis in his speech. I would only draw his attention to this fact as to what is the position of expenditure under Civil Administration itself during the last few years. I will take the figures of net expenditure given in Appendix I to the Explanatory Memorandum which he has supplied, along with the budget papers. Honourable Members on this side of the House will find that this expenditure under Civil Administration has risen from the year 1923-24, from 8 crores 65 lakhs to the year 1928-29, which is the last year for which we have accounts available, to 10 crores 43 lakhs in the revised estimates and in the Budget of 1930-31, the figure is 12 crores 20 lakhs. That is the position. Of course in the speech the Honourable the Finance Member has tried to give some explanation about the increase of expenditure over the revised for the current year. He has given certain

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reasons, but he has asked the attention of this House to be concentrated upon certain items which are mainly responsible for the increase of expenditure under this heading over the revised estimates for the current year. I will deal with the latter if I think it necessary at a later stage of my speech. What I think necessary is to point out that, from the year 1923-24 to the year 1930-31, we find the amount increasing to 12 crores 30 lakhs from 8 crores 65 lakhs; that is, an increase of 3 crores and 65 lakhs in this one item of expenditure alone.

Now let us see what the position of revenue is during these years. Under receipts—the figures of net receipts which are given here—I take the same set of years for comparison—the position as regards net revenue is like this. For the year 1923-24 the net revenue was 85 crores 65 lakhs, and in the account year 1928-29 it was 82 crores 70 lakhs. I would ask Honourable Members to bear in mind that, during all these five or six years, we find only two years in which the position under net receipts has improved, but in all the remaining years it has been a position of gradually reducing receipts. That is the position we find here. Well, during those years, while there was gradual reduction in the receipts, we find the expenditure under this one head increasing to the extent of more than three crores and a half. Now, Sir, I am not inclined to go into the figures of total expenditure for these years, simply because, under certain arrangements, my Honourable friend the Finance Member is already committed in regard to military expenditure up to the year 1932-33; since he has committed himself to that position it is useless for me to go into that position or to say how the military expenditure could be managed with a less amount. This question was alluded to last year in a speech which I made in support of the cut motion on Military demand moved by the Independent Party. What I want particularly to draw the attention of this House to is this. Is the increase accounted for solely on the ground that Government have found it necessary to spend all this money on the nation building departments and thus increase the expenditure under Civil Administration? Any rise in expenditure under Civil Administration could be tolerated by this part of the House only if we found that that increase was mainly due to increased expenditure on what may be described as nation building departments. Now, Sir, for that purpose, I shall draw the attention of the Honourable the Finance Member to certain figures. This expenditure on Civil Administration, according to the budget papers, is made up of more than seven or eight items mentioned in the Budget itself. If we analyse the figures for these items, Honourable Members will find that the expenditure for the Frontier Watch and Ward is included in the expenditure under Civil Administration. Now, for the sake of getting all the figures of expenditure under Frontier Watch and Ward, Honourable Members will have to run over a number of Demands contained in the big volume; it is not found in one place at all. There is one non-votable item, Frontier Watch and Ward. Besides that demand, this expenditure under Frontier Watch and Ward is to be found distributed under North West Frontier Province and Baluchistan and other frontier provinces, and so on. When all these figures are grouped together, I find the position is like this, that this expenditure in the budget year 1930-31, which has been provided for is Rs. 2,78,38,000. That is the position. It was Rs. 2,54,37,000 last year. There is an increase of 24 lakhs in this one item of expenditure alone during this year. Then there is another Demand in which we find an increase. That is the Political Department. I know

there is something said in justification of the increase in the Standing Finance Committee's proceedings about this expenditure, but I am concerned-at present in bringing to the notice of this House the increase in the expenditure under Political Department. Now the amount shown in the budget proposals is Rs. 1,74,90,000, while the revised estimates were Rs. 1,58,71,000 in the Political Department. Then there is Aviation where Rs. 31,78,000 have been provided for, while for the same Department last year the provision was only Rs. 5,37,000,—there is an increase of Rs. 26,39,000 under this head. Now, all these expenses put together would by themselves amount to not less than Rs. 65 lakhs, while the increase in the total expenditure on what can properly be described as nation-building departments, such as Education, Medicine, Public Health, Agriculture, Industries, and so on, has not been more than Rs. 20 lakhs. This is the very first test by which we can scrutinise the figures for all the five years which I have mentioned and if I had the time I would have scrutinised the figures to prove that the expenditure on the nation-building departments has during this whole period been very meagre. The Government of India has been very miserly in allotting sums for the nation-building department; while during the same period there has been an extravagant increase in all the other departments under civil administration such as the Frontier Watch and Ward, and so on. Notwithstanding some disturbance in Afghanistan which brought about a change of sovereigns, the conditions on the frontier are normal, and it is on that ground I believe that our Honourable friend Sir Abdul Qaiyum suggested that this was the proper time for the introduction of reforms in the North West Frontier Province. That being the case, we should like to know, no explanation having been supplied to us either in the Explanatory Memorandum or in the speech of the Finance Member, as to why expenditure under these heads has been mounting up in this manner. Or is it that the reduction which is alleged to be made in the military expenditure in certain minor details had to be compensated for by an increase in the name of watch and ward by creating another civil army on the frontier? What is the real position? So, Sir, so far as the expenditure of the civil administration itself is concerned, there is considerable room for retrenchment, and that is the main point which I want to bring out.

After that I shall proceed to deal with another point of great importance. Honourable Members will find—of course that is a point which has been worn out in this House—that the total expenditure of the Government of India—I am only speaking about the Central Government—comes to about 134 crores. That is put down at this figure in the Budget, and what is the total amount that is presented to the vote of this House? It is only 40 crores and odd. Out of a total expenditure which they mean to incur during the year to the extent of 134 crores according to their own statements, which are presented to us, this House is entitled to vote on an expenditure of only 40 crores. Similarly if you take the receipts side, what is the exact ratio which is being recovered by way of taxes on the vote of this House? All the amount that is covered by the Finance Bill is the only amount which is recovered by the Government with the consent of this House, and the remaining receipts, which they can recover on the strength of the executive power which they have got, are still there. Even as things as they are, the total amount they recover will come to much more than what is stated in the Budget. For example, in the Railway Department itself, they get revenue to the extent of something like 130 crores; and of this, after making the necessary deductions, only a part is brought

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down by way of contribution and net receipts to the general receipts of the Government of India. So out of the amount realised by the Government in the form of taxes, either direct or indirect, only an infinitesimally small fraction is placed before the House in the form of this Finance Bill and they say, "We have come before you for supplies". I am perfectly sure the Government of India know that not only can they get these supplies, even if the House does not vote for them, but they have got other ways also of getting the major portion of their supplies without the vote of this House. So long as the position is what it is, my friend Mr. Kelkar was perfectly justified in saying that the presentation of the Budget as well as the presentation of the Finance Bill is more or less a formal affair, and if that is a formal affair, our opposition to it is also solemn and sincere. Sir, this House has been crying to get a right of voting on every pie which the Government of India want to recover by means of taxes and spend in this country. So long as that right is not conceded to us, this House has got a right to record its protest in the only constitutional manner in which it can do so. This year we have decided, Sir, not to support the Finance Bill, and we want the Government to get it passed on their own strength and on the strength of the votes of the official block as well as of such others as are enamoured of this Bill.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

Then, Sir, the last point which I wish to deal with is this. When the Government of India are proceeding to recover such a huge amount by way of heavy taxes, I want them to understand that the people are not in a mood to pay such heavy taxes, and the recovery of those taxes will cause a ferment in the country; it will cause trouble which may add to the tumult and turmoil already created by so great a man as Mahatma Gandhi. Your taxation proposals will go to aggravate the situation, rather than bring some relief to the people. I have already referred to that point more than once in the course of my speeches in this House, but the point is of such great importance that it deserves to be repeated more than once. I repeat that the Government of India should have been very cautious in framing their taxation proposals this year, particularly when they had sufficient notice that a huge campaign of no-tax was going to be launched. They thought that the promise which they had held out of summoning a Round Table Conference would bring about a complete change of mentality; they thought that it would be a temptation enough to drown the spirit of the people and wean them up from the campaign, to which an impulse has been given by so great a personality as Mahatma Gandhi. I may tell the Government that there are people, and a very large section too, who sincerely feel that Mahatmajī's campaign should prove a success, and if the Government of India do not take to counsels given by very responsible Members and mend their ways in time, I may tell them, notwithstanding their genuine desire to bring about a Round Table Conference to discuss the future constitution, and notwithstanding the honest desire of a certain section of the public to reciprocate in the belief of getting Dominion Status, the whole thing might turn out to be a grand fiasco to the standing discredit of the Government of India and to the entire discomfiture and unutterable woe and distress of the poor tax-ridden and miserable masses of the country. In these circumstances, Sir, I am unable to support the Finance Bill which is before us now.

Sir Darcy Lindsay (Bengal: European): I move, Sir, that the question be now put.

Dr. Ziauddin Ahmad: Sir, I am not in favour of paralysing the Government, but I have got very genuine grievances against the Government, and I see no alternative but to oppose the present Finance Bill as this is the only method by which I can express my feelings against the Government. Sir, one gentleman the other day remarked that the Finance Member was a heartless being. But to my mind a Finance Member is not void of heart, but he has got two hearts; one of them begins to operate when he looks into the expenditure side, and the other begins to operate when he considers the income side and begins to search the pockets of others. It is just what we find in this Bill. I appealed several times to the Finance Member to provide some money for enforcing primary education in the country. This has been before the Assembly and before the Imperial Council from 1911, but the Government have not given serious attention to the matter. I expected that either the silver or the sugar duty would be ear-marked for the expansion of primary education throughout British India and the money ear-marked for primary education should be given to various provinces according to their requirements.

The second thing about which I appealed several times, but about which I had no response from the Government, is about the change of policy in education. One may say that education is a transferred subject and that the Government of India have nothing to do with it. No doubt the detailed administration is under the provinces, but the general educational policy, I maintain, is and should be in the hands of the Government of India, in the same manner as the agricultural policy is in the hands of the Government of India.

The third grievance about which I have to speak is about the Sarda Act. Some people argue that we Mussalmans on this side of the House are in favour of early marriages. That is not the case. It is the other way round. The Muhammadans never had the practice of early marriages. The important point on which they lay great stress is that the Government have begun to interfere with our Shariat, and that is the point on which we are going to oppose it. It is rather unfortunate that the Government did not have the correct opinion about the feelings of the Muhammadans on this particular point, and it is becoming more and more apparent that the Muhammadans will on no ground tolerate any kind of interference in religious matters. Some people ask, "Why are you opposing the Bill when it is not against the Shariat". In reply I relate a story: A fowl died in the house of a person and he began to cry and weep. When persons in the neighbourhood asked him why he was making such a great howl in regard to such a tiny matter, he said "The Angel Israel has seen my house and I do not know what may happen tomorrow". We oppose this because of a feeling in our mind that we do not know what may happen tomorrow. It is this feeling which urges the Mussalmans to oppose the Bill tooth and nail. We have got the example of the Cawnpore mosque. People at that time said that it was a small matter, why did we make all this trouble about the mosque. Had it not occurred, most of the mosques in New Delhi would have disappeared.

Sir, the next point I should like to take up is the Skeen Committee. I hope I am not revealing any of the secrets of the Committee when I say that certain Members in that Committee wanted to go much further

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than the recommendations of that Committee, but they withdrew their liberal recommendations simply on the ground that they should present a unanimous Report, as the chances of its acceptance would then be more promising. Had they known beforehand that Government would not take any note even of the unanimous recommendations of the Committee, which was presided over by no less a person than Sir Andrew Skeen, but would shelve the Report, many Members would have written a Minority Report. Some persons said that most of the recommendations of the Skeen Committee have been given effect to. I have read these recommendations once again, and I find that nearly all these recommendations are still in abeyance, and it is surprising that these recommendations, which were unanimous and which had been repeatedly demanded by this Assembly, have not yet been given effect to.

The next thing on which I have a grievance is the reform for the Frontier Province. We carried this particular question without a division, and I am sure that my Honourable friend Nawab Sir Abdul Qaiyum will never get his reforms by always voting with the Government. There may be a chance of getting them by opposition to the Government.

The next point is the protective duties. There are two ways by which one can exercise protection. One is that we impose heavy duties on our imports. The second thing, which is equally important, is to encourage the home industry by giving it some kind of bounty. Taking the case of sugar which has been very much discussed, it is not enough for the encouragement of the sugar industry if we impose duty on Java sugar. It is equally important that we must subsidise the cultivation of sugar-cane in various provinces. If the sugar-cane cultivators are helped, either in the shape of remission of revenues or in cash, then the sugar crop will grow and the sugar industry will develop in various provinces.

I should also like to draw the attention of the Assembly to the exchange ratio of 1s. 6d. This is not the time to raise that particular question, but the finances of India will be relieved if the Government of India reduced the ratio to 1s. 4d.

It is rather unfortunate that one speaker has drawn the attention of the Assembly to the work done by Sir Muhammad Habibullah. I think he has done a great disservice to Sir Muhammad Habibullah by repeating these facts this morning. He would probably be nearer the truth if he had substituted, for the words "Sir Muhammad Habibullah" the words "Mr. Bajpai".

Mr. K. C. Roy: On a point of order. May I say that not a word was meant or even implied against Sir Muhammad Habibullah?

Mr. Deputy President: That is not a point of order, Mr. Roy.

Mr. K. C. Roy: I know some of the rules of the House.

Dr. Ziauddin Ahmad: I want to leave it at this point. I leave it to the mathematical Members of this Assembly to draw mathematical equations from it.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): What is the formula?

Dr. Ziauddin Ahmad: Let us discuss it outside.

I next want to draw the attention of the Government to the communal fights which are going on between the Hindus and Muhammadans. I took the opportunity to examine some of them, and I discovered that, in a majority of cases, the Government officials were in the wrong. (Hear, hear.) Had the Government officials taken the right action at the right moment, then most of the troubles would have been avoided. I wish therefore that, whenever these troubles occur, we should not only bring the Hindu and the Muhammadan culprits before the Court, but some kind of tribunal may be appointed to consider the conduct of the Government officials who will be found to be in the wrong, and if Government officials also are brought to task, then most of the communal troubles, which we hear so much will disappear.

Sir, the next point that I wish to draw attention to is the repeated recommendations made by my Honourable friend Mr. Gaya Prasad Singh about income-tax. I think he has drawn a very good illustration that, if the income of a person is Rs. 1,999, he has to pay no tax, but the moment his pay is increased by Re. 1 to Rs. 2,000, he has not only to pay income-tax on the increase of Re. 1, but also on the entire amount of Rs. 2,000, which is unjust and I hope the Honourable the Finance Member will look into this matter.

Nawab Sir Sahibzada Abdul Qaiyum: How does that compare with land revenue?

Dr. Ziauddin Ahmad: The point I wish to bring to the notice of the Government is that if the income is raised beyond a certain amount, then the tax should be levied on the increased amount and not on the entire income.

Mian Mohammad Shah Nawaz: What about land revenue?

Dr. Ziauddin Ahmad: This point I would leave to my Honourable friend to develop.

Now, I come to the Round Table Conference, which has been so much talked about. Sir, there have been different ways of expressing loyalty to the Government at different times, and now the way in which we express loyalty in these days is (1) that we should have full Dominion Status and (2) we thank His Excellency the Viceroy for having invited this Round Table Conference. These are the two formulae by means of which we express our loyalty to the Government. Let me examine rather more closely this proposal of Round Table Conference. First, I take up the Muhammadans. The Muhammadans no doubt have represented their views before the Simon Commission and they stated all they had to say. And whenever they go to the Round Table Conference, the Muhammadans would only say that they have already said it. They may further paraphrase the memorandum which was presented to Sir John Simon and also paraphrase the famous Minute of Dissent of Dr. Suhrawardy, which somehow, in spite of repeated requests and questions to the Honourable the Home Member, has not seen the light of day and no reply is forthcoming. But still as far as the Muhammadans are concerned, they will only repeat what they had already said.

Now, as regards the other side, there is a very substantial opinion not only shared by persons labelled as extremists, but also by moderates. They say that the solution for India's problems lies in India and not in England. This is the opinion expressed to me by Mr. Manchurji Bhowmagari when

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I met him in London in 1928. He said "Why do you bring so many deputations to this country?" From his long experience of Indian politics, he was of opinion that India's solution lay in India itself and not in England.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): That was two years ago.

Dr. Ziauddin Ahmad: I suppose the opinion, which he expressed two years ago, will prove more important after the experience of the last two years. Now the only persons who should be very pleased are those who were tired of the agitation against the Simon Commission and who found a way to come out of it. These are the only persons who ought to be very thankful to the Government and proud of this new situation. At any rate, as far as the Muhammadans are concerned, we will never oppose a movement of this kind. We will always co-operate with the Government, we will co-operate with the All-Parties Conference, we will co-operate with every section of the Indian community, and we will lay our just and genuine demands before them, and try to work out a future constitution for India, which may best suit the people, and a constitution which may benefit not one particular section, but may benefit every section of the people residing in this land.

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): I am grateful to you, Sir, for giving me this opportunity to take part in the debate and make a few remarks here in this connection. I will not follow the examples of my Honourable friends who have indulged in diatribes of various kinds and sorts about the ills with which the Government of India are afflicted, but I should confine my observations to one or two matters which have fallen from some of the previous speakers. This morning our Honourable friend, who represents the Rohilkund and Kumaon Divisions Non-Muslim constituency in this House, while talking about delivering the goods in connection with Round Table Conference, referred to Mr. Gandhi as the person who can do it, but, Sir, I have my own doubts about it. Mr. Gandhi is a very great man, perhaps one of the greatest Indians living in our time, and there are lots of people who are of his way of thinking. Mr. Ranga Iyer opined that Mr. Gandhi alone would be able to deliver the goods at the Round Table Conference to the British people. I have great doubts about it myself, because, knowing as I do most of the people living here, especially the Muslims, I must say honestly that it will not be possible for Mr. Gandhi to deliver our goods because his creed is different from ours. If the Government have wisdom in selecting our people to represent our story before the Round Table Conference, they will select noblemen like Mr. Jinnah and Nawab Sir S. Abdul Qaiyum Khan of the Frontier Province.

Pandit Nilakantha Das: Do you represent all the Mussalmans in India?

Mr. Anwar-ul-Azim: Yes, I voice their sentiment here. I have the support of the Muslim League behind me.

Lieut.-Colonel H. A. J. Gidney: Do you include all the minorities?

Mr. Anwar-ul-Azim: In India there are two classes alone. Muslims and Non-Muslims. Sir, there is one other matter, rather disconnected with

the purpose of this proposal, and that is the much maligned reformed constitution which has been allowed to work here in this country from 1921. I find, Sir, some, not excepting even responsible men like Mr. Kelkar, committing this folly. They are here as the result of that constitution of 1920. They are here as a result of that open-mindedness, if I may call it so, of the British public and they are here in this House as a result of the constitution that was evolved by the genius of the late Mr. Montagu and Lord Chelmsford. But what do they do here? In season and out of season, we hear condemnation of this constitution. May I pertinently ask my Honourable friends, who have come into this House by that constitution, how they can decry the very constitution which has enabled them to come here, and why, in spite of their decrying it here in season and out of season, the very constitution is growing strong and that with the help of Swarajists and Nationalists?

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadian Rural): Is the Honourable Member himself satisfied with the present constitution?

Nawab Sir Sahibzada Abdul Qaiyum: It is the constitution under which you have come to this House.

Mr. Anwar-ul-Azim: Now, Sir, I have no quarrel with anybody, least of all with a man in the position of Mr. Kelkar, because of all the people to my right, I think the Responsivist Group have got some vision of judgment in them. That, however, is by the way.

Last year when I was talking on the third reading of the Finance Bill, the Honourable the Finance Member found fault with me, because I dilated a little on the ancient history of the Moghuls. I said that it was the Moghuls who had granted trade facilities to the forerunners of the Honourable the Finance Member here in this country, the East India Company, and as a result of those facilities, were able to kill the Portuguese and Dutch trade in the Gulf of Martaban. My only purpose was to remind Government that, perhaps at one time they were given good treatment by our forefathers and now, when we are fallen on evil days, perhaps the old associations and old memories might help them to come to our just aid and assistance. I remember that, immediately after me, a sigh of relief was heaved by my friend Mr. K. C. Neogy, who said that we were now relieved of this old story and we might go for a second to the Finance Bill. If Mr. Neogy was actually an impartial critic, he would surely have taken exception to our friends on my right, who last year and this year have been indulging in things which are not connected with the Finance Bill. This afternoon, Sir, you will remember that some flings were made at our expense by the Honourable Member from Burdwan. I do not think I can go down to his level of abuse, and I think it will be better if I leave him severely alone at that stage. My purpose is this; it is not that we cry for the moon, it is not that we want anything at the expense of others. What we cry for is this, that our just and legitimate demands in all spheres should be respected and considered.

Now, Sir, coming to the Bill itself, I might pertinently make one observation with regard to the items which form part of it. From the very lucid statement which has been put forward for our consideration by the Honourable the Finance Member, it appears, on the face of it, that perhaps the proposed taxation demanded by him are for purposes for which we have all been clamouring. On a reference to paragraphs 88—89

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onwards, you will find that he has distinctly stated that, out of the revenue that will be accumulated, he expects some surpluses which will be utilised for the coming reforms. My friends on my right have observed that, even they can read between the lines of what the Finance Member said in his budget speech. If these paragraphs are taken impartially, they can easily see that some sort of change is coming on in the administration of the provinces, and for that purpose, some amount of money will be needed. If we cry for being Ministers and Executive Councillors on the one hand, and at the same time decry Government with reasons, plausible or otherwise, I do not see how we can call ourselves consistent. Because you know that we cannot possibly have the cake and eat it at the same time. If you mean to follow the example of England here, you must pay for it. You could not possibly have a panchayat or *baitakkhana* gossip and run the whole administration on those lines. So I say that some of the items of taxation, which have been put forward in the Finance Bill, are justifiable.

I would like to refer to one other matter and that is in connection with one or two remarks which fell from the Honourable the Finance Member in reply to the speeches made during the budget discussion. Referring to the members of the Standing Finance Committee, he said that gentlemen who form the personnel of that Committee should be rather intelligent exponents of the case of Government so far as the financial side is concerned. I think it is a very legitimate demand on his part to make of those Members who are on the Finance Committee. So far as that Committee is concerned, I do not know much. I am sure quite a lot of intelligent gentlemen have been sitting on that Committee, and I am sure they try their level best to grasp the things put before them. But it seems to me that there is some sort of a hide-and-seek policy so far as the formation of these Committees is concerned. If you analyse the past history of the formation of the Railway Finance Committee, you will find that there are many gentlemen who are not only not conversant with the railway side of finance, but are absolutely innocent of any ability to take any part in the proceedings. That is the state of affairs in some of the committees which are formed, and I am sure I need not say very much so far as the selections to other Committees are concerned. They show such a lack of imagination. What about the Banking Enquiry Committee, and others of that kind? In the budget speech of the Finance Member he has very eloquently pleaded the cause of the provinces, and also for their agricultural populations. He says that, for agricultural development lots of things are necessary and they will require lots of money. May I not pertinently ask him whether it should not form a very important matter for discussion whether these provinces should be given some power of original taxation and not rely for the success of their administration on the good graces of the Government of India?

Last of all, I agree with the Deputy President with regard to our general story in all its bearings and spheres. It seems to me that, unless certain cases are threshed out here on the floor of the House they do not generally draw the attention of the Government of India. I for one should have thought that, if the Government of India, as such, meant business, then they, out of their own initiative, would have looked to things which were likely to be beneficial to all and not have created this annual discussion which sometimes causes acrimony. I do not think, Sir, I shall be justified

in taking any more time, except that I reiterate what I have said on other occasions on the floor of the House, on the cut motion of Mr. Kelkar and on the Demands for Grants. Last of all, I wish to say, without showing any disrespect to you, Sir. I think you were rather hard, while talking this morning, about a Muhammadan gentleman whose name was not mentioned. (*An Honourable Member*: "Nameless".) Yes, but of course he has been found out and he is practically nearing the time to retire and I do not think we shall be right just to let him have an impression that we did not wish him well at the time of retirement. One other matter, which is absolutely personal, but I should like to mention it. So far as Mr. K. C. Roy is concerned, he is a distinguished Honourable colleague of ours.

Mr. Deputy President: Nothing about Mr. K. C. Roy. Personalities are not to be discussed here.

Mr. Anwar-ul-Azim: With these words I close my speech.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, I desire to make a few observations though at this late hour. My reason is that the debate, as I understand, has been wrongly conducted for this reason, that it would be showing a great deal of irresponsibility if we, at this juncture, reject the Finance Bill. The occasion which is given to us should be utilised, to my mind, for two purposes. One is honest criticism of the Government's work during the past year, and the other is useful suggestions for the future. If we can satisfy these two heads during this debate, I think the Honourable the Finance Member and Members of Government would feel very grateful.

Sir, I would like to mention, as regards the first point, that we have, according to my calculation, given more to the Finance Member than what he has actually asked in the shape of taxation. First of all, one point will make this clear, namely an additional duty proposed by Sir Purshotamdas Thakurdas, from 30 to 38 per cent. on silver thread, silver wire, etc., will certainly give the Finance Member an additional income. I, therefore, think, Sir, that I should draw the attention of the Honourable the Finance Member to this, that if there is surplus, he should not allow other departments as it has been the case in the past, to run extravagant expenditure because there is a surplus and they can spend it in any way they like. The Finance Member has, in his budget speech, on page 50, from paragraph 77 onwards, traced the whole of the present situation regarding the need for taxation, regarding the retrenchment in expenditure and the future outlook in the country, and I, Sir, having regard to his statement, will not allow a single pie to be spent more than what is absolutely necessary. Now, as regards the one point on which I think the Honourable Members here are feeling very dissatisfied, namely the consultation with party leaders, I think I am voicing the opinion of my Honourable friends here when I say that the system which is adopted by the Government of consultation with leaders is a system which has not met with the approval of many Members of this House. (*Hear, hear.*) Whilst they do not wish to discourage the policy of consulting with leaders, they must make it clear that leaders should not be made to keep strict secrecy about these matters and that they should be allowed to consult their followers. If they would do that, much of the criticism would undoubtedly disappear.

[Mr. Fazal Ibrahim Rahimtulla.]

The second point is that the large number of Members in this House at present do not belong to any party whatsoever. Then do I understand that Government desire to deliberately exclude these people from consultation? Or do I draw the inference that, by this system, they want to force every individual from belonging to one party or the other? I hope, Sir, that the Government will consider this aspect of the question, that whilst I have no objection to Government consulting the party leaders in arriving at a settlement satisfactory to every one, they will see that a grievance of this character should never be allowed to remain amongst the Members of this House.

Sir, I would like to congratulate my Honourable friend, Mr. Ranga Iyer, on his very able and brilliant speech this morning. I think, Sir, there is one point to which I take exception in his speech. In his enthusiasm he has told this House that it is only Mahatma Gandhi who can deliver the goods on behalf of India. Whilst I have very great reverence for Mahatma Gandhi and I do not wish to say anything which would directly or indirectly reflect on him, I must say, Sir, that at this juncture, at any rate, he does not enjoy the confidence of the Mussalmans of India. I hope, Sir, that whilst he is concentrating his efforts on the question of civil disobedience, and on the question of forcing Government's hands, he will concentrate on winning the goodwill and co-operation of all the minorities in India. If he were to go from here as the ambassador of India all by himself, with the goodwill and co-operation of all minorities, I have no doubt that with the ability and respect that he commands throughout this country and other countries, he would be able to secure for us a great deal more than any individual who went either in his individual capacity, representative capacity or collective capacity to the Round Table Conference. (Hear, hear.)

(At this stage Mr. President resumed the Chair.)

Sir, a great deal has been made out about the Round Table Conference. I have seen people holding out threats that if such and such a condition is not fulfilled, if such and such a thing does not happen, they will not go to the Round Table Conference. I want to say very clearly that Indians would commit a great blunder in their life if they do not go to the Round Table Conference unconditionally.

Mr. President: Without invitation?

Mr. Fazal Ibrahim Rahimtulla: We will be invited at least that is my information. I would like to point out that we have, times out of number in this House, said that the present Government are an irresponsible Government. We have times out of number pointed out that there are grievances of ours which the Cabinet Members either are not in a position to remedy or are prevented from remedying by persons who are not in India but who practically rule the Cabinet of India from England. I therefore think, Sir, that this is an occasion which should be utilised by every Indian for putting forward our views jointly, unitedly and with one voice, if we wish to secure an honourable place for India within the Empire.

Sir, there is one point which my Honourable friend, Maulvi Muhammad Yakub, touched this morning, and it was regarding the services. I should like to mention, Sir, in short, that our grievances in this matter are these,

that whilst Government have given us pledges—and one of these pledges was read out by Maulvi Muhammad Yakub as given by His Excellency Lord Reading, the *ex-Viceroy* of India, that, when there are vacancies, one-third of them should be allotted to the minority communities in India. I think in the case of Mussalmans that is a very wrong thing to do. The point that I wish to make is that every vacancy should be filled by the minorities until one-third of the total number in the services is filled by the minority communities in all the Departments of Government. That is the point at issue. If you go on filling one-third of the vacancies as they occur by the minority communities, you will never be able to satisfy all the minorities, and specially the Mussalmans of India.

Mr. President: Is the Honourable Member not satisfied with Lord Reading's pledge?

Mr. Fazal Ibrahim Rahimtulla: That pledge, as I read it, does not say one-third of the vacancies occurring, but one-third of the total number—employed in all the Departments. Another point, Sir, is this—and I think I am voicing the opinion of the minorities here—that the system of examinations that has been introduced in the Departments is merely a farce; it is a device which is deliberately made as an obstruction to the minorities getting employment in the Government Departments and to stifle public agitation. Government should lay down the minimum qualifications required, without any system of examinations, and they should also recognise the degrees of the Universities in this country. If they adopt this system, many of the grievances now prevailing would to my mind disappear.

Pandit Nilakantha Das: My friend proposes abolishing examination in recruitment. But what will happen if there are more than the required number of candidates even from the minority community?

Mr. Fazal Ibrahim Rahimtulla: We have more than the number required. Sir, another point that I wish to make is that Government should by no means adopt a policy of repression. This policy, instead of keeping the country quiet, will make the country greatly agitated, and the remedy will be worse than the disease. The only point, to my mind, on which the Government should concentrate their attention is the question of poverty and unemployment in India. They have, I am glad to say, brought forward a measure, namely, the Textile Protection Bill, which will secure employment for a large number of Indians in this country. (Several Honourable Members: "Question".) I do not wish to reply to my friends Mr. Das and Mr. Ghuznavi because I reserve my speech on this point for a later occasion when we shall be discussing the Indian Tariff Bill. At that stage my friend Mr. Ghuznavi, who has traced the history of the cotton industry in India, will have to hear something from me, but I do not wish to take up the time of this House at this juncture in discussing the Bill which is coming in a separate form and which is going to be debated on its own merits.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Why do you refer to it then?

Mr. Fazal Ibrahim Rahimtulla: I refer to it because it gives employment without allowing the textile industry to be ruined.

Mr. A. H. Ghuznavi: Question.

Mr. Fazal Ibrahim Rahimtulla: What is the use of questioning without telling us how you question. It is no use saying simply 'question' and sitting with folded hands. If Mr. Ghuznavi is able to prove that without special protection he will be able to save the industry, I myself will have nothing to complain.

Mr. A. H. Ghuznavi: Even after getting protection you will not be able to save the industry.

Mr. Fazal Ibrahim Rahimtulla: My Honourable friend's case is peculiar. He has got some grievance, centuries old, regarding the Bombay mills, and he does not deal with the reality of the situation, and unless he comes to the realities of the situation and leaves his grievances of 1905 aside, I do not think he will be in a position to tackle the merits of the Bill which is coming before this House shortly. Sir, I do not wish to take up the time of this House any longer. I again repeat we would be committing a great mistake if we reject the Finance Bill.

(Mr. Mukhtar Singh rose in his place.)

Mr. President: Does the Honourable Member from Meerut wish to speak?

Mr. Mukhtar Singh: Yes, Sir.

Mr. President: How many minutes does the Honourable Member want to take?

Mr. Mukhtar Singh: One hour, Sir.

Mr. President: I am sorry I cannot give the Honourable Member one hour.

Several Honourable Members: The question may be now put.

Mr. Mukhtar Singh: I will finish in 45 minutes, Sir.

Honourable Members: The question may be now put.

Mr. President: If the Honourable Member wishes to speak for fifteen minutes, I will allow him to do so.

Honourable Members: The question may be now put.

Mr. Mukhtar Singh: I will finish within fifteen minutes, Sir.

Mr. President: The Honourable Member cannot finish within fifteen minutes. Mr. Navalrai.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, in not supporting this Bill, I would like to draw the attention of the House to one or two policies of the Government. I will refer to the salt tax first. With regard to the salt tax, there has been a very grave, I shall say, the greatest resentment in the country. It has led to civil disobedience by Mahatma Gandhi. I would therefore not say anything more with regard to that. But I would draw the attention of the Honourable the Finance Member to a definite question with regard to the grievance of the fisher-folk belonging to the Districts of Malabar and South Canara. Sir, these

fishermen are on the coast and they have been making their living on fish. That fish is being salted, i.e., being cured with salt earth gathered from low lying saline fields. There was no salt tax in this, and these people used to cure their fish without any payment of tax. When the salt tax was introduced, these men also became affected by it; so they agitated and showed their discontent, and the result was that a yard system was created for supplying salt gratis to these people to cure their fish within these yards. Now, Sir, this did not come to the help of all the fishermen on the coast; it benefited only those who live near by these yards. They only could get their fish cured there but since then, they have been deprived of even that convenience by the management of the yards being transferred to the Madras Government, who do not care to take a sufficient interest in these yards. Now, with regard to this, Sir, as there is not much time at this hour of the day, I would only say that this question of the grievance of these fishermen has been hanging fire since a very long time. The policy of the Government has always been to redress even an admitted grievance only when it is too late. Now, this has been pending since a very long time. Regarding it, the Honourable Mr. Ramadas Pantulu moved a Resolution in the Council of State recommending that the management and up-keep of the fish-curing yards in the Madras Presidency be taken up by the Central Government. The debate that took place in the Council of State on the 3rd March, 1927 shows this. Now, though this Resolution was adopted in the Council of State, and though it is now more than three years since that Resolution was passed, Government have not been able to do anything. I would, therefore, draw the attention of the Honourable the Finance Member to this definite grievance of these poor people and ask him to wait no more to come to their relief.

Then, Sir, a word as regards the Public Service Commission. The other day I heard the Honourable Dr. Ziauddin saying that the Public Service Commission should not exist, for the reason that, in the Public Service Commission, the members are not proficient in all subjects, and therefore they cannot recruit for offices of all kinds. Now, Sir, if my Honourable friend had had his attention drawn to what the selection boards or heads of offices are doing with regard to recruitment, I think he would not have referred to the Public Service Commission in the terms he did.

Mr. President: That is not a reason for rejecting the Finance Bill?

Mr. Lalchand Navalrai: That shows, Sir, that Government's policy is wrong with regard to that. I would only say, Sir, that the Public Service Commission is doing fairly good work, but that the selection boards require to be greatly improved.

Dr. Ziauddin Ahmad: I know the working of the Public Service Commission in India and I know the working of the same institutions in England and elsewhere.

Mr. Lalchand Navalrai: I do not say that the Honourable Member does not know it, but what I meant to draw his attention to was that he should divert his attention to what the Selection Boards are doing. The Selection Boards are sending for hundreds of people, taking so much money on the application forms from them which the Government supply and examining hundreds of candidates, but the result is only that they give preference to some people and select only a few.

[Mr. Lalchand Navalrai.]

Now, Sir, coming to the Finance Bill itself, I submit the policy of the Government with regard to retrenchment has been entirely wrong. I am glad the Finance Member has shown sympathy with regard to the curtailment that he proposes to make. We are told that a Commissioner is going to be appointed for that purpose but, Sir, unless the policy of the Government is changed, no Commissioner, for the matter of that not even a Committee, will be able to do much. In this connection I may submit that the present policy of the Government is not to touch for curtailment from top to toe, but to touch the toe only. Therefore, strict instructions should be given to the Commissioner who may be appointed to consider the pay and emoluments, not only of small officers and subordinates, but he should begin from the top. He should take the office of the Secretary of State for India in hand first, then the salaries of Members of the Executive Council and so on. The other day I heard the Finance Member saying that, even when we get Dominion rule and begin to rule ourselves, we will not be able to keep the Executive Councillors on a lower pay. I submit, Sir, that when Dominion rule is granted to us, we will be cutting our coat according to our cloth; at present the Government wants to cut an English coat, even when there is no sufficient cloth.

In this connection I would like to cite one or two instances to show how retrenchment is being effected, at present. I was reading a pamphlet written by a Professor, Mr. H. R. Bhateja, M.A., who is a Professor of Economics in the Patna University. He has referred to an instance that happened in the Educational Department which supports my view. This is what he says in his pamphlet:

"The pay of the post of the Vice-Chancellor of the Patna University was retrenched, but as the I. E. S. officer had to be provided for somewhere, he reverted to his substantive post, carrying about the same emolument. All officers acting in the chain of his vacancy were removed back until an unfortunate teacher officiating on a small pittance was thrown out of employment."

This is, Sir, what happens with the fate of retrenchment. Now, have we not enough of instances in the Central Government itself? We have an instance in the Central Board of Revenue. Recently, Sir, there arose the question of the appointment of a permanent Secretary to the Board, and what do we find? Since Central Board of Revenue was separated from the Finance Department, a Deputy Secretary, taken from the Finance Department, was working as a Secretary of the Board, and he was doing his work quite satisfactorily. We know Mr. Sundaram, who has been acknowledged to be a very competent man, and he was carrying on very well; yet the Government thought that a permanent Secretary should be appointed and who should he be? I have read the minutes of the Finance Committee, and I find that they wanted to provide for an I. C. S. man with an emolument rising up to Rs. 2,500. That is so far as one of the higher offices of the Central Board of Revenue is concerned, but now let us see what they have been doing in some of the smaller offices. On the one hand, they raised the pay of the Secretary; on the other hand they considered the pay of the peons of the Income-tax Department in Bombay and Sind. There we find, while the Commissioner of Income-tax, Bombay recommended that the peons of Bombay should be put on the same level as other peons in the mofussil, they made an increase of one or two rupees in the pay of these peons, but advocated that the peons of

the Income-tax Department in Sind who had been drawing one rupee more than the peons in other Departments in Sind should be retrenched. This is the way, Sir, in which retrenchment is being carried on, and I say, until the policy of the Government remains unchanged, there will be little or no use in appointing any Commissioner or Committee.

I will now say a word about the sugar tax. My Honourable friend Mr. Abdoola Haroon from Karachi put forward the grievance with regard to sugar tax preference. It related to Kathiawar State. Imperial Preference is strongly opposed in this House and Sir, on the same principle I would ask there should exist no State preference and the differential treatment as to recovery of sugar tax should be done away with as well. With regard to sugar industries, in my own life I saw so much sugar-cane growing in fields and small factories making sugar which have fast disappeared in villages. So these small industries should be reorganized and given the necessary help to revive the sugar industry of this country. If in any case however the tax is being increased greater attention should be paid to the development of the sugar industry.

Coming now to Imperial Preference with regard to cotton piece-goods

Mr. President: You will have an opportunity to speak on it tomorrow.

Mr. Lalchand Navalrai: Only one word, Sir, with regard to Imperial Preference. I am entirely opposed to it. There has been a great deal of feeling among the public on this question, and the unanimous opinion of the people is that it should not be allowed. I have received certain telegrams from the Karachi Merchants' Association and also from Calcutta, and I will read only one telegram: It says this:

"Karachi Merchants' Association strongly oppose introduction of Imperial Preference in Indian budget in connection with protective duty on cotton piece-goods. Such preference will ultimately cause harm to India by subjecting her fiscal policy to interests of other parts of Empire and will initiate hostile legislation in countries concerned, harm many trades and other interests and strain India's relations with other countries."

Sir, I endorse all this. I will not tire the House any more. I would only say that in not supporting this Bill I will ask Government to take note of their wrong policies.

Mr. W. A. Cosgrave (Assam: Nominated Official): I move, Sir, that the question be now put.

(Mr. Mukhtar Singh rose in his seat.)

Mr. President: I am sure the Honourable Member will be very reasonable. It is already getting too late.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Thank you very much, Sir. After all, I have got the chance of speaking on this motion. The main point that I want to discuss today, is that it is an admitted fact.

Mr. Jehangir K. Munshi (Burma: Non-European): Might I suggest, Sir, that you might adjourn now till eleven o'clock tomorrow?

Mr. President: No.

Mr. Jehangir K. Munshi: It is already very late now, Sir.

Mr. President: I must finish the Third Reading today.

Mr. Mukhtar Singh: The only point that I want to make is this. Who is responsible for the poverty of the masses? Is it the monsoon or the excessive rain which, as the Finance Member said, is responsible or is it the Government that is responsible for the poverty of the masses? I shall dismiss the question of the monsoon and the excessive rain within a few minutes by saying that it is not only in India that the rain god is not pleased with the Indians. Such natural calamities do occur in every country of the world. Rather, I should think India is very fortunate in that respect. Even England is affected by floods and frost, Japan is affected by earthquakes. Sir, a country that has perennial rivers flowing and contains any amount of sub-soil water cannot be at a disadvantage as regards want of monsoon. If you refer to the figures, you will be pleased to notice that, in 1890-91, the irrigated area was 21.1 per cent. as compared to the total cropped area. The percentage of irrigated area to the cropped area in 1921, after a lapse of 30 years remains the same, i.e., 21.1 per cent. That clearly shows that the Government have done nothing worth the name in the meantime. They have not tried to increase the facilities for irrigation and now it does not lie in their mouth to complain about the want of monsoon. Besides this, during the short time at my disposal, I shall try to convince the House that the Government are responsible for the poverty of the masses of this country on other scores. The first point is the question of the burden of taxation. In 1911-12, the burden of taxation per head, excluding land revenue, was Rs. 1-7-0. In 1916-17 it rose to Rs. 3-4-2, and in 1926-27 it reached the figure of Rs. 4-3-5, an increase of 291 per cent. If you compare the figure of 1916 to 1926, you will find that, within a period of ten years, the burden of taxation per head has increased by 216 per cent. and still the Government say that they are not responsible for the poverty of the masses. The land revenue in 1907-08 was Rs. 2,99,48,000. It rose in 1927-28 to Rs. 38,52,17,000, an increase of 28.7 per cent., and still we are made to believe that the Government are not responsible for the poverty of the masses. There is one general complaint which I made last year also that Government have taken pretty good care that there should not be a committee or commission to inquire into the economic condition of this country. So far as I am aware, there has not been a single committee or commission which has taken up the question of land revenue, the policy of irrigation, policy of transport, custom, tariff, etc., etc., in order to inquire whether really the poverty of the people is due to Government's policy or it is due to want of monsoon and excessive rain. If complete economic inquiry is made, I am sure it will be found that Government are responsible for the poverty of the masses. People are already convinced about it, but the Government will also be convinced of it if they really want to be convinced. In Great Britain 4.4 men live on a land of 100 acres. In Denmark 5.5, in Germany 6.5, in France 7, in Holland 9, in Belgium 10 and so on live on 100 acres of land. What about India? In India 66 men are living on the same area and this clearly explains why Indians are poor. Every day the pressure on land is increasing. Last year I pointed out that the percentage living on agriculture in 1881 was only 58 per cent. In 1921, it has increased to 73 per cent. That clearly shows how far Government are trying to encourage industries or engage the

people of this country in other pursuits. The Honourable the Finance Member has made his policy quite clear in his budget speech. He says:

"In the first place and above everything else, it is necessary to stimulate and improve the agricultural production of the country, so that they can retain for themselves and enjoy a greater portion of the produce for their own subsistence. In the second place, it is desirable to encourage industrial development, provided it is done in conjunction with and in supplement to the agricultural life of this country."

What does that mean? It means Sir, that this Government would not encourage anything unless it has something to do with the agriculture of this country. This is why we find Imperial Preference in our textile industry. We saw, year before last, that the Tariff Board recommended a tax on the import of cloth, but the Government imposed a tax on yarn. It clearly shows that the Government do not want the poor people of this country to prosper. I am told, in season and out of season, that improvement in agriculture is the only method by which this poverty can be removed. I want to disabuse the Honourable the Finance Member and his Government of this idea. Improvement in agriculture will not in any way increase prosperity but it will bring in more misfortune. I wanted to press that point when Mr. Sykes put certain questions about the low rates of agricultural produce. I was told by the Honourable the Finance Member and Sir Frank Noyce that stabilisation of prices is beyond the control of any Government and the price is always controlled by the demand and supply of the country. But my Honourable friend will feel convinced if I read a passage from a recent book published in America, "Our Debt and Duty to the Farmer". On page 192, the author of this book says:

"The sufferer from sciatica or similar disease may secure temporary relief from paroxysms of pain by hot fomentations and may lessen the frequency of acute attacks by medicines which stimulate the organs of elimination and have a quieting effect on the nerves. He gets no permanent relief, however, and no assurance against recurring attacks until the cause is discovered and removed. Just so the farmer may find some relief from his economic difficulties by cutting down expenditures, by reducing production costs, by reducing marketing costs through co-operative associations, and by readjusting production. Because of weather conditions he may find his income temporarily increased. In 1924 for example our wheat farmers enjoyed the unique experience of a very large crop and a fairly good price at one and the same time. As a result they were able to meet their interest and tax payments, pay off some of their debt, and make some needed purchases. But they had no assurance that they would receive a profitable price the next year. The fundamental trouble with agriculture is the distorted relationship between prices of what farmers produce and the prices of other commodities, and the large increase that has taken place in his fixed expenses such as labour, interest, transportation, and taxes. Until prices of farm products rise to a fair ratio with price of other things, or prices of other things drop to approximately the level of farm prices, agriculture will continue to suffer economic injustice. Farmers themselves cannot bring about this change except as a sufficient number of them abandon their farms and thus reduce production. This is a most dangerous and unwise policy from the national point of view, for such a process is always carried too far and results in great hardship on consumers before it can be checked. It is also a grossly unjust method because it requires that large numbers must die financially that others may live."

This is the opinion of an American author and it is also the view adopted in England itself. I may tell my Honourable friend the Finance Member and Sir Frank Noyce that, in England, this question was inquired into in 1924. If I am not mistaken, a Committee sat for stabilisation of agricultural prices and they have published a Report Economic Series No. 2—Ministry of Agriculture and Fisheries. They found out that agricultural prices may rise or fall in consequence of those causes which bring about a rise or fall in the general level of the prices of all commodities, including

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agricultural products taken together. The prices may be so great as to cause the greatest value of a large crop to be less than the small crop. It has been calculated that American growers of cotton receive more for a crop of nine million bales than for 113 million bales while American producers received more for a crop of three million bushels of wheat than for one million bushels. Further on they say that no one would deny that a favourable season in which there had been plenty of rain and sun and freedom from physical disturbances producing rich and healthy crop should be an advantage to the producer and therefore I should think that he desires nevertheless in the existing conditions of organisation of agricultural industry it is frequently a disadvantage to the production of a thing that he fears. In other words, it is true to say that there is no adequate machinery for the economic distribution and marketing. On account of that it frequently happens that a favourable season, yielding a heavy crop, leads to temporary congestion of the market and thus the farmer has to sell his entire crop at a loss. In spite of the above statement what do we do here? Sir, in this country, we do nothing else, but we try to increase the yield of the crop. The Honourable the Finance Member can very well say that it is a question of demand and supply. But what do they do in England? Do they rely upon the principle of demand and supply? No. They have the Oat Subsidy Act, the Wheat Subsidy Act and quite recently they have the Beet Sugar Subsidy Act. The cultivator is given subsidies for the different crops that he produces and yet even with the help of so many subsidies, the English farmer cannot survive on land and the population on land is decreasing every day. That clearly shows, Sir, that without any sort of protection, you have no right to blame the Indian agriculturists for his poverty. When the Government does not discharge their responsibilities he could not be anything but poor. I may read to you, Sir, a passage written not by an agitator, not by a non-co-operator, but by Mr. W. S. Blunt in his book "India under Ripon". At page 245, he says:

"I believe, it may be stated absolutely, that the whole of peasant indebtedness originally came from the necessity thus imposed of finding coin to pay the land taxes. . . . This is the last worst evil which English administration has brought upon the Indian peasantry. . . . We have given the ryot security from death by violence, but we have probably increased his danger of death by starvation."

Sir, this is the condemnation in the words of an English author. What have you done, may I inquire, for the stabilisation of prices? In every country, in America, in Germany, in France and in all other countries, they have revised their customs duty, they have revised their tariff duty and on account of that they have been able to protect their agricultural industry. But in India where the producers have to send all their raw produce to England, nothing is likely to be done. England wants agricultural produce at a very cheap rate and this is why India should remain an agricultural country and the agriculturist should not be protected. And further, according to the Honourable the Finance Member, no industry which is not connected with agriculture should be allowed to survive. If this is the policy, I am afraid a time is coming when in spite of the persecutions, in spite of your repression of the workers in peasants and workers leagues, you will find that the peasantry of this country will realise that it is not God that is responsible, but this Government is responsible for their miserable lot. I have not much time at my disposal, yet I want to

ask my Honourable friends on the Government Benches, how many times their land revenue policy has been enquired into and how many times revised? I may state straightaway the land revenue policy adopted in my province. According to the Tenancy Act of my province a tenant is debarred from filing a suit for the abatement of rent, while a landlord is allowed to bring his suit for enhancement of rent. Why? Because land revenue is assessed on the amount of rent that the zamindar pays. If he gets more, Government gets more. This explains as to why the rent paid today can be increased, but cannot be decreased. If your policy rests upon this vicious principle that no abatement of rent should be allowed but only an enhancement of rent should be allowed, then how can you say, let the tenant improve his condition. In spite of this your main cry is, let him improve his condition. Is that the policy, Sir, by which you can improve his condition? Or make his position better? I was told by Sir Frank Noyce that the Agricultural Research Council will bring prosperity to this country. The Research Council with an amount of ten lakhs and an agricultural council which is not responsible to this Legislature and about which the Government have not got the courage to put the whole scheme before this Legislature? Can that Council be expected to bring about everything? I am sure that if it is to get money for research work, that research work will consist only of how to improve the yield of agriculture. It cannot enter into the question of economy and there is the end of the matter. I was told the other day by a very responsible officer of the Government of India that even Pusa is not responsible for the economic side of agriculture and rightly too. Why should they care for the economic side of agriculture?

If the Honourable Members care to go to Meerut, they will find that a very large area is badly affected by locusts while all the entomologists that Government have at their command at Pusa and in the province are writing slips after slips giving instructions for the destruction of locusts. But cannot the Government spare these experts to remain there on the spot and to show the way by which locusts can be destroyed? They are afraid they cannot do it and they do not know how to do it, and therefore these experts, who are drawing fat salaries, avoid being at the spot. They do not want to get a bad name by their failure. Is that the way in which the agriculturists are going to be helped?

Let me say a few words about the Agricultural Institute at Pusa which is said to be doing great things in the way of improvement of agriculture. I went to Pusa and I stayed there one day more than I was required, and what did I see? The only thing that I saw was that there exists no atmosphere of a research institute. It was not a temple of knowledge, but a temple of discord and heart burnings between Indians and Europeans. If even amongst research workers you cannot arouse feelings of fellowship, comradeship and co-operation, how can you expect to improve the agriculture of the country? Sir, I will refer to one passage in the evidence given before the Royal Commission on Agriculture, in Part I, Volume II, by one Mr. Joshi. He stated in his evidence:

"The marked difference in pay, prospects and status of these services, constituted and officered as they are at present, requires to some extent a readjustment as these differences would ordinarily create an artificial sense of superiority in the members of the higher branch and thereby very often prevent the feeling of comradeship amongst scientific workers which is highly desirable but which is under existing differences hardly attainable."

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This is the evidence given by one of your subordinates and speaks volumes of condemnation. Being a subordinate he could not give his opinion in a more forcible manner; not because he did not feel more strongly, but because he could not express it for fear of persecution. The Indian staff organised an association of all the research workers on behalf of which Mr. Joshi was examined and as soon as this opinion was expressed, the members were forced to resign their membership of this association. The number of members when this evidence was given was 80 and it was reduced within a week to 35. This is the way in which even the Indian research workers are treated. If agriculture is a transferred subject, I would ask Government to transfer this subject to Indians and Indians alone, and if they do not improve the condition of the people, then we shall cease to talk of Indianisation. If the direction given by the superior staff is there, nothing is possible and nothing is achievable. As long as the experts will look to the interests of England alone, nothing is likely to be achieved. I may have stated a number of other things if I would have the time, but I will only refer to one thing which the Honourable the Finance Member said the other day. He told us that if the salt tax was abolished, the eight crores which Punjab got by the cultivation of improved variety of wheat could not have been secured. Let me tell him that, last year, the Punjab did not get 8 crores, but lost, if not 8 crores, more than 8 crores, because you allowed the Canadian wheat to come into that province and to undersell the Punjab wheat. Canada which was only cultivating about 2 million acres of wheat about 20 years ago is now cultivating 23½ millions. It is a new country whose soil has just been brought under cultivation and it can easily undersell wheat in any other country whose fertility of the soil has decreased by continuous cropping. The Government quietly allowed that wheat to be sold in the Punjab and in United Provinces, and still we are told that the Punjab cultivator has got 8 crores by the improved variety. I may be confronted with the Report . . .

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Had the climatic conditions in the Punjab nothing to do with the import of foreign wheat?

Sardar Kartar Singh: Their prices are affected by the import of foreign wheat.

Mr. Mukhtar Singh: No, Sir, I was submitting that the method of your reporting is defective and deliberately too. How do you arrive at the figure of 8 crores? I know how you arrive at it. You have no agency by which you can know that this improved variety has really given a profit to the cultivator and if so by how much. What do you do is like this. From the Agricultural Research Institute at Pusa you get a report that the improved variety must give so much more than the ordinary variety. You take for granted that it is so, and then you multiply the area by the figure of profit your experts have calculated and you get the figure of 8 crores as profit. Is that the honest method of writing your reports? Is there any other country which does it like that? I have been studying the Agricultural Year Book issued by the United States of America. I have never found such a thing there. No Government would do it. You know perfectly well the value of your improvements and this is why you take to this method of arbitrary calculation. I hope, Sir, this explains as

to how the Finance Member said that 8 crores have been put into the pockets of the Punjab cultivators. But if he goes to Punjab he will find that the Punjab cultivator has lost a large amount in producing wheat last year.

This is about your improvement. There are two questions more to which I will draw the attention of the Finance Member. This country is poor, not because the agriculturists do not produce sufficient, not because the people of this country are lazy and unintelligent, but because the people of this country have to support themselves and support the whole population of England. Therefore they are poor. Some people draw fat salaries here, and others draw fat dividends from factories the products of which must be sold in the Indian market and the indigenous article produced in this country should be discouraged. I will make it clear to you only by putting two or three instances. We were told that the Government of India have done a lot for the agricultural people by introducing good varieties of manure and fertilisers, and that the Railway Board have been good enough to reduce the rates on fertilisers in order to keep the agriculturists living. Is it so? Potassium nitrate, which has all the elements required by the agriculturists of this country, has been ruined by your excise policy. But you will allow the import of sodium nitrate, which contains sodium, an element injurious to the soil of this country. Yet you will not allow the potassium nitrate manufacturer of this country to live. Potassium nitrate has a handicap even in railway rates to which I drew the attention of the House last year. But here is a very recent instance. The East Indian Railway increased its rates on manures a few months back and at once there was a representation from the manure manufacturers and at once the rates were decreased. (Interruption). Yes, for the sake of foreign manufacturers. I hold in my hand a copy of a letter dated the 5th December, 1929, in which these railway rates were decreased. At the same time, what do we find? On bones, the rates were not decreased in spite of the representation of the people as bones are required to be exported outside India. I shall refer only to a few figures, Sir, which will convince you about the vast difference in rates. The rates now on the East Indian Railway for different foreign manures and fertilisers are:

for 50 miles 7 pies per maund,

100 miles one anna 2 pies per maund,

150 miles one anna 9 pies per maund,

200 miles two annas 3 pies per maund,

300 miles three annas 2 pies per maund,

and so on.

Now, what about the bones? For 50 miles alone the exporter has to pay one anna eleven pies per maund in comparison to 7 pies in the other case; for 100 miles, he has to pay 2 annas 9 pies in comparison to one anna 2 pies; for 150 miles he pays 3 annas 7 pies in comparison to one anna 9 pies, for 200 miles 4 annas 3 pies in comparison to 2 annas 3 pies, for 300 miles 5 annas 8 pies in comparison to three annas two pies, and so on. I have got the entire schedule in my hands which will convince you of the policy which is followed by the Government. Now I may be allowed to give another instance of reviving the agriculturist by their railway policy. I refer to the Bombay milk supply. You know, Sir, since a very long time in Bombay, she-buffaloes are used for the purpose of milk and what is done

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with them? They are imported from the Punjab. They are taken there and after one lactation period, all of them are slaughtered. I will give you some startling figures and still the Government sits tight on the question. In 1900-01 the number of she-buffaloes slaughtered in Bombay was 1,198. (Interruption.) They are not slaughtered for meat. I will tell you why? In 1927-28, this number of 1,198 increased to 26,094. In a place which imports cattle from the Punjab, milch cattle are allowed to be slaughtered to the extent of 26,094 in one year. Is it likely that the breed of she-buffaloes will survive?

Mr. President: The Honourable Member must now conclude.

Mr. Mukhtar Singh: Only five minutes, Sir, with your permission. I was submitting, Sir, why they have been slaughtered. It is not because meat was required, as I am told people do not like the meat of a she-buffalo. They were slaughtered because they could not be carried back from Bombay to other mofassil places. Why? Because the Railway Board increased the rates from Rs. 50 a wagon to Rs. 92 a wagon and they will not make any concession for dry buffaloes of a cheaper rate. The milk supply of Calcutta can be met with, because there are different rates at which a season ticket holder can take milk every day from the mofassil to Calcutta at cheap rates. But that is not done in Bombay. Here people cannot take their buffaloes to the mofassil and bring milk to Bombay. The result is that all the people outside Bombay are starving, because they have no industry and they are not allowed to follow dairy industry. Bombay is starving for milk because they cannot keep cattle, and still the Government will say that if they care for anybody, they care for the masses alone. If you really want the masses to be satisfied, make an honest effort to help them. Your hypnotism over the masses is disappearing. In 1921 non-co-operation had clearly broken that hypnotism, and now people are convinced that it is not God alone that brings to them misfortune, but there is something wrong somewhere, and I submit, Sir, it is much better if the Honourable the Finance Member revises his policy. I say that all your railway policy, all your agricultural policy, all your tariff policy, should be revised with only one end in view and that is that India should live and that the people of this country should at least exist. I maintain they have a right to exist and if that right is acceded, they will be satisfied. Even for your own sake, you will have to keep them in existence. I wish, Sir, that the Honourable the Finance Member, economist as he is, financier as he is, should try to go deeper into the matter. I would not have touched this point at all if I had been convinced that these points would be cleared up in the Banking Enquiry Committee. But I know, Sir, that that Committee has nothing to do with all these questions and this is why I have to draw attention to them here. The poverty of India is not due to the factors which you proclaim to be responsible for. But your own policy has brought this ruin and misery and the sooner you wake up, at least in your own interests, the better. (Applause.)

Mr. K. V. Rangaswami Ayyangar (Madras: Landholders): It is very unfortunate, Sir, when in England the socialist Government has come to power and when in India such excellent gentlemen as our Viceroy and our Finance Member are presiding over the destinies of our affairs, a taxation to the extent of five to six crores of rupees has been levied during this year. Sir, when I entered the Council in 1916, we had only a

taxation of 85 crores or so. Now, it has increased by 50 per cent. in the course of 14 years. Sir, it is the case in all countries that the taxation has been much reduced from the war time Budget. The present day Budget of ours is worse than the war times. Every country has reduced its taxation. But, unfortunately, we have got increased burdens while we were promised during the war a reduction of taxation after wars. Sir, it is said that the reforms were the cause of heavy burdens in India. We wanted reforms only for the purpose of reduction of taxation burdens and not for the name of reforms. The conditions due to reforms seem to be worse than war conditions! Sir, there is no corresponding benefits of the reforms that have been the cause of the heavy financial burdens in India. If the reforms should be the cause of the heavy burdens, I should wish that we go back to the old pre-reform days rather than enjoy the luxury of these reforms.

Sir, the salt tax was the only tax that was taken exception to on behalf of the masses during the pre-reform days, but now, Sir, there is not only one tax, but there are half-a-dozen taxes that on all sides are pressing on the poor man. He has to pay a heavier price for his plough-share, for his spade, for his scythe, and for every kind of tool that the purchases, for the clothing that he wears, for his migration, because the third-class fares have increased, for his sugar and now for kerosene oil, and I say, for his silver also. Sir, some Honourable Members were nodding disapproval when Mr. Birla was saying that silver was a poor man's commodity, but I say that silver is really a poor man's commodity because the richer people have taken to diamonds and gold; for his ornaments for so many other things he has to go in for it.

Sir, ever since the late Sir William Meyer left the Finance Department, I may say a policy of bold taxation has been inaugurated and the goose that was laying golden eggs is being gradually throttled. It is no wonder his purchasing power has vanished and industries in India and abroad that were fed by him are suffering.

Sir, Members on these Benches want more money for agriculture, for irrigation and for so many other things. The Finance Member has to provide for funds for discharging the increased duties placed upon the Government. Sir, I may say that there are ways open to Government for finding money without increasing the taxation at this time. We should not lock up money now by way of railway reserves for some few years—at least so long as trade depression disappears. We should not also lay aside a debt sinking fund. If these two things are done now, at this time when the country is troubled by all sorts of calamities, we can have a Budget without any increased taxation. The Finance Member, Sir, has challenged us and said that whoever may be the Finance Member it would be impossible for him to meet the deficit except by increased taxation. But now, Sir, I have suggested that we should raid the Railway Reserve Fund and should not have the debt sinking fund. I do not congratulate Honourable Members on this side for voting against the Honourable Mr. Neogy's Resolution that we should go back on the convention or agreement in respect of the Railway Reserve Fund that we are adding to every year. Sir, we do not have a reserve fund for anything except Railways. We do not have a reserve fund for the Army; we do not have a reserve fund for loss on opium revenue or customs or any other thing, and it is only want of confidence in this side of the House that made Sir Charles

[Mr. V. K. Rangaswami Ayyangar.]

Innes propose a reserve fund only for railways because he perhaps thought that on account of our having a hardy annual in the debates where irrigation and such other matters were trotted out as requiring more money while the contention of the Government was that the railways wanted more money. Sir, the railways have built up 30 crores for five years and we are laying aside now five crores every year; and for debt sinking fund we may be laying aside two or three crores; so that if we make a temporary raid on these two funds, I think we can have a balanced Budget, and we may resort to the railway reserve fund and the debt sinking fund after the present depression is over.

Sir, one other thing I wanted to say is this. A lot of influential support is given to the question of having a certain percentage of seats in Government services given to different communities, as Hindus, Muslims. Sir, I do not think any community is behind any other community in the matter of passing any competitive examination. When this is admitted and as is proved by our having such eminent men on these Benches hailing from one community or other, I do not think, Sir, that having a certain allotment to particular communities in services will go to enhance the efficiency of the Government. I am opposed to this communal allotment, and I say that if only efficiency should be the guidance in the matter of recruitment to the services and not communal considerations, Government will be more efficient and will be run at a cheaper cost. Sir, it has been admitted by speakers on this communal problem that their community are in no way behind other communities in the matter of efficiency, and when such is the case, where comes the allotment of 30 per cent. or 35 per cent.? Let there be impartial judges and let them judge whether this particular person is more efficient than the other. To say that a certain man, the moment he is converted from Hinduism and became a Christian or Muhammadan, should be given preference over another man is rather a thing that reasonable people cannot understand. The only one subject that requires to be pressed on the attention of the Home Government that means doing justice to India is the doing away of preferences because one belongs to this particular religion or that particular caste.

Sir, if we oppose this taxation and throw out this Bill it would not be like the failure of a Bill in the House of Commons; and I join in the sentiments of some Honourable Members on this side who have said that throwing out the Bill is no impeachment or censure of the Government. What we only say is that we cannot be parties to this high taxation when there should be a considerable reduction from the war burdens.

The Honourable Sir George Schuster: Sir, we have ranged over a very large field both in time and space during the course of this debate. We have been taken back to the period of Plassey by Mr. Amar Nath Dutt, and we have come very near to the present. We have dealt with agriculture, with the Public Service Commission, with the representation of communities, the Round Table Conference, in fact with practically every subject which has interested the public in India during the last year or two. But I must confess, Sir, that the amount of time devoted to the actual proposals of the Budget this year has been singularly small.

It is extremely difficult to reply to this type of debate, and as the time is late, I propose to confine myself to a very few remarks.

The general theme of those who have opposed the Finance Bill has been that, in the words of my Honourable friend Mr. Kelkar, the Finance Bill represents a sort of "consolidated demand of confidence", and Honourable Members who have no confidence in the Government must therefore oppose the Bill. Or perhaps, they may put it in another way, namely, that as at present, they have no responsibility or no power of controlling financial policy, they must, as a protest against this state of affairs, vote against the Finance Bill. No doubt there is a great deal of truth in the last contention, but at the same time I would ask Honourable Members to consider that in fact they do have a great many opportunities for influencing Government's policy. If we consider the position as though we were two opposing armies, it is always interesting for one Commander to attempt to get into the mind of the Commander of the opposing forces. Now I do not mind telling you, as one who represents at the present moment the Commander of one of the opposing forces, that all that is said in this House has a very considerable influence, at least on our financial policy for which I can speak. I think that, if Honourable Members will look at the proposals that have come up in the financial field this year, they will see what great effect the remarks they make from their side have on Government's policy. Further, if they will also consider the possibilities that do exist under the present constitution, I think they will also recognise that there are very considerable opportunities for influencing policy. I was very glad in the speech of my friend, Mr. Amar Nath Dutt, to find some recognition of the work done by the Standing Finance Committee. After all, one should remember this, that all new expenditure does come up before the Standing Finance Committee, and even when it is non-voted expenditure, the matters are brought before the Standing Finance Committee for their information. Therefore, it is open to the unofficial parties in this House at present to exercise a very great influence on the Government's financial policy.

Apart from that general ground for opposing the Finance Bill, a good many points have been made, as they must necessarily be made, in the course of this debate dealing with particular affairs, and as far as my answer is concerned, I wish to take this opportunity of dealing with some of those points. My friend the Deputy President who, I am sorry to say, wished to condemn us as Members of the Executive Council to a somewhat unhappy fate, dealt with a point which was also taken by my friend Mr. Fazal Ibrahim Rahimtulla in his,—if I may so describe it—bright and business-like speech, on the question of representation of Mussalmans in the services. That subject has already been dealt with in many questions during the course of this Session, and I can only say that the matter is going to be inquired into again and that the position as it exists now after five years of the policy which was initiated in that letter which my friend the Deputy President read out, is going to be reviewed, and I trust that I shall have the opportunity of discussing it, so far as concerns the Departments coming under my own control, with representatives who are interested in this matter.

Then, Sir, we had some points raised both by my friend Mr. Lamb and Colonel Crawford, and, as Colonel Crawford dealt with the whole of the points in which his Group is interested, I should like to base my remarks on his speech. He explained again what was in the mind of his Group in moving a motion in regard to retrenchment, and there I should like to take this opportunity again to explain our position in this matter.

[Sir George Schuster.]

The view seems to be held by certain groups and parties in this House that a mere inquiry by a departmental officer will not be sufficient. I wish to make it clear that, at the present stage, all that we propose to do is that this officer on special duty should make a careful survey of the whole ground, analysing the reasons for the growth of expenditure, and that, when his Report with a clear analysis is available, it will be again submitted to Members of this Assembly, and that our future line of action will then be decided after I have had an opportunity of discussing the matter with representatives of the Assembly. Therefore, I do not wish the impression to get abroad that this departmental inquiry is necessarily the end of the matter.

Then on the question of our policy with regard to kerosene taxes, there is one point as regards which the Government have been extremely sensible in the course of the discussions which have taken place in the House on this matter. We do feel that as regards the small companies, there is a possibility that this change in the relative levels of import and excise duties may create some hardship, and may affect the finances of those smaller companies, and we recognise that that is a matter which must be very carefully watched. If we are satisfied that a good case has been made out for the relief of any of the smaller companies and that some special relief is needed for them, then I think that means can be found for giving the necessary assistance by powers which the Government already possesses, and without special legislation. The matter requires careful watching, and any claim for special assistance will have to be thoroughly established. It goes without saying that anything that the Government may do in this matter will be reported at the first opportunity to this Assembly, and discussed with them.

Then I should like to refer to the speech, the very interesting speech on points regarding income-tax administration,—which has become almost an annual event from my friend Mr. Gaya Prasad Singh. He will not, I am sure, expect me to reply in detail on all those points, but I can assure him that his speech will be most carefully read, and that all the suggestions he has made will be carefully examined, and taken up if necessary. He recognises the fact in his own speech that some of his suggestions have already been taken up, and I should like to say that I welcome this type of criticism, because it helps us to consider points which might otherwise escape our attention.

My Honourable friend, Sir Purshotamdas Thakurdas, had some remarks to make on the question of sugar, and referred to the special duty that rests on the Government now, in view of the heavy charge which they are taking out of sugar, to take steps to encourage development of the sugar industry in this country. I thought that I had made it quite clear in my budget speech and in my subsequent speeches, that that was the intention of the Government. The special points to which he made reference, the need for some special assistance to manufacturers, possibly in the direction of special transport facilities, special freights and so on, all those are points which will be considered by the appropriate organizations. There is at present a special Sugar Committee considering various points, and, as I stated in the House the other day, it is probable that a Tariff Board inquiry into the same industry will be undertaken in the near future, so that all those points will be taken up.

Then I come to the speech of my friend, Mr. Anwar-ul-Azim, and the point that I wish to refer to in his speech is his reference to the provinces and to the indication which I had given in my own original budget speech, that, supposing a surplus was available at the end of this year, it was our intention that one of the directions in which such surplus should be employed, might be in helping the provinces by way of financial assistance and giving a start possibly to the new constitutional developments. My friend made this point, that it will be better for the Central Government to allow heads of revenue to go to the provinces rather than that the Central Government should itself collect the revenue and distribute it in the form of doles. That, of course, is a pertinent observation, and I can only assure my friend that the whole question of the relation between the Central Government and the provinces and the redistribution of heads of revenue is a question which we know will have to receive most serious consideration in the course of this year and to which already I have given a great deal of preliminary thought. The fact that these new taxes may put us in a position to help the provinces financially does not necessarily mean that that assistance will be given merely in the form of doles. It must be taken that it is likely to put us into an easier position, and the way in which distribution would be made is something which has got to be worked out in the future.

Then, I would like to refer to the speech made by my Honourable friend, Mr. Fazal Ibrahim Rahimtulla. He, I am glad to say, made his speech on the lines of what I think he described as "honest criticism and suggestion for the future". That I must say is the type of speech which I like to get. He raised some questions about the additional revenue which we might derive from the increased duty on silver thread and silver ware and from the excise duty on silver, all of which, as he correctly pointed out, were not included in my original budget proposals. The same points were also raised by my Honourable friend Mr. K. C. Roy. I have not yet got detailed estimates of the possible yield on the silver thread duties, but I understand that it may be something in the neighbourhood of one lakh. As regards the excise duty on silver, that I do not treat entirely as an additional windfall. I had based my calculations as to what we should get from the import duty on silver on certain assumptions as to the amount of silver which would be absorbed by the country, and, whether it is produced in the country or imported from outside, whether we get our returns in the form of excise or in the form of import duties, does not necessarily alter the amount. But as my Honourable friend will have noted, I made no secret of the fact that I considered that our estimates of revenue from the silver duty were on the conservative side. Perhaps I may leave it at that, but, as regards the point which was made by my Honourable friend arising out of this possibility of additional revenue, I should like to say that I am entirely in agreement with him. His point was this, that, if the Government find themselves in possession of a surplus, that must not be regarded as an excuse for relaxing the most rigid control of expenditure. I have already told this House that I regard myself as being under a most solemn pledge that we will continue a policy of economy and retrenchment, and that no extravagance will be permitted until this Assembly has had a chance of reviewing the position based on that report to which I have already referred. I recognise that the position of being in possession of a surplus puts a Finance Member under a very great responsibility. I trust that I shall be equal to that responsibility.

LEGISLATIVE ASSEMBLY.

Tuesday, 25th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

SHORT NOTICE QUESTIONS AND ANSWERS.

THE GREAT INDIAN PENINSULA RAILWAY STRIKE.

Mr. M. S. Aney: (i) Will Government be pleased to give approximately the number of strikers who had resumed duty on or before 15th March, giving separate figures for persons employed in the workshops, and on the Great Indian Peninsula Railway line?

(ii) Will Government be pleased to state whether the Railway Board had, soon after the declaration of the strike, issued any instructions to the Agent, Great Indian Peninsula Railway, not to employ, as far as possible, any persons as permanent servants to fill vacancies caused by the strike?

(iii) Was the Railway Board kept duly informed by the Agent from week to week regarding the number of posts filled, permanently and temporarily?

(iv) Did the Railway Board instruct the Agent to keep a register showing the number of persons employed as permanent and temporary separately to fill the vacancies with the dates of the employment of such persons?

(v) Will Government be pleased to state:

(a) whether the members of the All-India Railwaymen's Federation who carried on negotiations with the Honourable the Member for Commerce and Railways and the Members of the Railway Board from 27th February to 1st of March, were given to understand that the total number of posts permanently filled would in all probability not exceed 500; and

(b) whether the comparatively small figure of permanently filled posts then given out was not one of the most important considerations which weighed with them in accepting the condition in the Government Communiqué of 1st March, 1930, relating to reinstatement of strikers?

(vi) Are Government aware of the fact that the responsible Railway officers on inquiries by some of the office-bearers of the Great Indian Peninsula Railwaymen's Union are alleged to have given out that the number of persons employed as permanent to fill up vacancies of the strikers was approximately 8,000?

(vii) Are Government aware of the fact that the above statement alleged to have been made by these responsible Railway officers has dissuaded the majority of strikers from joining their duty on the 15th March, the date fixed in the Government Communiqué as the last date for strikers to join their duty?

(viii) Has the attention of the Government been drawn to the Free Press telegram published in the *Hindustan Times*, dated the 19th March, 1930, under the head "Authorities Refusal", to the effect that the Great Indian Peninsula Railwaymen's Union Office has received telegrams from several important centres on the line, such as Badnera, Bhusaval, Itarsi, Mammad, Shahabad, Sholapur and other places, that the railway authorities had refused employment to the strikers who offered themselves to join the duty on the 15th March and the 16th March and insisted on them to vacate quarters first?

(ix) Has the attention of Government been drawn to the telegram sent by the Special Correspondent of *The Times of India* and published in the issue of that paper on March 17th, 1930, to the effect that the railway authorities at Nagpur had held out a hope of entertaining only ten per cent. of the strikers there, as most of the vacant posts had been permanently filled?

(x) (a) Are Government aware that the conduct of the railway authorities in refusing re-instatement has created widespread discontent and dissatisfaction?

(b) Is the attention of the Government invited to the telegram, publishing the decision of the Strike Committee held at Bombay on the 16th March, exhorting the strikers to continue the strike and offer peaceful Satyagraha and carry on mass picketting so as to induce the loyalists to join their ranks?

(xi) (a) Will Government be pleased to state if they propose to take such steps to further extend the period for the strikers to join by 10 days and instruct the Railway Agent and Divisional Officers subordinate to him, in charge of different divisions of the Great Indian Peninsula Railway, to re-instate all those who offer themselves for joining the duty within the same period?

(b) If not, will they be pleased to state what other steps they propose to take to remove the apprehension which dissuades the strikers from offering themselves for joining the duty and thus putting an end to the present undesirable state?

(xii) Will Government be pleased to state:

(a) Whether they have received a telegram from Messrs. Jinwalla and Ruikar to the effect that the Agent, Great Indian Peninsula Railway, is withholding January wages of Parel and Matunga Workshops men and other strikers; and

(b) What steps they propose to take with a view to see that the wages of the strikers for the month of January are immediately paid and their family members saved from starvation?

The Honourable Sir George Rainy: (i) As the 15th March was a holiday and the 16th Sunday, the offer contained in the Government of India communiqué of the 1st of March, which fixed the latest date up to which the men who offered to return to duty would be reinstated or placed on a

waiting list, was kept open until the 17th March. Up to and including the 17th March, about 10,900 men applied for reinstatement; 4,850 have been reinstated, about 4,500 placed on the waiting list and about 1,500 have not yet been placed on the waiting list because they have not vacated their quarters. Of the men on the waiting list 2,500 can be re-instituted within the next two weeks.

In addition, 1,500 engineering gangmen, who did not apply for re-instatement, could be reinstated within a very short period.

These figures do not include workshop staff. The total staff employed in the workshops at Matunga, Parel and Jhansi is about 13,000 men. Up to the 17th March 1,200 men had resumed duty. But since then there has been an improvement in the Jhansi workshops, and on the 22nd of March 3,413 men, that is to say, practically the entire establishment, had resumed work at Jhansi. On the 24th, however, the Jhansi figure had dropped to 1,049. On the 22nd March there were 75 men at work at Matunga and 733 at Parel.

(ii) On the 12th February the Railway Board advised the Agent that, although they must leave the question of filling vacancies permanently to his discretion, they considered that new recruits should only be taken on in such numbers as were absolutely necessary for the maintenance of essential services.

(iii) No.

(iv) No.

(v) (a) No.

(b) Does not arise.

(vi) On the 6th March the Agent, Great Indian Peninsula Railway, gave an interview to Mr. Kher of Jhansi at the request of Mr. Darling, Collector of Jhansi. Mr. Kher did not interview the Agent in his capacity as an office bearer of the Great Indian Peninsula Railwaymen's Union. The Agent told him that, as far as he was aware, about 8,000 posts had been filled.

(vii) Government do not consider that this statement had any real effect on the situation, but are aware that some of the Union leaders have attempted to use it as a lever to dissuade the men from offering to return to duty.

(viii) Government have seen the press telegram referred to by the Honourable Member. A number of men, of whom about 1,500 were in the Transportation Department, on application for reinstatement were asked by the Railway to vacate their quarters, as their original posts had been permanently filled and re-employment either could not be found for them at once, or could not be found at the stations where they were employed previous to going on strike. They were asked to vacate their quarters as a preliminary to their names being entered on the waiting list.

(ix) Government have seen the telegram referred to. From information at present available only 10 per cent. of those who went on strike at Nagpur can be taken on again at that station, but it is expected that

all who have offered to resume duty before the 17th March will be absorbed at other stations.

(x) (a) No.

(b) Yes.

(xi) (a) and (b). Government do not propose to extend beyond the 17th March the undertaking given in their communiqué of the 1st March that an employé who went on strike and who offered to return to duty by the prescribed date and who could not be taken on because his post had been permanently filled, would be put on the waiting list and reinstated at the earliest possible moment. They propose in respect of posts other than those in the workshops to instruct the Agent, Great Indian Peninsula Railway, now to proceed to fill permanently all posts held by men who went on strike and who did not offer to return to duty on or before the 17th March. In filling such vacancies the men on the waiting list will have the first claim to re-engagement, and persons who went on strike but are not on the waiting list will be considered eligible for employment with other applicants. Further, the Railway Administration will be instructed not to refuse to take back into service any employé merely because he went on strike.

I would like to add that as a concession to the employés who offered to return to duty by the 15th March Government agreed on the 15th March to a proposal from the Agent, Great Indian Peninsula Railway, that men who offered to return to duty on or before the 17th March and have been put on the waiting list because their posts were permanently filled should be granted all the leave they were entitled to on the day they proceeded on strike, the leave to commence from the date the employé's name was placed on the waiting list.

The position in regard to the workshops is different, and Government propose to consider the question of abolishing all posts in the workshops which have for some considerable time been retained in excess of requirements, merely because it was not considered desirable to dispense with the services of a considerable number of men all at once. Further, the question of shutting down the workshops for a time will have to be taken into consideration as it is not possible to work the shops efficiently and economically unless a sufficient number of qualified men is available for work.

(xi) (a) Yes.

(b) Payment of wages due was not withheld by the Railway. All wages were available for payment on the normal dates, but in some cases the strikers neglected to take payment. This was the case to a large extent at Parel and Matunga shops, where the men were prevented by the strike organisation from taking payment. As soon as it became apparent to the Railway that the ban on the men receiving wages was lifted by the strike leaders a special pay day was arranged and most of the men received their January wages; but they refused to take pay for the days they worked in February, although this was specifically offered to them.

Mr. N. C. Kelkar: Supplementary question, Sir.

The Honourable Sir George Rainy: There is one more short notice question on the same subject and it might be for the convenience of the House if I answer that before the supplementary questions are asked.

Mr. President: Diwan Chaman Lall.

Diwan Chaman Lall: (i) Will Government be pleased to state:

- (a) the number of strikers involved in the last Great Indian Peninsula Railway strike?
- (b) the number of workshopmen involved in the strike in all the workshops of the Great Indian Peninsula Railway separately? and
- (c) the number of strikers, apart from workshopmen, involved division by division?

(ii) Will Government state whether they agreed to reinstate all strikers immediately except those whose posts were permanently filled up?

(iii) Will Government state the:

- (a) criterion for establishing whether or not a post had been permanently filled;
- (b) method of scrutiny for establishing as a fact whether or not a post has been filled up;
- (c) number of such posts thus filled in the (i) workshops, (ii) in other departments?

(iv) Will Government state the total number of strikers who have been

- (a) refused reinstatement immediately;
- (b) whose names have not been entered on the waiting list; and
- (c) the number, who in spite of the settlement arrived at between the Railwaymen's Federation and the Railway Board have been asked to vacate their quarters?

(v) Is it a fact that Government, as a result of further negotiations by us with (*vide* my letter of the 11th March addressed to the Honourable Sir George Rainy) Members of the Railway Board have accepted the suggestion:

- (a) to treat these strikers who have not been taken back immediately, as on leave for the period of leave due;
- (b) to reinstate all the strikers within a shorter period anticipated in the statement issued by the Government of India on the 1st March, 1930;
- (c) to permit the strikers to report to duty even after the date mentioned in the communiqué of 1st March, 1930. and 15th of March;
- (d) to allow subsistence allowance to the men for the period of unemployment from the day of offer to resume and actual resumption; and
- (e) that so-called permanent hands already employed during the strike should be put on the waiting list and the strikers immediately re-engaged?

(vi) Will Government state the shortest possible period in which all the strikers not so far reinstated will be taken back to work, and whether Government have decided to reinstate at least 50 per cent. in March, 25 per cent. in April and 25 per cent. by the end of May?

The Honourable Sir George Rainy: (i) The position varied from day to day. The figures I give are for the 11th March:

(a) 31,792.

(b) Parel 3,347, Matunga 4,702, Jhansi 4,171, Mammad 397, a total of 12,617.

(c) 19,145.

I regret that figures are only available by departments and not by divisions. 12,073 were in the Transportation and 3,985 in the Engineering Department.

(ii) Yes, provided the employé offered to return to duty on or before the 15th March, a date which was subsequently extended to the 17th March, and was not discharged for other reasons than the strike.

(iii) (a) The criterion is whether an offer of permanent employment, either written or verbal, was made, subject of course to the applicant passing any prescribed medical or other test within a reasonable time.

(b) This must obviously be determined by the evidence of the officer who was competent to fill each post as to the nature of the offer made by him.

(c) Up to the 11th March, in the workshops 13, elsewhere 14,072.

(iv) The number of strikers, other than workshop staff, who offered to return to duty and were not immediately reinstated is about 6,000. The number of strikers, other than workshop staff, who have not offered to return to duty and whose names have consequently not been entered on the waiting list is approximately 8,000. With regard to the number of men who have been asked to vacate their quarters I would refer the Honourable Member to the reply I have given to part (viii) of Mr. Aney's question. I would remind him, however, that this point does not find a place in the terms offered to men to return to duty as announced after my meeting with the representatives of the All-India Railwaymen's Federation.

With regard to workshop staff I am not aware that any man who has offered to return up to the 17th March has been refused reinstatement, and in these circumstances the arrangements with regard to the waiting list have not had to be brought into force. I have received no information that any of the workshop staff have been asked to vacate their quarters.

(v) (a) A recommendation to this effect with regard to men who offered to return to duty on or before March the 17th was made by the Agent of the Great Indian Peninsula Railway and accepted by the Government of India.

(b) Since, if the men offered to return to duty on the terms announced in the communiqué of March the 1st, the Government of India were anxious to re-employ them in as short a time as possible the methods by which this could be done were carefully explored from the 1st of March

onwards; and by extending the arrangements announced in the communiqué to other lines it seems possible that practically all men on the waiting list may be taken back within a shorter period than was suggested, when I met the representatives of the All-India Railwaymen's Federation.

(c) The date has been extended to March the 17th for reasons which I explained in answer to Mr. Aney.

(d) No.

(e) No.

(vi) I am afraid it is not possible to state exactly what the period will be within which all strikers who offered to return to duty on or before March the 17th can be reinstated, but I can assure the Honourable Member that Government are anxious that this period should be as short as possible. I can give no further definite information as to the numbers likely to be reinstated than I have already given in reply to Mr. Aney.

Diwan Chaman Lall: May I ask the Honourable Member whether it was a term of the agreement between the Railwaymen's Federation and the Railway Board that the workers who offered for reinstatement should be asked to vacate their quarters before they could be put on the waiting list, and if that was not a term of the agreement, why was this condition put before them?

The Honourable Sir George Rainy: No, Sir. That, as I have already stated, was not mentioned in the agreement at all. But quite clearly, if a man is on the waiting list waiting for an appointment to be offered to him, and his post has been permanently filled, his quarters must be placed at the disposal of the permanent incumbent. The reason why these quarters are provided is that it is necessary for the man to live near his work.

Diwan Chaman Lall: May I ask the Honourable Member whether it is not a fact that one of the terms of the settlement was that there should be no victimisation, and whether he would not consider that this action, taken by the local officials against men offering for reinstatement, namely, that they should first vacate their quarters before their names could be put on the waiting list, was a measure of victimisation?

The Honourable Sir George Rainy: No, Sir. It was not a measure of victimisation at all. It is merely this, that in order that the work of the Railway may be carried on, the men who have been permanently appointed to certain posts should not be deprived of their quarters.

Diwan Chaman Lall: May I ask, Sir, whether the Honourable Member would not have considered it advisable to consult the Railwaymen's Federation before it was made a condition precedent to the reinstatement of these men?

The Honourable Sir George Rainy: No, Sir. I think this is a matter of an ordinary business arrangement necessary in order that the work of the Railway should go on.

Diwan Chaman Lall: May I ask, Sir, whether it is not a fact that the gentlemen who negotiated with the Honourable Member were under the

impression that the total number of men whose posts have been permanently filled would certainly not exceed 3,000, and whether it is a fact, which has now been discovered, that the total number of posts permanently filled is 14,000 odd?

The Honourable Sir George Rainy: I am not in a position to say what the impression was in the minds of those whom I interviewed on the 23rd February and on the 1st March, but I am quite willing to believe that they thought that the number was a great deal less than 14,000.

Diwan Chaman Lall: May I ask the Honourable Member whether it is not a very serious matter that the representatives of the Railwaymen's Federation, who went to negotiate with the Honourable Member, were definitely under the impression, and that impression was conveyed to them by one of the Members of the Railway Board, that the number, as they understood from that Member, would not exceed 3,000? If that was the position, does it not materially affect the basis of the negotiation?

The Honourable Sir George Rainy: No, Sir. The position at the time of the interview was this, that the members of the deputation first asked that we should undertake to take back the men within a certain definite period. That we were unable to do, and I think I am correct in saying that, from our side of the table, at the interview no figure was mentioned. As regards what the Honourable Member has said about the figure given to him by a Member of the Railway Board, that cannot have been given to him immediately before the interview because, before that date, we had already received a higher figure than that from the Agent of the Great Indian Peninsula Railway.

Diwan Chaman Lall: May I ask the Honourable Member, Sir, whether he is challenging my statement that that figure was given to me by a Member of the Railway Board? May I remind the Honourable Member that I am definitely asserting that, before we entered into negotiations with the Railway Board, a figure of 2,900 odd was actually conveyed to us by a Member of the Railway Board, and that no higher figure was ever mentioned to us before we started negotiations?

The Honourable Sir George Rainy: As I have already said, so far as this particular Member of the Railway Board is concerned, his statement is that that figure was given to the Honourable Member several days before the interview and not in any way as a figure to be used at the interview.

Diwan Chaman Lall: Does the Honourable Member realise that the figure that was given to me and to other members of the deputation that saw the Honourable Member was a figure given to us, either on the day the deputation met the Honourable Member or the day before, and that no other figure was ever given to us before we started negotiations with the Honourable Member?

The Honourable Sir George Rainy: No, Sir. I cannot admit that the figure was given either on the day of the interview or on the day before, and my Honourable friend will remember that, although I was pressed

several times at the interview, I declined persistently to quote any figure at the interview.

Diwan Chaman Lall: May I ask the Honourable Member whether it is not a fact that, although the statement that he has now made about himself is perfectly correct, the other statement is also correct, and will the Honourable Member be prepared still to challenge my veracity in the matter?

The Honourable Sir George Rainy: I have already said that the figure that the Honourable Member has mentioned was given to him in conversation several days earlier and was not given to him on the day of the interview or the day before the interview.

Diwan Chaman Lall: Is the Honourable Member aware that it was not a question of several days earlier? The negotiations started and were completed within about five days, and therefore there could be no question of giving the figure several days earlier?

The Honourable Sir George Rainy: It is not within my recollection, Sir that the period was so short as that. My recollection is that conversations were going on for a longer period than that.

Diwan Chaman Lall: May I ask the Honourable Member whether he is aware that the conversations with regard to these permanently filled posts did not last more than four or at the outside five days, and that the figure could not possibly have been given several days earlier? Is the Honourable Member aware of that?

The Honourable Sir George Rainy: No, Sir, I am not aware of that.

Diwan Chaman Lall: May I ask the Honourable Member if it is not a fact that one of the reasons why many of these workers came back to work, but refused to continue to work is merely because of this, that they discovered that a very large number of the permanent posts had been filled up and that this was not brought to our notice at the time we negotiated?

The Honourable Sir George Rainy: I expressly refrained at the interview from mentioning any precise figure because at that time I was of opinion that the figure we had in our possession should not be taken as a final or accurate figure, and I was particularly anxious to avoid conveying any erroneous impression on the subject. It was for that reason I consistently refused to give any particular figure to the members of the deputation.

Diwan Chaman Lall: May I ask the Honourable Member, Sir, if he is prepared to reconsider the whole position now in view of the definite statement that I have made, which can be borne out by every member of the delegation that met the Honourable Member, namely, that no member of the delegation was aware that the figure could possibly be more than the figure of 2,900 odd or 3,000 at the outside? Under those circumstances, is the Honourable Member now prepared to do all he can to inform the workers who have been on strike that, at the earliest possible moment, every man, in spite of the fact that he did not come back to work on the 17th March, will be reinstated, and that everything will be done to find a job for him?

The Honourable Sir George Rainy: As regards those who returned to duty from the 17th March, certainly, everything will be done to find employment for them as soon as possible. But as regards those who did not return to duty by that date I have already replied in the answer that I have given.

Diwan Chaman Lall: May I take it, Sir, that the position is this, that the delegation that met the Honourable Member were influenced into agreeing to that settlement under the impression that the number of posts which were supposed to be permanently filled would not be more than about 3,000, and is it the position now that the Honourable Member is taking advantage of the figure of 14,000 permanently filled in order to keep out those who did not offer themselves for work on the 17th March?

The Honourable Sir George Rainy: No, Sir. I cannot admit that the members of the deputation were in any way entitled to have the impression that the figure was as the Honourable Member has stated, nor can I accept his suggestion.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member please state what advantages in the way of bonus, increment, leave or promotion, he proposes to offer to those employees who remained loyal to the Great Indian Peninsula Railway during this strike?

Mr. A. A. L. Parsons: The men on the line who remained loyal throughout the strike are being granted double wages for the period of the strike. I cannot at the moment remember if they have been given any other special terms.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member please state, in view of the anxiety shown towards placating the strikers and the liberal terms offered to these men, how long Government intend to continue this policy which almost amounts to encouragement of strikes and spoon-feeding of the strikers?

The Honourable Sir George Rainy: I am afraid I cannot admit the inference suggested by my Honourable and gallant friend that the fact that the strikers who offered to return to duty have been placed on a waiting list is an encouragement to strikes.

Sir Hari Singh Gour: Will the Honourable Member consider the advisability of drawing up a complete report of the causes of the strike, and place it on the table of the House for the information of Honourable Members?

The Honourable Sir George Rainy: I will consider that, Sir.

Mr. M. S. Aney: May I ask, Sir, whether after the Government communiqué was issued on the 1st of March, attempts were made to serve a large number of strikers with notices of discharge from service on the 3rd of March and on subsequent dates, and whether, after the 1st of March, some posts have been permanently filled? Is the Honourable Member aware of that?

The Honourable Sir George Rainy: I understand, Sir, that some posts have been filled since the 1st of March. I may say that when the figure of 14,000 came to our notice, it seemed to me desirable that the matter

should be very carefully examined. For that reason, the Chief Commissioner for Railways, Mr. Russell, was asked to go down to Bombay, where he arrived on Friday morning last. I expect him back tomorrow, and I shall discuss with him the whole question as soon as he returns.

Diwan Chaman Lall: May I ask whether, in view of the situation now presented to us, the Honourable Member would not be prepared to reconsider the whole matter, even with regard to the men who did not offer themselves for reinstatement, and put them on the same basis if they, within the three days time given to them, offer themselves for reinstatement as those who offered themselves previously?

The Honourable Sir George Rainy: I should find very great difficulty in doing that, Sir, but I will consider my Honourable friend's suggestion with the Chief Commissioner for Railways on his return.

Mr. Vidya Sagar Pandya: Will the Honourable Member please let us know how many days' notice was given to the railway employees before they were asked to quit their quarters?

The Honourable Sir George Rainy: I think it was seven days, but I am speaking without the book. I am not absolutely certain about it.

Mr. Vidya Sagar Pandya: Is the Honourable Member aware that, under the ordinary law, when a landlord wants his tenant to quit the house, the tenant is entitled to have some notice, and may I know whether such a thing obtains in the railway rules in respect of their employees?

The Honourable Sir George Rainy: No, Sir, I cannot give an answer as to the notice required under the ordinary law, though I have no doubt that my Honourable friend would be able to give me a correct statement on that point. But the question of the vacation of railway quarters is governed by a special section of the Railway Act.

Mr. Vidya Sagar Pandya: May I know, Sir, if the Honourable Member is aware that some railway officials and others approached the owners of Dharamsalas not to allow the railway men to get into the Dharamsalas?

The Honourable Sir George Rainy: No, Sir; I have received no information to that effect.

Mr. Vidya Sagar Pandya: If any information to that effect is supplied, is the Honourable Member prepared to inquire and punish those who have acted in this manner?

The Honourable Sir George Rainy: If the Honourable Member will give me the information, I will consider whether any action is necessary.

STATEMENTS LAID ON THE TABLE.

EARNINGS OF NEWLY CONSTRUCTED RAILWAY LINES.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I lay on the table a statement promised in reply to the general discussion on the Railway Budget on the 19th February, 1930, regarding the actual earnings during the financial year 1928-1929 of newly constructed railway lines.

Statement showing actual net earnings during the financial year 1928-29 of newly constructed lines for which information for 1928-29 is available.

Item No.	Name of project.	Working Railway.	Gauge.	Mileage.	Date of opening.	Net income creditable to the project for 1928-29.	Percentage return of income (Col. 7) on Capital Outlay.	Percentage return of income on Capital outlay some few years after opening as estimated originally.	Remarks.
1	2	3	4	5	6	7	8	9	10
1	Shahdara-Narowal	N. W.	5'-6"	47.73	21.12.26	Rs. 2,74,753	8.54	5.48	
2	Sibsagar Road Khowang	A. B.	3'-3½"	38.79	1.7.27 (26.79 miles) 10.11.27 (12 miles).	1,41,719	4.04	4.00	
3	Kannivihalli-Swamihalli Extension.	M. & S.M.	3'-3½"	11.74	15.3.28	2,37,532	41.2		(a) Informa- tion not im- mediately available.
4	Shoranur-Nilambur	S. I.	5'-6"	41.35	26.10.27	—28,061*	—0.35	3.52	
5	Lyallpur-Jaranwala	N. W.	5'-6"	22.10	3.12.27	—72,792	—4.29	5.47	
6	Narowal-Jessar-Chak-Amru	N. W.	5'-6"	32.40	21.12.27	—34,449	—1.97	8.21	
7	Sirhind-Rupar	N. W.	5'-6"	31.00	16.2.28	1,95,647	8.00	6.22	

*Excluding earnings of the existing lines from new traffic interchanged with the new Railway.

Note.—1. In the case of lines opened subsequently to March 1928 figures for the first full year of working will be those for 1929-30, which are not yet available.
2. Where the figures in column 7 include earnings of existing lines from traffic interchanged with the new railway the figures are not, pending further investigation, final.

STATES OF WAGES OF CERTAIN CLASSES OF EMPLOYEES OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

Mr. A. A. L. Parsons (Financial Commissioner, Railways): Sir, with reference to part (c) of my reply, on the 20th January, 1930, to unstarred question No. 82 by Khan Bahadur Sarfaraz Hussain Khan, I lay on the table a statement comparing the rates of wages of certain classes of employees of the Bombay, Baroda and Central India Railway during the years 1914 and 1929.

Statement comparing the rates of wages of certain classes of employees of the Bombay, Baroda and Central India Railway during the years 1914 and 1929.

Class of workers.	Rate of wages in 1914.	Rate of wages in 1929.	Percentage of rise in the rate of 1929 over that of 1914.	Remarks.
Boilermakers	2-9	3-9	39.02	
Carpenters	1-13	2-11	48.28	
Fitters	2-5	3-5	43.24	
Masons	2-1	2-1	100.00	
Moulders	2-5	3-5	43.24	
Painters	1-13	2-10	44.83	
Patternmaker	1-15	3-5	70.97	
Blacksmiths	2-9	3-9	39.02	
Coppersmiths	2-5	3-8	51.35	
Tinsmiths	2-2	2-15	38.24	
Springmakers	2-9	3-9	39.02	
Turners	2-5	3-5	43.24	
Trimmers	1-13	2-10	44.83	
Wood Turners	1-13	2-11	48.28	
Beltmakers	1-3	2-4	89.47	
Drillers (includes air)	1-3	1-14	57.89	
Crane Drivers	1-13	2-9	41.38	
Firemen	1-1	1-5	23.53	
Furnacemen	0-14	1-5	50.00	
Steamhammerman	1-13	2-4	24.14	
Machinemen	1-13	2-10	44.83	
Muccadam	1-8	2-4	50.00	
Riveters	1-10	2-7	50.00	
Assistant Sawyers	—14	1-5	50.00	
Assistant Machinemen	—14	1-5	50.00	
Sawfilers	1-3	1-14	57.89	
Cleaners	—12	1-5	75.00	
Coolies	—12	1-2	50.00	
Fetlers and Helpers	—12	1-5	75.00	
Khalassees	—14	1-5	50.00	
Strikers	—12	1-5	75.00	
Rivet heaters	—7	—13	85.71	
Oilers	—14	1-5	50.00	
Lifters	—12	1-5	75.00	

Class.	Maximum rate or wages in 1914. Per day.	Maximum rate of wages in 1929. Per day.	Percentage of rise in rate of 1929 over the rate in 1914.	Remarks.
CLASS I.	Rs. as.	Rs. as.		
Mail Drivers	9 0	12 0	33.33	
CLASS II.				
Drivers (Pass.)	5 8	8 12	59.09	
" (Goods)	6 0	9 0	50.00	
" (Goods)	4 8	8 0	77.78	
Shunting Drivers	3 0	4 8	50.00	
Head Loco. Shunters or Turners.	2 8	4 8	80.00	
Firemen	2 0	3 0	50.00	
"	2 0	4 0	100.00	On passing Drivers' examination.
CLASS III.				
<i>Broad Gauge.</i>				
Drivers	2 8	4 0	60.00	
Shunting Drivers	1 8	2 4	59.00	
Loco. Shunters	1 0	2 0	100.00	
Firemen	0 14	1 8	71.43	
"	0 14	2 0	128.57	Special rate for literate firemen.
CLASS III.				
<i>2'—6" gauge.</i>				
Drivers	1 12	2 8	42.86	
Shunting Drivers	1 4	1 12	40.00	
Firemen	0 12	1 5	75.00	
	Per month.	Per month.		
Drivers' Grade A	..	275		} European Drivers 25% Indian Drivers (Literate) 500% Indian Drivers (Illiterate) 108 %.
" " B	..	250		
" " C	..	220		
" " D	..	100		
" " E	..	75		
European Drivers	220	..		
Indian Drivers (Literate) .	46	..		
Indian Drivers (Illiterate) .	36	..		
Shunters' Grade A	..	130		} European Shunters 30% Indian Shunters 550%.
" " B	..	120		
" " C	..	50		
European Shunters	100	..		
Indian Shunters	20	..		
European Firemen	70	..		
Indian Firemen	14	..		
Firemen Grade A	..	100		} European firemen 43% Indian fire men 615%.
" " B	..	75		
" " C	..	28		
Khallasies	8	15	..	87.5

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

Mr. President: The House will now resume further discussion of the following motion moved by the Honourable Sir George Rainy on the 13th March, 1930:

"That the Bill further to amend the Indian Tariff Act, 1894, and to amend Indian Tariff (Cotton Yarn Amendment) Act, 1927, be taken into consideration."

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, in rising to raise my voice against the principle of this Bill, that is, Imperial Preference, I feel some uneasiness in my mind. I realise the responsibility which I am taking as I cannot ignore the fact that the Bombay cotton industry is passing through a very serious time. Yet, Sir, the duty of every Member is clear in this matter, and it has to be weighed whether the interests of the cotton industry are of such magnitude that we should accept the principle of this Bill although it involves Imperial Preference, or whether we should reject it on the ground that the wider interests of the country demand that Imperial Preference could not be accepted. Sir, I also realise that, in raising my voice against this Bill, I am not carrying with me some of my best friends. What pains me most, Sir, is that I have not been able, in this matter, to carry with me even my dearest friend Sir Purshotamdas Thakurdas, although, Sir, I trust that his head as well as his heart is with me though not his vote. Sir, the consolation which I have, however, is that, except for the Bombay interests, the entire Indian mercantile community, and what is more, the whole country is with me. And, the greatest of all is the consolation that justice is on my side. Sir, with my faith in the justice of the cause, I rise to oppose this Bill.

Sir, before I proceed to touch upon the various aspects of this Bill, I should like to make a few observations about the remarks which fell from my Honourable friends Mr. Das and Diwan Chaman Lall. I think they were unnecessarily unkind when they strongly criticised the Bombay management and commented on their so-called inefficiency. Sir, I hold no brief for Bombay. I have got no interest in the Bombay mill industry but knowing as I do something of mill management in Calcutta and in Bombay as well, I have not the least hesitation in saying that Bombay management is as competent or incompetent as any other management in the world. If, Sir, according to my friend Diwan Chaman Lall, Bombay has been able to oust Lancashire in the cotton trade during the past few years, surely it could not be due to their inefficiency. I should be proud of the fact, Sir, that at present, of the total Indian production of cotton goods Bombay's share is nearly 50 per cent. and surely, Sir, this does not reflect their inefficiency. If, Sir, in spite of the very hostile policy of the Government towards the indigenous industry, Bombay has been able to capture such a large part of the cotton trade, it is a matter, Sir, of which we should all be proud, and I would be very sorry if my friend Diwan Chaman Lall did not feel so. I think, Sir, Bombay is in a frightful condition, and it is the duty of this House to treat her case sympathetically, and not to criticise her at a time when she requires a sympathetic word and sympathetic treatment more than she required at any other time. I also wish to say that whatever be the criticisms against Bombay, that is the only place where you get a little glimpse of Indian management and Indian enterprise. You kill Bombay and you kill the entire Indian trade. I therefore ask my friends not to be unsympathetic but to be

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sympathetic and treat her case as generously as possible. It is true that Bombay has become impatient, as one of my friends remarked. She has lost her nerves. It is therefore all the more necessary that we should not allow her to commit suicide by taking a cup of poison when she requires a cup of milk, that is judicious nourishment and wise counsel. I hope therefore that we shall not be unduly harsh on the Bombay interests. My friend Diwan Chaman Lall said that it was not a national industry. I know there is a distinction between a national industry and nationalised industry. I agree that it is not a nationalised industry. But it undoubtedly is a national industry, and if my friend Diwan Chaman Lall looks forward to a time when it may be possible to nationalise all the Indian industries, I should like to tell him that it will be easier to nationalise a national industry than to nationalise a non-national industry. It is therefore in the interest of all concerned, Sir, that we should help our national industries and not treat them in an uncharitable manner.

Sir, before I come to close grips with some of the provisions of this Bill, let me make it clear that I do not altogether agree with the argument advanced from time to time that there are certain kinds of goods which come into competition with Indian products while there are others which do not come into such competition. This argument is correct to a limited extent, but I will give you a few illustrations which will show that it does not hold good beyond a certain point. Take the case of artificial silk. The House will realise there is nothing common between cloth made of artificial silk and cloth made of cotton, and yet if the cloth made of artificial silk could be sold at a very cheap price, it is bound to compete with the cloth made of cotton. I can produce some samples, which I forgot to bring with me today, but which I propose to lay on the table* for the inspection of this House, which will show that there are dhotis imported from Manchester in very large quantities made out of finer counts, and yet they compete with dhotis made of coarser counts in India. The reason is obvious. The Manchester dhoti, although very inferior so far as durability is concerned, is sold at Rs. 2 per pair, while the Indian made dhoti, although nearly a hundred per cent. more durable than the Manchester dhoti, is sold at Rs. 2-6-0 or Rs. 2-7-0 per pair. In a country where poverty is rampant and the poor have to pay as high a rate of interest on their loans as 200 per cent., it is not at all surprising that a man prefers to buy cloth far less durable simply because it is slightly cheaper than similar cloth and far more durable but slightly dearer. This point has been brought out very strikingly by Mr. Hardy in his Report, on page 72, paragraph 22 when he says:

"We have also to consider the indirect competition of goods of different quality, a matter of special importance if a scheme of protection should be contemplated, since there is always the possibility that a rise in the price of an imported product may not drive the purchaser to a local product of the same kind but rather to an imported product of a slightly different kind. A good example of this type of indirect competition is the supplanting of fine striped shirtings by fine printed drills."

Then he goes on to say:

"Area for area a fine cloth may be less expensive than a coarse cloth and a purchaser who requires a piece of cloth for a particular purpose generally requires a definite area and not a definite weight. Thus he may buy a finer cloth merely because it is cheaper whereas he would prefer a coarse cloth if he could get it at the same price because it is more durable and better suited to his purpose."

*The dhotis were subsequently laid on the table of the House.

This makes it clear that it would not be correct to say that certain kinds of goods alone come into competition and that others do not. It is all a question of price. Every cheap cloth must compete with Indian products, and if we accept this we have to analyse whether the protection proposed to be granted under this Bill is adequate or not. To my mind, Sir, the success of protection would depend entirely on its adequacy. It is something like nourishment given to an invalid patient whom you want, in course of time, to get up on his legs and earn his own livelihood. If you give him judicious but adequate nourishment, he develops sufficient strength after some time and becomes independent of your help. On the other hand, if you keep him in a semi-starved condition, he is a constant drag on your purse. To my mind adequate protection is money judiciously invested by the consumer, and inadequate protection is money simply thrown away. I think therefore this House should analyse whether the protection which is proposed to be granted under this Bill is or is not an adequate protection, whether it covers all those imports which are likely to compete with the Indian products, or whether it is going to be money wasted. We have to analyse whether the sacrifice which the consumer is called upon to make is going to bring us any return or will it have been in vain.

Now, Sir, in order to find out whether protection is adequate or not, let us examine the figures of demand and supply. My friend the Honourable the Finance Member referred, in his speech, to the years 1924-25 and 1925-26 as the years in which the peak of prosperity had been reached, and therefore I would take these years as the bases of my calculations for finding the total consumption of the country. Now, Sir, I take the year 1924-25 and I find that the total consumption of cloth in India was 3,621 million yards, out of which 1,970 million yards were produced by mills in India and 1,651 million yards were imported from outside. Now, Sir, we come to this conclusion,—and it is not wrong as we cannot come to any other conclusion since the purchasing power of the masses after these two years has surely come down—it cannot be said that India can consume more than 3,600 million yards of cloth at present. I have left out deliberately the handloom production and consumption, because that is not a relevant factor. If I take the handloom industry also into account which produces about 1,100 million yards, then I would have to add 1,100 million yards to my figures both of consumption and of production. This will complete the picture. But, for all practical purposes it would make no difference if we omitted the handloom industry altogether from the picture. Thus, we come to this conclusion that the consumption of Indian mill-made cloth and of imported cloth can not be at present more than 3,600 million yards. Let us now see, Sir, if we have not got more supplies than we require.

Sir, the producing capacity at present of India is about 2,700 million yards. We produced in 1927-28 2,357 million yards, and since then there has been a great expansion in the trade. New mills have been erected in Ahmedabad and other up-country places, and at some places the mills have started working at night with a double shift. I know of cases in fact of my own mills in Delhi and Gwalior where we are working a double shift. It has been estimated and the estimate is not far wrong, that the present producing capacity of the Indian mills is about 2,700 million yards, as against our requirements of 3,600 million yards. We have got production in our own country which amounts to 2,700 million yards. That

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is to say, we require only 900 million yards from imports, and I ask the Honourable the Commerce Member whether he thinks that the protection which he is proposing to give under this Bill will be adequate to affect the imports to that extent. We are at present importing, as I said, about 1,900 million yards, and unless we bring down the imports to 900 million yards, there is no likelihood of our mills working economically to their full capacity deriving any advantage from the proposed protection. This is the first point, Sir, on which I disagree with my friend Mr. Chetty. He said: Let us see whether the protection is adequate. I say the protection is not adequate, and therefore the money which we are asking the consumer to sacrifice for protecting the textile industry is going to be money wasted.

Now, Sir, my second point is that our competition is not merely with Japan. I will again produce some figures to show that our competition is not only with non-United Kingdom, but also with the United Kingdom. I propose to place a few figures before the House, which will show that the United Kingdom has been competing as much with Indian products as non-United Kingdom. I will take only dhotis and coloured goods in this connection. I may point out that with Japan, our competition is confined entirely to plain grey goods, i.e., Latha, etc. whereas our competition with the United Kingdom is more marked in the field of dhotis and coloured goods. There, again, I wish to produce a few figures before the House on the basis of which Honourable Members can form their own judgment. Now, Sir, as I said before I have chosen the year 1924-25, as the Honourable the Finance Member called it the peak of prosperity year. In that year our total consumption of dhotis amounted to 947 million yards. Our producing capacity at present amounts to 700 million yards. That is to say, we are required to import only 250 million yards. Now, let us see what has happened. Imports from the United Kingdom of dhotis in 1924-25 were 488 million yards, where it has stood throughout the last five years, viz., the years 1924-25 to 1928-29. In 1928-29 it stood at 454 million yards. But what was the effect on our production? In 1927-28, the production of the Indian mill-made dhotis had reached 616 million yards. In view of our limited consumption, which cannot be more than 950 million yards, there were only two alternatives left for us, viz., either that the imports should have been curtailed or that the axe should have fallen on the Indian production. The imports could not be curtailed and as we could not withstand competition, we had to curtail our own production. Our production, which was 616 million yards in 1927-28, came down to 564 million yards in 1928-29.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): May I ask whether this decrease in the production of cloth was due to the strike in Bombay?

Mr. Ghanshyam Das Birla: I am glad that this point has been raised by my friend Diwan Chaman Lall. It was certainly due to the strike, but may I ask him what these strikes were due to? We had strikes in the Jute industry in Calcutta. Labour put up extravagant demands and as we were passing through a period of prosperity we did not like to prolong the strike and we settled the whole matter in a fortnight's time. But when the Bombay mills got strikes, they looked upon them with mixed feelings. They knew that they were passing through a period of depression,

and they know they would not lose much by keeping their mills closed. They were not in a position to meet the demands of the workers. The result was that they prolonged the strike until starvation led its collapse. Now, Sir, that clearly proves.

Diwan Chaman Lall: I do not want to interrupt the Honourable Member, but may I ask him whether he knows that the 1928 strike did not break down and that the workers did not resume unconditionally?

Mr. Ghanshyam Das Birla: Are you referring to the strike of 1928? May I know what advantage labour got out of it?

Diwan Chaman Lall: The Honourable Member can read the Report himself and find out.

Mr. Ghanshyam Das Birla: I am afraid my Honourable friend has neither read the Report nor has he taken sufficient interest in it. Well.

12 NOON. Sir, it is my sincere opinion, and I think my Honourable friend Diwan Chaman Lall will agree with me, that it cannot be in the interest either of the employers or the employees that the industry should continue to suffer and remain starving. Labour can exact the best terms only when industry passes through a period of prosperity, and as the Bombay mill industry was passing through a period of depression, it suited them very well to prolong the strike. In fact they looked on the strike with mixed feelings. I would not be at all surprised, if even with the proposed protection, some mills in Bombay had to close down. But if no protection was forthcoming, I had anticipated that in the month of May this year almost all the mills in Bombay would be compelled to declare a lockout, and you may call it a strike or a lockout, so far as production is concerned, it will have the same effect. I maintain that you would not have curtailed the production—strikes or lockouts are mere means—but for the fact that we were meeting with serious competition from abroad. Now, Sir, to resume the thread of my argument, what I said about dhotis equally applies to the coloured goods. The import of coloured goods from the United Kingdom in 1924-25 stood at 338 million yards, while in 1928-29 it stood at 335 million yards. That is, the imports have been stationary. Well, the production of the Indian mills, which went up in 1927-28 to 681 millions came down in 1928-29 to 487 million yards. Similarly if we look into the total production of the mills, we would find that, while the imports have been practically stationary since 1927-28, the local production which, in 1927-28 went up to 2,357 million yards, came down to 1,893 million yards in 1928-29. That gives you a correct idea of the situation. The supply is more than India could consume, and there are only two alternatives, either we must curtail the imports or curtail the production. What I want to know from the Honourable the Commerce Member is whether he thinks that the protection which he is proposing to give to the Indian mills is adequate to affect the imports to the extent we want and whether it will bring the imports down to 900 million yards; if not, I am afraid he must admit the money which we want to spend for the protection of the Indian industry will be money wasted. It was for this reason that the Bombay millowners and the millowners of other parts of India unanimously asked for 20 per cent. all-round with a minimum of 3½ annas per pound on all cloth. I want to know why two-thirds of the imports have been left untouched. Our total imports amount

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to 1,900 million yards, out of which two-thirds come from the United Kingdom, and it is from the United Kingdom that we have to face serious competition in dhotis and coloured goods, and I want to know from the Government of India what protection they propose to provide against the imports of dhotis and of coloured goods from the United Kingdom, which are very seriously competing with Indian products.

Mr. B. Das (Orissa Division: Non-Muhammadan): Mr. Chetty will explain that.

Mr. Ghanshyam Das Birla: My own conclusion is, and that conclusion is shared by a large number of friends in this House, that while the Bill does provide a small protection to the Indian industry, it also provides a protection to Lancashire, in order that she may wrest her lost territory from Japan. The figure of the last two years will show how the imports from the United Kingdom have gone down, while the imports from other sources have gone up. In 1927-28, the imports from the United Kingdom were 1,543 million yards, while from other sources they were 430 million yards, thus making a total of 1,973 million yards. While the total imports have been stationary—that is in 1929 the imports were approximately 1,980 million yards,—the imports from the United Kingdom have gone down from 1,543 million to 1,300 million yards, while from the other sources the imports have increased from 430 million yards to 680 million yards. That, Sir, makes it quite clear that while we are asked to give a small protection to the Indian cotton industry, we are also asked to give equal protection, if not more, to the Lancashire industry. I ask this House whether it is fair that, at the cost of the Indian consumer, we should protect an industry which is not situated in India, which is in no way connected with India except the fact that it is one of the elements which has constantly aspired to kill the Indian textile industry. (Hear, hear.) I would not be opposed to protecting any British industry, provided we do so by mere blessings or by mere words. But if it is a question of paying so much out of your pocket to a foreign industry, I am sure none will have the courage in this House to say that we should do so.

I realise that my Honourable friends the Bombay Millowners Association people have been in a difficult position. While they want protection for their own industry, if they reject this proposal they have to go without protection for some time. But if they would have the patience and courage to say to the Government definitely without any ambiguity that if we want protection we want unalloyed protection, we will not consent to pay a huge sum out of the pocket of the Indian consumer for benefiting Lancashire, if they had the courage to say this, I am sure that, in the course of a short time, the Government would have to bend and give us protection, adequate and unalloyed, without any tinge of Imperial Preference. But, Sir, let us examine what is the expenditure we are incurring in order to protect the Lancashire industry. The Fiscal Commission in its Report—here I want to make it clear that I am not reading from the Minority Report, for I was one of the Minority which wrote the Minute of Dissent—I am quoting the Majority Report, which was accepted by the Government. In paragraph 225—this paragraph has already been

quoted, but it is so instructive that I am tempted to quote it again, and I hope the House will not mind the repetition—in paragraph 225 it says:

“So long as a substantial quantity of the commodity continues to be imported from countries to which preferential rate has not been extended the prices of the commodity will be regulated by the higher duty and the consumer will thus pay the higher price on the whole supply and the difference between the two rates of duty will be equivalent to a bounty to the manufacturer in the country receiving the preference.”

Then, Sir, in paragraph 226, on page 126, they further give an illustration and say:

“To take an illustration we may assume that the favoured country is before the grant of preference supplying three-fourths of the market and after the preference is given the price to the consumer for a time may be regulated by the higher rate of duty and the manufacturers of the favoured country will receive, as has been already explained, the bonus of the difference between the two rates.”

This illustration very well fits in with our present position. We are now importing two-thirds from the United Kingdom and one-third from other countries. Now, Sir, if we are to accept this proposal, the result should be that the price of imports from the United Kingdom would be regulated on the basis of the prices on non-U. K. goods, which naturally, will have to be sold at a higher price on account of the five per cent. extra duty. That being so, viz., if five per cent. extra raises the price of all imports from the United Kingdom, this would mean that the Indian consumer would be paying very nearly 2 crores of rupees for the benefit of Lancashire. It may be said that I am exaggerating the result. But I should like to know from the Government if the figures which I am giving are wrong, what are the correct figures. I want to know how much you are calling upon the consumer to pay to Lancashire in order that she may be able to sell her goods at higher rates in the Indian market and thus protect her industry. I would read a press telegram which is very significant. The President of the Manchester Chamber of Commerce issued a statement in which he said:

“While they are profoundly dismayed at the increased duty, they could not fail to recognise the gesture of the Government of India proposing an additional five per cent. duty on non-British goods, although it will not suffice to compensate Lancashire for the disadvantage of general increase.”

Well, Sir, if this will not suffice to compensate her, if the compensation is not sufficient, it is, according to the admission, some compensation at least. And I want to know what is the total amount of compensation which we are providing to Lancashire. Surely, Sir, if any compensation is being provided, it could only be provided at the expense of the Indian consumer. I should like to know from the Honourable the Commerce Member as to what is the total amount of compensation which is sought to be provided to Lancashire at the cost of the Indian consumer. However, Sir, the fact is clear, and to my mind it seems that it should be clear to those who represent Indian interests, that we are being asked to protect the Lancashire industry at the expense of the Indian consumer. Now, Sir, Government may protest that that is not so, although they owe to me a reply to my question as to what is the compensation which we are providing.

But Government may say that they are not giving any compensation. Will that convince any impartial man who carries a head on his shoulders? I will put another simple question. Either Lancashire competes in the Indian market against Japan, or it is competing with the Indian products, or it is competing with none. There could be only these three alternatives. Let us examine this point more fully. If Lancashire is competing

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with Japan in the Indian market, is it fair that Japan should be handicapped by the imposition of 5 per cent. extra, which will mean higher prices to the consumer? If Lancashire is competing with Japan, then surely it is the duty of Government to put both the countries on the same level, so that there may be free competition, and the consumer in this country may get his requirements at a reasonably low competitive rate. My friend, the Commerce Member may say that Lancashire is not competing with Japan. Then is it competing with the Indian products? If that is so, is it fair that two-thirds of the imports should be left practically untouched? Is it not fair that we should get equal protection against Lancashire also? Then, Sir, if there is no competition either with Japan or with the Indian products, then for whose benefit is this five per cent. extra being imposed on Japan? Why should the Government be so chary of accepting the amendment which is proposed to be moved by the Leader of the Opposition, Pandit Malaviya, which imposes $3\frac{1}{2}$ annas per pound on all imports? The very fact that Lancashire is producing only finer goods should be a sufficient safeguard for Lancashire, because if my Honourable friend the Commerce Member would calculate, he would find that $3\frac{1}{2}$ annas per pound on finer goods will not go above 15 per cent. It will be practically inoperative. Therefore I want to know why it is that Government feel hesitation in accepting that amendment, if Lancashire is competing neither with Japan nor with India. My suspicion is that, even if there may be small competition today, the object of Government seems to be to help Lancashire in wresting from Japan the territory which has been lost in the last two or three years. The very fact that Government feel hesitation in accepting Pandit Malaviya's amendment clearly proves that Government are not acting in this matter in the interest of the Indian industry. If I accept their argument that protection is proposed on the basis of competitive goods, I want to know why it is that Government want to tax Japan, even in the case of finer goods, where there is no competition, and why she is leaving alone coarser goods from Lancashire, where there is competition. The competition may be small, but why can you not impose a $3\frac{1}{2}$ annas duty, which will leave all the finer goods untouched, and tax those coarser goods which are coming into competition? The very fact that Government hesitate shows that their *bona fides* are not above suspicion.

It might be said by my friend, the Commerce Member, that there are administrative difficulties in accepting Pandit Malaviya's amendment. He might say that it is not possible to collect $3\frac{1}{2}$ annas per pound specific duty on all imports. May I ask, why this so-called difficulty was not pointed out to the millowners' representatives when they met the Commerce Member at Delhi and suggested $3\frac{1}{2}$ annas all round? If the administrative difficulties exist, surely they should have existed even at that time. But so far as I know, not much objection was raised on the ground of administrative difficulties. I again inquire whether these administrative difficulties are so insuperable that this could not be accepted? I am afraid it is all very nice to say this to laymen, but those who have got some experience of trade know very well that it is not the administrative difficulties which compel Government to reject Pandit Malaviya's amendment, but, it is because, if they accept this, they will be putting Lancashire and Japan on the same basis. They will be allowing free competition, and they will not be able to grant that protection to Lancashire which they want to. That is the whole proposition. I therefore strongly urge that,

if we have got any self-respect left in us, we should reject it and tell Government that we are not prepared to accept their proposal. It is most humiliating that this protection has been mixed up with a policy of preference. We have been crying for protection for the last three years. The Tariff Board made a recommendation that the Indian cotton industry, deserved protection. Government rejected the Tariff Board's recommendation and now, taking advantage of the plight and bad condition of the cotton industry, they come forward with a proposal, which is most humiliating to the country and particularly to the millowners, and they say, with pistol in hand, that either they must accept both protection and Imperial Preference, or reject it and go to the dogs. This is the situation in which they have put the Indian cotton industry, and I say that if any self-respect is left in the millowners, they should declare a lockout and say to Government that they do not want to go to the dogs. They may ask Government to go to the dogs, but they should refuse to consider this most humiliating proposal. I am afraid they have not got that courage, but surely it is the duty of this House to say that we are not going to stand this humiliating proposal and we are not going to accept it. If Government carry this proposal by the strength of their own votes, let them do so, but I want every one of the Honourable Members to reject this proposal.

Sir, I have stated my objection very briefly. My friend, Mr. Shanmukham Chetty, when he discussed this Bill, said he wanted to dwell on three aspects. First, whether the industry deserved protection. I think there could be no two opinions about it. The industry does deserve protection. Secondly, whether the protection was adequate; and here I differ from my friend Mr. Chetty. I say, the protection is not adequate. I do not want to make any prophecy, but I shall not be surprised if, in spite of this protection which you are giving, the Bombay mills knock at your doors again next year and suggest that they are dying and require more protection. I will not blame the industry if they do so, because you are not giving them adequate protection, and if they knock at your door again, it will be because of the fact that you are not giving them adequate protection. I maintain that the protection is not adequate. The third point of Mr. Chetty was whether the effect of Imperial Preference was injurious to the industry and the economic interests of the country. I think, Sir, I have proved, at least to those who want to see with their eyes open, that it is injurious to the economic interests of the country. I hope I have proved that we are protecting Lancashire at a cost which may fluctuate between 1½ to 2 crores of rupees per annum, and I ask this House to ponder seriously on the question whether they will be serving the interests of this country by accepting a proposal which is calculated to promote not our interest but the interest of Lancashire.

But, Sir, I want to say a word to Government also. If they think that, in the existing humiliating circumstances, they could impose something on us, they are very much mistaken. I think, Sir, almost every politician from time to time has said that, when we get full responsible government, Dominion Status, Swaraj,—by whatever name you may call it—practically every politician has said that he will be prepared to consider very favourably any demand which may come from the British interests. But, Sir, what you are doing at present is, that you are stiffening the attitude of the people. If you think you can impose Imperial Preference on us with impunity, you are very much mistaken. You are stiffening

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the attitude of the people towards your interests, and I would tell the Government and those who are interested in the Lancashire industry that, by this proposal, they are doing more harm than good to Lancashire. (Hear, hear.) The advantage which they think they are going to get will at least be a temporary advantage. I would be the last person, therefore, even from the point of view of Lancashire, to impose such a thing on the people at this stage, when the political situation is so unsettled. I have spoken to my friends, the millowners, of the disadvantageous situation in which they are putting themselves and I will tell them that, by accepting this proposal, they are doing the greatest disservice to themselves. First of all, they are alienating sympathy of the people. (Hear, hear.) What Mr. Chaman Lall and Mr. B. Das said represents to some extent the opinion of a section of the country. People are already hostile to the Bombay mill industry. And, Sir, if they are so indiscreet as to associate themselves with the proposal against which even the Government of Lord Curzon fought in 1903, I am sure they will be inviting the greatest condemnation on themselves. Even from their point of view, in their own interest, they are making another mistake. May I ask them, why did they not get protection in 1927, and why should they get a little protection now? It was because, in 1927, the imports from Japan were not large. The ratio was not of one-third to two-thirds as at present. At that time, any protection to the Bombay mills meant hitting Lancashire to the extent of 80 per cent. They are getting protection today because the Lancashire interests have dwindled down to 66 per cent., and if they help the Government, if they help Lancashire in wresting the lost territory from Japan, and if, after two years, it is found that cent. per cent. trade is captured by Lancashire, they may take it from me that, if they want any protection in future, they will be knocking their heads against a wall of stone. It is impossible for any Government, until we get responsible government, to fight against the Lancashire interests and, Sir, what they are doing at present is inviting death for themselves. If they have got sense enough, they ought to see. But, Sir, as I said, they have lost their nerves, and it is the duty of this House, however impatient the Bombay millowners may be, it is the duty of this House to see that, in their impatience, they may not do something which is against their own interest and against the interests of this country. With these words I oppose the principle of this Bill. (Applause.)

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): I have listened, Sir, to the speech of my friend, Mr. Birla, and other speeches with the greatest possible attention. I am, Sir, face to face with the practical proposition. A good deal of what he has said appeals to me very much, about self-respect and the sentiment of the people and the opposition of the public to Imperial Preference. Sir, I want to place before this House, in the first instance, what is the constitutional position of this Assembly *vis-a-vis* the Government of India. The history of the protection of this industry and the past history of obstructing the development of this industry is very well known. We all know it. Sir, I would not go beyond recent times, the Fowler régime, the free trade doctrine, of which my friend, Mr. Arthur Moore, is still a faithful follower and believer in this country, but not in his own I suppose, the continuation of the excise duty, which was only repealed three years ago, I think, and so on, and I will not say anything more than this: that it has been recognised in every fair

and just quarter that it was politically a blunder, morally wrong and commercially unsound. But just as we found the excise duty was repealed, we were presented with the ratio question. Now, I know the Honourable Member considers this as a very sore point when we mention this ratio. But even the Tariff Board admitted, in the inquiry of 1927, that at any rate, putting it in a most favourable light, the repeal of the excise duty, which gave them relief, was at least wiped off by this ratio if not more. But there are other people who seem to think that it gave an advantage to the import of foreign textiles industry of 12½ per cent. Sir, fortunately, we have made some progress since that policy, as I said, the Fowler and Hamilton policy, and the progress is this, that we have got now our charter—I do not use the word seriously—in the observations of the Joint Parliamentary Committee and those observations I will read. They are these:

“Whatever be the right fiscal policy for India, for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa. In the opinion of the Committee, therefore, the Secretary of State should as far as possible avoid interference on this subject when the Government of India and its Legislature are in agreement, and they think that his intervention, when it does take place, should be limited to safeguarding the international obligations of the Empire or any fiscal arrangements within the Empire to which His Majesty's Government is a party.”

Because, after all, the Secretary of State for India forms part of the British Cabinet, and the British Government could only hold office or be in power if Parliament approves of their policy. And there wasn't a Secretary of State for India who was bold enough, or courageous enough, in the interests of India, to allow his party to be defeated on the floor of the House and face dissolution. So, to this extent now, Sir, we are in a better position. But what is our position now under this convention? Our position is this: that if there is agreement between the Government of India and the Legislature, then a measure can be enacted, it can be an accomplished fact. Sir, quite recently, in a speech, the Secretary of State for India, Mr. Wedgwood Benn, said that no Secretary of State for India—I will use his own words—he mentioned this convention, and having mentioned this convention, he said this:

“As an opponent of tariffs, I would never stir one inch from that definition of principle because the principle of self-government is far greater than what I would call the matter of fiscal commonsense. Nor would any Secretary of State attempt to lay a finger upon this principle of tariff autonomy which has been established in practice for 10 years in Indian affairs.”

Mr. President: What book is that?

Mr. M. A. Jinnah: Parliamentary Debates, Hansard, page 1552. Now, Sir, the Government of India, *vis-a-vis* this Legislature, are unrestricted, unfettered, in their power to deal with matters like tariffs, as they may in their opinion think best, and the Government of India have taken the initiative and put this proposal before us. Now, Sir, it is a great anomaly. India is not a Dominion; this Legislature is not a sovereign legislature; this Government is not responsible to this House; and how are we going, in this matter, to act as a Dominion would, like Australia, Canada or New Zealand?

Mr. President: By convention.

Mr. M. A. Jinnah: That is exactly where I am making clear our position. I want the House to understand why I am taking this trouble, because it has been assumed in some quarters of the House as if we are masters of the situation and some Honourable Members actually—I am not here to defend the mill management or my friend Mr. Mody—but some of them said, “You come before us with a beggar’s bowl, but you do this and you do that first and then we will consider”. Sir, let us see what is our position, whether we are also not carrying a beggar’s bowl before the Treasury Benches, and I want Honourable Members to realise fully their position.

Mr. President: Not in the matter of fiscal autonomy?

Mr. M. A. Jinnah: Sir, if you will permit me, I will convince you also. Let us see what the position is. The position is this. The Government have the right to take the initiative. This Legislature can only reject it; but if this Legislature wants to modify any measure which the Government propose, and if they do not agree to it, then it falls.

Mr. President: Are they bound to agree?

Mr. M. A. Jinnah: Sir, no person is bound to agree.

Mr. President: Then is the fiscal autonomy a reality or not?

Mr. M. A. Jinnah: If you will tell me, Sir, if you will give a ruling that the Government are compelled to proceed with this Bill and put it on the Statute-book, no matter how we alter it, I am for it.

Mr. M. S. Aney: May I ask the Honourable Member one question? Was it not given out by the Secretary of State as a proof of Dominion Status in action that India has fiscal autonomy?

Mr. M. A. Jinnah: That is how Honourable Members got deluded.

Mr. M. S. Aney: Who attempted to delude us?

Mr. M. A. Jinnah: Why did you allow yourselves to be deluded? Why didn’t you examine carefully, why didn’t you try to understand your own power and your own right instead of saying, so and so said so and so? I may put a definite question on the floor of the House: are you, Sir, prepared to give an undertaking, a ruling that, however I may modify this Bill, the Government are bound to accept it and put it on the Statute-book? I am for it.

Mr. President: That is what I understand to be the position in respect of fiscal autonomy.

Mr. M. A. Jinnah: Sir, with great respect, if you give that ruling, I say that ruling cannot be enforced, but I am prepared.

Mr. President: Nothing can be enforced.

Mr. M. A. Jinnah: What is the good of your being deluded? That ruling, Sir, will have great respect, will have the utmost respect, but that ruling cannot have any effect whatsoever. I want to know from the Government because—I know the constitutional position, and if I am wrong I want to know from Government, are they prepared.

An Honourable Member: Is fiscal autonomy given to the Treasury Benches or to us?

Mr. M. A. Jinnah: That is the error into which the Honourable Member has fallen. What can I do? If you will allow me, Sir, I will ask the Government, are you prepared—because this is how I understand it from the statement which the Finance Member made and further augmented by the statement of the Honourable the Commerce Member. I will read the statement of the Finance Member—paragraph 53. I don’t want to make a long quotation; if you read it carefully, the effect of it is this: that they are not prepared to modify their proposal embodied in this Bill and the scheme contained therein in any important degree, and that was made still more clear by the Commerce Member in his speech, when he moved this motion. I think I am quoting him correctly, though I am quoting from my memory. He said, he feared, speaking on behalf of Government, that it would be impossible for us to accept any sort of important change in the scheme of this Bill, or words to that effect?

Mr. President: Did the Honourable the Commerce Member say that he was going to accept the decision of this House?

The Honourable Sir George Rainy (Member for Commerce and Railways): What I said was this, when moving for the consideration of this Bill:

“I should be misleading the House if I conveyed the impression that Government have an open mind or that they are prepared to discuss these various amendments on the footing that all of them are equally open for consideration. I have no desire what ever to mislead the House on that point, and indeed it would be entirely wrong if I did so. Drastic changes in the scheme embodied in the Bill would, I fear, be impossible to accept, but as regards one of these amendments, namely, that which stands in the name of my Honourable friend Mr. Chetty, I am willing to say that, after full consideration, the Government are prepared to accept that amendment.”

To that position, Sir, the Government of India, after full consideration, adhere. In particular, the amendment, I think, in the name of the Honourable the Leader of the Opposition, and the second amendment standing in the name of Mr. Iswar Saran and two or three other Members of the Nationalist Party, and I think a third amendment standing in the name of my friend Mr. Acharya, if any of these amendments are passed by the House, I fear it would be impossible for Government to proceed with the Bill.

Mr. President: I am afraid that position is entirely inconsistent with the statement made by the Finance Member, that fiscal autonomy is a reality, and that it is an integral part of the constitution, and also the statement by the Secretary of State for India, made in the House of Commons in the recent debate, that India enjoyed the same liberty in the matter of tariffs as Great Britain enjoys.

The Honourable Sir George Rainy: I think, Sir, it has been clear all along that what the tariff autonomy convention means is that, when the Government of India and the Legislature are in agreement, the Secretary of State will not exercise his power of superintendence, direction and control. In any Dominion it would be necessary that the Government of that

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Dominion and its Legislature should be in agreement before a decision on such matters could be arrived at. The difference of course is that in a Dominion automatic means are provided by which, when there are differences between the Legislature and the Government, they are at once adjusted, whereas under the existing constitution in India no such automatic means of adjustment are provided.

Mr. President: Unless the Government of India are prepared to assimilate themselves to the position of Ministers and act as such in this matter of fiscal autonomy, this fiscal autonomy has no meaning under the present constitution.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): May I ask one question, Sir

Mr. M. A. Jinnah: I am in possession of the House, Sir. I had, Sir, very little doubt in my mind, and that is why I stated the proposition in the form in which I did, so that Honourable Members may understand the exact position. But, Sir, after the reply given by Sir George Rainy, on behalf of the Government of India there is now absolutely no doubt left in the amendments that have been tabled. There are these three alternative proposals. And, Sir, I may tell the House, because there is no confidence about it, that I myself wanted to move an amendment at first. Before tabling the amendment, I considered my position, and I came to the conclusion that, if it was not acceptable to the Government of India and if I carried my amendment, or if any of these amendments were carried, the one and the only result would be the wreckage of this Bill, as the Government may not proceed with the Bill further. Now, Sir, I may tell Honourable Members here that it is for this reason that I am not prepared, in spite of those sentiments which my friend Mr. Birla expressed, to take the responsibility of this Bill being wrecked. I find, Sir, that all along here, barring perhaps a few exceptions, every one recognises the immediate and urgent necessity for the protection of the mill industry. There are various reasons for it, and it has been argued in different ways, but the conclusion is the same, that the mill industry at the present moment is in a desperate condition, and that it needs urgent and immediate protection. And, Sir, nobody would say that it should not get adequate protection, or I will go further and say, effective protection. I entirely agree with my friend, Mr. Birla, that it is wasting the money of the consumer if you do not give effective protection to any industry that you want to keep alive. Because, what is the result if the protection is not really effective? The effect will be this, that whatever little money you put into the pockets of these industries probably will go to minimise the losses they have sustained or may enable some of them to declare a small dividend. That is not the principle of protection. The principle of protection, as I understand it, is this, that the consumer is ready to bear the burden as an investment, as my friend said, so that, within a reasonable time, the industry which they have protected will serve them and will give them the commodity they protected at a cheaper rate and drive out the foreign imports from this country. That is why you should give protection, and there is no question about it. But, Sir, I will read now the words of Sir Victor Sassoon. Speaking on the Tariff Bill which dealt with the yarn duty in

1927,—it is a very instructive passage and I think the House will bear with me, and Honourable Members will realise that our position today is exactly the same as it was in 1927,—this is what he said:

"The position is this, that the mill industry is like a poor wounded man lying on the road. Mr. Jamnadas Mehta says this man needs an ambulance. Mr. Jamnadas is entirely right; he does need an ambulance to take him to the hospital, but all that is offered to him is a broken crutch. He cannot go far or fast on this crutch, but he takes hold of it and stumbles towards the town in the hope that somebody will help him on the road. But Mr. Jamnadas says he should not take the crutch but remain lying on the road while he apprises the municipal authorities."

My friend Mr. Birla wants the millowners to remain lying on the road and he will go and inform the Delhi municipality about it.

Then, Sir Victor Sassoon went further, and said:

"Unfortunately Mr. Jamnadas cannot guarantee to us that we will ever get this ambulance or I would certainly join him."

Nor can my friend Mr. Birla guarantee me the ambulance, or else I would certainly join him.

Mr. T. Prakasam (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural): May I interrupt the Honourable Member for a minute. May I know whether it is his contention that the position taken by the Government, in defiance of the position dictated by the Secretary of State, is a correct one or not according to the argument of Government?

Mr. M. A. Jinnah: That point I have past. I cannot go back on it now. Then Sir Victor says:

"Mr. Jamnadas cannot guarantee to us that we will ever get this ambulance or I would certainly join him."

And somebody shouted out and said "Sir, it might be the funeral". Now, Sir, I am not prepared to face here in front of me the funeral, and I cannot, Sir, take the responsibility for the funeral of this industry. Of course, we are all agreed that this industry requires protection, it requires effective protection, it requires immediate and urgent protection; but if we cannot get the ambulance, Sir, I have no hesitation in saying that there will be a funeral of this industry, and I am not prepared to participate in bringing about that state of things.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Are you delivering a funeral oration?

Mr. M. A. Jinnah: No, Sir. But let me make my position clear that, as I understand the principle of Imperial Preference, it means this, either there should be a reciprocity arrangement between one Dominion and another Dominion; that is, one Dominion says I will give you certain advantages in return for certain advantages which you should give me. That is one principle of Imperial Preference. The other principle of Imperial Preference, Sir, is a voluntary gift. It is open to a Dominion, as part of the British Commonwealth, to say that we will make a voluntary gift to you, provided it is not seriously detrimental to our interests. It is open to you to say so. Neither are we a Dominion, nor is this proposal based on the reciprocity principle, nor even does the Honourable Member or the Government say that we are making a voluntary gift. Personally I am not satisfied with the reasons and the arguments which are put forward to

[Mr. M. A. Jinnah.]

support this scheme, but I think we ought to deal with this matter in a fair manner. The Government themselves do not say that they are asking us to endorse the principle of Imperial Preference in their fiscal policy. That is quite clear from the statement made by the Finance Member in paragraph 59 of his speech. This is what he says:

"I need not elaborate the further arguments which have been dealt with in our telegram, but I must before leaving this part of the subject emphasize once again one vital point which we have made. We do not and in fact we could not ask this Assembly to commit themselves at this stage to accepting the principle of Imperial Preference. We are asking them to regard this proposal merely as a special measure designed to meet the immediate emergency. It is acting in this spirit that we propose that the special protective duties shall be imposed for a period of three years only and that at a convenient date before the termination of this period their effect and the whole position of the industry shall be re-examined in a Tariff Board inquiry."

Mr. T. Prakasam: Do you justify that?

Mr. M. A. Jinnah: Beggars cannot be choosers. I am not justifying a single thing, but I am only justifying one thing, and it is this. (An Honourable Member: "Don't have the mentality of a beggar".) I wish we could act otherwise, but I shall not give my support to this measure being wrecked at this juncture. That is all I am saying, and I do not want to use unfair arguments. I must also recognise correctly and fairly what the Government position is, which is, we are not asking you to endorse the principle of Imperial Preference. This is an emergent measure, and the whole question will be examined by the Tariff Board. I for one have not got enough data and therefore it is very difficult for me to deal with this question. I venture to say that this House is not committed to the principle of Imperial Preference. It requires further examination

Mr. T. Prakasam: Are you convinced of the emergency?

Mr. M. A. Jinnah: Yes, I am convinced of the emergency a hundred times over.

Mr. T. Prakasam: For Lancashire?

Mr. M. A. Jinnah: I am not concerned with Lancashire. I am concerned with my interests.

Mr. T. Prakasam: Lancashire?

Mr. M. A. Jinnah: "What is the good of this sort of interruption?" Either my Honourable friend does not understand or will not understand me. The Government say that they have examined this question, and for the time being this is the best thing we can do, and then there comes the appeal from His Majesty's Government. I certainly wish that that appeal might have been left out. That appeal could only come properly to us for consideration if we were in a position and had the power to decide according to our judgment. I do not wish in any way to say anything which might be misunderstood. The Labour Party and the Labour Government have certainly shown their goodwill and good words, but good deeds still remain to be performed. I shall treat, with all respect and

sympathy an appeal from the Government in office, namely, the Labour Government. Not that I would have treated it without any respect otherwise. This Government have shown goodwill, and certainly good words and good manners, and to that extent I would be only too glad if it were possible for me to show every consideration to that appeal. Sir George Schuster said to Pandit Madan Mohan Malaviya that if he was the keeper of his conscience, he would know that he put India's interest first. If the Finance Member, I would say, was the keeper of my conscience, he would find that I have no ill-will against Great Britain. I have no desire to do any injury to Great Britain, but, Sir, I must say that I love India first, and I must stand for the interest of India every time. Whenever a question of this kind has got to be considered, it depends a great deal upon the angle of vision with which you approach the question, and it is quite possible, and I do not challenge that for one single moment that the Honourable Members there have honestly and sincerely come to the conclusion that this is the best service they can render to India at the present moment with regard to this problem.

There is one word more which I wish to say about Japan. Several telegrams have been sent to me and to other Honourable Members of this House from various important and influential bodies in Japan. I wish to say this. All credit is due to Japan for her wonderful organisation, for her skill, energy and ability. We are proud of this great nation, particularly as it is an Asiatic nation. It stands among the foremost nations of the world and we are proud of that. We have no unfriendly feeling against them, but I think they must also realise that we are not yet masters in our house. And therefore we cannot do as we please.

1 P.M. But we are also obliged to think of our interests first. I quite see their point of view, that this protection, this differential duty, does mean an advantage to the United Kingdom goods against Japan. I quite see also, apart from the argument of Mr. Birla, that even the finer counts are in a way competitive goods. But apart from all that, it is admitted by the Government, subject to Mr. Chetty's amendment, that 12½ per cent. of the United Kingdom goods are admittedly competitive goods. Mr. Chetty's amendment has reduced that percentage of 12½ per cent. to now about 8 or 8½ per cent. roughly. To that extent, Government have yielded as far as the United Kingdom is concerned. I quite realise all that. But what did Mr. Birla say? He said: "If the protection is not given by the end of May, almost all the mills will close down and will have to resort to lock-outs". Do you want me to take that responsibility? I cannot; I will not.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Throw that responsibility upon the Government.

Mr. M. A. Jinnah: Government have made their position quite clear. The responsibility is entirely theirs for this, but speaking for myself and my party, we are not in a position to endorse the scheme of the Government. We are not yet satisfied with it. They themselves have made it clear that it is subject to further examination. But as an emergency measure, I cannot oppose this Bill for the reasons I have given; and if we find that this Bill is in danger, we reserve the liberty to act as we may think proper and it seems that in that case we shall be obliged to support the Government.

Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): Sir, I think it is the duty of all Members to consider this measure very carefully before they pronounce any responsible expression of opinion in this House and it is with that full sense of responsibility on this occasion that I venture to express my opinion. Sir, I am convinced that sometimes one feels in this House like Alice in Wonderland. I have had the benefit of hearing long speeches and the wisdom I have drawn from experience is that I should make short speeches and only deal with facts. Now, Sir, with regard to the measure before us, it touches and involves so many different interests that I may say that the principal interests involved are the interests of the producer, the interests of the millowner in India and the interests of the consumer. With regard to the interests of the producer my own province, the Punjab, I venture to say, has a great deal to say. In the Punjab, as the House is aware, we have built up a magnificent edifice of agricultural industry. Although the land there is greatly depreciated, still it commands very high prices, and our rural classes are, reasonably speaking, much better off than those of any other province in India. These rural classes have gained on account of the export of wheat and cotton. In the Punjab, large areas are assigned to these two crops and it is due to these agricultural operations that our prosperity is due. Now, Sir, if there is any competition in buying cotton in India, it is a self-evident fact that the producer in India gains a good deal. But if you eliminate rich competitors, there is no doubt that the producer, for example, in my own province, the Punjab, would be badly hit, and for this reason my primary duty is to give expression to the view of these rural classes in the Punjab. Japan is a very good purchaser of cotton in India and so is Lancashire. If Japan, on account of the protective duties, is eliminated from competition for the Indian cotton, then, I am afraid, the depreciation of the value of cotton will prejudicially affect the land also. Our prices of land in the Punjab, as I have already said, range very high, and this is a great gain to the rural classes. But if cotton depreciates or goes down in value, then the value of the land also decreases. This is one consideration.

The other consideration is that this Bill involves a loss to the consumer. If Japan can outbid or undersell Lancashire, then the consumer in India naturally gains. As we have seen, Lancashire's trade, on account of competition with Japan, has greatly decreased and suffered. I have no doubt that the Honourable Member here present, feeling the great necessity of helping both the producer and the consumer, will tend towards the opinion to reject this Bill. There are however greater and mightier problems involved, and I would humbly request my Honourable colleagues that they would liberate their minds from the yoke of entrenched prejudices and approach this problem with a wider vision and the imagination of true statesmen. All the speeches that I have heard so far, during the course of the last week, had in them a very important ingredient, and it was this, that Great Britain should bear in mind that India is expecting her to grant Dominion Status to her, and that the people here are on tip-toe of expectation, and that if these expectations and hopes are disappointed or frustrated, there would be great trouble. We are aware that, in order to achieve this object a great Ambassador of Peace in the person of Lord Irwin, the present Viceroy, has been striving to bring about some form of consultation which is known by the name of the

Round Table Conference and these round table experts going to England would settle the problem in conversation with the Cabinet there. . . .

honour is due to him. I am not partial. . . .

Sir Zulfiqar Ali Khan: Experts they would be when they are selected from this vast population. Lord Irwin deserves the support of all people in that, and I am perfectly sure that Members here will not refuse to give that support to him. He is doing things in an honest and conscientious and bold manner. He has set his heart on it, and for whose good? I dare say it is for the good of both England and India. Nobody can deny that we have a great future before us if we only know how to act with tact and *savoir faire*. If I give honour to Lord Irwin, it is because honour is due to him. I am not partial. . . .

Mr. President: This is all irrelevant.

Sir Zulfiqar Ali Khan: I am tending towards the relevant part.

Mr. President: I quite believe the Honourable Member.

Sir Zulfiqar Ali Khan: It will soon be before your vision, Sir. Lord Irwin is striving for a great object, and I think we must help him towards achieving that object. If India wants to approach nearer to that goal, if India wants to be put on a higher pedestal, then she must know that she cannot secure that object by fighting, because she is not in a position to fight, it would redound to her interest more to gain her object by negotiations. I have no doubt that we have sense enough to see that the only way open to India to achieve her object is to carry on negotiations, and if possible to win over and conciliate opinion in Great Britain.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Does the Honourable Member support or oppose the Bill?

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): He has not yet come to the Tariff Bill.

Sir Zulfiqar Ali Khan: Why is the Honourable Member in a hurry?

Mr. N. C. Kelkar: I would like to know in order to follow the Honourable Member the better.

Sir Zulfiqar Ali Khan: The Honourable Members are used to longer speeches.

Mr. N. C. Kelkar: But they were intelligent.

Sir Zulfiqar Ali Khan: It is only natural that, when I speak of India, I consider that my country must stand first. But then, Sir, when I consider that my country has the first claim on my consideration and my devotion then whether it is my individual humble self or whether it is anybody else, he must courageously express his opinion before this House. The question is whether India loses by accepting this Bill. The danger as indicated by other speeches is that it may carry with it some form of Imperial Preference. My Honourable friend, Mr. Jinnah, has carefully dealt with the question of Imperial Preference, and I may ask when Great Britain has practically granted and conceded tariff autonomy to India, then is it gracious on our part and is it wise, or even expedient, to use the weapon which she has placed in our hands against Great Britain herself? Now, herein lies the whole problem in a nutshell. Are we going to use that weapon against Great Britain which she has handed to us? Is it wise or expedient for us to use it against her?

Mr. M. S. Aney (Berar Representative): We may use it to cut our own throat?

Sir Zulfiqar Ali Khan: No, no. We are not doing so. We are keeping it in reserve, and if we find that our interests are not served by generous and liberal treatment of this problem, we can always use that weapon which is handed to us. But now, this message from the British Cabinet which comes to us is significant, for if fiscal autonomy were not granted to us there was no *raison d'être* for sending that message to us. It is clear enough that they want your help at this juncture. Are we willing to give that help to them? Is it in our interest to give that help to them? Shall we play the game? Are we capable of playing the game? I think all those Honourable Members who are sitting here, however wise they may be in their generation, will miss a great opportunity if they lose this chance of showing that they are willing to make material sacrifices to gain a great and lofty object. Well, Sir, I for one would say, sacrifice in the interest of suitable Dominion Status. Why are you suspicious? Do you think that, if you conciliate British opinion, even then you are in danger of being deprived of this position? I do not believe it. You must be wise, you must be cautious in handling these questions. Will you gain by hurting, injuring and by denying to the British public what they have begged of you?

Mr. N. C. Kelkar: Sir, may I ask one question of the Honourable Member? I am trying to understand and follow him. He has referred to the message from the Cabinet and the telegram. In what connection does he take that message? Does that message relate to the increase of the tariff duty from 11 to 15 per cent. or to the imposition of a 5 per cent. additional duty? By that message what does he understand? Do they want to come down from 15 to 11 per cent., or to put up 5 per cent. additional against Japan? In what connection between the two does he take that message?

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Don't answer him; address the Chair. (Laughter.)

Sir Zulfiqar Ali Khan: I think the Honourable Member has sense enough to read between the lines. It is not for me to teach him or to interpret the meaning which is perfectly clear. I am helping him according to my lights and if he is not willing to follow the light he can follow whatever he likes.

Sir, I should deprecate it very much if what I say is not taken or considered in its true perspective by my Honourable colleagues. Am I, as an Indian, not willing to demand autonomy or a suitable form of Dominion Status for India? As a son of the soil am I not as anxious as these gentlemen on my right to enjoy the status of men who live in the Dominions? If these my Honourable colleagues will only consider what is in the true interest of India I have no doubt—and I have great faith in their wisdom—that they will concede what may be to some extent material to them in the higher interests of India.

Mr. B. Das: Will the Government Members make that statement. . .

Mr. President: Order, order.

Sir Zulfiqar Ali Khan: Then, Sir, supposing this little sacrifice is made, it is only for a limited period of three years. After that, the whole thing will go into the melting pot and you will give it any shape you like. But for three years, are you going to deprive the country of the chance of getting that status which our souls require, Dominion Status or any form of Dominion Status, that you are going to negotiate there? (*An Honourable Member:* "Will you get it in return for this?") Not in return for this, but you are going to conciliate them in order to prepare the ground for yourself.

I declare that if, on this solemn occasion, pettiness and narrow-mindedness are shown, and no regard is paid to the true interests of India, I am afraid these gentlemen will have to shake their heads in sorrow.

Sir, in the end I appeal to my countrymen to have some vision, a vision which will have before them the radiant edifice of a great country, enjoying the liberty which God gave them originally but which they were deprived of. But I do hope that, on this occasion, they will play the game.

The Assembly then adjourned for Lunch till Twenty-Five Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty-Five Minutes to Three of the Clock, Mr. President in the Chair.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Mr. President, it will, I think, be readily admitted, and with some confidence, that the majority of the Honourable Members of this House are now convinced that the textile industry of India requires protection and that it has been more than justified.

But from speeches that we have heard up to now, there have been one or two Honourable Members who have expressed considerable doubt. Now, Sir, I am not going to burden this House with a large number of figures to prove that protection is necessary and justified. I think the Honourable the Finance Member stated that a Tariff Board had not been appointed to consider this question in all its aspects. But a Tariff Board was appointed, and it did report in 1927 and the conclusion they came to was that protection was justified. Unfortunately, the recommendations of that Board were not accepted by Government. Since then, several committees have been appointed, and lastly we have got a very valuable report by a Government officer who, I am pleased to see, is an Honourable Member of this House, which clearly shows that the competition which the industry has today to face is of a character which justifies protection. Now, Sir, I will put it to the Honourable Members of this House that from their own experience, they will be able to assert that Government do not propose measures of protection unless they are absolutely convinced. The best proof that protection is necessary is the proposal of the Government, and I am informed that specially my Honourable friend, the Member for Commerce, is not easily convinced in such matters; that he requires facts, figures, proofs, before he comes to a conclusion, and therefore, if my Honourable friend, the Commerce Member, puts forward proposals for protection of an industry, I think this Honourable House may take it as convincing proof that protection is necessary.

[Sir Cowasji Jehangir.]

Now, Sir, if I may be permitted to do so, I will deal with a few points that have been urged before this Honourable House by my Honourable friend, Diwan Chaman Lall, and if he does not consider it presumptuous on my part to do so, I may be allowed to congratulate him on his lucidity and eloquence. I regret I cannot congratulate him on the logic of his arguments or the correctness of his facts. Sir, Honourable Members who were Members of this House in 1927 must have heard my Honourable friend, Diwan Chaman Lall, with mixed feelings. They must have been quite familiar not only with his arguments, not only with his quotations, but even with his language. For, in looking up the debate that took place here on the 7th September, 1927, I find that my Honourable friend made a speech in this House (*An Honourable Member*: "Not in this House, but in Simla.")—this House whether it was in Simla or Delhi—in this Honourable House, which is, word for word, a repetition of the one which he inflicted upon this House a few days ago. Sir, I admit he made certain changes in his speech to suit the present occasion. He also gave this House a few quotations from a Report that has come out very lately; but beyond those alterations, my Honourable friend's speech was nothing else but a repetition of his speech of 1927. He on that occasion informed the House that the mill industry of Bombay had, within a certain period, made large profits. These are his words as reported in his speech of 1927, which he repeated practically word for word on the present occasion. He said:

"178 per cent. of the total capital invested in the industry has been distributed in dividends to the share-holders of this industry."

Now, Sir, I contend that it was not a fair statement of facts. He employed a most unorthodox method of arriving at that figure. In the Tariff Board's Report, there is a table which shows the dividends paid by the mills from, I think it was, 1917 to 1925, and my Honourable friend actually added up the percentages from the years 1917 to 1925 and came to the figure of 177.9. Now, Sir, I will ask any Honourable Member who knows the mere elements of statistics to say whether profits can be calculated in this manner. I will give you an illustration. Suppose a company makes a profit of 5 per cent. a year and in ten years, it will be 50 per cent. Can it be said that that company has paid 50 per cent. dividends in 10 years? It is only 5 per cent. a year, 5 per cent. which the share-holders are justified in getting. If you say 50 per cent. in 10 years, it sounds a big amount. But that was not the only mistake. He made another very big mistake. He has said that this profit is the profit on the capital invested in the industry. It is nothing of the sort. If he had looked more carefully

Diwan Chaman Lall: On a point of personal explanation, Sir. I never said anything of the sort. The Honourable Member is misquoting me. What I said was this. "This is the dividend paid on the paid up capital, as reported by the Tariff Board during these years."

Sir Cowasji Jehangir: Here is the quotation, Mr. President, word for word, my Honourable friend cannot deny it, it is in cold print: "178 per cent. of the total capital invested in the industry has been distributed in dividends to the shareholders of this industry". (Diwan Chaman Lall rose to interrupt.) The Honourable Member will not be able to interrupt me.

Diwan Chaman Lall: The Honourable Member is non-sensically misquoting me.

Sir Cowasji Jehangir: I am not misquoting him. Honourable Members of the House are the judges. "178 per cent. of the total capital invested has been distributed", he said, and he had deliberately intended to mislead this Honourable House.

Diwan Chaman Lall: Time and again I have stated that the capital I have taken is paid up capital.

Mr. President: Order, order. The Honourable Member is not willing to give way.

Sir Cowasji Jehangir: All I can say is that I read it in cold print, I cannot go behind it; I cannot know what he really intended to say. Well, Sir, what he did say, was that the companies paid in Bombay dividends to the extent of 178 per cent. on the money that was invested. If he had looked further into the Tariff Board's Report, he would have found a table which shows that, even according to his unorthodox method of calculation, the percentage was 80 and not 178. Well, Sir, I will leave that point, and my Honourable friend may convince this House and myself on another occasion. But my Honourable friend seems to forget little and learns less, for on that occasion Sir Victor Sassoon pointed out that the profits of the companies in Bombay had been 7½ per cent. for the 10 years preceding the date on which the speech was made. I now understand that, taking the lean years that have occurred since then, the profits are 5 per cent. If that is making very handsome profits during a period of years, it is for this Honourable House to judge. Then, Sir, my Honourable friend accused the mill industry of Bombay of frittering away their profits, but he forgot, I do not say deliberately, it may be out of ignorance, he forgot to tell this House that Japan also gave large dividends in their years of prosperity.

Diwan Chaman Lall: They are not asking for protection?

Sir Cowasji Jehangir: I must admit what my Honourable friend said about the reserves taken by the Japanese mills. The Japanese mills did take large sums to reserves, larger sums than in Bombay, but my Honourable friend forgot to tell this House that the Japanese mills were working double shift, and that the depreciation on their machinery was much more than 100 per cent. of the depreciation in Bombay. If my Honourable friend knows anything of the industry, he would have known that working double shift means a much greater depreciation of machinery. Then my Honourable friend said the Ahmedabad mills conserved their profits, and that is why they find themselves in a better position than the mills in Bombay. I have been able to obtain the figures for Ahmedabad and Bombay for the years 1921 and 1922, and if you, Sir, will forgive me, for inflicting upon the House just a few figures, I will illustrate what I mean. In Bombay the dividend on gross profits in those years was 53 per cent., in Ahmedabad it was 65 per cent. Depreciation on gross profits in Bombay was 21 per cent., in Ahmedabad 16 per cent. I think these two comparative figures will show that, in years of prosperity, Ahmedabad was no more conservative than Bombay. Now, Sir, just to conclude this point, I would like this Honourable House to know what

[Sir Cowasji Jehangir.]

the Tariff Board has to say, as my Honourable friend drew a good many of his arguments from figures obtained from the Tariff Board's Report:

"We would again emphasise the view put forward in the preceding paragraph. Neither over capitalisation nor the unduly high dividends in the boom period can be said to be the cause of the subsequent depression."

Sir, that is the opinion of the Tariff Board which was so freely quoted by my Honourable friend when he said that the present condition of the industry was due to its extravagance and profligacy during prosperous years.

Diwan Chaman Lall: Over-capitalisation accentuated the depression; that is what the Tariff Board said in paragraph 39. Quote correctly.

Sir Cowasji Jehangir: Then, Sir, he drew a lurid picture of the housing conditions of the working classes in Bombay. I think I am right in saying that most Honourable Members who have been to Bombay know that we are ashamed of the housing conditions of the labouring classes in the city, and I know, Sir, that the Honourable Members of Government on the opposite side are fully aware of the conditions. But did my Honourable friend, Diwan Chaman Lall, when he drew that lurid picture of the conditions of the poorer classes in Bombay, tell this Honourable House, what the mill industry has done to better those conditions? That was not convenient to his argument, so he left it out. Now, the mill industry in Bombay has spent 75 lakhs of rupees in the construction of chawls. Some owners of mills have done that, and over and above that, the industry makes a contribution of about 10 lakhs a year to the Government housing scheme. Well, Sir, I am quite prepared to admit that, on account of certain circumstances which I am not now going to explain, the housing conditions in Bombay have not been perfect, but the accusation that the mill industry in Bombay has done nothing is not true, is an incorrect statement of facts placed before this Honourable House with the object of biassing them against any proposals for protection. Now, Sir, my Honourable friend glanced through a book or two and came forward with the bold statement that wages in Japan were higher than in Bombay. The only figures he gave this House were that the average wage of a woman worker in Japan was Rs. 40, but in Bombay the average wage of a man was Rs. 30 to 35. Quite correct, but he stopped there, he went no further; he did not tell this Honourable House what work the woman does in Japan, as compared with the work done by the man in Bombay. I will give just a few figures, Sir, if you will pardon me. In Japan the wages of a woman weaver are Rs. 2-4 per day and she works from 5-5 to 6 looms. The wages of a man weaver in Bombay are Rs. 2 per day, and he works two looms. Which costs more, and which is cheaper, Japan or Bombay? Let me quote some further figures. In Japan a woman gets Rs. 1-14-6 a day for 600 spindles; in Bombay, a man gets one rupee per day for less than 200 spindles. And perhaps my friend will admit that the wages in Japan are much lower than in Bombay, and what is more is this. These wages include the expenses incurred for welfare work and recruiting charges. I think the argument that Bombay gets its work done cheaper than Japan has been completely exploded long ago, and that to have come forward with an argument that we pay much less for our workmen in Bombay than in Japan is, to say the least of it, perfectly incorrect.

Then, Sir, my Honourable friend went on to talk about the sweating of labour in Bombay, and he gave as an example the methods adopted by a certain group of making their labour work more looms than they are doing at present without paying them anything extra. It is a perfectly incorrect statement of fact again, Mr. President. It is true that the efficiency scheme of a certain group in Bombay did include a scheme to try and make the workmen look after three looms instead of two, as suggested by the Tariff Board, but gave them 33½ per cent. more wages. The result was the strike. Now, Sir, before my Honourable friend goes into the question of the efficiency of the management in Bombay mills and the question of the efficiency of labour, I would like him to go into question of the efficiency of some of the labour leaders in Bombay, and if he would only be instructed on this important point, he would find that, to some extent, the actions of some of the labour leaders in Bombay were responsible for the inefficiency of the workmen, and if my friend wants to know what is done in Japan with such labour leaders, I would refer him for further knowledge to his friends the Japanese, for whom he has acquired such a sudden affection. Mr. President, we know what short shrift labour leaders who are up to mischief get in Japan. My friend talked a great deal, as I have already said, about the want of efficiency of our workmen, and if he will only attempt to improve the efficiency of the labour leaders he will have done a great service to the mill industry.

And, Sir, while asking for guarantees as to what amount of the so-called profits—I do not know on what—the mill industry should give to labour if these proposals of Government are passed, I would like my friend to give a guarantee in return that he will see that the efficiency of labour is improved. Is he prepared to give that guarantee?

Diwan Chaman Lall: It is your business and not mine.

Sir Cowasji Jehangir: He says it is our business and not his. It is his business to criticise; it is his business to throw the whole question into confusion; it is his business to go and abuse an industry that has served India so well; it is not his business to help the industry; but it is his business to agitate; it is his business to set up labour against capital; it is his business to see that labour is as inefficient as can be; it is his business to see that labour does not work and it is our business to see that the millions of the population of this great country are clothed . . .

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): Why are your employees listening to the labour leaders and not to you if they are paid well?

Sir Cowasji Jehangir: I will give a very short reply, Sir. If labour leaders have the cheek to go and tell the ignorant, illiterate workmen that, by striking and agitating, they can get control over the mills, that in these days of starvation and hunger and short work their insides can be filled by strikes, is it not natural, I ask, that these poor ignorant workmen fall victims to the preachings and doings of the labour leaders?

Mian Mohammad Shah Nawaz: That is not a convincing argument at all.

Sir Cowasji Jehangir: These labour leaders come to Bombay and deliberately incite the workmen to strike. The millowners are most anxious to do what they can to assist labour, and in spite of this, the labour leaders, in season and out of season, have gone on inciting labour with promises which they can never fulfil, to strike and not to do any work. That is the short answer.

Mian Mohammad Shah Nawaz: That is not at all convincing.

Sir Cowasji Jehangir: There are so many points and so many fallacies that my friend propounded that I do not propose to go into all of them, but I must draw attention to one fallacy that he propounded. He took up a big book and tried to throw it at the head of my friend Mr. Mody. Luckily no physical injury was done. He asked him to point out the articles of the Washington Convention which the Japanese have not honoured in the spirit as well as in the letter. Sir, he need not have referred to that big book; he could have got it in the Tariff Board's Report. There that article is given very clearly and in a very concise form. It does not want a man of high literary ability to understand what that article means. It says that no woman, and no child shall work at night and that a night shall be defined as 11 consecutive hours, which should include the hours from 10 at night to 5 in the morning. Now, Sir, he admitted that the Japanese work two shifts of 8½ hours, or 17 hours, and that in those two shifts women are made to work. May I ask how the Japanese can conform to the Washington Convention unless my friend thinks that in Japan a day consists of 30 hours instead of 24 hours? What is more, Sir, is this. I know as a fact that that Convention has not been ratified by Japan, while it has been ratified by India.

Diwan Chaman Lall: You are wrong.

Sir Cowasji Jehangir: Still he says I am wrong. I fear, Sir, that my friend has missed his vocation. He should have been an actor. I am quite ready to admit that the loss would have been ours in this Assembly; and the stage would have gained, I am quite prepared to admit that we should have lost a congenial and jovial friend; but still I feel that my friend has missed his vocation; he should have been an actor not a labour leader, because the whole of his performance before this House with his incorrect facts and figures was a good piece of acting. I am quite prepared to admit that the millowners of Bombay are not perfect by any means; I am also prepared to admit that the housing conditions of our labour are not perfect in Bombay. I am further prepared to admit that the industry is not run perhaps under certain owners quite as well as it might be; but, Sir, I am not prepared to admit all the accusations that have been made before this House by my friend Diwan Chaman Lall. I want to be fair. I will come to now to one more point.

Mr. President: Not about Diwan Chaman Lall?

Sir Cowasji Jehangir: I will leave my Honourable friend to his conscience. I would like Honourable Members to visualise the condition of this country if there had been no indigenous textile industry. Would not the foreigner then have bled white the poorest of the poor consumers? Has not this industry for the last 50 years clothed the poorest of the poor, and did it not help to keep down prices, and has it not, during the last few years, paid out of its own capital, losses which have tended

to keep down prices? Wipe out that industry and our foreign friends will become masters of the market and will raise their prices against the poorest of the poor. You will have lost, Mr. President, the only insurance in this country against profiteering if you lost the mill industry of this country. I would ask Honourable Members to look upon this aspect of the case and I would also ask my Honourable friend Mr. Ghuznavi to consider what the mill industry has done for this country. I will not go into his speech. A good deal of it I could not understand. It lasted for a long time and I do not propose to deal with it. I will also leave him to his conscience. But I will ask him to consider the position of the poorest of the poor in this country. If he insists on not giving protection, it means his insistence on closing many of the mills. The effect on the poorest of the poor will be disastrous.

Before I conclude, Mr. President, I should like to touch upon the question of Imperial Preference. It could be better done when we come to the amendments, but since so much has been said, I would like to give this Honourable House what is the best definition I could get of Imperial Preference. It is as follows:

"The principle of Imperial Preference is that each part of the Empire shall give specifically favourable treatment and facilities to the products and manufactures of other parts of the Empire."

That is the most authoritative definition of Imperial Preference that I can find. It means that any Dominion that accepts this principle, on every occasion that it has to consider duties or tariffs must keep prominently in mind the interests of other parts of the Empire. I am not prepared to accept that definition, and I contend that no Dominion has accepted that principle in practice, in the sense of acting up to it. Mr. President, whether that principle actually applies to the proposals of Government or not, I do not mean to discuss just now. The opportunity will arise when amendments are moved, but I think it is only fair to say that it will have to be proved even now that no injury is done to India by the preference shown to Great Britain. I am prepared to go into that question at a later stage of this Bill.

My Honourable friend, Mr. Birla, talked about the protection not being adequate. I was not able clearly to understand what he meant by adequate. If he meant to say that the protection was not adequate to enable the mill industry of India to overcome all foreign competition, including that of the United Kingdom, I agree with him. The protection is not sufficient to enable the mill industry of India to capture all the trade that is in the hands of foreigners today, but if he meant to say that the protection was not adequate to help the mill industry in its present difficult position, that it is not capable of helping the industry to get out of the most depressing condition in which it is at present, I cannot agree with him. It was clearly stated by Government that it is a transitory measure, that it is only intended to help the industry for the next three years to get into its old position, and at the end of the three years, Government and this Honourable House will have to consider whether that protection should not be increased to enable the industry to develop and capture the market in India in all grades. Well, Sir, I believe that my Honourable friend, Mr. Birla, talked about the protection being inadequate in the first sense, but we clearly understand the position and we clearly realise that it is only a temporary measure. We hope for better things to come.

[Sir Cowasji Jehangir.]

Mr. President, I do not propose to take this Honourable House at this stage through a mass of figures. I have got a file full of them. I propose to keep them for the next stage. I cannot at present agree with the figures given by my Honourable friend, Mr. Birla. He has told us that our demands in this country are 3,600 million yards. I am not sure that that figure is correct. These are hypothetical figures. All our figures are more or less hypothetical.

Mr. Ghanshyam Das Birla: What are your figures?

Sir Cowasji Jehangir: He has taken the imports *plus* the highest capacity of manufacture of mills in India and calculated the total demand of this country. I do not approve of the method of calculation. But if I go further, I will be led into placing before this Honourable House a mass of figures that I have got ready which really are intended to be considered and discussed when we come to the next stage. I can only appeal to this Honourable House to allow us to come to that stage, and when we do come, I trust it will be shown that the proposals that are before us are not for Imperial Preference. Under those circumstances, Mr. President, I would ask each Honourable Member not to be guided by the fact that we are asked to swallow the pill of Imperial Preference. Government themselves have told us that they are not committing us to Imperial Preference. I am certain they knew very well that there would be very few Honourable Members in this House who would be prepared to commit themselves, and the very fact that Imperial Preference is not a principle of the Bill is proved by there being amendments on the agenda which do not give preference to the United Kingdom. If Imperial Preference had been the principle of the Bill, such amendments would have been out of order and therefore Imperial Preference is not the principle of the Bill before us. But that Imperial Preference has been most prominently brought before this House, nobody can doubt, and therefore I have nothing to complain about Honourable Members arguing on the merits of Imperial Preference. How can I complain when I myself have been protesting against Imperial Preference, but I would ask Honourable Members to reserve their judgment for a day or two before coming to a definite conclusion that this Bill should be turned down.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I have not been a very friendly critic of the Bombay millowners in the past and therefore I want to explain my position by saying that, on the present occasion, I am quite prepared to give adequate protection to the mill industry of India. When I had occasion to criticise the Bombay mill industry in 1927, the circumstances were quite different. The Government proposals themselves were halting and were not in accord with the recommendations of the Tariff Board. Three years have passed by, and we find that, although the condition of affairs which was related to us in 1927 in justification of protection, applied more strongly to Bombay in those days than to the rest of India, today it cannot be denied that the entire textile industry of India is suffering from a depression and has got to be protected. Hard things have been said by some of my Honourable friends against the Bombay millowners. It is no doubt true that things were quite abnormal in the Island of Bombay so far as the textile industry is concerned a few years back. But Bombay on that occasion was only suffering from an economic insanity that was ranging in most parts of the

world in an epidemic form. Even Lancashire itself was a prey to that malady. I remember to have read in the Report of a Committee that was appointed in 1924 under Lord Balfour's chairmanship that, in a very large number of concerns in Lancashire, there was over-capitalisation of the same nature as we find to have happened in Bombay. Similarly, inefficiency of organisation, absence of centralization, absence of rationalization—all these charges used to hold good in respect of Lancashire in those days as they did in the case of Bombay. It may be that, in Bombay, owing to her sins of commission and omission, or because of the fact that she is subject to the evils of the Western commercial methods to a large extent than the other manufacturing centres of India, when the depression came it fell in its full blast on Bombay, but its effect was not felt so keenly in the other centres of textile manufacture. But, Sir, as I said, that depression is now being felt almost all over India, though in varying degrees. I want to make it quite clear that, pledged as I am to see every industry of India getting the support that it deserves at the hands of this House, I am not.....(Interruption by Mr. B. Das.) My Honourable friend Mr. Das corrects me by saying that every national industry deserves assistance from this House. But, Sir, I am not going to enter into a quarrel at the present moment as to whether the mill industry of India deserves to be called a national industry or not. Whether the cotton industry is a national industry, as has been claimed by my Honourable friend Mr. Mody, or whether it is an industry of great national importance, as it has been described to be by my Honourable friend, Dr. Hyder, it makes no practical difference to me. But although I am prepared to give adequate protection to the cotton industry of India, I am not prepared to accept the proposed method. My Honourable and esteemed friend, Mr. Jinnah, asks as to whether we are not prepared to allow even a broken crutch to the wounded textile industry of Bombay so that it may jog along the road for a little while till sufficient help arrives. Sir, if I may vary the metaphor to a certain extent, I would say that I quite realise that the Bombay mill industry lies prostrate in the streets and is thirsty, and I am quite prepared to try my best to find a drink to allay the thirst of the Bombay mill industry. But I must do my best to prevent the Bombay industry from trying to allay its thirst with the help of a cup of water which I believe is laden with germs. I am prepared, as I said, to try my best to find a cup of purer water for the Bombay mill industry. But I am not prepared to assist the Bombay industry to commit suicide. (Hear, hear.) Sir, my Honourable friend Mr. Jinnah was one of those Indian leaders along with you, Sir, who laid the case for India before the Joint Parliamentary Committee when this Government of India Act was under discussion. He among others laid the greatest stress on fiscal autonomy for India. I was therefore very much interested to hear his interpretation of the convention of fiscal autonomy which we are told India enjoys at the present moment. My Honourable friend blessed.

Mr. M. A. Jinnah: I asked for quite a different thing. What is given is quite a different thing.

Mr. K. C. Neogy: Exactly, Sir. I do not say that Mr. Jinnah is quite satisfied with what we have got, but I merely mention the fact that his name is associated with the fight for our constitutional rights that was made before the Parliamentary Committee in the year 1919. I was therefore quite interested to find that Mr. Jinnah gave an interpretation

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of this convention, which is not quite the same as has been given by most of the Honourable Members on this side of the House. Sir, my Honourable friend pointed out that the convention requires an agreement between the Government of India and this Legislature in order to enable it to operate, and he quoted from the Report of the Joint Parliamentary Committee to illustrate his point; and you, Sir, pointed out that in that very Report, the case of Australia, and even the case of the British Isles—the Government of the British Isles—is referred to as an analogy when the Joint Parliamentary Committee say that India must enjoy fiscal autonomy of the very same character. It is no doubt true that the Joint Parliamentary Committee laid it down as a condition that there should be an agreement between the Government of India and the Legislature in regard to fiscal matters, in order that the Secretary of State may abstain from interfering with our decisions thereon, as he is quite entitled to under the Government of India Act. And what is the effect of the acceptance of the interpretation put by my Honourable friend on this convention? The Government of India, in this particular instance, have been released from responsibility to the Secretary of State, because that is of the essence of this convention. The Government of India is a free agent. If the convention means anything, it means that the Government of India's position is absolutely unfettered so far as fiscal matters go. Now, Sir, if we are to accept the interpretation of my Honourable friend, then it has got to be said that the Parliament intended to make the Government of India an autocratic authority in this matter. For what is the position as presented by my Honourable friend Mr. Jinnah? The Government of India make up their mind as to whether a particular proposal is to be adopted or not, in advance of any discussion in this House, as has happened in this particular case. The Government of India come before this House and say, "This is our proposal. If you agree to it the convention operates, if you do not agree, we defy you". The Government of India are not responsible to the Secretary of State, as I said, under the convention. The Government of India are not responsible to this House. The Government of India are in the position of Dictators to this House. I do not know, Sir, whether Government will accept this particular position, but on the interpretation put by my Honourable friend there is no other alternative. May I, in this connection, point out that this very question, though not in exactly the same form, was considered by Lord Crewe's Committee? That was, I believe, just before the Joint Parliamentary Committee sat. The terms of reference to Lord Crewe's Committee required it, among other things, to examine the relations between the Secretary of State and the Government of India, both generally and with reference to the relaxation of the Secretary of State's powers of superintendence, direction and control; and in paragraph 15 of the Report, it will be found that the Committee recommended, while discussing the question of legislation, as follows:

"In order to give proper emphasis to the Legislative authority of the Assembly, we recommend that, whenever legislation has the support of a majority of the non-official Members of the Legislative Assembly, assent should be refused only in cases in which the Secretary of State feels that his responsibility to the Parliament for peace and order and good government for India are paramount and considerations of Imperial policy require a reconsideration of the matter at issue by the Legislative Assembly."

This was the recommendation with regard to the question of relaxation of the Secretary of State's control in the domain of legislation.

The next paragraph deals with fiscal questions. Paragraph 16, and this is the recommendation:

"We recommend that a joint decision of the Government of India and a majority of the non-official Members of the Assembly reached by discussion of a Resolution should be given the same degree of authority as similar decisions of legislative proposals and that the principle we have stated in paragraph 15 should be applied in those cases."

The committee at that moment was considering the procedure which was then contemplated to be laid down for this House, namely, that the budget proposals should not be voted upon by the Legislative Assembly but that, as in the old Imperial Legislative Council, Members should be free to move Resolutions with regard to financial matters. That is what the Committee meant when it referred to discussions by Resolution. But I maintain the principle of that recommendation applies to this particular case. The Crewe Committee never intended that the Government of India should be a sort of autocratic authority who should be independent of the control of the Secretary of State, and at the same time also of the Legislature here. The convention which the Crewe Committee had in mind would operate only in case the Government of India could act in agreement with a majority of the non-official Members of the Legislature. Sir, may I appeal to the Government Benches to act up to the spirit of the Crewe Committee's recommendation in this matter because I maintain that that is the only sensible course open to them? They cannot claim independence both of this House as also of the Secretary of State (Hear, hear.) as they purport to do in this particular instance. Sir, before I leave this point, may I quote the significant words which were uttered by Mr. Montagu on the Third Reading of the Government of India Bill in the House of Commons. "The powers," said Mr. Montagu, "that are reserved to the Government and are not to be controlled by the representatives of the Indian electors must be exercised as though they were applicable to a country of growing national consciousness on the road to self-Government and not as if we were administering a great Estate".

Sir, may I for a moment now examine the correspondence that passed between the Secretary of State and the Government of India on this question? Not the full correspondence, because, although my Honourable friend Sir George Rainy claimed that he had taken this House fully into his confidence in the matter, he immediately corrected himself, when interrupted by my Honourable Leader, by saying that he was not prepared to place on the table the other letters, the previous correspondence, because that was treated as confidential. I do hope the contradictory position of my Honourable friend will be apparent to him on a consideration of the matter. Sir, I will read out once again an extract that has already been given to this House by my Honourable Leader, the message from the Viceroy to the Secretary of State dated the 12th February. This is what it states:

"As regards the second point in the Cabinet representation, the danger to British interests, we recognise that the possible decline in consumption of Lancashire goods may be a serious matter. But we are clearly bound to put India's interests first. We also recognise how important it is to India not to antagonise British opinion, and quite apart from this, we are of course concerned at this time to avoid unnecessary injury to British interests. We have carefully considered what we could do in this respect and while we cannot modify the general application of the 15 per cent. revenue duty, we are prepared to propose to the Assembly that as regards any additional and temporary protective measures their application might be limited to non-British goods, and that in these circumstances there should be imposed in addition to the 15 per cent. revenue duty a 5 per cent. protective duty with a minimum of 3½ annas" . . . etc.

[Mr. K. C. Neogy.]

What are "these circumstances"? The circumstances have just been enumerated, namely, the circumstances relating to the necessity of not antagonising British interests, the desirability of not causing unnecessary injury to them. These are all the circumstances mentioned before this particular sentence. I will read that particular sentence once again:

"We are prepared to propose to the Assembly that as regards any additional and temporary protective measures their application might be limited to non-British goods, and that in these circumstances there should be imposed in addition to the 15 per cent. revenue duty a 5 per cent. protective duty, etc."

These are the circumstances that have led to the imposition of this 5 per cent. additional protective duty. My Honourable friends from Bombay are deluding themselves into the belief that this has proceeded from the sympathy which Government feel for them in their present distress. Nothing of the kind. In the first instance, the question of protection would not perhaps have arisen at all but, for the financial stringency of the present year. Reference has been made to the fact that the Tariff Board had already reported in 1927 and had made definite recommendations for granting protection to this industry. The Government of India would not look at that proposal at that time. My Honourable friend, in the plenitude of his wisdom, evolved a new scheme of protection which did not meet the needs of the situation, but on the other hand hit the handloom industry, as I propose to show when we come to the amendments.

Now, Sir, the proposals of the majority on that Tariff Board did not meet with the approval of Government, because they proposed a uniform addition to the import duty of 4 per cent., and coupled it with a recommendation that suitable bounties should be given for the purpose of encouraging the manufacture of yarns of certain counts. When Sir George Schuster finds himself faced with financial difficulties and the necessity of raising additional revenue, he at once comes to think of the depressed condition of the cotton textile industry of Bombay. Sir, I have a very good authority for making this statement that, but for the financial difficulties of the Government of India, they would not perhaps have considered the question of the protection of this particular industry. I have got a very good and a very great authority for making this statement, an authority whose *bona-fides* will not, I believe, be questioned even by Sir George Rainy. It is no other person than my esteemed friend Sir Padamji Ginwala, who, while speaking at a recent gathering in Bombay, said:

"The best hope of protection for Indian industries, however, appeared to lie not with the Tariff Board but in a series of deficit Budgets, and that only seemed to secure the much needed retrenchment of public expenditure and the protection of Indian industry."

That is really at the bottom of the whole scheme. As I have already shown, even the additional 5 per cent. protective duty was suggested not for the purpose of giving additional protection to the Bombay cotton textile industry, but for the purpose of appeasing Lancashire.

Sir, I shall now deal with Imperial Preference. Various definitions have been given in this House of this principle. Some of those who have supported this Bill in this House have claimed that this is not Imperial

Preference. Others, those who have opposed the Bill, have done so mainly on the ground that this involves Imperial Preference. Sir George Schuster, while speaking on this motion, pointed out that there are other Colonies which have adopted the principle of Imperial Preference. I believe it was my Honourable friend, Mr. Chetty, who while speaking on the general discussion of the Budget, stated that the policy of Imperial Preference had not been adopted as a policy by any part of the British Empire; and while replying to this point, Sir George Schuster said that he did not accept this particular statement. And then he went on to observe that there are several Dominions like Australia, and so forth, who have granted tariff concessions for the benefit of Empire goods. But my Honourable friend was entirely silent as to what policy has been adopted by the British Government themselves; because we, in this particular proposal, are not concerned with the question of Imperial Preference as applied to goods coming from all the different parts of the Empire. We are concerned with the question of preference for British goods. Now, Sir, will my Honourable friend, Sir George Rainy, when he gets up to speak, tell us what exactly is the principle which is followed by the British Government in regard to this matter? It may be that Australia, Canada and New Zealand grant certain tariff concessions to Empire goods, but that is entirely beside the point while we are discussing this particular measure.

Now, Sir, of late we have been hearing a good deal about the economic unity of the Empire, Empire free-trade and different other schemes of that character. I remember that Empire free-trade was the slogan on which the still-born party known as the United Empire Party was started; and I was interested to read in the London letter of the *Statesman* the views of Mr. Baldwin with regard to India's position in connection with any question of Imperial economic unity that might be discussed:

"Mr. Baldwin, while speaking at a public gathering, laid the strongest emphasis on India's position as, for economic purposes, one of the already sovereign Dominions of the British Commonwealth of Nations, and I am told that he went, if anything still further in the long, closely-reasoned, and intensely personal address which he gave behind closed doors last evening to the inner two or three hundred of his Party."

The significance of this precaution of closed doors will not, I hope, be lost sight of by my friends who come from Bombay. (Interruption.) My Honourable friend, Mr. Mody, inquires why? I have in my hand a highly reputed Journal published from Bombay, *The Servant of India*, dated March, 6. This is what I find there. I hope my Honourable friend finds time to read papers published from his own Presidency. This is what it says:

"They agitated" (meaning the millowners of Bombay) "for heavy import duties on Japanese piece-goods and when the Government of India showed extreme reluctance to satisfy their demand, chiefly owing to fears of international complications, Sir Ness Wadia went to England with a view to bringing pressure to bear on the Government of India from Lancashire manufacturers who were said to have promised support in return for Preference." (Hear, hear.)

Sir, I do not know what my Honourable friend, Mr. Mody, will have to say about this particular allegation. But, as I said, the precaution of the closed doors of Mr. Baldwin's Conference may be significant.

Now, Sir, my Honourable friend, Mr. Jinnah, said we are not asked to commit ourselves to Imperial Preference in this particular instance;

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we are asked to give protection to the Bombay industry for the temporary period of three years, and in very exceptional circumstances, and therefore, although the present proposal will involve some amount of preference to the British goods, this need not deter us from according our support to this measure. My Honourable friend, I dare say, knows that, in the latest appeal which has been issued by Mr. Baldwin as the Leader of the Unionist and Conservative Party, he has adopted Imperial Preference as one of the chief items of the Party programme. May I read out just a few words from that particular appeal? Honourable Members will find this published in the *Times* dated the 25th of February. Mr. Baldwin was dealing with the United Empire Party slogan. He said:

"I interpret Empire Free Trade as meaning the economic unity of the British Empire, enjoying free trade within its own territories and supported by tariffs, where necessary, against the rest of the world. So interpreted, I hold Empire Free Trade as an ideal for which every Unionist should work. It is the goal towards which we must travel. It is our ultimate aim. Speaking as the leader of the Conservative and Unionist party, it is on national grounds that I appeal to our supporters to stand together and work for the practical policy of safeguarding, Imperial Preference and Imperial development."

Therefore, Sir, while we are told that, on this particular occasion, we should not be misled by the cry of Imperial Preference, we cannot ignore the fact that a very important political party, if not the most important political party in England, at the present moment has put this forward definitely as one of the chief planks of its platform. We cannot also forget that, in the case of steel industry also, thanks to the assistance given by my Honourable friend, Mr. Jinnah, the Government got this House committed to the principle of British preference.

Mr. M. A. Jinnah: I deny that there is Imperial Preference. My learned friend has not understood the principle.

Mr. K. C. Neogy: I never said Imperial Preference. I said British preference. Now, Sir, I do not suppose this Government or the Government in Great Britain care very much as to what reciprocity we allow as between this country and the other Dominions. All that Britain cares for is preference for her goods, and whether my Honourable friend admits this to be Imperial Preference or not, for all practical purposes this is the kind of Imperial Preference with which we are likely to be threatened from day to day. Now, Sir, we have admitted British preference in the case of steel. We are asked now to admit the principle of British preference in the case of cotton. What other important industry remains in which Great Britain is interested? (*An Honourable Member:* "Nothing.") My Honourable friend, Mr. Jinnah, says we are not committed to Imperial Preference. On the one hand, as I pointed out, we find a very important and powerful political party in England putting Imperial Preference in the forefront of its programme, and on the other, this House has already committed itself to British preference in the case of steel and is now asked to agree to that very principle in the case of another most important industry, namely, cotton. Now, Sir, what has been the result of British preference in the case of steel? I am again quoting from a Bombay journal and I hope that my Honourable friend, Mr. Jinnah, has read it.

Mr. M. A. Jinnah: I do not read every stupid journal.

Mr. K. C. Neogy: This is from the *Bombay Chronicle*. (Applause.)

Mr. M. A. Jinnah: I do read that paper, but I do not always accept what it says.

Mr. K. C. Neogy: I do not think anyone is ever expected to accept all that appears in the newspapers.

Mr. M. A. Jinnah: Very glad to hear it.

Mr. K. C. Neogy: I am not asking the Honourable Member to accept any opinion expressed in the *Bombay Chronicle*. I was going to quote certain facts from it. The Honourable Member will perhaps permit me to place what I have to place before this House. (Sir, it is pointed out, with reference to figures into which I do not want to go now,—I can send this paper round to Honourable Members who want to see it—that:

"Imperial Preference in steel has increased the import of British Steel by 250 per cent. in two years without doing much benefit to Tata Steel Works."

Mr. M. A. Jinnah: All that I can say is that it must be naturally wrong if you know the facts, because the preference that was given to the British steel was only 96,000 tons, if I remember it rightly, and that is all the British steel with which we were concerned in that Bill where we have given preference.

Mr. K. C. Neogy: Now, these are the figures.

Mr. M. A. Jinnah: If Mr. Neogy will show me that the import of that particular class of steel has increased, I shall bow to him.

Mr. K. C. Neogy: This is what I find. The passage runs as follows:

"When the Steel Protection Bill was introduced in 1927, there was Imperial Preference by the back door. In the Cotton Protection Bill, it is by open door. In Friday's debate in the Legislative Assembly, Sir George Rainy is reported to have asked Sir Purshotamdas, 'Was it for this that he as President of the Tariff Board proposed the Steel Protection Bill for India?' The proper reply to his question should be that the Bill gave more protection to British Steel works than to Tata Steel Works as will be seen from the following figures:

	Differential Tariffs.	
	British.	Foreign.
	Rs.	Rs.
Angles and Tees	19	30
Bar	26	37
Beams	19	30
Sheets	35	59
Plates	20	38

The imports from United Kingdom of these articles in 1925-26 is of a year before Imperial Preference and those of 1927-28 and 1928-29 are of two years after protection. The figures are in thousands of tons

	1925-26.	1927-28.	1928-29.
	Tons.	Tons.	Tons.
Angles and Tees	10	23	28
Bars	14	23	46
Beams	33	63	67
Sheets	10	18	23
Plates	10	18	23
Total tons	77	145	187

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and the writer concludes that British Steel, in respect of these protected classes, has gone up by 250 per cent. in imports in two years without doing much benefit to the Tata Steel Works.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Was not the Honourable Pandit Motilal Nehru more enthusiastic about protection to Tata Steel than Mr. Jinnah?

Mr. K. C. Neogy: Pandit Motilal never supported British preference. It will be evident to this House that the period of three years is not so short as my Honourable friend imagines for the purpose of enabling the United Kingdom to recapture the Indian market. She has been able to do it in less than three years in the case of steel, and she is quite capable of doing it in the case of cotton goods. Now, Sir, my Honourable friend Mr. Birla referred to Mr. Hardy's Report to show that it is not quite right, when we are discussing this question, to ignore the indirect competition between goods of different qualities, and he pointed out that, although India may not produce exactly similar goods as are produced in Lancashire, there would be very strong competition as between articles of varying counts. My Honourable friend gave two extracts from paragraph 22 of Mr. Hardy's Report. I have the advantage of speaking in the presence of Mr. Hardy, and I want to know from him what he meant when he made the following observation (paragraph 22, page 72 of Mr. Hardy's Report):

"If, therefore it should be decided at any time to impose a tariff on goods whose incidence is heavy on goods which can be produced in unlimited quantities from Indian cotton, and light on goods which cannot be so produced, it is desirable that the incidence of duty on the range of goods between the two classes should be shaded off imperceptibly so as to minimise this harm of indirect competition."

Mr. Hardy was entirely bearing out my Honourable friend Mr. Birla's apprehension. He said there must be some amount of competition between different counts, and for the purpose of guarding against this kind of competition the duties should be shaded off. I do hope he will explain what he meant by this expression, and I want him to tell us whether the present Bill is likely to achieve the object which he had in mind. If he is in a position to give a reply now, I am prepared to give way in his favour.

Mr. G. S. Hardy (Commerce Department: Nominated Official): I would refer the Honourable Member to paragraph 35 of my Report where he will find the suggestion more fully discussed.

Mr. K. C. Neogy: There is hardly time for us to go into a detailed examination of the Report. I do hope my Honourable friend will give us the benefit of his explanation. I want to know from him expressly as to whether this particular Bill, drafted in the way it has been, carries out his intention in the paragraph from which I quoted. That is the question which I put to him specifically. It does not do for my Honourable friend to refer me to some other paragraph. The whole question, whatever my Honourable friend had in mind when he made that recommendation, is whether that "shading off" has been provided for in this particular measure of protection. That is the point. Now, Sir, my Honourable friend Mr. Birla quoted from some of the observations that appeared in the British Press with regard to this question of preference; it was for the purpose of

showing that this provision is interpreted even in Great Britain, as giving some assistance to Lancashire. Sir, I will read out one or two more extracts from the British Press opinions. This is the cable which came out from London, dated March, 3rd:

"The general belief in Lancashire is that if the additional 5 per cent. duty on non-British goods can be enforced immediately, the effect on the Lancashire trade of the increased tariff of 15 per cent. will be much minimised."

Then again I find that no less a journal than the *Financial News* says:

"If the proposal for a 5 per cent. additional duty on non-British goods is accomplished, it would more than offset Lancashire's loss."

I do not know whether my Honourable friends from Bombay have seen this particular expression of opinion. Now, Sir, I have one more interesting extract from the Press on this particular point, and this I quote from the *Statesman*, Piece-goods market report, a special article written for the *Statesman*. This is what it says:

"If goods from Japan have to bear import duty of an extra 5 per cent., that is 20 per cent. in all, it will of course afford considerable relief to mills in India; it will also give Lancashire a chance to recapture some of the business which that country has lost to Japan in recent years, particularly in dhatis and grey shirtings. It will be remembered that when cotton fell below 7d. in the early part of 1927, Lancashire succeeded in ousting Japan for several months in grey shirtings. Much of the business done formerly in Lancashire in dyed and coloured goods has also in recent years gone to Japan, and it is not improbable we shall now see a return of the pendulum in favour of Lancashire."

Was my Honourable friend, Mr. Birla, far wrong in saying that this measure is as much in the interests of Lancashire as in that of the Indian cotton textile industry? Sir, the quarrel of the Indian textile industry is in counts, not with countries, and while I am prepared to assist Government in introducing any measure which will effectively protect the Indian industry against the competition in specific counts, from whichever country it may come, I am not prepared to give my support to any measure that seeks to discriminate as between country and country, irrespective of the specific nature of competition from those countries with Indian goods.

Sir, my Honourable friend, Sir, George Rainy. I do not know why, did not think it proper to refer this Bill to a Select Committee. In defending his action the other day, he said that it would have meant delay. May I remind him that this particular Bill has been before this House for 25 days. If he were to refer to the proceedings of this House in regard to other protection Bills that were referred to Select Committees, he would find that such a lengthy time was not taken in any other instance. My Honourable friend has preferred to circulate a printed statement giving certain facts; he has taken some leaders and other selected Members of this House into his confidence; he asked them to meet him at informal conferences. I do maintain, Sir, that the regular procedure under the rules of this House is to refer the measure to a Select Committee if it is thought that it requires to be examined in detail. My Honourable friend has not done that. In the case of the Steel Industry, we had the Tariff Board Report before us, and the Government proposals were seeking to give effect to the Tariff Board Report. In this particular instance we have not got the Tariff Board Report, because that Board has not made any inquiry into this matter at all. We do not know what the practical effect of this British preference may be on the Indian industry, and my friend has not

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given this House an opportunity of appointing a Select Committee to go more thoroughly into this aspect of the question. As I said, he preferred to circulate a printed statement.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): It appears from one of the Bombay telegrams in the papers that they are going to have a scheme of amalgamation, and the Government are going to render some help in that direction, and they take it for granted that this Bill will be passed.

Mr. K. C. Neogy: I think we cannot blame the Bombay industry. If we were in their position we would perhaps have taken the very same step.

Now, Sir, my friend the Leader of the European Group brought to the notice of this House another interesting statement on this question, a statement which has been circulated over the signature of Mr. Kawaguchi, the Agent of the Japan Cotton Spinners' Association. I really could not understand the reason of his righteous indignation over the fact that this particular printed statement had been circulated in this House. He said, "My complaint is that the document should have been passed round in the lobby of the House by the agent of a foreign country to influence our decision". Sir, I may tell my friend that we consider Sir Darcy Lindsay as much a foreigner as any Japanese. My friend proceeded to observe that he considered this particular statement to be in a particularly bad form. I had no intention of ever referring to this document on this occasion, but I examined it carefully after having heard my friend for the purpose of finding out what was the bad form of which my friend complained. I find that what they do is to set out the Government case and then state their criticism, and I propose to read out just a few lines to show what the nature of that criticism is. I may tell this House that I would not have taken the trouble of reading out extracts from this document, but for the protest which my friend, Sir Darcy Lindsay, lodged against its circulation in this House. This is what it says:

"Japan's objection to the Government Bill as amended by Mr. Chetty is against:

- (1) Unreasonable discrimination in (a) bordered dhoties where competitive imports from United Kingdom are three times as large as competitive imports from Japan, and (b) in coloured goods where Japan's and United Kingdom's competitive yardage are 86 million and 50 million respectively.
- (2) Unwarranted discrimination in the bleached goods in which, as shown by Sir George Rainy himself, neither Lancashire nor Japan import any competitive goods."

Then, Sir, this statement goes on to examine the figures given by my Honourable friend Sir George Rainy and it also gives quotations from Mr. Hardy's Report. I do not think that could be considered bad form, particularly extracts from Mr. Hardy's Report. This is how it concludes:

"Permit me to assure the Indian public that Japan has no cause to complain against the Indian Cotton Mill industry being protected. It is only fair that it should be. It is only reasonable that it should be. What is not fair and what is not reasonable is the unwarranted and unjustifiable discrimination that is sought to be enforced against Japan. I trust I have been able to demonstrate beyond the shadow of a doubt that discrimination against Japan in the bleached trade, in the coloured trade, and in the dhoties trade is utterly indefensible from the Indian industry's and consumers' point of view."

Sir, I have failed to discover anything in this statement to which exception can be taken on the ground that it is in bad form. I remember occasions when literature of propaganda directed against my friend Mr. Haji's Bill, and also supporting the Simon Commission had been circulated to all the Members of this House. I remember to have seen other documents, not necessarily having anything to do with the business of this House, being circulated in the precincts of this Chamber. If you, Sir, were to lay down a rule that no document can be circulated within the precincts of this House without your express authority, I could then understand my friend's objection

Mr. M. A. Jinnah: What about the inner precincts?

Mr. K. C. Neogy: But my friend's complaint was not that anybody came into this Chamber to circulate this pamphlet. As a matter of fact, I was handed my copy just near the Notice Office.

Sir, I shall refer to only one other point, and that is in regard to what my friend Mr. Chetty said the other day. He said this:

"I consider Imperial Preference purely as a business proposition."

He differed from my friend Mr. Jayakar on the point as to whether there could be any bargaining in connection with this matter. Mr. Jayakar held that there was nothing wrong if we could get some substantial benefit out of Great Britain in return for a concession of this character. But what does Mr. Chetty say? He says this:

"I am not therefore prepared to exchange any amount of political benefit for an economic benefit. If Great Britain is asking for Imperial Preference she must be prepared to offer to us in return an economic benefit and not a political benefit."

Then within brackets "Hear, hear". Then my friend went on to explain his point:

"What has England, Australia or Canada for the matter of that to give me in exchange for the economic benefit that I give, and if I am satisfied I can get back enough return for this concession that I give them, I for my part would not be swayed by any sentiment or prejudice on that account. It is only in that spirit that I view the whole question."

and here comes the anti-climax.

"And viewing the question from that point of view, I am convinced that the scheme of protection formulated by the Government certainly does give to the Indian industry an adequate and effective protection."

He began by saying that Great Britain must have something to give to us in return for this benefit, and he concludes by thinking that that particular condition has been satisfied inasmuch as we get protection for the Indian industry.

Maulvi Muhammad Yakub: But Mr. Chetty was the Chief Whip of the Swaraj Party.

Mr. K. C. Neogy: I do not know whether my friends on the Government Benches felt very comfortable when my friend Mr. Chetty made these observations, because what does it come to? It means this, that all that has been said by Government about the reality of the fiscal autonomy convention is absolutely untrue.

That is to say Government are yet in the leading strings of the Secretary of State, and we are getting this protection measure because Britain

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permits it to be granted to the cotton industry. That is the only interpretation which my Honourable friend's words can bear. In other words, my Honourable friend charges Government with hypocrisy when they say that they are free agents and that we are going to settle this question on the floor of this House. Nothing of the kind, says Mr. Chetty. Well, Sir, I do not know whether my Honourable friend's interpretation will be borne out by the Government themselves. The Government are not free agents in this matter. Mr. Jinnah says "No". Mr. Chetty says "No". You are taking this line of action. . . .

The Honourable Sir George Rainy: Does my Honourable friend suggest that the Government of India are not free agents in the matter?

Mr. K. C. Neogy: Yes, Sir.

The Honourable Sir George Rainy: I repudiate that charge.

Mr. K. C. Neogy: You might repudiate this with all the emphasis that you can command. Mr. Chetty, one of your best friends, said that it is an economic advantage that Great Britain is giving to us in return for which we are granting Imperial Preference for her benefit.

Mr. K. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadian Rural): Whether the Government of India are free agents or not, in the speech that I delivered, I did not mean to suggest that the Government of India were acting under the instructions of the British Government and giving us this protection in return for the preference. It is an entirely wrong interpretation that my friend is putting on my entire speech.

Mr. K. C. Neogy: Will Mr. Chetty explain what he meant? Again I must trouble the House with what Mr. Chetty said:

"I am not prepared to exchange any kind of political benefit for an economic benefit. If Great Britain is asking for Imperial Preference from India which she is going to get under this Bill, she must be prepared to offer her in return an economic benefit and not a political benefit."

Then he says:

"If I am satisfied that I can get back enough in return for this concession that I give them, then I for my part would not be swayed by any sentiment or prejudice. It is in that spirit that I view the whole question and viewing the question from that point of view, I am convinced that the scheme of protection formulated by Government does give to the Indian industry an adequate and effective protection."

If my friend Mr. Chetty will explain what exactly he meant, I am prepared to give way. What is the economic benefit which Great Britain is offering to us today in exchange for this Imperial Preference?

Mr. R. K. Shanmukham Chetty: My contention is that there is no Imperial Preference in the scheme.

Mr. M. S. Aney: Is there anything in that passage from the speech of Mr. Chetty that says the economic return should necessarily be for the benefit of the country as such?

Maulvi Muhammad Yakub: He is right when he says that he has got enough return.

Mr. K. C. Neogy: I will not take up the time of the House any further. I maintain that this Convention of fiscal autonomy is a sham and a fraud, and even my Honourable friend Mr. Chetty seems to agree with this view.

Mr. R. S. Sarma (Bengal: Nominated Non-Official): In rising to support this Bill

An Honourable Member: Naturally!

Mr. R. S. Sarma: If it is meant by this interruption that as a nominated Member, I should support the Bill, I may say that I am in the company of Sir Purshotamdas Thakurdas and others, by whom gentlemen who are interrupting me are prepared to swear every time in financial matters. In rising to support this Bill, I cannot help regretting that certain speakers like Mr. Neogy, Mr. B. Das and Mr. Ghuznavi have sought to assail this Bill on considerations what seem to me entirely irrelevant and non-essential.

Mr. K. C. Neogy: Why not Mr. Birla too?

Mr. R. S. Sarma: I am coming to Mr. Birla. If my Honourable friend Mr. Neogy wants to insinuate that I do not say anything against Mr. Birla because I was indebted to him in the past, I will only say that the insinuation is unworthy. My external gratitude to my old chief and great benefactor will not prevent me from expressing my amazement, that so shrewd and cool-headed a business-man as Mr. Birla should deliberately say on the floor of this House that the principle of this Bill was one of Imperial Preference. One thing that has been made clear in the whole debate is this, that most of the speakers seem to object not so much to a little preferential treatment to Lancashire but to committing this country to the policy of Imperial Preference. I think, Sir, that the Honourable the Commerce Member in the course of his masterly statement in introducing this Bill made it absolutely clear that the principle underlying this Bill was not one of Imperial Preference, but temporary protection for the indigenous cotton industry. In spite of this fact, certain Members of this House want to cut their noses to spite their faces. It is an attitude which it is very difficult to understand. This premier industry, which has a greater claim and better title to be called a national industry than what my friend Mr. Chaman Lal professes posing as a labour leader, this national industry is on the verge of collapse. When in response to the urgent need of the situation and to the expressed desire of the people of this country, the Government want to bring in a measure which gives some little protection. I ask Pandit Madan Mohan Malaviya whether it is patriotic. I ask Mr. Birla whether it is business like, to turn round and say that we shall have nothing to do with it whatever, because this measure, while it gives protection to our industry incidentally, gives a little preference to Lancashire.

Mr. Ghanshyam Das Birla: It is patriotic, though it may not be business-like in the ignoble sense.

Mr. R. S. Sarma: I am putting it on both grounds. Talking about preference, may I ask what does this preference amount to? The Honourable the Leader of the Opposition, whom we are all so happy to see back in his seat this afternoon, in a speech, admirable alike for its tone, temper and brevity, but vitiated by conclusions to which his arguments did not lead, made a great point of the fact and even deplored that the Government of India should have gone back upon their original proposals at the bidding of the British Government.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): I never said that it was done at the bidding of the British Government.

Mr. R. S. Sarma: I understood the Honourable Pandit to say that the Government gave up their original proposal as a result of a message which the British Government sent to the Government of India.

Pandit Madan Mohan Malaviya: I made it clear that it is the Government of India who started the proposal. His Majesty's Government did not suggest it. This is borne out by the telegram today, containing a statement by Mr. Benn, that the proposal originated in India.

Mr. R. S. Sarma: I never said, Sir, that the Honourable Pandit said that this proposal originated from the Government at home, but that the Government of India had certain proposals of their own which were later on changed because of the communication from the Home Government. That is what I think he said. I do not think he is justified in saying that the Government of India have really altered their proposal to any appreciable extent. Let us see what the Government proposal was in the beginning. Their original proposal was to have a 15 per cent. revenue duty on all cotton goods and a duty of $3\frac{1}{2}$ annas per pound on all grey goods, irrespective of their country of their origin. It was at this stage that a message came from the British Cabinet to the Government of India, and if the Honourable Members will read that message carefully, they will see that the authors of the message have been animated as much by a desire to save Lancashire to some extent from the impending losses as to establish the fiscal autonomy convention and place it on a pedestal from which it cannot be dislodged. And the procedure that was adopted by Mr. Ramsay Macdonald's Government in this connection is of considerable political importance and significance. Once this convention has been established and accepted by the British Government, I think, whatever may be the party that may come into power in the future, it will be very difficult to interfere with the principle now established. And how did the Government of India respond to this unprecedented appeal from the British Government to which, as Mr. Jinnah again pointed out this morning, our Government are still statutorily subordinate? Did they give up the idea of increasing the duty from 11 to 15 per cent? No; certainly not.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): They were not asked to give it up.

Mr. R. S. Sarma: They did not make any suggestion at all. They only made an appeal and the Government of India said . . .

Mr. M. K. Acharya: The Government of India were not asked to give up the proposal.

Mr. R. S. Sarma: The Government of India clearly said that . . .

The Honourable Sir George Rainy: May I intervene, Sir. My Honourable friend, Mr. Acharya, has not understood the position. The suggestion in the message from the Cabinet was that the Government of India should abandon its proposals.

Mr. R. S. Sarma: The Government of India said that Indian interests were to be considered first. But what did the Government of India decide in view of the unprecedented character of the appeal and in view of the special circumstances of the situation? They decided to have a revenue duty of 15 per cent. on all foreign cotton goods and an additional duty of 5 per cent. and a minimum of $3\frac{1}{2}$ annas per pound on all goods of non-British origin. And if the amendment of Mr. Chetty is accepted by the Honourable the Commerce Member, who has already given a hint that he was going to accept it, this alleged preference will be still further whittled down. The present position is this, that the original position of the Government of India stands, that there should be a 15 per cent. duty on all cotton goods, *plus* $3\frac{1}{2}$ annas duty per pound on all goods coming from any country. That is the original position and that stands. Over and above that, the Government have decided to help Bombay by the imposition of an additional 5 per cent. duty on non-British goods, and this 5 per cent. duty does not affect the class of goods in which there is any great competition between Great Britain and India. With the exception of this additional advantage to Britain against Japan to some extent, there has not been shown any preference to her. Therefore, Sir, I submit that the original proposal of the Government of India stands. The Honourable Pandit Madan Mohan Malaviya the other day spoke eulogistically and also very affectionately about Japan and deprecated any sort of discriminatory legislation against Japan. I do not understand, Sir, why the Honourable Pandit should be overflowing with so much affection for Japan?

Pandit Madan Mohan Malaviya: Why should it not be?

Mr. R. S. Sarma: It is because of this, Sir, that whatever we may say about the exploitation of our industries by the Europeans, you cannot get away from the fact that they have given a lot of money for various public benefactions in this country and also many contributions have been made by the European merchants in this country towards the construction of hospitals, and similar charitable institutions. I do not think even an yen has ever been paid by any Japanese firm for any public cause in this country.

With regard to the incident referred to by Mr. Neogy just now, namely, the circulation of a pamphlet on behalf of a foreign nation in the lobby, I myself wanted to refer to it. With that sweet reasonableness and with that great passion for conciliation and peace-at-any-price qualities, for which the amiable leader of the European Group has now become very famous, he did not proceed with the matter further, and when you, Mr. President, asked him what his complaint was, he simply said that it was undesirable. I think, Sir, it is much more than undesirable. I say it is an insult to this House, it is an insult to the private Members of this House that any agent of a foreign nation should send a representative for the purpose of doing propaganda work in the lobby of this House and when my Honourable friend Mr. Neogy asked . . .

Mr. President: I suppose they can do so in the lobby against the President.

Mr. R. S. Sarma: Well, Sir, I know that propaganda against the President has been going on outside and I have some responsibility for that. But if it is said that propaganda has been conducted inside the lobby, in the way of distribution of pamphlets or anything like that, against the President, I take this opportunity of contradicting it with all the emphasis that I can command. If we find, Sir, that anyone, however exalted he may be, has done anything wrong, I think in the public interests, as a journalist or as a public man or as a Member of this House, we are entitled to carry on whatever propaganda we like outside this House. Well, Sir, I was saying that the agent of the Japanese had sent a man to the lobby of this House who, in spite of the contradiction of my Honourable friend, Mian Mohammad Shah Nawaz, the other day, has called himself the accredited agent of the Central Muslim Party.

Mian Mohammad Shah Nawaz: No, Sir. I entirely deny he is our representative.

Mr. R. S. Sarma: But that is what he represents.

Mian Mohammad Shah Nawaz: The Central Muslim Party has nothing to do with the distribution of the pamphlet.

Mr. R. S. Sarma: The contradiction that my Honourable friend Mian Mohammad Shah Nawaz gave was this, that that particular pamphlet was not distributed in the lobby at the instance of the Central Muslim party.

Mian Mohammad Shah Nawaz: I say that he was not our agent and that the pamphlet was not distributed at the instance of the Central Muslim Party. Will the Honourable Member, Mr. Sarma, accept my contradiction?

Mr. R. S. Sarma: Why should my Honourable friend be so excited? I have seen my Honourable friend at Simla getting much excited over the Sarda Act. Perhaps he does not understand that I am not challenging his statement. I have accepted his statement that no Member of the Central Muslim Party distributed it. What I said was that a person who called himself the agent of the Central Muslim Party distributed that pamphlet.

Mr. Muhammad Yamin Khan: Certainly not. He was not our agent.

Mr. R. S. Sarma: At any rate the fact remains that a man who posed as such, and who was going about the lobby and who probably had the audacity to say that he was the agent of the Central Muslim Party, and who is also seen frequently in the precincts of the Chamber, distributed the pamphlet

Mian Mohammad Shah Nawaz: Probably he was Mr. Sarma's agent. He was not the agent of the Central Muslim Party.

Mr. R. S. Sarma: I take the assurance of my Honourable friend. But, Sir, it is simply ridiculous that anybody who is unconnected with this House should undertake any sort of propaganda on behalf of a foreign nation in the lobby of this House and it is an insult to this House . . .

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): He openly said he was an agent.

Mian Mohammad Shah Nawaz: Agent for what purpose? This so-called agent was never authorised to circulate the pamphlet. In point of fact, when the pamphlet was distributed, the House was not sitting.

Mr. R. S. Sarma: If a foreign nation wants to represent anything to this Government affecting legislation, I think the only way of doing that is for them to represent directly to the Government of this country, and not to influence private Members of this House. It is one thing for eminent Japanese members residing in this country to be allowed the proud privilege of sitting in the Distinguished Visitors' Gallery

Mr. President: Order, order. The Honourable Member is not entitled to refer to visitors sitting in the Visitors' Gallery. He ought to know the rules of the House.

Pandit Madan Mohan Malaviya: Apologise.

Mr. R. S. Sarma: I am sorry, Sir, I referred to them. I bow to your ruling. When we see, Sir, that these people are trying to influence private Members of this House, I submit, Sir, that that is a thing that should not be allowed.

Several Honourable Members: Why? What is wrong?

Mr. R. S. Sarma: I want to say a word with regard to Mr. Ghuznavi's speech and he made a great point of quoting, and I think other speakers also quoted from the speech of Mr. D. P. Khaitan. It was very pleasant to hear that, at least once, Mr. Ghuznavi thought fit to quote from Mr. Khaitan, from his speech which he delivered at the Indian Chamber, and he said that it presented the view of the Indian business-men generally in Calcutta about this Bill. I beg to differ from him. I do not want to pursue the matter further, except to say this, that the House may put any value it likes upon the statement of Mr. Khaitan after knowing that the firm of Mr. Khaitan is the Agents of a leading Japanese firm in this country.

Mr. B. Das: I was quoting him as the President of the Indian Merchants' Chamber of Calcutta and not as representative of a city Japanese firm.

Mr. R. S. Sarma: Sir, I want to say a word regarding my Honourable friend Diwan Chaman Lall's speech. My Honourable friend Diwan Chaman Lall does not seem to attach very much importance to the Labour Commission, of which he is such a distinguished Member, as in his opinion the best way of ameliorating the grievances of labour was to allow this mill industry to die a natural death. In listening to his speech, which was very much appreciated both on the floor of this House and in the Press, I was very much regretting the wealth of wasted eloquence spent in trying to kill the dying. My Honourable friend, Diwan Chaman Lall, was telling Mr. Mody that, if he could prove that this was a national industry, he would support it. And one of the tests of national industry, he said, was that they must pay 50 to 70 per cent. of their profits to labour. I do not know whether my Honourable friend, Diwan Chaman Lall, can quote one single instance in the whole world of any national

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industry which pays anything like 50 to 70 per cent. of their profits to labour. I am willing to wait for his answer for another six months, and if he does not know the answer now, he can investigate when he next goes to England, not at his own expense, but at the expense of the poor taxpayer of India, at the expense of the poor consumer, for whom he shed such copious crocodile tears the other day.

Diwan Chaman Lall: On a point of personal explanation. May I remind my Honourable friend that, in his eloquence, he is forgetting the main point. The main point of my speech was not that it was a national industry, or that it would be a national industry if it pays 50 to 70 per cent., but that it would be a national industry if it was nationalised.

Mr. R. S. Sarma: From his speech, it was very evident that if Mr. Mody could give him the assurance that they would pay 50 to 70 per cent. he would be willing to support this Bill.

Diwan Chaman Lall: I have already contradicted that statement on the floor of this House. The Honourable Member evidently has not heard what was said on the floor of this House, or else he is deliberately not following me. I cannot help his ignorance.

Mr. President: Order, order. The Honourable Member was probably not present in the House at the time.

Mr. R. S. Sarma: Well, Sir, I support this Bill in the hope that this Act will help the Bombay industry and will enable the millowners to put their house in order and tide over the present crisis, and that it will enable our great national industry to stand on its own legs and face world competition. (Applause.)

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 26th March, 1930.



LEGISLATIVE ASSEMBLY.

Wednesday, 26th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

Mr. President: The House will now resume further consideration of the following motion moved by the Honourable Sir George Rainy on the 13th March, 1930:

"That the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927, be taken into consideration."

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, speeches on this motion yesterday, especially from those Benches which are opposed to this motion, clearly indicate that, of the two principles underlying this Bill, on the first one of protection for this industry, there is practical unanimity. The only discordant note that was struck was on the first day of the discussion by my Honourable friend Diwan Chaman Lall. If I disagree with my Honourable friend Diwan Chaman Lall, I must at least give him credit for consistency in his attitude on all items of consideration of protection before the House. Whether it is protection for the steel industry, or for the paper industry or for the textile industry, ever since 1924, my Honourable friend from the Punjab has been consistent, opposing every motion for protection to the industry, irrespective of the merits of that protection, on this one ground only that there is a good deal left to be done yet by people engaged in industries in India for the amelioration of labour in India. Sir, there will be none amongst those who seek to support this Bill who will challenge Diwan Chaman Lall's dictum that the condition of labour in factories in India is nothing approaching the ideal. But even my friend Diwan Chaman Lall will agree that labour can only prosper if industry exists, and the ruin and closing down or even weakening of industries, he, I am sure, will recognise, does mean a weakening of the chances of improvement in the standard of labour.

The other friend who opposed this Bill is my friend from Bengal, Mr. Ghuznavi. Mr. Ghuznavi's complaint however was that he was very apprehensive that this protection, including as it does what is called Imperial Preference, is not adequate for the cotton textile industry. On the score, therefore, of protection being necessary I take it that my friend Mr. Ghuznavi not only agrees with the principle of the Bill, but has some criticism to offer to Government that they have not offered in this Bill enough protection for the cotton textile industry. Barring these two, I do not think I remember having heard any other Honourable Member who has spoken in this House till now say that he is opposed to the principle of more protection being made available to this industry.

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Sir, Diwan Chaman Lall showed considerable attachment on his part to the methods employed by factory owners in Japan, and incidentally, I infer, to the support given by the Government in Japan to the textile industry. There is only one omission, which I think Diwan Chaman Lall may himself like to be brought to his notice, and that is that he overlooked informing the House that the Government in Japan gave protection to all industries in Japan when the Japanese currency was brought back to its pre-war parity, and an *ad valorem* protection of 10 per cent. was gazetted by the Government in Japan for at least a period of one year from the date on which the removal of the gold embargo was decided upon in Japan. I have here a cutting which shows that this protection has been offered not to a few industries which can be said to be national, but to all industries suffering from this appreciation of the Japanese currency. One of these is:

"... industries which would sustain losses without such protection, by reason of a sudden increase of imports on the recovery of the exchange to par."

I wonder whether my Honourable friend, when he rises to speak on the third reading of this Bill, will, on his behalf at least, rub this point into my friends on the Treasury Benches, and point out to them that, if not totally, a good deal of the trial, which is now being experienced by the textile industry, is due to the omission of Government to do this in India in 1927, when they officially decided to accept the ratio of 1s. 6d., an appreciation of 12½ per cent., and a deliberate and unmistakable bonus to the same extent to all imports to this country.

Mr. President: The Honourable Member is inviting Diwan Chaman Lall to speak again!

Sir Purshotamdas Thakurdas: If he wishes to, on the third reading, Sir. I am sure he will speak.

Mr. President: That means that the Honourable Member is not anxious to go back to Bombay soon!

Sir Purshotamdas Thakurdas: I do very much, Sir. I wonder if you will prevent Members from speaking if they have something new to put forward.

Sir, before I proceed further, I think I owe it to this House and to the Japanese merchants in India that I inform this House, about two telegrams received by me from two representative bodies in connection with what I communicated to this House on the 7th instant. I then said that I had a telegram in my possession that day, which indicated that there were reports in Bombay that the Japanese Government may give a bounty of 5 per cent. to make up for the proposed preference to British cotton goods imported into India, and that large quantities of piece-goods were being hurried to India in order to get entry into British Indian ports before this Bill was passed into law. The telegrams in my hand say:

"Quotations in your speech March 7th incorrect as Japanese Government not promised any bounty nor will tax Japanese nation for benefit of Indian consumers. Deny reports heavy cloth sales with rebate to buyer if protective duty levied."

An Honourable Member: Whom is it from?

Sir Purshotamdas Thakurdas: One telegram is from the Japan Cotton Shippers' Association, Bombay, and another is signed by Mr. Kinoshita, the Manager of the Japan Cotton Trading Co., Ltd., from Bombay.

Now, Sir, I do not wish to deal with the several arguments adduced by Members who have been anxious to criticise Bombay mill industry and Bombay mill management. But it was some relief to me to hear yesterday from my Honourable friend Mr. Neogy that he, who had been opposed to protection for the cotton textile industry till now, has now turned friendly to Bombay and that he was prepared to offer his assistance to this House to prevent Bombay from, what he called, committing suicide. I am sure, Sir, that assurances of such well-meaning watchfulness, on the part of Honourable Members in this House, on those who are interested in the cotton textile industry of Bombay, are most welcome, and I look upon this, Sir, as a very good sign of the friendliness of this Assembly towards the enterprises of Bombay, be it in the direction of cotton textiles or anything else. But I cannot help feeling, Sir, that there is a very serious misapprehension when Honourable Members in this House connect this Bill mainly or mostly with the welfare of cotton mills in Bombay only. It is true that Bombay mills are worst affected by foreign competition and therefore it is natural that this protection, if given, may benefit them in the first instance. But I submit, Sir, that it is incorrect to say that this protection will benefit either mainly or, I dare say, even principally the Bombay mills. If this protection is likely to do substantial good to mills in any part of India, it is to mills which are outside Bombay. It may, in the first instance, give Bombay a little more immediate relief than those up-country, and for this purpose I cannot do better than quote from the Statement of Objects and Reasons, where the Honourable the Commerce Member himself has the following sentence:

"From the evidence in the possession of the Government, it appears that, during the last three years, and particularly in the last six months, the pressure of external competition has intensified and that the cotton mill industry throughout India is depressed, though the extent of the depression varies at different centres."

I ask the House to mark the words, "The cotton mill industry throughout India is depressed".

Now, regarding the extent of the depression, Bombay, as it is a port, naturally does suffer most and suffers earliest from depression brought about by competition from foreign imports. But it does not necessarily follow that, should nothing be done, mills in Bombay alone will go down; that mills in Bombay alone will suffer and mills elsewhere in India will not be affected. What is, Sir, bad for Bombay today will be bad for Ahmedabad, Sholapur, Delhi, Cawnpore, Calcutta and Madras within a few weeks or months, and at the latest, within less than a year. It is necessary, therefore, Sir, that this House should clearly bear in mind that the protection which they are considering today, even though Bombay may be made the bull's eye at which people may go on marking and shooting, that protection is also for mills up-country, side by side with Bombay. If this is borne in mind, I have not the least doubt, Sir, that those, who are interested in this industry out of Bombay, will feel at least this, that Bombay is bearing all the brunt in connection with the criticism, but they are going to benefit equally with Bombay if not more. If this protection enables the Bombay mills to avoid losses, it will enable the mills up-country to pay a small dividend, if they have not been paying that till now. If it will enable the Bombay mills to pay a small dividend of 5 or 6 per cent., it will certainly enable the

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mills up-country to pay a larger dividend than they have been paying without it. It is only natural that they should do so, and I do not grudge the up-country mills their good luck. The up-country mills have the advantage of their geographical situation, and it is only natural that they should so benefit more. But I say this now in order to bring home unmistakably—and which I consider is above challenge—that in dealing with this question, it should not be overlooked that the Assembly will help not only the mills in Bombay to escape the immediate catastrophe, but they will also be helping the mills all over India to escape from that danger.

There has, Sir, been considerable criticism regarding the methods of mill management in Bombay. I personally welcome all such criticism, especially for my City. Of course I feel that criticism coming from Honourable Members in this House is criticism which comes from responsible well-wishers of the industry, and ought to help to keep Bombay up to the mark and to prevent them from avoidable slackness. I do not take exception to any words of warning or of advice given in friendly spirit by the bitterest opponents of this Bill, because I cannot possibly believe that there is a single Indian today who is inimical to the textile industry of India, whether it be in Bombay or elsewhere. (Hear, hear.) It is this conviction of mine that makes me say, Sir, that as far as I am aware, every one in Bombay will welcome all such criticism not only now but for ever hereafter. But there is, Sir, considerable confusion in several of the impressions which some of my Honourable friends who criticised Bombay have. There has been a little too much stress laid on some catch-phrases which, we know, become popular as soon as they have mentioned once or twice over in some Government report or by some commercial association, be it either in full knowledge of facts or in partial ignorance of same. Take, for instance, Sir, one item which has been mentioned, rather profusely, in the course of the discussion. I think it was my Honourable friend from Orissa, Mr. B. Das, who started the criticism regarding the mill agents' system, the system known as the commission agents' system. Now, Sir, I do not wish to defend that system through and through. But I wish to point out to my Honourable friend, Mr. B. Das, that what is wrong with that system is that there are not enough safeguards ensuring efficient mill-management in case of hereditary management proving inefficient. There is not sufficient watchfulness on the part of the shareholders and there may not be enough safeguards provided in agreements with mill agents. But if my Honourable friend says that that system ought to go, and the system of management of joint-stock concerns, especially cotton mills, should be the system of management through managing directors, I would like my friend seriously to consider over it and to point out to me any part of India where industrial or commercial enterprises have been managed successfully by managing directors?

Mr. B. Das (Orissa Division: Non-Muhammadian): The Bombay Electric Supply and Tramway Co., Ltd.

Sir Purshotamdas Thakurdas: I wish my friend had named something else. I happen to be connected with that Company, being the Chairman of the Board of Directors, and I do not like to say anything about it myself. But surely he can select something else outside Bombay. If Bombay is doing the wrong thing, why not point out something which is being done in the right way either in Bengal or in Bihar and Orissa or Madras?

Mr. B. Das: May I point out, Sir, that I did not mean to attack the managing agency system; my criticism was to point out certain defects in the managing agency system.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadian Rural): We have quite a large number of tea garden companies which have been flourishing all these years under Indian management, which are entirely under the system of managing directors, and not managing agents.

Sir Purshotamdas Thakurdas: I am not conversant with the requirements of tea garden management, though I am prepared to accept my Honourable friend's view, but with regard to what my Honourable friend Mr. B. Das said, perhaps he will agree that it is not necessary to eliminate managing agents on a commission basis.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadian Rural): I may say, in order that my Honourable friend Sir Purshotamdas Thakurdas might develop his argument, that the instance cited by Mr. Neogy is not helpful to Mr. Neogy's argument because, so far as I know, those tea garden companies which are managed by managing directors have to borrow money from many Marwari business men at the rate of 12 to 15 per cent.

Mr. K. C. Neogy: But they flourish all the same.

Sir Purshotamdas Thakurdas: I am very glad, Sir, that my Honourable friend Mr. Birla is able to help me with a few facts regarding Mr. Neogy's instance, but with regard to my Honourable friend, Mr. B. Das, may I put it to him that it is not necessary to eliminate the managing agents? All that is necessary is to improve the system.

Mr. B. Das: That is my point.

Sir Purshotamdas Thakurdas: I am glad that my Honourable friend Mr. B. Das agrees that there are certain directions in which the managing agency system can be usefully improved. But I am afraid that there may be other Members in this House who think that it is desirable to eliminate and to stamp out this system. I venture to assert, with due respect, that the day they do that, either by legislation or by any other method, will be a bad day for industrial enterprise in India.

Mr. B. Das: I never meant that.

Sir Purshotamdas Thakurdas: I agreed with Mr. Das as soon as Mr. Das made his meaning clear. As a matter of fact, both Mr. Neogy and Mr. Das will agree that, during the last few years, when there has been a good deal of company promotion in connection with either Indian banks, small or big, or insurance companies or anything else, if my Honourable friends have seen some of the prospectuses, they will confirm me that these have mostly been started with managing agents and not with a managing directorate.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): I do not think banking companies can be cited as an instance.

Sir Purshotamdas Thakurdas: I accept that my Honourable friend Mr. Vidya Sagar Pandya's latest flotation of a bank has been under the system of managing directorship; I fully accept that.

Mr. Vidya Sagar Pandya: There are no banks in the country under managing agents. Can the Honourable Member cite names of any banks under managing agents?

Sir Purshotamdas Thakurdas: I thought I just agreed with Mr. Pandya about his new bank. My point is that we should not be in a hurry to come to the conclusion that, because Bombay mills and companies are run by managing agents, therefore, they deserve no protection. As a matter of fact, I feel, Sir, that those, who are intimately acquainted with the sacrifices made by managing agents till now in Bombay, ever since the first mill was started there in 1860, sacrifices made to get the mills to stand during crises like the present one and others in the past, which they have passed through in 1900 to 1907, would feel as I feel, Sir, that I would like to take my hat off every time to these managing agents who have not spared their last pie in standing by their mills in the hope that those mills would successfully pass through a crisis. By all means I would welcome an inquiry by Government into the evils and the comparative good of this system. It will clear up the issue unmistakably, but I feel that, to rush to any conclusion as suggested by some of the remarks made here would be misleading to this House.

My next point, Sir, is again in connection with what my Honourable friend, Mr. B. Das, said. He complained that the mills in Bombay were over-capitalised. I do not know what my Honourable friend, Mr. B. Das, meant by over-capitalisation. What he meant perhaps was that mills were either floated or were put up during the boom period at prices which, under present conditions, look very high. Let me tell my Honourable friend Mr. B. Das that of the few mills which changed hands in Bombay during the boom period at prices varying from Rs. 60 and Rs. 70 lakhs to a crore and a half, most have up to now gone under the auctioneer's hammer; there are practically none of these left: they showed their unsoundness for financial purposes within a few years after the boom period came to an end.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): May I point out that, at page 207 of the Tariff Board's Report, it is said "Over-capitalisation has contributed to accentuate the depression in Bombay"?

Sir Purshotamdas Thakurdas: The Honourable Member is referring to the summary of conclusions; I thought he was pointing to the relative paragraph in the body of the Report.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): It is three years old any way.

Sir Purshotamdas Thakurdas: I do not think I would be justified in taking up the time of the House by reading extracts from the Report, but I will talk this point over with my Honourable friend if he desires it, so that he may speak later on this if he wants to. My point, Sir, is this. I should have thought, and perhaps those who are connected with banking in connection with mills in Bombay or in Ahmedabad will bear me out, that the complaint regarding the mills in Bombay and in Ahmedabad till now has been, not that they have too much capital, but that they have too little capital, that they were under-capitalised, that they have not any capital with which to do the current day to day financing required by these mills. Most of these mills continue to borrow on the credit of their managing agents in the open market from day to day, inviting a crisis as

soon as there is a flutter in the money market. Sir, regarding the majority of the mills in Bombay and in the Bombay Presidency, I may say to my Honourable friend, Mr. B. Das, that their weakness is not over-capitalisation, but under-capitalisation. Whether it is the right system or not, I am not prepared today definitely to pronounce before this House. I am pointing out that, if these mills had all been floated with the capital necessary firstly for the purpose of putting up the factory and in addition for the purpose of carrying on the day to day financing of the mill, perhaps so many mills and so many enterprises in this direction would not have been in existence at all. Sir, I will say only one word before I proceed further, and that is that I am convinced from my connection with the management of mills and my knowledge of the conditions under which financing of mills is being done in the Bombay Presidency, that, but for this system of managing agents, who stake their all on their mill companies, at least four times the number of mills which have gone down till now in the Bombay Presidency would have gone down. A more acute crisis in these mills has been prevented by the spirit of self-sacrifice partly in personal interest if you so choose to call it, but still it is there—which makes the managing agent stand by his mill up to the last moment, in the hope that something new will turn up and will enable his particular concern to turn the corner.

The next question, Sir, is the 4 per cent. increase in the revenue duty, and the 3½ annas minimum on greys. The question is, is this adequate? Even the Government, Sir, feel that this is not adequate for the immediate requirements of the mills. As pointed out by my Honourable friend, Sir Cowasji Jehangir, yesterday, when an Honourable Member of the temperment of the Honourable the Commerce Member definitely comes to that conclusion, he will be a bold man in this House who can say that the Honourable Sir George Rainy has been extravagant in what he has offered to the mill industry. If, Sir, there is any defect in the Honourable Sir George Rainy in that connection, so far as this side of the House is concerned it is that, he is too strict, and I have never seen, if I may say so, any leniency on his part when he sits down to consider and decide what measure of protection is necessary.

I will now come, Sir, to that part of the principle involved in this Bill which has been the bone of contention. Having come to the conclusion that this 4 per cent. increase in the revenue duty and the 3½ annas minimum on grey goods is not adequate, Government propose to give the additional protection

Mr. A. H. Ghuznavi: When did they propose to give this additional protection?

Sir Purshotamdas Thakurdas: I should have thought, Sir, that the questions and answers on the floor of the House when Mr. Jinnah was speaking yesterday made it abundantly clear that the original proposal of the Government of India was this, and Government subsequently put on something more, which is the bone of contention today, I mean the protective 5 per cent. duty. Perhaps, my Honourable friend was not in the House when this discussion took place yesterday on the floor of the House. Now, Sir, Government propose to give this additional protection by what they call "special protective duties", which have been generally referred to all

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through this discussion as Imperial Preference; I suggest to my Honourable friends who oppose this Bill on this particular ground, that this House is incapable of giving Imperial Preference, and Government cannot possibly expect this House to give Imperial Preference. Indeed, the Honourable the Finance Member says this much in his speech in paragraph 59: "We do not, and in fact, we could not, ask the Assembly to commit themselves at this stage to accept the principle of Imperial Preference". I ask the House to mark the words of the Finance Member, "We could not". Sir, I think the words are deliberately used. Imperial Preference can only be given according to the Colonial Conference Resolution of 1902, after full protection is afforded to the indigenous industry. The Fiscal Commission's Report, page 120, paragraph 216, has this—the heading is, "The Principles of Imperial Preference": "The points of chief importance which emerge from this Resolution"—that is the Resolution of the Colonial Conference of 1902—"are"—I will read, Sir, the most important one—"that there was no question of the Dominions abating their protectionist policy, and no idea of establishing free trade within the Empire". It is admitted, Sir, that if the protection given by the Government of India with their proposal to the Cabinet was alone to be given, it would not be adequate protection. It was 4 per cent. increase in revenue duty and 3½ annas minimum on grey goods, and Government have come to the conclusion that this is not adequate. And Imperial Preference can only come *after* adequate protection is assured. Further Sir, Condition No. 4 says that, "The preference given should be wholly voluntary, and should not go beyond what the circumstances of each unit might reasonably permit". What I wish to point out is that it should not be protection given under a certain set of circumstances, which are either created or which happen to come about. It should be something offered voluntarily by the country offering preference. And the last condition, Sir, is that the United Kingdom should, if possible, grant certain preference in return. None of these, I submit, exist today. But I was a little surprised when my friend, Mr. Birla, emphasised the Imperial Preference aspect. Mr. Birla, Sir, is one of the five Indian Members of that Commission who signed the Minority Report. At least two names out of these five command great confidence in the Indian public today, and they are the names of my friend himself and of the distinguished Chairman of that Commission, Sir Ibrahim Rahimtulla, whose name is well known throughout the length and breadth of this country. The Minority Report, Sir, in Chapter IV, under the heading "Imperial Preference",—my friend himself is a signatory to it—says this:

"The principle of Imperial Preference implies the uncontrolled power of initiating granting, varying and withdrawing preference from time to time, consistently with each country's interest and on lines which are not injurious to itself. India must therefore possess the same supreme powers as are enjoyed by the Dominions before Imperial Preference can become for her a matter of practical politics. India has not yet reached Dominion Status."

Mr. Ghanshyam Das Birla: May I inquire if the Honourable Member wishes to suggest that this is something worse than Imperial Preference?

Sir Purshotamdas Thakurdas: I am telling the House that what is before the House is not Imperial Preference according to his Minority Report.

Mr. Ghanshyam Das Birla: It is something worse than that?

Sir Purshotamdas Thakurdas: I will come to it presently if the Honourable Member will have a little patience.

Then, Sir, a little later they say more in the same strain. But I must not take very long in my speech, and I may take it for granted that this part of the House knows what is in the Report. I think I have quoted sufficiently to point out that, even according to the Minority Report of my friend, what is being offered today and what is under discussion in the House is not Imperial Preference as defined in the Report.

Now, Sir, the policy followed by the Government of India, so far, is not a policy of "protection", nor as my friend the Honourable the Commerce Member reminded me earlier this Session, is it full fledged protection. Imperial Preference can only, as far as I am able to understand the Colonial Conference Resolution, come in after full protection is assured to the industry concerned. The policy of the Government of India is of protection with discrimination.

Now, I wish to ask my friends of the Nationalist Party whether it is not wrong to apply the term Imperial Preference to this, for the simple reason that India is not independent enough in her own house to enjoy that privilege, and secondly, because there is nothing that we stand to gain today from the United Kingdom in return for this concession which the Government of India are offering to the United Kingdom.

Mr. K. C. Neogy: Is it not the case of Government themselves that, so far as fiscal matters go, India does enjoy the position of a Dominion?

Sir Purshotamdas Thakurdas: I am not here to defend the policy of the Government. I am only trying to put before the House the way I read the position in this Bill. My friend's question perhaps is meant for the Treasury Benches, and I am sure the Honourable the Commerce Member will give him a satisfactory reply if he can.

There is, Sir, further this question. Many in this House feel, and indeed they have said so, that they do not wish the relations of India in any way antagonised with either Japan or Italy or Holland, or indeed with any other country which exports piece-goods to India. Now, I ask Members on this side of the House if they have any voice today in connection with India's relations with any foreign powers? When Imperial Preference can be given by this House, will not the House consider the question of the existing commercial treaties and the developments, both international and others, perhaps of a serious nature, which may result as a consequence of their policy? Can the House today be said to be responsible for it? I am sure every Honourable Member who is opposed to this will at once say that we are not and we cannot be responsible for it, because we have no voice in it. I am only mentioning this in order to bring home my point that the idea of saying that what is being offered is Imperial Preference is wrong. It may be, Sir, a very convenient method of expressing what some have in mind. I wish to make it clear, Sir, that there is no Imperial Preference which can be given by this House in the present condition of India's fiscal policy, and in the present condition and position of my friends and the elected Members in this House.

Mr. Vidya Sagar Pandya: By what other name will the Honourable Member call this difference of 5 per cent. in favour of Lancashire, if it was not preference?

Sir Purshotamdas Thakurdas: Sir, I therefore conclude that this is not Imperial Preference as it should be understood. All the same it metes out special treatment to U. K. goods. Government say that these U. K. goods do not compete with Indian goods. Those who are opposed to this Bill say that they do compete. Government point out that this measure is not intended by them to help the expansion of India's textile industry but only to enable it to live and escape the crisis. It is devised, according to the Government, as an emergent measure. At the worst, therefore, the measure that is before the House can be in force for only three years, and it can be modified at the end of three years. Granting that the burden on the Indian consumer is higher to the extent of the protection conferred on the United Kingdom, the proposition, simply put, reduces itself to this—is it advisable for this House to save the Indian textile industry in which—according to Mr. H. P. Mody—about 100 crores of capital is invested, from further depreciation for a limited period of three years, with the extra burden which may be thrown, or which will be thrown, if you prefer it, on the Indian consumer by this protection offered by the Government of India to the United Kingdom? The worst charge against the Bill can be that it affords protection to U. K. industry, simultaneously with the Indian industry. This Assembly must weigh the scales with this and decide which is the heavier of the two scales. I hope that my Honourable friends who interrupted me to ask what this was if not Imperial Preference will be satisfied that I have, at least, put forward the issue in a clear and unmistakable manner.

Mr. Ghanshyam Das Birla: I have no dispute if the Honourable Member wants to call it protection to U. K.

Sir Purshotamdas Thakurdas: You can call it that. I will not differ about the wording. If my Honourable friend wants to call it in the way he has called it, I will not take exception to it. I want to have the issue as clearly put before the House as possible, and let us then understand whether as practical business-men, those who wish well of the Indian textile industry can come to some common conclusion.

Mr. Amar Nath Dutt (Burdwan Division: Non Muhammadan Rural): There are idealists here.

Sir Purshotamdas Thakurdas: I beg your pardon. I had overlooked you. In the peculiar circumstances in which the industry is placed at present, my Chamber thinks that protection should be afforded to the Indian textile industry. This in short is the question and there is no fear of a precedent in this connection being quoted later.

I agree that, if the industry were in a position to stand further trial, it may be desirable for it, as my Honourable friend Mr. Birla recommended, to oppose this form of protection in the hope that, if the Indian textile industry refuses this protection now and waits for a few months longer, they may get more. Now, Sir, I know that my Honourable friend is himself engaged and interested in this industry, but I also know that there are representative bodies interested in this industry direct, speaking in the names of, shall I say, 75 per cent. of the mills interested in the textile industry all over India. These bodies inform us and indeed Mr. Mody has definitely said so on the floor of this House, that it would be dangerous to expose this industry to further onslaught and competition from abroad. In short, the position therefore is this. Does the Assembly make the

economic aspect of the problem subordinate to what may be the political aspect of it? I understand, Sir, that socialism says, where we can progress with the present order, it may be achieved; and I understand that communism preaches—Bring about political revolution first and then or rather thereafter try to secure the economic equality. For business men it would not be unpatriotic nor would be inexcusable if they decided that the principle of socialism might be accepted, especially when, as in this case, it is for a limited period of three years. I feel, Sir, that I shall at least be credited with having put the reasons why my Chamber have decided to favour this Bill in a manner which is impartial and which is not clouded by any other issue.

Mr. T. Prakasam (East Godavari and West Godavari *cum* Krishna: Non-Muhammadan Rural): Is it impartial?

Sir Purshotamdas Thakurdas: That is for the House to judge. I do not think I need repeat that it is so. All I can say is, that I have honestly tried to think over it, most seriously since the Budget was presented and with great oppression on my mind, at times, and I have tried to put before the House what strikes me till now, according to my limited capacity, as a fair presentation of the problem.

Sir, it must, I am sure, have struck the Honourable Members on the Treasury Benches, "Why all this opposition to this Bill if the Bill is conceived according to them in the best interests of the Indian industry and is to be in force only for three short years?" Let me tell them that the real reason is the past history in connection with the textile imports from the United Kingdom into India, which is dark and not such as to make Indians not suspicious. I do not wish to give any instances in this connection. I know it is not pleasant to many to hear them but I cannot help quoting Sir W. Joynson Hicks (now Lord Brentford) who said, some time back, and I am quoting from an extract which I came across in the *Bombay Chronicle*. Sir W. Joynson Hicks is reported to have said this:

"We did not conquer India for the benefit of the Indians. I know it is said in missionary meetings that we conquered India to raise the level of the Indians. That is can't. We conquered India as the outlet for the goods of Great Britain. We conquered India by the sword and by the sword we should hold it. I am not such a hypocrite as to say that we hold India for the Indians. We hold it as the finest outlet for British goods in general and for Lancashire cotton goods in particular."

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): That is why we ought to give preference to Lancashire?

Sir Purshotamdas Thakurdas: I am leaving the decision to you.

Dr. A. Suhrawardy: Thank you.

Sir Purshotamdas Thakurdas: With this mentality of British statesmen, with the history of Great Britain regarding the cotton textile industry till now, is it any wonder that we in this House, and in fact the whole of the Indian public, should fight very shy of whatever may be devised, with whatever high motives and ever so innocently, by my Honourable friends on the Treasury Benches? There may be a good deal in my friend Mr. Birla's apprehension that, once protection is allowed to the United Kingdom in the Indian market, it may not be easily removable. The course of this will depend upon the future relations of India and England. If it is a contented India under the British Crown, I expect that there will be room for plenty of deliberate Imperial Preference for U. K. goods with

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the free vote and goodwill of representatives of the people of India in this House hereafter. If it is a depressed India in bondage of England, then all that I can say is, God help both England and India.

Sir, I have now put before the House my frank reasons for supporting this Bill. I wish to quote, in support of what I have said, from a telegram which I received from my Chamber, and I will only quote one or two sentences from it. The telegram says:

"If there was any guarantee that adequate protection would be forthcoming immediately without any element of what is called Imperial Preference, Committee would have unhesitatingly accepted it in preference to the proposals put forward (by Government). Committee feel that they have been compelled, in absence of any alternative, reluctantly to accept Government proposals rather than see this national industry in which all parts of India are interested, wiped out of existence which would be a calamity not to Bombay city alone but to the whole country."

I think, Sir, after this, there should be no question of the motives of those on this side of the House who support this Bill. I have, for purposes of my remarks today, taken for granted all the worst apprehensions of my Honourable friends who oppose this Bill. Similarly, my support to this Bill is under circumstances which are unavoidable.

Sir, the unenviable position of the Indian industry could not have been better exemplified than by what has been clear on the floor of the House during the last three days. It has been necessary for some representatives of Indian commerce and industry to get up from their seats and plead before their fellow Members here, whose solicitude for India's national industry cannot possibly be questioned, for support of this Bill. I suggest that the villain of the whole piece is not the Indian millowner but the existing transitory stage of the reforms and the unenviable position in which we are from the constitutional point of view. Sir, the approval of the Legislative Assembly, to this Bill, if secured, must be regarded as the inevitable result of the circumstances in which we are placed, and must be regarded as one which left no option to those who support this Bill. But there is a touch of morbid humour for some and humiliation for others in the discussion before this House. When a part of the country is actively pleading for independence and for boycott of foreign cloth, we in the Legislature are being asked to give protection to a British industry as it has been called, and, indeed, is bound to be in the eyes of the public outside. What a moment to choose for such a gesture to Great Britain! If this gesture of goodwill from the Government of India to the Government of Great Britain, Sir, is to be useful, to the United Kingdom, it is not unlikely to foment agitation in this country for not only boycott of foreign goods but, I am afraid, for boycott of British goods. I am sorry for the psychological moment which has been selected for this measure. I very much wish, Sir, that it were possible for the Government of India to avoid this unfortunate moment for the expression of this friendly gesture. As far as we are concerned, I can assure my Honourable friends on my right that there is no pleasure to anyone of us to support the Bill and to vote in a different lobby. It is there that we feel that we are the victims of the circumstances in which the country and the constitution of the country at the moment is. If there is any feeling which is uppermost in the minds of Indians who vote for this Bill, I should not be surprised if it is a feeling of humiliation because they are the victims of the circumstances in which the country is placed today.

Sir the measure is said to be an emergency measure, designed to give immediate relief, and an immediate stimulus to the industry. Will it be effective? Who are the best customers of the productions of Indian mills, and even of Lancashire mills? I have no doubt the reply can be only one, namely, the masses. The Right Honourable Mr. Snowden, Chancellor of the Exchequer, a few months back, is reported to have said somewhere that, if he could only increase the purchasing power of the masses of India by something, however, tiny and small, he would get all the custom which might be necessary in order to keep the mills in Lancashire going. I propose to quote to the House from a speech delivered by the Marquess of Linlithgow at Rangoon on 7th November, 1927, when he was in India. The Noble Marquess said:

"Raise the purchasing power of the ryot, and in one stroke you will give to the industry, to manufactures, and to commerce in general an extended field for service. The prosperity of the factory is linked indissolubly, and to their mutual advantage, with the productivity of the field. Industry requires raw materials and markets for finished products. The cultivator sees in a prosperous industrial population an ever increasing market for the produce that he grows."

I wish to ask whether, with all the protection which is ensured either for Indian manufactures or for British manufactures, Government have made sure that there is, amongst the customers of these two, which at present appear to be the object of solicitude of the Government of India, that power which can really keep these two going. It strikes me that we are, or rather the Government of India are, following a policy which I cannot put in more apt words than the words which you, Mr. President, at least can fully understand:

"Agai dor, peeché chor."

(The crowd runs ahead, the thief is behind.) In ordinary course, a crowd follows a thief in order to catch him, but in this case the crowd runs ahead to catch the thief, who is behind.

What about the purchasing power of the masses, the royal class of customers both of Lancashire and the Indian textile industries? I close my remarks with this question which I particularly direct towards my Honourable friends on the Treasury Benches, Sir George Schuster and Sir George Rainy.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, the Honourable the Deputy Leader of the Independent Party, with a great deal of hesitation, asked and answered the question: "Who is the villain of the piece?" He said that it was not the millowner, and I agree with him. The millowner is the victor; he is not the villain. And even so the victims are the masses for whom he pleaded so apologetically. The villain of the piece, if I may say so without meaning much offence, without meaning any offence, is the Honourable the Commerce Member. He is the villain of the piece for this particular reason. Whenever he wants to do something for a national industry—and I am willing to grant that it is a national industry—he puts the nation on the horns of a dilemma. The capitalists are a part of the nation, even as the followers of Diwan Chaman Lal! But the Honourable the Commerce Member delights to put the entire nation on the horns of a dilemma. He says, if you want protection—and we most certainly want protection for the Bombay industries,—then you must at the same time be prepared to give the "special protection" for Lancashire! That is

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the whole problem. Protection for the millowners of Bombay and special protection for Lancashire! I wonder whether the Honourable the Deputy Leader of the Independent Party will accept that descriptive phrase "special protection". Obviously the Honourable the Deputy Leader of the Independent Party is not listening to what I am saying. Well, Sir, after having made a speech, Parliamentary formality expects him to answer a question from a subsequent speaker.

Sir Purshotamdas Thakurdas: I am sorry.

Mr. C. S. Ranga Iyer: I am glad that the Honourable the Deputy Leader of the Independent Party is willing to answer my question. I wanted to ask him whether he is prepared to agree to that description of what I may call "special protection for Lancashire". He does not like the word preference, but is he also prepared to call that "special protection".

Sir Purshotamdas Thakurdas: It has been so-called by the Honourable the Finance Member.

Mr. C. S. Ranga Iyer: I know that the Honourable the Finance Member has called it "special protection", but I wanted to know if a representative of the great commercial interests in India is also willing to call it "special protection", because I attach equal importance to his description of the same thing.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Surely the Honourable Member can see that in the Bill itself. Surely the Bill itself is very clear and if the Honourable Member has read it, he would see that it does impose a differential duty.

Mr. C. S. Ranga Iyer: Therefore we have also the Honourable the Leader of the Independent Party agreeing to this.

Mr. M. A. Jinnah: The Bill says so. It is not my opinion.

Sir Purshotamdas Thakurdas: I am always willing to give any information which I can to the Honourable Member, but I am afraid, Sir, that I am not able to follow his question clearly. I have put, from the practical point of view of a mere merchant, my view of the case and I have nothing further to add to what I have already said.

Mr. C. S. Ranga Iyer: I know the Honourable Member has nothing further to add. I was only asking whether he agreed to the description of the kind of protection given to England, as a special protection—protection on the one side and special protection on the other. I should like to know why we should be asked to grant "special protection" to England. I am quite willing to grant protection to the Bombay industries. That is what the Leader of my Party wants. I cannot understand, however, why either the Honourable the Finance Member or the Honourable Members on the Independent Benches should ask us to grant special protection to England.

Sir Purshotamdas Thakurdas: I am very sorry that my Honourable friend thinks that I agree with or approve of what the Government are offering. I have tried to put forward my view, and if it suits my Honourable friend, Mr. Ranga Iyer, to distort my view, I cannot help it. He can go on repeating his own version.

Mr. C. S. Ranga Iyer: I beg the Honourable Member's pardon; if he thinks I am repeating my own version. I am only stating a matter of fact which the Honourable Member cannot deny, namely, that he is in agreement with this Bill.

Sir Purshotamdas Thakurdas: I am not.

Mr. C. S. Ranga Iyer: His vote will show.

Sir Purshotamdas Thakurdas: If I vote for this Bill, if I support this Bill, I support it under circumstances which leave me no option.

Sardar Kartar Singh (East Punjab: Sikh): He is not a free agent.

Mr. C. S. Ranga Iyer: I must, in all fairness, admit that the Honourable the Deputy Leader of the Independent Party is supporting this Bill under circumstances over which he has no control. But I should like to know whether the special circumstances that prevail and which compel the Leader and the Deputy Leader of the Independent Party to take a particular course of action—I should like to know whether the special circumstances that govern them will also be taken into consideration by those in England who are carrying on a propaganda for special Imperial Preference. The Honourable the Deputy Leader of the Independent Party quoted, by way of justification of the Government measure, the opinion of the Honourable the Finance Member, saying that it was not Imperial Preference. Of course my Party has throughout maintained, and I do maintain, and I shall presently prove, that it is Imperial Preference. But I am first willing to take my stand on the ground which the great Leader of the Independent Party enunciated yesterday, and which his principal lieutenant in this House endorsed today. And, Sir, the Deputy Leader of the Independent Party said that it was not Imperial Preference and by way of authority. . . .

Mr. M. A. Jinnah: I think the Honourable Member is misrepresenting, and I do appeal to him, to his sense of fairness, that he should not go on repeatedly misrepresenting what I have said, and if he has not understood what I said, I should like him to get a copy of that speech of mine and carefully read it.

Mr. C. S. Ranga Iyer: I accept the Honourable Member's challenge. I am not misrepresenting him. I shall read what he said.

Dr. A. Suhrawardy: Not misquote him either.

Mr. C. S. Ranga Iyer: I am not misquoting, nor misrepresenting. He said that, "Imperial Preference can only be either a reciprocal arrangement between two free nations or a voluntary gift from one to another" and now his Deputy quoted the Honourable the Finance Member as having said that it was not Imperial Preference and he. . . .

Mr. M. A. Jinnah: Sir, that is not my speech. I do not know what the Honourable Member is quoting from.

Mr. C. S. Ranga Iyer: The quotation that I just read out is from the Honourable Member's speech.

Mr. M. A. Jinnah: Where did he get it from?

Mr. C. S. Ranga Iyer: I got it from the local newspaper report (Cries of 'Oh! Oh!' and Laughter.)

Mr. M. A. Jinnah: I appeal to the Honourable Member, who has got considerable experience as a journalist, how speeches are reported in the newspapers.

Mr. C. S. Ranga Iyer: It is the report of the Associated Press.

Mr. M. A. Jinnah: It is all the same.

Mr. C. S. Ranga Iyer: I am glad that the Honourable Member has repudiated the report of his speech by the Associated Press, namely, his interpretation of Imperial Preference. I thought, Sir, the Honourable the Leader of the Independent Party almost said yesterday that this was not Imperial Preference.

Mr. M. A. Jinnah: I never said that. This is deliberate misrepresentation now. I have said it over and over again that I never said that.

Mr. C. S. Ranga Iyer: Then, I am glad that the Honourable the Leader of the Independent Party concedes that this is Imperial Preference. Now that he concedes that this is Imperial Preference, my difficulty has been minimised. Are we or are we not to vote for Imperial Preference? So far as my Party is concerned, it will not agree to it and so far as the country is concerned, it will not agree to it either.

Now, I shall deal with what the Honourable Member's Deputy has said. He said, it was not Imperial Preference. The Honourable Leader of the Independent Party (Mr. Jinnah) did not say so. Therefore he will have to settle his dispute with his own lieutenant.

Sir Purshotamdas Thakurdas: Leave it to us, and proceed with your speech.

Mr. C. S. Ranga Iyer: Mr. Jinnah does think it is Imperial Preference, while Sir Purshotamdas Thakurdas thinks it is not, I am now concerned only with the latest speech on the subject and I say that this is Imperial Preference, because, Sir, Imperial Preference is preference shown by one part of the Empire to another of the Empire, against a country which does not belong to the Empire. That is Imperial Preference pure and simple. In this there are three countries involved, and all the three countries are mentioned in the Statement of Objects and Reasons printed and presented to us relating to this Bill. One is Japan, the other country is India, and the third country is England. I would put it like this, first England, second India and thirdly Japan. Now, India is a part of the British Empire, England is a part of the British Empire and Japan is not a part of the British Empire.

India gives, under this Bill, preference to England, India discriminates against Japan. This is pure and simple Imperial Preference. The Honourable representative of the Bombay Mill industry interpreted, if I am not misrepresenting him, that Imperial Preference meant reciprocity of obligations.

Mr. H. P. Mody: Reciprocity of benefits.

Mr. C. S. Ranga Iyer: I am willing to be corrected. There is reciprocal benefit accruing both to the millowners of Bombay and the millowners of England from this Bill. (Laughter.) Bombay gets protection. The mill-owners in England, according to the official language, get special protection.

Therefore there is reciprocity of benefits. Now then according to his own definition here is a case of Imperial Preference pure and simple. I do not know if Mr. Jinnah said yesterday, at least he is reported to have so said, that Imperial Preference must be in the nature of a voluntary gift.

Mr. M. A. Jinnah: Sir, may I instruct the Honourable Member? I merely stated that, as I understand the principle of Imperial Preference, it can be either as a reciprocity or as a voluntary gift. That was merely my idea of what I understand to be Imperial Preference. I said nothing more and nothing less.

Mr. C. S. Ranga Iyer: I am glad to know that. The Honourable gentleman's idea is quite correct. For the present case, it is crystal clear. Imperial Preference is not a voluntary gift, but an involuntary surrender on the part of those. . . . (The rest of the sentence was drowned in laughter.) And in spite of the very reasoned, the very appealing and the very enthusiastic speech which he delivered, I do not think the Deputy Leader of the Independent Party can make us agree with his dictum that this is not Imperial Preference. Even though he has quoted his own Chamber in regard to that,—and he has quoted it in the best interests of the country, of which I have no doubt—even though he has quoted the Honourable the Finance Member to assure this House that this is not Imperial Preference which he is anxious we should not be committed to, I have one very great difficulty, and that is this. We are dealing with England. We had the assurance of the Honourable the Commerce Member yesterday that this action has been taken by Government on their own initiative and without any inspiration from outside. I do not for a moment suggest that he was inspired by the great propaganda that was being carried on in England by the megaphones of Imperialism, the *Daily Mail*, the Rothermere and the Beaverbrook groups, all of which wanted Empire free-trade and all of which have merged themselves finally in the party of Mr. Baldwin, the principal plank on whose platform is nothing else and nothing more than Imperial Preference. Sir, I am reading from the *Morning Post*, the official organ of the Conservative Party in England:

"The official policy of the Conservative Party, as summed up by its leader Mr. Stanley Baldwin, is, safeguarding, Imperial Preference, Imperial rationalisation and Imperial co-operation."

I do not know whether there is rationalisation or Imperial co-operation here. It is not certainly co-operation between a dependency and a country which is governing it at present. It is most certainly Imperial Preference.

Mr. M. A. Jinnah: It is "India, Peace or War?"

Mr. C. S. Ranga Iyer: Yes. This is certainly Imperial Preference. (Laughter.)

Sir, I also find in the *Morning Post* the die-hard correspondent at Delhi of that die-hard paper describing what the significance of the passing of this Bill would be; and he says:

"If this Imperial Preference in this amended form is accepted by the Assembly, it is not because the unofficial leaders here respect the mandate of the present Socialist Government, in whom they are beginning to lose confidence, but because they wish to help the Government of India by endorsing the plea of the Right Honourable Stanley Baldwin in behalf of Empire preference."

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Well, Sir, I know the manner in which propaganda has been carried on in England on behalf of Imperial Preference. Sir Purshotamdas Thakurdas, whom I do not find now in his seat, will not be quoted by the great Conservative Party.

Mr. M. A. Jinnah: Sir, I may inform the Honourable Member that he has deputed me here to look after his interests. (Laughter.)

Mr. C. S. Ranga Iyer: The Leader of the Independent Party, who is acting as deputy for his Deputy Leader (Laughter.) will I hope correct me if I am not correctly representing Sir Purshotamdas Thakurdas. Sir Purshotamdas Thakurdas denied on the floor of this House, and quoted in support of his denial, the Honourable the Finance Member that this is not Imperial Preference. But when the Conservative Party, from whose official programme and policy I have just quoted, launch their campaign in England, I do not think even the Leader of the Independent Party will say that the speech of his Deputy will be quoted or even be recognised during the great election campaign in England, or for that matter, when the Conservative Government comes to power. I do not want that Conservative England should have an opportunity of saying, at the forthcoming election to the great democracy of Britain, that India is committed to Imperial Preference. The Conservative Party, I must frankly say, is not our friend at present. The Leader of the Conservative Party had most certainly taken a friendly attitude, but the very fact that he has surrendered since to the Rothermere gang and the Beaverbrook gang only shows that the real party, so far as India is concerned, is not the Conservative Party but the Conservative die-hards. The die-hards are the salt of the earth (Laughter.) and they are certainly the salt of the Conservative Party. And what is their programme? Their policy is, "No more surrender to India", "Imperial Preference" and so on and so forth. I am quoting this from the *Nation and Athenæum* which has published an extract from the party programme, "Imperial Preference and no more surrender to India." This is Lord Rothermere's manifesto on behalf of his party, which has since merged itself in the Conservative Party after the explanation that Mr. Baldwin gave, when he explained Empire free-trade as the goal of his policy and that for the time being he would take his stand on Imperial Preference.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Lord Rothermere had not joined with the Baldwin or Conservative group when he made the statement, "no further surrender to India". This he stated months before he joined Mr. Baldwin and to attribute either to Mr. Baldwin or the Conservative Party this statement is to mislead the House and has a sinister motive.

Mr. C. S. Ranga Iyer: Mr. Baldwin issued the following invitation to Lord Rothermere, published in the *Morning Post* of February, 25. He said:

"No political party in this country can at the present stage adopt Empire free-trade which is no doubt the goal that we have in view. But the only business-like method with which to start the journey towards the great ideal is that contained in the official Conservative policy of safeguarding, Imperial Preference." . . . etc.

After this memorable appeal of Mr. Baldwin to the Rothermere and other groups, they merged themselves in the Baldwin group, and we have to deal with the official policy of the Conservative Party and the goal of the Rothermere group. Taking these two things together, I will not be a party to the policy of making this Assembly play the part of a handmaid to British Conservative Imperialism. And that will be the interpretation that will be put, that is being put, that has already been put on it, because the *Times*, in an editorial, appealed to India to pass this measure of Imperial Preference with a view to get the sympathy of England. I do not propose to ask for the sympathy of England by giving them a bribe, for this is nothing more or nothing less than a bribe. (Hear, hear.) But at the same time I fully grant the very difficult position in which the representatives from Bombay are placed. Sir, the very tactful, lucid, clever speech of the Honourable the Leader of the Independent Party yesterday made it quite clear to us that he was supporting this Bill, not because he liked the opportunity to discriminate in favour of England, but because he was afraid that this Bill would be wrecked if it was amended in the manner in which the Leader of my Party sought to amend it. It is not because he is in love with this Bill, but he feels that he is on the horns of a dilemma and he feels that, somehow or other, he must help the Bombay industry. I feel, Sir, that we, who are for a policy of protection, so far as the industries of India are concerned, are in the same difficulty. There is no getting away from it. (Hear, hear.) Just as they have weighed the pros and cons of the question and come to the conclusion that it is necessary to sacrifice this bit of idealism for what is practical, even so we have come to the conclusion that it is necessary to sacrifice what seems a little practical lest we should be interpreted as having committed ourselves to a policy of Imperial Preference fraught with danger to the future of our industries. The assurances of the Honourable the Finance Member may be very good. But they are not binding on him, because his constituency is not in India, but his constituency is, Sir, nothing more than the great British Government. For these reasons, it would be impossible for us to give our support to what is Imperial Preference. I say it is Imperial Preference, even as the Deputy Leader of the Independent Party said it is not Imperial Preference. I am sure, if it is interpreted as Imperial Preference, he will be the first man in India to stand up and emphatically protest against it, and it is with a view to guard himself for the future, that he himself has said it is not Imperial Preference. (Applause.) I quite appreciate the very diplomatic, very far-reaching effect of that protest against the future interpretation of this policy as Imperial Preference. Now, Sir, to the official denials.

They said they are not asking this House to commit itself to Imperial Preference. I do not attach much importance to what they ask and that they do not ask. For instance, I do not accept their denials and confirmations. They deny that we are the representatives of the people. They deny that we are organised in and out of this House. They say we are a very microscopic minority. We do not accept their denials. For my part, I refuse to accept their denials that this is Imperial Preference, for the simple reason that their denial is not binding on the British Government; mere official denials cannot liquify hard facts in regard to the Indian policy.

Lastly, with regard to the tariff, we must be grateful to the Leader of the Independent Party to have quoted to this House the authority of the

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Secretary of State. We must also be grateful for the ruling that you Mr. President gave on that point and again when you invited the Members of the Executive Council to assimilate themselves to the position of Ministers. If they were Ministers, if they had a constituency, if they had an election to face, I am sure they would not have been a party to a policy of Imperial Preference. They would not have taken the position that this is not Imperial Preference. I do not for a moment say that their intentions are not true. They may honestly feel and say this is not Imperial Preference, but they have no power over the forces that preside in their own country and they have no power to interpret away the interpretations of their superior authority. Sir, tariff autonomy has not been granted. It is just as well that Mr. Wedgwood Benn knows that tariff autonomy has been denied on the floor of this House by the Commerce Member when he repeated his own view in the course of the exceedingly convincing speech of the Honourable the Leader of the Independent Party on the question of tariff autonomy. What did the Honourable the Commerce Member say? He said, "I have come to this House with my mind made up. I have come to this House either to endorse this Bill if it is passed in the manner in which I want it to be passed, or I have made up my mind to put it into the waste-paper basket. If you amend it as the Leader of the Nationalist Party wants it to be amended, we will have nothing to do whatever with the Bill. If on the other hand you amend it as the very intelligent late Member of the Swaraj Party has amended it, if it is amended in that subtle manner without affecting the principle of the Bill, then I will accept the Bill". That is not tariff autonomy. That is not consulting the House. That is holding a pistol to the heads of the Members of this House and telling them, "Take this Bill or go without protection for your Bombay industries". (Interruption.) The Honourable gentleman who represents the Anglo-Indian community in this House says it is "tariff monopoly".

Lieut.-Colonel H. A. J. Gidney: Tariff monotony.

Mr. C. S. Ranga Iyer: He is so monotonous that he says this is tariff monopoly. (An Honourable Member: "Tariff monotony.") Call it monopoly or call it autocracy or call it anything you like. Tariff autonomy does not exist. It is much better that the socialists, sitting on the Treasury Benches in Westminster, should abstain from believing in things that are not true. Tariff autonomy has not been granted to us, and it is good that His Majesty's Government have been taught by the Honourable the Commerce Member, an important Member of the Viceroy's Executive Council, that His Majesty's Secretary of State was talking through his hat. Sir, it is a repudiation of the Secretary of the State by a Member of the Viceroy's Executive Council. Nothing more and nothing less than a strong, clear, forcible, emphatic repudiation of His Majesty's Secretary of State who, to see the Indian feelings, perhaps, said that, "Tariff autonomy has been granted to India", "Dominion Status is in action". Well, nobody in this House has said we are a Dominion, or that there is Dominion Status in action. It is good, it is necessary, that the Socialist Government should know that what they are trying to do in England is being undone in this part of the world, and it is undone in letter and in spirit in this important measure. They are giving us Imperial Preference and they are saying it is not Imperial Preference. Soft words cannot liquify hard facts, and whether the Bombay industries are going to be benefited or not, I am not

going to take my stand on the question of Imperial Preference to which I am not going to be a party. Sir, yesterday a nominated Member from Bengal in a very energetic speech (An Honourable Member: "Madras") a nominated Member, the Editor of the *Bengalee* of Calcutta (An Honourable Member: "He comes from your own province."), in a very energetic speech, took exception to the presence of distinguished representatives of another friendly country in the neighbourhood of this House. Sir, in the House of Commons, when England had resumed diplomatic relations with Russia, it was a pleasure to see distinguished representatives of that great country in the Distinguished Visitors Gallery. We have not cut off diplomatic relations with Japan. That ought to be sufficient for a nominated Member of Government. (Laughter.)

Sir, the Honourable the Deputy Leader of the Independent Party referred to the boycott of British goods. He feared, I think, that British goods were going to be boycotted by way of protest against the passing of this measure—I hope I am representing him correctly—while the responsibility for sowing the dragon's teeth will be on those who vote for this proposition. (Applause.)

Mr. K. B. L. Agnihotri (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I rise to oppose the Bill. My opposition is not based on the ground that protection is being granted to the cotton mill industry; on the contrary, I have been all my life a supporter of protection being granted to the cotton mill industry in India. The cotton industry in this country has been a great national industry in the past, is a national today, in spite of what my Honourable friend, Mr. Chaman Lall, may say, and it will continue to be a national industry in future. I do not agree with the view of my Honourable friend, Mr. Chaman Lall, who has got advanced ideas, that an industry is not a national industry unless it is nationalised. That is not the argument that I am going to advance. I consider that every industry, which employs millions of people, and which adds to the national wealth of the country, is a national industry, and that to support such a national industry should be our primary duty in this country. Now, if I make any opposition today to this Bill, it is because it involves the principle of Imperial Preference. Not only that, this Bill is a unique Bill, in that it has been brought forward for protecting an industry not in existence in this country. For instance, the manufacture of white, coloured and finer cotton goods is not an industry that exists in the country, according to the note circulated by the Honourable the Commerce Member, and according to the statement in the Report made by Mr. Hardy. So we need not provide any protection for that. Protection should be given to an industry that exists in this country, not that the protection should be given for an industry which does not exist in this country; and that is another reason why I consider that this Bill is objectionable. I am surprised to know that the millowners of Bombay, shrewd as they are, intend to support it. I fail to understand how they have agreed to support it. I find that the Bombay millowners are anxious to get some support from Government in the form of a protective duty. I am afraid it is not going to bring them any protection. I would tell them that it would be better for them not to accept such a gift as this from the Treasury Benches, which might have the effect of ruining their own Indian industry. I shall put before the House later what has been the history of the cotton industry in this country in the past, and what has been the attitude of those who have ever been professing that the interests of this country have always been before them, that they are the

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trustees and that we should have trust in them. I will also say a little later how, even in spite of the 3½ per cent. cotton excise duty, the Bombay cotton industry survived, not only survived but gained in strength. That will show to them that the depression which the industry is feeling at the present moment will not be a long lived one, and they should not be despondent. What is offered in this Bill is not a real protection; what we have before us is an Imperial Preference with a loaded pistol from the Government Benches, when they say, "Either have this protection with Imperial Preference, or you go without protection at all". Could we not do without such protection? For many years our industry has gone without such protection, and could we not wait until we are in a position to have real protection ourselves? Supposing we accept, what would be the result? The home industry will suffer, nay, will die out. I have no doubt they are fully aware of Mahatma Gandhi's movement for the production and use of *khaddar*, the improvement and development of the cottage homespun industry, and the movement of boycott of British cloth which is at present in their favour; the Swadeshi movement has been helping the mill industry in the past. The British cotton industry has suffered not only because of the import of Japanese goods into this country, but because of the development of the Swadeshi movement, that gave an impetus to the Indian mill industry. Therefore my humble submission to my friends, the Bombay millowners, would be that they should wait.

Mr. H. P. Mody: How long?

Mr. K. B. L. Agnihotri: It is a question of time. If they could wait for about 70 years, from 1853, when the first cotton mill was erected in Bombay, if they could brave the situation created in 1895, and in the early periods inspite of the imposition of the cotton excise duty, if they could recover from that position, and not only recover, but develop their mill industry, it goes without saying that they could meet even this present competition from Japan. No doubt the competition was due to Japanese favourable labour conditions; Japanese industries have benefited by women being employed and other favourable conditions. But what do we find today? From the Honourable Sir George Rainy's speech we find that labour conditions in Japan have changed; they have adopted the same Washington hours Convention to which India has subscribed, and in their mills the women are now working for shorter hours. My humble submission therefore would be that the period when full recovery is attained will not be far off. Sir, it may be the convention that our tariff autonomy consists in the joint agreement of this Legislature and the Government. But then part of this Legislature, about half of it, with the nominated Members is the Government itself. Of the elected Members, a majority of them do not want this Bill, which involves the principle of Imperial Preference. Even the Government themselves, in their cable to the Secretary of State, have said that it is solely for revenue purposes that they are imposing this extra duty; in that cable they do not themselves show any preference to England. How can they come forward and say that they shall not agree to the views of the majority of elected Members of this House for that tariff autonomy which has been granted to us and that they shall keep to their views which are different from those of the so-called elected representatives of the country? No Government which professes to stand on the strength of public opinion can for a moment consider this course desirable. Therefore I am of opinion that the millowners

should have no apprehensions of losing protection and should not accept this Bill. Were we to refer to the Bill itself and to the speech of the Honourable Sir George Rainy, it would be amply clear to us that there is nothing beyond the principle of Imperial Preference provided in this Bill. It was quite a correct statement when my friend Mr. Jayakar said the other day, that we might call it Protection or Imperial Preference or give it any other name, but preference there was in the Bill. Simply because the Honourable Sir George Schuster happened to say to this House that it included only a principle of differentiation and he did not use the words "Imperial Preference", are we to conclude from that statement that this does not include Imperial Preference? I may refer the House to his speech in which he himself stated that, at this stage of the Bill, he was not prepared to ask the House to accept the principle of preference. Similarly the Honourable Sir George Rainy also says that we should commit ourselves to the principle of Imperial Preference at this stage. He said, if I were to ask the House to do that, I should be asking the House to rule out of discussion important amendments that were proposed in this House, and he meant thereby that unless and until the amendments are considered by this House, we cannot say that we have committed ourselves to the principle of Imperial Preference. From this it will be clear that this is a measure which involved the principle of Imperial Preference, but though they are not at present prepared to say that Imperial Preference has been accepted by us for the simple reason that, if the Bill is taken to the amendment stage when the amendments are considered, and if the Imperial Preference question is thrown out, the Bill as it would emerge thereafter would not contain the principle of Imperial Preference; otherwise it would certainly contain the principle of Imperial Preference.

Now, looking to the Bill as it is, what do we find? It is clearly stated therein that duty is to be imposed on the goods that are not of British manufacture. It will thus be clear that it is not only a case of Imperial Preference, as has been inferred by us, but it is a clear case of Imperial Preference, which has been embodied in the Bill itself. Therefore, Sir, any argument to the effect that the Bill does not involve any principle of Imperial Preference is futile and cannot be borne out by facts. On the other hand, Sir, I do not know whether the Government Benches have deliberately avoided the use of the term Imperial Preference. They probably scented that there would be a strong opposition on this question of Imperial Preference, and so perhaps they have been careful enough not to use the words Imperial Preference in the body of the Bill. But I would not blame them for this. I would rather blame ourselves that we had not properly attended to the Bill. I do not suspect the Government Benches nor do I accuse them of having deliberately refrained from using the term Imperial Preference in this connection, thinking that, if they used that term, the House would have known from their own statement that this measure would involve the principle of Imperial Preference, and the House could have gone a step further and would not have laboured to find whether or not this Bill involved any principle of Imperial Preference or only laid down a new and novel principle of creating an enactment to protect the industries of England, which England herself is strong enough to protect by enacting her own laws. But the question is whether we, as a mere dependency or as a Dominion in embryo or as a subordinate branch of the British Government, should take this step of providing in our laws an Act to protect the foreign industries that are not in existence in this country or do not compete against ours in this country, as I have

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pointed out, and as will be amply borne out from the Report of Mr. Hardy, as also from the speech of the Government Member. This is a matter for our serious consideration.

My humble suggestion is that we should throw out this Bill, if for nothing else, at least for this, that it involves a novel principle of creating a new law to protect the English industries.

Then, Sir, the second point that I wish to deal with is this. Taking it for granted—and it is a fact—that this Bill involves Imperial Preference, the question is whether we should or should not support it. True, as a dependent nation, we have no voice in the matter. It is true that the Government would certify the Bill if we throw out this present Bill. But if the Government want to have Imperial Preference introduced, let them do so as they did by the imposition of cotton excise duties, and by artificially fixing the exchange ratio; they can certainly protect the English industries and give them the protection that is near to their heart, but we should not be a party to it, not because personally or individually we are averse to it, but the country is against it. Also because we have taken upon ourselves the sacred duty of representing the constituencies which we have the honour to represent. We have also taken upon ourselves the responsibility to put before the Government what our constituencies think about the present measure. The Government have got the eyes to see, but they will not see; the Government have the mind to think, but they will not think; the Government have the heart to understand, but they will not understand. Were anybody with his eyes open to go into the country, he would be able to gauge the true feeling in the country. The Government do not seem to know it. Now, so far as England is concerned, what is the feeling in the country? It is against her; I think there is hardly a man who has not the spirit in him to feel that India should some day, if possible, be ruled by Indians themselves, that so far as possible, India should not remain under the tutelage of any nation, be it howsoever benevolent, as England claims to be, be it howsoever kindly watchful of our interests as England professes to be; but there is no nation in the world, there is no educated man in this country who has not the desire in his heart to have self-government, be it in Dominion form, or be it in form of independence, but every one of us wants self-government, in whatever form it may be. It may be expediency that makes us say what some of us say, but I have not been able to come across any Indian who has once travelled across the seas or who has seen foreign countries, who has not brought with him the idea that India should also be on the same level as England or as any other self-governing countries in the world. Even England has given out the idea that India should, in the fullness of time, have the same equality of status in the Empire as any other part of the Empire has; that is, England does realise that India should also be made an equal partner of the Empire. That may be our ultimate goal, but it is our goal. It may be that our masters or the persons who pose as our trustees or who are managing our country for us may consider that, for the time being we are not fit or competent enough to carry on the administration of our country, but they cannot deny our right to self-government. They have admitted it times out of number that self-government is our goal. Therefore, my humble submission is, if this is the feeling which the Government find about the general position in the country, they should

certainly be able to know what the feeling is about their policy in regard to the industries in this country. Indians from one end of the country to the other know full well that in the 16th and 17th centuries India could hold her own so far as cotton industries were concerned. It was Indian silk and cotton industries that brought the foreigners to the shores of India, which brought the English to our country for trade purposes. It was a providential destiny that linked India and England together, and we have to see how our interests have in the past been watched by the Englishmen who are our trustees. If the preference to England is in the interests of India, in that case alone it should be given. Only in that case the Bill should be allowed to pass. Government Members have been very clever in putting forward this proposal before us. Sir George Rainy said, at the concluding portion of his speech, that had it not been in the interest of India, we would not have taken the responsibility, and no Member of the Government would have taken the responsibility to put this Bill before this House. Now, how are we to know it? The only course open to us is to see from the past history how our interests have been watched in the past, and how they are watched at present. We have to see how our industries flourished in the past, and in what condition they are now. I shall not tire the House by reading long extracts, but I will show in brief what the condition of the country was in the 17th century. India was a cotton-producing country and its muslin was the envy of nations. Its calico or dyed cloth was the envy of the English nation, and England out of sheer envy, prohibited its use in England itself. Coloured goods, fine muslins and fine silk were not only produced in this country in sufficient quantity for the people of this country but used also to be exported to foreign countries. In short, India thrived at that time on the earnings of its cotton and silk industry. How have these things died out? In the year 1769, a letter was issued by the East India Company to Bengal to the effect that, "The Company desired that the manufacture of raw silk should be encouraged in Bengal and that the manufactured silk fabrics should be discouraged and they also recommended that the silk winders should be forced to work in the Company's factories and prohibited from working in their own homes". This letter was written on the 17th March, 1769. This is how our interests were watched in the year 1769. I am quoting from "The Economic History of India" by R. C. Dutt. In the Report of the Select Committee of the House of Commons in the year 1783, it was said that this letter contained a perfect plan of policy both of compulsion and encouragement, which must, in a very considerable degree, operate destructively to the manufactures of Bengal. Its effects must be to change the whole face of that industrial country in order to render it a field of the produce of crude materials subservient to the manufactures of Great Britain. This was how our Indian industries were treated in the year 1769. Further, before the Committee of the House of Commons, as will appear in the Minutes and Notes on the affairs of the East India Company in 1813, pages 463 and 467, one Mr. John Ranking, a merchant, was examined. He was asked:

"What is the *ad valorem* duty on piece goods sold in the East India House in London?"

He said:

"The duty on the class called calicos was £3-6-8 per cent. upon importation, and if they are used for home consumption there is a further duty of £68-6-8 per cent."

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"There is another class called muslins on which the duty on importation is 10 per cent., and if they are used for home consumption £27-6-8 per cent."

"There is a third class of coloured goods which are prohibited from being used in this country," (*that is, England*) "upon which there is a duty on importation of £3 6s. 8d. per cent., and if it is used for home consumption an additional duty of £78 6s. 8d. The duty on muslins used for home consumption is £31 6s. 8d."

From this you will realise what was the condition of the industry in India at that time, and what embargo was placed on Indian export and import of Indian cotton goods in England and their sale therein. From this we shall find out what was the interest that was taken in our industries and affairs in the year 1769 and up to the year 1813. Even now, in spite of the loud professions to the effect that we are on the same basis as the Dominions, that Dominion Status is working in this country, as Mr. Ranga Iyer pointed out from the speech of the Right Honourable Wedgewood Benn, do we find that it is not a fact. The discussions yesterday between the Leader of the Independent Party and the Government Benches must have shown that there is no tariff autonomy. Although Dominion Status has been said to be in action because it was said India enjoyed tariff autonomy, Dominion Status is only kept as our goal, we have not got it yet, and we may not get it for thousands of years to come. He will be a bold prophet who can say that we will get Dominion Status in our generation and in our time. I am a pessimist in that way. I believe it is not coming in the near future.

Now, let us see what another historian, Mr. H. H. Wilson, says about this. In the Parliamentary Debates of 1813, he said:

"The real object of the Parliamentary inquiry of 1813 was to promote the interest of the manufacturers of England. Napoleon Bonaparte had excluded British manufactures from the Continental ports; the merchants and manufacturers of England were labouring under difficulties; the country was menaced with distress unless some new method of sale for its industrial products was discovered."

Then further on, five years after the date of the Parliamentary inquiry in 1832, another historian, Montgomery Martin, described and condemned the commercial policy of the time. About the conditions of our industries he said:

"Since this official report (Dr. Buchanan's economic inquiries in Northern India) was made to Government, have any effective steps been taken in England or in India to benefit the sufferers by our rapacity and selfishness? None! On the contrary, we have done everything possible to impoverish still further the miserable beings subject to the cruel selfishness of English commerce. The pages before the reader prove the number of people in the surveyed districts dependent for their chief support on their skill in weaving cotton, etc. Under the pretence of Free Trade, England has compelled the Hindus to receive the products of the steam-looms of Lancashire, Yorkshire, Glasgow, etc., at mere nominal duties; while the hand-wrought manufactures of Bengal and Behar, beautiful in fabric and durable in wear, have had heavy and almost prohibitive duties imposed on their importation to England."

This was the way in which our interests in the 18th century and in the early part of the 19th century were watched by our self-styled rulers in India.

Further on, on page 300 he shows how our industries fared in this country and why our industries were ruined at that time:

"Had they sanctioned the free importation into England of Indian cotton and silk goods, the English cotton and silk manufactories must, of necessity, soon come to a

stand. India had not only the advantage of cheaper labour and raw material, but also the experience, the skill, and the practice of centuries. The effect of these advantages could not fail to tell under a system of free competition. * * *

Accordingly, England prohibited the import of the goods dealt in by her own factories, the Indian cotton and silk fabrics. The prohibition was complete and peremptory. Not so much as a thread of them would England permit to be used. She would have none of these beautiful and cheap fabrics, but preferred to consume her own inferior and more costly stuffs. She was, however, quite willing to supply the Continental nations with the far finer fabrics of India at lower prices, and willingly yielded to them all the benefit of that cheapness; she herself would have none of it."

This is the way how England protected her own industries, and looked after the interest of India. This is the way, Sir, we wish India should protect her own industries. I wish to tell my Honourable friends, the Bombay millowners, that they should not be impatient. I can assure them that every man who has ever cared to read the economic history of this country shall be prepared to help the Indian cotton industry whatever may be the odds. I, for the matter of that, am prepared even to raise the duty to a higher percentage than what is proposed by the Honourable the Commerce Member, not because it may be hard on the poor consumer, but because it will protect our industry and it will protect the very cotton industry that has died out in the past. It will not only give this country a breathing time but it will give us an opportunity which is badly needed for this country to develop her cotton industry of the finer stuff. What does my Honourable friend the Commerce Member say about this? He says that we are imposing this duty and we are giving protection to England not for the purpose of development in India of cotton industries, in finer stuff, but we are providing this duty for the purpose of protecting the industry which is already in existence. I quite agree that, so far as that industry is concerned there is such need at present. It has braved the storm of the foreigners in the past, it has braved the lull of depression in the past, and it has braved the storm of the high and exorbitant duties that were levied against it. These duties were imposed at a time when this country had been placed in a very low economic position, but the economic history has been taught to us by our learned masters and we have also learnt it well at the feet of our *Gurus* on the other Benches. Would we not, after having learnt this much, come to the help of our own Indian industry when need would be? But, Sir, what was the bone of contention between the English and Indian industries in the past? It was not only the plain grey goods or those goods which were manufactured by not only the weavers but also the women folk in their houses in the villages, but it was the industry that produced finer silk yarn, that produced finer stuff in cotton and that produced coloured goods in this country. These products were the competitors of the foreigners in the trade at that time. It was to protect that industry that we fought in the past, and it is for that industry that, even now, I am prepared to ask the Government to impose even a higher duty if necessary. And I propose to do this for the simple reason that, although it may be a costlier thing to us today, in the future, as the wealth will remain in our own country, it will be for our use and benefit. If we develop the production of finer stuff, it would mean also the employment of more labour. It will give employment to the millions of my unemployed countrymen. It will give employment to those educated classes about which even the Government publication called, "India in 1927-28" has

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said that the unemployment question in the educated classes was severely felt in the country. It is, believe me, very severe and something has to be done to alleviate the distress. People who have received education are not paid enough wages. In fact, their wages do not come up to the level of the wages of the illiterate labourers in the mills of Bombay. Now, if the finer yarn is produced, which requires more intelligence, more educated youths, who are roaming about the country aimlessly and without any work, could be given some labour. It is not only for the purpose of developing that Indian industry, but also for the purpose of finding employment for the Indian youths that I urge on the Treasury Benches to give protection to the Bombay industry. I will later on show that the protection that they propose to give is not enough. Sir, it was that industry of finer stuff, to kill which, to murder which, the English manufacturers in the past fought their utmost. I have so far given to the House the English history up to the period before 1833. Let me show to the House the interest that was taken in our industries from 1833 onwards, say, up to the year 1895.

In 1877, Sir John Strachey, in presenting his financial statement before the Governor General in Council, repudiated the doctrine that it was the duty of the Government of India to think of Indian interest alone and confessed the sentiment that there was no higher duty in his estimation than the duty which he owed to his own country. The Commerce Member said the Bill was in our interests. Sir, I dare not charge the Executive Councillors of the Government of India, who are representing the Government in this House, that they are unpatriotic when they say that. I would not charge them with this, but I would at least say that they have as much the interest of England at heart as they have of this country. It is in the interest of England that on a mere letter or a mere reminder from the British Cabinet about the possible disaster to Lancashire trade that the Executive Councillors of the Government of India thought it proper to give a preferential duty to England. I thus submit, Sir, that, even today, the interest that is evinced in the case of our own industry is apparent enough by this preferential duty that is raised in this country. Now, Sir, I would just put before you what was done by Lancashire to foreign industries about the year 1877. I am quoting from the "Economic conditions in India" by one Mr. Pillai, from page 190:

"While the imports of twist and yarn remained almost stationary in the seventies, the Indian exports went up from 2.01 million lb. (annual average) in the quinquennium 1871-75 to 15.39 millions in the succeeding quinquennium; and though the imports of manufactured cotton goods were steadily on the increase, the Indian exports of cotton manufactures of all sorts rose from 12 million yards in the earlier half of the decade to 19 millions in the latter half."

My Bombay friends will please note that even at that time the mill industry was developing and prospering:

"Lancashire which regarded the Indian market as its own close preserve, was frankly alarmed by this tendency, though yet it was hardly affected by the development of the Indian industry. In 1877-78, therefore it began to exert itself in the matter. The deficiencies in Indian revenue caused by the Mutiny and other military activities in India had forced the Government to levy heavy import duties amounting at one time to 20 per cent. *ad valorem* and Lancashire attributed the prosperity of the mills to their protective influence. It accordingly got the House of Commons

to pass a Resolution to the effect that 'in the opinion of this House, the duties now levied on cotton manufactures imported into India being protective in their nature, are contrary to sound commercial policy, and ought to be repealed without delay as soon as the financial condition of India will permit'. As a matter of fact as we shall see later on, the duties had no protective effect to speak of, as the Indian products did not compete with those of Lancashire; there can be no protection where there is no competition. But Lancashire was persistent and the House of Commons reaffirmed their Resolution of 1877, with the result that on March 13th, 1879 the first step in the ultimate repeal of the import duty on cotton goods was taken. It was then confined to the coarsest class of Lancashire grey goods, which came nearest the region of Indian competition. In 1882, all import duties were abolished, and India became fully a free trade country."

Now this was the pressure which Lancashire brought to bear and this was the result of the Resolution which was moved in the House of Commons, the Mother of Parliaments, which has ever been watchful of our own interests. My Honourable friends, representing the Bombay millowners, will kindly attend to the subsequent passage which occurs in the same book. It runs:

"The years immediately following the repeal of the import duties saw a rapid development in the Indian cotton industry. It was stated by Sir Henry James in the House of Commons debate of the 21st February 1895, that between 1882 and 1895, the number of spindles had increased from 1,550,000 to 3,500,000 and that while in the six years ending in 1882 the United Kingdom held two-thirds of the trade with Hong-Kong, China and Japan in the four years ending in 1895, four-fifths of this trade had passed to India."

This would show that, even in spite of the abolition of the import duties of 20 per cent., which were levied against British goods at that time, the Bombay mill industry could manage to recover, not only recover but develop its growth. I may also remind Honourable Members that, at this time, that is the year 1878, was the period of famine in the country, and still, in spite of that, and immediately after famine, the Bombay mill industry was able to develop. In this connection, I may also submit that the whole bone of contention just now, as I have said, was the position of the finer counts of the cotton industry in this country. Where is the protection to Bombay in that matter? Where is the protection for those mills of finer cotton stuff the manufacture of which is being started? Only the other day, yesterday or the day before, I read in a newspaper that Sir David Sassoon was contemplating the starting of five mills in Madras for production of finer stuffs. If such mills could be started at present, what is then all this talk of depression in industry? Are we to act on the telegraphic communications of such interested persons from Bombay to the effect that, if the grant is not made immediately, there will be a closing down of all the mills in Bombay? This was the cry raised before the whole country in 1927, three years ago, when the Tariff Board was appointed to inquire into this question. This was the cry raised at the time when the Tariff Board presided over by Sir Frank Noyce reported that the Bombay mill industry required protection. That was the time when protection should have been given to the Bombay industry. It was the time when labour conditions in Japan were favourable to them and were a handicap to us in this country, that the protection was needed. If protection was not given at that time, in 1927, and when those conditions have changed in the year of grace 1930, when during the course of these three years the Bombay mill industry is carrying on, how can we say that the Bombay mill industry will die and it will not tide over the present crisis if protection is not forthcoming. I am quite prepared

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to give protection to the Bombay mill industry. I am agreed in giving protection to the Bombay mill industry for this reason and for this reason alone, that it is to develop the industry of the country in finer stuff, to develop the industry which I consider to be national; and for the development of that industry alone, in which our salvation lies, I shall be prepared to give protection. It is for that sole purpose that every one on this side of the House would be prepared to give protection. But for that, we are not prepared to sacrifice our principles. We are not prepared to lay a precedent for the future. We are not prepared to endorse the protection given to Lancashire in the past, for at that time the activities of Government could not be said to have been with the approval of the country. Knowing the public opinion in the country, which was growing stronger and stronger every day, the Government cannot now, by their mere ukase, raise the duties so as to give preference to Lancashire. At that time it could not be said that we approved their action or that we supported them in principle, but today the position has changed and my humble submission is that, if for nothing else, at least as it creates a precedent, it ought not to be supported. We should not say that we are forced to accept this Imperial preference because it also gives protection, or because the Honourable the Finance Member and the Honourable the Commerce Member are holding a loaded pistol to our heads and saying that, unless we take this thing as it is, they are not going to give us any protection. We should in such a case be prepared to say, "Take away the whole thing". If we could survive after so much obstruction in the past, if we could survive after a much stronger attack on our industry, should we not be able to survive now when we have built up the industry, when we have sunk crores and crores of capital and built up some reserves, should we not be able to keep that industry going for two or three years more? My humble submission is that we can do so, and if any support from the country at large is needed, the country will be ready to give it. I can give one instance and that is that in spite of Mahatma Gandhi's non-co-operation movement, in spite of Mahatma Gandhi's influential leadership in the country—today he can take behind him the whole country if he so pleases—in spite of a few people who may have submitted to him in the days of the non-co-operation movement, in spite of all these things, his exhortations for the use of *khaddar* alone were not accepted by us against the use of mill-made goods. Why? At that time we believed, rightly or wrongly, that the supply of *khaddar* could not be enough to meet the demands of the people in the country. At that time we believed that in view of the luxuries we had taken upon ourselves and to which we were attached, we would not be able to spin the *charka* for an hour or two every day in our own households, and we believed that, because of the education we gave to our ladies, and because of their constitution or rather the luxuries to which our womenfolk were accustomed, they could not be able, or they could not be strong enough, to go on spinning and could not be able to produce yarn enough for the production of cotton goods sufficient to meet the demands of the whole country. In view of all these things, we did not at that time support Mahatma Gandhi in his campaign against mill-made goods, and in his cult of the exclusive use of *khaddar*. We at the same time told Mahatma Gandhi that, "We are prepared to take up your banner, we are prepared to follow your banner,

provided you include the products of Indian mills, the yarn and cloth manufactured by mills in India".

Mr. B. Das: I hope my Honourable friend Mr. Mody recognises it.

Mr. H. P. Mody: I hope I do.

Mr. B. Das: Deeds and not words are wanted.

Mr. K. B. L. Agnihotri: From this we may show to our friends of the Bombay mill industry that it was because of this that we kept back at the time, knowing full well, as we did, the economic history of this country, knowing full well how it had fared at the hands of our well-wishers, rather our masters, knowing all these things, how was it that we did not subscribe to *khaddar*? It was because we thought that we should encourage the mill industry of Bombay (Hear, hear.) that we sacrificed our national principles for the sake of development of our national industry.

It was for this reason, and this reason alone, that the educated Indians did not follow Mahatma Gandhi in such a large number as could be expected in his propaganda for the *khaddar* movement. And that is the sacrifice which we are prepared to make in favour of the Bombay industry. We can promise them, we can assure them that we shall not only be content to use Indian goods ourselves, but we shall also try our level best to encourage and ask our fellow-countrymen outside to use Swadeshi cloth. That will bring us our regeneration; that will give us the bright future for our country. Dominion Status may or may not come to us. If economically we are strong enough, if our economic growth is perfect and complete, we are sure that we shall have a millenium in no time. Therefore my humble submission is that, having this asset, having this promise from us, the Bombay millowners should not be tempted to accept a bait which is nothing but a gratification and an illegal and immoral gratification. It is nothing short of a gratification to them, a bait to them, a temptation to them. They should not lower themselves and their self-respect by accepting a bribe. I am not prepared to endorse the threat which some of my friends have made that, in case the Bombay millowners accept this bait from the Government Benches, it will alienate the sympathies of the people who will resort to boycott of their goods. That may or may not be the result. It is for them to realise. Therefore my humble submission would be that we should not accept it, and my request to the House will be that it should not abet this act of the acceptance of an illegal gratification by the Bombay millowners from Government and it should not support the Government in passing this Bill, as laid before us, as it involves the principle of Imperial Preference, as it involves the principle of special protection to England. I am prepared to accept, for the sake of argument, my Honourable friend Sir George Rainy's remarks that it is only for the purpose of protection of the existing industry that he is giving this protection to the cotton industry. But what has he to say about the coloured goods? Has not Mr. Hardy found that India also produces coloured goods and that too in pretty large quantities? What protection is he giving to coloured goods? He takes away all the coloured goods from the purview of grey goods. That was a thing which required protection. England is perfectly willing to accept this 15 per cent. duty, or even a 20 per cent. duty on plain grey goods so long as it does not affect its finer stuff, so long as it does not affect

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its showy goods, so long as it does not affect its coloured goods. The other day, Mr. Ainscough, the Trade Commissioner for India and Ceylon, showed how the British traders' prospects could improve. I think I will be tiring the House if I read the whole article, so I will read a portion of it. He says:

"The Indian market may conveniently be divided into two separate and distinct groups: Firstly, there are the bazaar trades, which include all the imported articles in general use by the vast Indian population, and which are sold to Indian importers and dealers in the bazaars at the ports and large distribution centres throughout the country.

In this group price considerations are paramount, and low price and showy appearance are greater desiderata than equality, durability or even value for money. This group includes cotton and woollen piece-goods."

What I wish to point out is that England, in the past, tried its level best to see that the manufacture of the coloured goods should not be encouraged; the sale of coloured goods produced in India should not be encouraged in England. England not only imposed heavy duties thereon, but prohibited its sale throughout the country. There must be some reason for this; and what is the reason? The reason is human nature. We have to look to our tendencies towards luxuries. It is a part of our human nature to show ourselves well off by use of fine dresses and clothes, to see that our ladies appear in good dresses, to like the coloured and showy goods. Gaudiness is the rule of human nature. And in spite of civilisation, it still continues and lingers on. It not only lingers on, but the votaries of fashion have found to their cost that the coloured articles in their various shades are much more popular today than what they have been in the past. Ladies, as a rule, are very anxious to show themselves off by putting on gaudy and coloured dresses. Similarly, as for ourselves, how many of us here are putting on the coarse stuff which is produced in this country? How many of us are here to patronise Lancashire and British trade in the market? We shall find, by looking at our own selves, that even these millowners of Bombay, these champions of Indian mill industries, are the greatest defaulters and the greatest culprits, in the use of finer stuffs. They manufacture cotton goods for the use of the poorer classes. They do not manufacture cotton goods for those rich people and the middle-class people who are prepared to empty their pockets in the purchase of finer stuff and gaudy things, which are showy and fine to look at. Therefore what is the industry that we should encourage. What is the thing that should be developed? It is not the coarse goods only but finer cotton goods. What about the grey goods? What do we find from the statistics that have been supplied to us by Government? We find that in India there is steady growth of grey goods. There is not one year in which the Indian cotton industry has not developed, in spite of these handicaps. Will any Honourable Member of this House show, from the statistics supplied to us by that Government, that in any year, after 1917 up to date, the produce of grey cloth has decreased? Whether we judge it on the consumption or production, whether we judge it on the amount of imported goods from England or the imports that we receive from Japan or other countries, there is no decrease in the production of our own factories in India. Therefore my humble submission is that the cotton industries or the mill industries in Bombay, which produce grey goods, can hold their own even now, in spite of any handicaps, that may be existing against

them. What is needed is not the coarse cloth that may be used by the poorer people, but the finer stuff that may be used by the educated people, by people who are votaries of fashion and are growing in luxury. It was for this reason that England came to this country. It was for this purpose that other foreigners came to our country. If you will permit me, Sir, I will show, from page 257 of, "The Economic history of India" as to who are to be looked to for consumption of cotton goods:

"Warren Hastings was asked: 'From your knowledge of the Indian character and habits, are you able to speak to the probability of a demand for European commodities by the population of India, for their own use?'

'The supplies of trade', replied Warren Hastings, 'are for the wants and luxuries of a people; the poor in India may be said to have no wants. Their wants are confined to their dwellings, to their food, and to a scanty portion of clothing, all of which they can have from the soil that they tread upon.'

From this you will find that it is not the poorer classes of this country that are to be considered for the use of the products of the Indian industries, but it is the well-to-do classes which indulge in luxuries that are to be catered for and considered. So, Sir, my submission to the House will be that the millowners of Bombay be requested, the Government of India be urged, not only to protect the cotton industries in respect of grey yarn but to develop the produce of the finer stuffs, to protect the coloured goods, for which no protection is provided by my Honourable friend on the other side. I urge that it ought to be done. Otherwise, we will only be giving protection to England and to other countries. Now take the case of dhotis, the bordered dhoti. The dhoti is brought within the purview of grey yarns, but the bordered dhoti has been carefully kept out. May I ask any person with an intimate knowledge of the use of dhotis in this country whether, in the whole of Bengal, the whole of the United Provinces, the whole of the Central Provinces, the whole of Madras, the whole of the Bombay Presidency, and the whole of Bihar and Orissa, i.e., practically four-fifths of the continent, the male population use dhotis and the female population use sarees? The dhoti or the saree is a piece of cloth with a border. Is there any protection to that? Now the Ahmedabad mills, the Bombay mills and mills in my own province, the Empress mills, produce large quantities of these bordered dhotis. How does my Honourable friend, the Commerce Member, protect them? He does not say anything about that. Leaving aside the finer goods, take the case of dhotis which are used by the ordinary middle-class population. When a middle class man goes to the market, he asks the cloth merchant to supply a pair of dhotis and the cloth merchant brings out the mill product of my friends, the millowners of Bombay, or the mill products of my friends, the millowners of Ahmedabad or those of my friend, Mr. Birla, in Delhi, or the mill products of Tatas in the Central provinces. Along with them, he also brings out, it may be a bleached stuff, or of the finer yarn, the dhoti produced by Lancashire or Manchester. When the man sees both of them side by side, he sees that the foreign product is finer than the Indian and also it is cheaper than the other. What does he then care to purchase, this coarse cloth or the finer cloth from Manchester or Lancashire, which is also cheaper at the same time? He would choose the latter. May I ask my Bengal friends, or the nominated Members from Bengal, for the matter of that, what cloth they would use in their houses? They are the persons from the middle-classes, and unless they use the Dacca or Shantipur dhotis, they will succumb or their ladies will succumb to the temptation of purchasing the finer material produced by Lancashire,

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which is also cheaper. Does he care to know whether the thing that is being produced in this country is cheaper in the long run, or whether the stuff that is cheaper at the moment is cheaper? He is concerned with what is cheap at the time of the purchase.

In this connection I will support my friend, Mr. Ghuznavi, when he said that, in 1905, when the Swadeshi movement came in, when the whole country was throbbing with new enthusiasm to use Swadeshi goods, my friends from Bombay did well use their opportunities at that time. I would not say that they used them wrongly. Perhaps I would have done the same thing in their place. They found that the whole country was burning with enthusiasm for Swadeshi goods, and they thought, why not take advantage of their sentiments, of their patriotism? And so they raised the prices. Sir, I am going to show that in those early days, working under the inspiration that I received by my contact with the Leader of the Nationalist Party, during my college career at Allahabad, I thought that the use of Swadeshi cloth by my countrymen would be beneficial to my country, and I used to preach to my fellow countrymen, to my shopkeeper friends in the mofussil towns in the Central Provinces, the backward tract of the country, about the use and sale of Swadeshi cloths. But everywhere I went I received only one reply. They said the foreign thing was cheaper and the country-made goods were dearer. A man, who had to purchase, say, six pairs of bordered dhotis for his large flourishing family, would not buy the dearer stuff. He would ask. How could he pay for a pair Rs. 5 or 6 for the product of Ahmedabad or Bombay, when he could get superior stuff from Manchester or Lancashire for Rs. 2 or 3? All my appeal for patriotism or for the future benefit to the country would not have any effect on him. Of course that is human nature. That was human nature, it is human nature and it will continue to be human nature in the future. Therefore, my suggestion is that this protection which you give is not enough. If you have the interests of the country at heart, if you want to give protection to the cotton industry of this country, this pious profession that we look to your interests and so on will not do. You should give protection to bordered dhotis also.

My Honourable friend has said that we have committed ourselves to discriminating protection, and that it was the discriminating protection which was advocated by a Commission presided over by an Indian himself, quite right, but my humble submission is that there are circumstances and circumstances for a thing so also a question of expediency. There may have been certain circumstances at that time which led the Commissioners to write a report like that, and there may have been an expediency for it. It was a time when there was a ban on protection, protection was taboo at that time, and therefore in order to bring round the Government of India to their views it may be, the Commission at that time thought, "Let us first accept this slight little thing which will give some impetus to our industries". But the millowners of Bombay do not care to look ahead, they do not care to see what will be the future of this industry, but they are watchful and anxious to accept any little gift which might be of help to them at the present moment. Discriminating protection does not mean that we should not encourage an industry which can, in course of time, hold its own in the country and which can meet competition after some time in future. Now in the case of the finer stuff, as I have pointed out, it had

been in existence in this country before. The finer material, in spite of their being no support from the Government, is carrying on today. What I say is that, if proper and adequate support is given, the mill industry will be able to hold its own and will kill all competition from outside.

Sir, I think I have said enough; and I will not take up the time of the House any longer, but my final warning to the Government would be that they have chosen a very wrong moment, as has been pointed out by the Honourable Sir Purshotamdas Thakurdas. They know that a feeling of Nationalism is growing in the country; they know that it is not only growing but it is predominant; they know that all eyes are watching Mahatma Gandhi. Why are they watching? Do they believe that Mahatma Gandhi, with his followers, will be able to produce as much salt as would be enough to supply the needs of the country? Not in the least. The whole object is to draw the attention of the Government, and through this Government, to our masters in England to this, that the country at present is aspiring to become a self-governing country, I will not go so far, and say of becoming independent. I will say that the earlier the Dominion Status is given to us, the better will it be for all. It will not only be advantageous to us, but it will be advantageous to our rulers themselves. What would be the advantage? At present anything that comes from the Government Benches is taken with suspicion by this House; anything which we receive from that side we always begin to scan and analyse to find whether there was any motive behind it. Give us Dominion Status and all suspicion will disappear. Leave it to our own judgment, leave it to our own discretion, to give preference to England. You can then have the grace to say something, and I can assure you that, with the traditions of the past, the Hindus have never shown ingratitude. Hindus will always be grateful to their benefactors. Therefore you need not hurry up this Bill so far as Imperial Preference is concerned. It would not help the Indian cotton industry very much. It may help Lancashire in regaining its industry, but that regaining of the industry of Lancashire may be the ruin of the future of our industry of the finer stuffs. So in order to avoid the suspicion which is lurking in our mind—it may be unfounded, but all the same it is there; we cannot cast our suspicion out for the simple reason that history has taught us otherwise; let us belie that history—so my suggestion to Government is, do not press that portion of the Bill which contains the threat which you have given, that if we do not agree, you will take back this gift. So to avoid suspicion, if for nothing else, do not use such threats, as, "Either take this, or you will not get it again"; such threats always work adversely. It is the elected portion of the House who should be asked to vote on this Bill, and that alone will be the voice of the nation by which they ought to be guided. I will be failing in my duty, Sir, if, in spite of the love that I have for the Government of India, I do not give this warning. I should be the last person to say a word against the English Government, if for nothing else, at least for this, that it has enabled us to know of our own rights, and that we are not in a position to turn the foreigner from our land. If nothing has come to us from the English connection, at least we have learnt this thing, that now we should be united. We have begun to realise what our aspirations are, and what should be our goal. Therefore I say that though it is said to be a blessing in itself that we have been able to voice our grievances, it will be a

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greater and real blessing to us if we have a controlling voice in the management of our country. But apart from all that, we have the country before us, and the interests of the country at present require that you should not give Imperial Preference to England.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Mr. President in the Chair.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, we have heard already the exposition of the Bombay case from two very distinguished Members of this House, Sir Cowasji Jehangir and Sir Purshotamdas Thakurdas. The very telling speech which Sir Cowasji Jehangir delivered in this House yesterday convinced me of three important points, first that the Bombay mill industry is in a desperate condition, and that the Indian-owned industry needs assistance from the Indian Legislature; second, that the Bombay millowners with the home-grown cotton at their very door have been unable to meet the competition of the foreigners, and third, that the Bombay millowners have not been able to manage the Indian labour properly due to external influences. With these points made by Sir Cowasji Jehangir I am in entire agreement, Sir, and if I vote for the Bill, even at the risk of committing ourselves to Imperial Preference, it will be done for the benefit of the Bombay mill industry and the industry elsewhere. There was also a fourth point, which was made by Sir Cowasji Jehangir, about which I am not yet convinced. He maintained that the Bill does not commit us to Imperial Preference, and as he proceeded, I felt that he was an adept in the art of self-deception. My Honourable friend said yesterday that Mr. Chaman Lall had missed his vocation, but, he will find a very formidable rival in Sir Cowasji for the stage. If it is not Imperial Preference, what else is it, I should like to know from the Honourable Member when a country, constitutionally situated as India is, is giving protection to Lancashire. Is there any parallel anywhere? Sir, I have been reading the Report of the Indian Fiscal Commission, and I can find no parallel to it in their Report. Then, Sir, what is it? It is nothing but Imperial Preference, and like my friend, Mr. Chetty, I am not afraid of Imperial Preference, but at the present moment it is Imperial Preference without even a temporary reciprocal advantage. When we are placing at the disposal of the British nation and British industry the only tangible asset that we possess, that is the Indian market, I do say with full conviction that, as time comes, Britain will recognise what we are doing for her. To me, Sir, preference is a purely political proposition, and I beg to differ from my friend Mr. Chetty, when he says that Imperial Preference is a pure economic proposition. To me, Sir, as if has been in all the Dominions, it is a very important political proposition, and I should look forward to the time when we shall be fully repaid for what we are doing now, and it is in the spirit of give and take that I support this Bill, fully understanding that I am voting for Imperial Preference.

Sir, I am surprised that Imperial Preference has not been seriously considered by His Majesty's Government as well as by the Government of India earlier. What is the position of the British export trade to-day? I

have before me, Sir, an analysis prepared by an eminent Australian economist, Mr. Macdougall, whose name is well known to many Members of this House. Since the war, what is the position of the British export trade to this country? It is suffering from a shrinkage or contraction. And who are the people who are competing? It is the United States of America. In 1913, Sir, the total value of the export trade from the United States of America to India was 2.2 millions, and in 1928 it was 11 millions. Who were the other competitors in the field? Our friends, the Japanese. In 1913 the total value of the export trade from Japan to India was 2.9 millions, and in 1928 it was 14.6 millions. This should make the Government of India think that they have a duty to perform. We are prepared to give them preference, but where is the reciprocity? We have no love for the United States of America. In their country we are treated as undesirable aliens, but they are supplying us goods to the extent of 11 million pounds.

Mr. B. Das: How is it exploitation?

Mr. K. C. Roy: I am very sorry for you, Mr. Das. Then, Sir, take the Japanese. I have a great respect for the Japanese. We are proud of their achievements in the East, but what is the justification for the rapid expansion of their trade to the detriment of British industries in this country? I do not feel, Sir, that Japan has done half as much as Britain has done for us. Where was the sense of Indian nationality before Britain came to this country? I will love Britain any day (*An Honourable Member*: "Shame"), because she has done much for us, and if we have got to achieve political results we must rely upon British support and British co-operation.

Now, Sir, an important point has been raised about the constitutional position of this House *vis-a-vis* fiscal autonomy. We have before us three very important expositions. First and foremost is the interpretation given by Sir George Rainy. In the next place, I shall place the interpretation of my friend, Mr. Jinnah, whose views, I may tell the House, are known to every one, because he was one of the promoters of the Reform Scheme in 1916, and a third interpretation has been put on it by our worthy Secretary of State in a debating speech in the House of Commons only recently. Sir, I was in a humble capacity connected with this movement in 1916 in England. I was a witness before the Crewe Committee. I was a witness before Mr. Montagu and Lord Chelmsford, and I also gave my evidence before the Selbourne Committee. The essence of the Convention cannot be understood fully until we refer to the Montagu-Chelmsford Report. The late Mr. Montagu and Lord Chelmsford found themselves unable to make any recommendation. I shall give their own words:

"The changes which we propose in the Government of India Act will still leave the settlement of India's Tariff in the hands of a Government amenable to Parliament and the Secretary of State."

But they proceeded to point out the Indian feeling on the subject.

"This real and keen desire for fiscal autonomy does not mean that educated opinion in India is unmindful of Imperial obligations. On the contrary it feels proud of, and assured by, India's connection with the Empire, and does not desire a severance that would mean cutting the ties of loyalty to the Crown, the assumption of new and very heavy responsibilities, and a loss of standing in the world's affairs. Educated Indians recognise that they are great gainers by the Imperial connection, and they are willing to accept its drawbacks. They recognise that the question of a tariff may be mainly, but is not wholly, a matter of domestic politics."

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Tariff is not a matter of domestic politics. Then, Sir, the findings of the Crewe Committee have been ably placed before you by my friend, Mr. Neogy. The sum total of the Crewe Committee's Report, a copy of which I have not got before me, was more or less on the lines of greater reliance for Tariff purposes on the views of the non-official Members of this House. What was the position created by the Joint Committee over which Lord Selbourne presided? The Resolution of the Joint Committee is this:

"In the opinion of the Committee therefore the Secretary of State should as far as possible avoid interference on this subject when the Government of India and its Legislature are in agreement, and they think that his intervention, when it does take place, should be limited to safeguarding the international obligations of the Empire and any fiscal arrangements within the Empire to which His Majesty's Government is a party."

In the present case we have no Imperial obligations, and we are no party to any transaction or any commitment in the matter of this textile industry, but that is a matter beside the point. Then, Sir, Lord Selbourne wrote:

"Whatever be the right fiscal policy of India for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interest as the interest of Great Britain, Australia, New Zealand, Canada or South Africa."

But of course this parallel is not correct. They have got sovereign Parliaments there, and in our present Parliament we have an irremovable executive and a transitory Legislature. Then, Sir, the question is whether by a Statute this fiscal autonomy,—the word autonomy is not used in the Report; the word used is "convention",—could not have been guaranteed to us. That was one of the considerations which engaged the attention of the Selbourne Committee, and this was the decision:

"It cannot be guaranteed by a Statute without limiting the ultimate power of Parliament to control the administration of India and without limiting the powers of veto which vest in the Crown and either of these limitations finds a place in any of the Statutes of the British Empire."

Technically, Sir, there are no statutory powers conferred upon the Dominion Parliaments, but in actual practice the Dominion Parliaments have absolute sovereign powers, and, Sir, whatever may be the views expressed in this House, I claim that this House has no tariff autonomy whatever. That, Sir, is a matter for constitutional lawyers and for Parliamentarians to decide, but as one who has had something to do with the development of this convention, I am clearly of opinion that, as a convention, its working was based upon assumption of mutual co-operation, and it cannot work consistently and achieve results with strong opposition from the opposition Benches.

Then, Sir, there is one point about which a good deal has been said, and that is about the distribution of certain pamphlets in the lobby of this House. This was a matter that was carefully considered by the Watch and Ward Committee, and there was no more ardent exponent of the sanctity of the lobby than my friend Mr. Ghuznavi. He would not have a policeman or a visitor there. So was my friend Mr. K. C. Neogy. That was the sense of the recommendation of the Watch and Ward Committee. To the best of my knowledge that convention has not been violated by anybody. You are aware, Sir, that it is not an uncommon practice to

distribute pamphlets bearing upon the subjects of legislation in the precincts of the Parliamentary Houses. This was precisely what was done. And why was it done? Because an important Bill of this sort was not taken to the Select Committee. If it had been taken to the Select Committee, we would have examined the representatives of commerce, the representatives of the mill industry from Bombay, Ahmedabad, Cawnpore and other centres.

Mr. C. S. Ranga Iyer: Does the Honourable Member seriously contend that pamphlets are distributed in the lobby of the House of Commons?

Mr. K. C. Roy: I was referring to the precincts, and not to the lobby, Mr. Ranga Iyer.

Mr. C. S. Ranga Iyer: The sanctity of the lobby was violated by the distribution of certain pamphlets. I say that. I saw that, and I know it.

Mr. K. C. Roy: I accept that. I got my pamphlet from the Notice Room.

Mr. C. S. Ranga Iyer: That is no reason why you should dispute the statement that it was so circulated and by its circulation the sanctity of the lobby was violated.

Mr. K. C. Roy: Now, Sir, if a Select Committee had been summoned on a Bill of this sort, what would be the position? Even the Japanese Cotton Spinners' Association could have placed their case before the Select Committee, and we would have heard them gladly.

Mr. President: That stage has not yet passed. It is open to the Honourable Member to move for a Select Committee.

Mr. K. C. Roy: We have spent several days on this Bill and it is time that we finished it one way or other. The need of Bombay, as far as I can see, is very urgent.

Mr. M. A. Jinnah: Divide, divide.

Mr. K. C. Roy: The fact remains that unjust aspersions have been cast, not only upon the Members of this House, but upon some distinguished foreigners who have come in as visitors. I have visited many foreign Parliaments and we have been treated with nothing but courtesy and that same courtesy is due to them. (Applause.) I feel that this Bill is dictated by one of two considerations, consideration for Bombay and the consideration for Lancashire. We are not going to barter away our market, but if we pass this Bill, we shall be in a strong bargaining position and that is the position which I have in view, and with that view I support the Bill as moved by Sir George Rainy.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): I rise to speak at a late stage of the debate and I naturally find that I have been anticipated on many of the points. That is however hardly a grievance. It is only a matter of relief because I will have to touch only on a few of the points. Applying one's mind to the consideration of this question as a whole, one comes up against a number of definite issues, to use a legal phrase; and those issues will be—what amount of protection is already secured after the passing of the Finance Bill to the mill industry? Is it enough. Does the mill industry deserve additional protection? Is the additional protection given by this Bill

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adequate for its purpose? Is the form of this protection desirable? Should the mill owners consent to it, and even if they consent what should the Assembly itself do, and lastly what will be the most desirable form of protection in order to satisfy the needs of the mill industry as well as to satisfy the political conscience of this Assembly? It would be tedious to go over the length of all these issues, but I will take up only two or three and express my views on this Bill. First of all, I must say this that I want to make my opposition to this Bill as precise and as clean as possible. I mean precise in this way. The protection to the mill industry comes in different forms. I have not opposed the increase in the general revenue duty to 15. I am not going to oppose the imposition of the 5 per cent. duty by itself. What I precisely object to is not making that duty general and 20 per cent. all round. That is my precise opposition.

With regard to my opposition being clean, I want to say this, that I want to remove from my mind and the mind of this Assembly all animus about the millowners on the present occasion. In that way alone can my opposition in this House be clean. First of all with regard to the protection. We have already secured to the millowners industry a protection in the form of raising the duty from 11 to 15 per cent. That is of course technically called the revenue duty, but we all know that a revenue duty at a high level naturally gives some kind of protection to the industry concerned. But what is the actual amount of protection that is secured to this industry? It may be said by Government that, in the first instance, there is the positive protection of 15 per cent. In the second place, there is the negative protection in the form of the removal of the excise duty to the extent of $3\frac{1}{2}$ per cent. That makes it $18\frac{1}{2}$ per cent. And then there is this additional 5 per cent. They will pile it up like that. But at one jump we must cut out all this to $12\frac{1}{2}$ per cent. owing to the change in the ratio. Now, much will depend upon the view we take as to whether the prices in the country have adjusted themselves to the new ratio or not. If the prices may be supposed to have adjusted themselves, the protection may be perhaps more. If, on the other hand, the prices may not be supposed to have adjusted themselves, the protection will be less. It is, of course, difficult to calculate what amount of protection will be actually secured under the present conditions to the mill industry. But in any case I say that, even supposing that the protection as now secured to the mill industry, stands at $18\frac{1}{2}$ per cent., or even at 20 per cent. or something like that, because of the incidence of $3\frac{1}{2}$ annas per pound, it is not quite adequate for the purpose. The Government should have been bold enough, at one jump, to go up as far as 30 per cent. for a period of five years, so that ample time could have been given to the millowners to put their house in order and to establish themselves on a firm footing.

Now, with regard to the animus about the millowners, I will say this. When my friend, Diwan Chaman Lall, gets up to speak about the betterment of labour conditions, I always agree with him, especially in regard to the relations of the Bombay millowners and the labour industry in Bombay. But I am going to put in some special pleading in this matter, and it is this, that the impeachment of the mill industry is not relevant to the present purpose. We may impeach them when there is another occasion for doing so, but impeachment of the millowners is hardly relevant for the present purpose. Even if it is relevant, it is not gracious. If we

look at the pitiable condition in which the mill industry finds itself today, no kind-hearted man would ever think of impeaching them on the present occasion or rubbing this point in, but would actually sympathise with them. By that I do not necessarily mean, that I could advise them to accept the Bill. That is another point. But that is something quite different from impeaching them on the present occasion. We must in this matter consider the question somewhat impersonally. The mill industry is something definitely different from the millowners. We must try to look at the wood rather than the trees in this matter. We should take a collective view of the whole industry. When I say this, I am, of course, fully aware of the shortcomings and weaknesses of the mill industry. I am perfectly aware of that. For instance, I can definitely say that some millowners have not shown a necessary degree of enlightened self-interest. Some have been working mills with a defective agency system. Some have indulged in speculation in their own shares on the stock exchange. Some have shown imprudence in extending their business in the boom time without laying by sufficient reserves, and some have imprudently distributed their dividends at a time when they should not have done so. Some have been too slow in reorganising the industry and many of them—I will change the word “some” into “many”—have not shown sufficient care and attention for the betterment of the conditions of labour. I am aware of all this, and yet I say that a regular impeachment of the mill industry and the refusal to it of necessary protection on these particular grounds is not relevant and is certainly not gracious.

Things have been said in this House about the difference between a national industry and a nationalised industry. I entirely agree that this is a national industry, though it cannot be called a nationalised industry. If I can call myself a national of this country, why should not this big industry call itself national? But leaving out the word “national” or “nationalised” and avoiding this controversy, can we not legitimately say that the mill industry is an Indian or an indigenous industry, and as such deserves protection? Certainly it does deserve protection. There are so many other industries in the country which are even smaller than the present industry which deserve protection. Take, for instance, workshops, engineering shops, tanneries, tool factories, iron and steel works, mineral oils and so many other industries. Are we not fighting for the protection being given to those industries, though they are not big industries in themselves? Certainly every Indian industry deserves protection on the part of this Government as against a foreign competing industry. Now, I can admit that, if we give protection to the mill industry, some bad millowners will share the benefits of that protection along with some good millowners. But which country is there in the world where this does not happen? Whenever you inaugurate a beneficial measure, there will be some bad men who cannot be prevented from reaping the advantages of that beneficial measure. The same may happen in this case. But that is certainly no reason why we should refuse to them point blank the advantages of such a beneficial measure. We may blame the Bombay mills, but what about the up-country mills? What offence have they committed that they should not be allowed to reap the advantage of this protection? There are mills in Ahmedabad, Delhi, Madras and other places in northern India which stand to gain additional protection and which they must have though they may not be in as bad a condition as the Bombay mills. I hold therefore that on the whole the issue of the impeachment of the mill industry is irrelevant and ungracious and therefore we must

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leave it there. Then, I will conclude this topic with giving a parallel about the steel industry. What did you do about the steel industry? We all know that when this question was taken up in this Assembly there were many complaints, similar to this, that the Tata Steel Company did not have sufficient provision by way of Indianisation and that the industry and the labour conditions there were certainly not good, and there were strikes, and so on. In these matters the Bombay mill industry does not differ from the Tata Iron and Steel Company to which protection was deliberately given by this Assembly.

Now, Sir, I claim the Bombay mill industry to be a national industry for these reasons, first of all it is a key industry where crores and crores of rupees of capital have been invested. That industry gives employment to lakhs and lakhs of people, and secondly it serves the ordinary permanent needs of the country in one particular department of life, namely, clothing. There is one thing more which I should like to say with reference to my Honourable friend, Diwan Chaman Lall. I will give him a hypothetical instance and would ask him whether he would like this. Supposing a trade union Bill was before this Assembly, and the object of the Bill was to strengthen the position of trade unions in this country, and supposing somebody were to get up on an occasion like that and say to this Assembly that, because some of the trade unions were misappropriating their money, and squandering the money, or because some of the trade unions funds were being wasted in things like communism, would my Honourable friend Diwan Chaman Lall relish such a criticism at that particular time?

Diwan Chaman Lall (West Punjab: Non-Muhammadan): I would not ask the Honourable Member to pay towards the support of such trades unions, as I am being asked to pay for the support of this industry.

Mr. N. C. Kelkar: What about the strengthening of the trade unions as a whole, strengthening the powers and position of the trade unions as a whole? So I ask in this particular case whether it should be done. We must take pity on the mill industry. Our wrath or ire or displeasure, or whatever it may be, must be reserved for the villain of the piece and not for these pitiable people. Our displeasure, if we show any, will be spent on the millowners, but not directed against the Government which is the villain of the piece in the matter. The Government are acting in this matter like Mephistopheles, trying to capture the soul of the millowners by immediately ministering to their cravings, and next putting temptations in their way. Take only this case. The Government have been seeing that the mill industry is between the devil and the deep sea, if I may say so, the devil of foreign competition on the one hand, and the deep sea of the intentions of Government on the other. And in order to probe the depth of the intentions of Government, the depth which has never been fathomed by anybody, in order to bring that point home to the Government, I will say this. It is being said that Government are very anxious to give protection to the mill industry. The Honourable the Commerce Member has used this strong language about the situation as it exists today:

"I do not think there can be any doubt from all the information that reaches Government to the effect that *emergent* measures are necessary if very *dangerous* results are to be avoided."

You will see, Sir, no words are spared, no emphasis is spared. "Dangerous results", "emergent measures" all these weighty words are used. Then he continues:

"Quite obviously the repercussions on the economic life of the City and the Presidency of any *collapse* in the Bombay mill-industry would be exceedingly *serious*."

That makes it clear that the Government are having in their minds the time when probably or possibly a collapse may occur in the case of the mill industry. Then naturally the question arises, why did they wait so long? Why did they not take up remedial measures in hand in 1927, when the millowners went to their doors on their bended knees and asked for protection? Why did Government hold their hands then and practically side-track the whole question of giving protection to the mill industry? Why did they do it? Now the Honourable the Commerce Member comes to this Assembly using this strong language, such as "collapse", "dangerous results", and so on and so on. That reminds me of a saying of a Sanskrit poet who says:

"Prodipte bhavaneta koop khamanam pratyodyamah keedrishah?"

which, when translated, means, the house is on fire and there is a conflagration, and the remedial measure then is to begin to dig a well for quenching the flames. It looks exactly like that. Why did the Government wait for three years, if they really wanted to benefit this industry by giving adequate protection? Here is the mill industry on fire and are they now beginning to dig a well and tell us that after digging a well they will draw water and quench the flames of this industry. But then the next question is that even though the measure of protection that is given to the mill industry is adequate, whether it will be of practical and material use to the industry? I at once give my opinion, for what it is worth, that the measure is not adequate, and secondly will the mill industry realise all the boasted results of this measure? Look at it. The Government themselves say that it is a temporary shelter intended to be given for three years. Now what will happen during these three years? The first year will go away and no benefit will go to the millowners because there has already been dumping and there will be more dumping so that the first year will practically be useless on account of the dumping. That is, 1931 will be wasted like that. We come to 1933, and then there is to be a Tariff Board Inquiry, so the only year that is available for the millowners to reap the benefit is 1932, and I am not inclined to believe that, in one year, or within a year and a half, the mill industry is going to realise these benefits very much in a material measure. Could they in one year organise their industry, could they put in new machinery in the business? Could they train labour in one or two years? Could they increase really the wages of labour, or better the conditions of labour if they mean to within a year or two?

Then the question arises whether Lancashire will not occupy the void or vacuum that will be created by giving protection as against Japan? The question will always remain one for speculation as to whether that particular void, created by the reduction of the exports from Japan, will be occupied by the Indian millowners or by Lancashire. Who can say definitely what will be the condition? Many shrewd people tell me, who know a good deal about these things, that the result will be that, whereas

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Japanese competition will be out of the way, Lancashire will come in and take its place and occupy the void. Then the question is, why should the country or the millowners even antagonise Japan, Italy or Belgium? Why should they antagonise the whole class of Swadeshi workers who are bent upon propaganda about Swadeshi and boycott in these days now when we are face to face with the struggle for achieving Swaraj? Again, if the millowners assent to this, the most important consideration in my opinion will be that they will be simply confirming the suspicions that are afloat in the air that the millowners themselves, at an earlier stage, have agreed to the preferential treatment to Lancashire. Even before this Bill was heard of or thought of, I can say confidently, so far as I am concerned, I had read in the papers that one millowner, an influential leading millowner of Bombay, had gone to England and made a bargain with Lancashire on the basis of this preference.

Mr. H. P. Mody: Sir, this statement was made by my Honourable friend Mr. Neogy yesterday and is repeated today by my Honourable friend Mr. Kelkar. Permit me to say, Sir, that while I cannot pretend to say on behalf of every individual millowner what he may or may not have done, I can say that, so far as I know, the story has no foundation. Any way, so far as my Association is concerned, no such demand has been made either now or in the past. I wish my Honourable friends would accept my denial as final.

Mr. President: The Honourable Member refers to some individuals.

Mr. N. C. Kelkar: I did not accuse the Association.

The Honourable Sir George Rainy (Member for Commerce and Railways): There was no communication either from our side.

Mr. N. C. Kelkar: The whole thing was stage-managed.

Mr. B. Das: Sir Ness Wadia did it.

Mr. H. P. Mody: May I ask my Honourable friend his authority for that statement?

Mr. B. Das: My authority is Reuter's telegram published three years ago.

Mr. H. P. Mody: I should like to see that telegram and find out in what connection it was made, and I should also like to see the authority for that telegram.

Mr. K. C. Neogy: I quoted what I consider to be a good authority, namely, a reputed journal published from Bombay, the *Servant of India*. I do not know whether the Honourable Member thought it worth his while to contradict that report when it appeared in a paper published in his own Presidency.

Mr. H. P. Mody: When it comes to my turn to speak again, I shall tell my Honourable friend what I think of the matter.

Mr. M. S. Aney (Berar Representative): Was there any contradiction of it?

Mr. H. P. Mody: Why should there be a contradiction of anything and everything that appears in the Press?

Mr. K. C. Neogy: Certainly, if it affects your reputation.

Mr. President: Order, order. Mr. Kelkar.

Mr. N. C. Kelkar: I shall be ready to accept any well-founded contradiction which my Honourable friend may be prepared to offer circumstantially. But that was the impression that was created in our minds two years ago, when this Bill was not thought of or dreamt of. And at that time there was a distinct assertion in the Press that one millowner—I am not accusing the Association at all—went to England and bargained with Lancashire about this protective duty against Japanese goods.

Mr. H. P. Mody: That is not correct.

Mr. N. C. Kelkar: It may be so, but that was the report, and I shall be much obliged to my Honourable friend if he gives the correct version at the proper time.

Sir, I have said all this in order to put before the House my view of what the millowners should do. In the first place, I have said that I have no animus against them. In the second place, I have said that I am prepared to give them all reasonable protection that may be needed for them. Let them come up and support the proposal for 20 per cent. all round, and I am prepared to support it. But I am not going to support them in the present arrangement of a preferential tariff against Japan in favour of Lancashire. In my view, 15 per cent. general revenue duty does give them some sort of protection, and they should help us in raising this question about making it a general tariff of 20 per cent. all round instead of an additional protective duty only against Japan to the extent of 5 per cent. Let them be bold like my Honourable friend, Mr. Birla, whose observations were certainly conceived in a high and dignified spirit; and I may say that his conduct as a millowner on the present occasion is certainly heroic. Every millowner in every part of India should stand up to that example and support us in this House to have an all round duty of 20 per cent. I have already said that, even 20 per cent. will not be an adequate measure of protection. Let us go forward. Our tariff schedule shows that, when we want protection to be given to inland industries or manufactures, we go higher than that. In some cases, the tariff schedule goes up to 30, 40, 50 and 100 per cent. Let them choose any figure which they think adequate. We are out to support them. Let us make common cause against Government and support the particular tariff which they think will be adequate for the particular purpose. But my words may perhaps be wasted upon the millowners. I can realise what particular position they are in, and as the Sanskrit poet says:

“*Bubhukshitah kim na karoti papam?*”

“What sin is there in this world which a hungry man will not commit?”

The story is told, and we all know it, that a Brahman of Brahmins, Vishwamitra, when there was famine in the land, was ready to eat even the flesh of a dog. Therefore I shall not wonder if, in spite of the defects of the present scheme of protection, the millowners will agree to receive it. In that case we shall leave them to their conscience and to their gains. That, however, does not solve the question as to what we of the popular party or the opposition should do in regard to this Bill. Leaving

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them to their conscience and to their gains, we have to consider what position the Nationalist Party or the other popular parties in the House should take up, and I say that should be unhesitatingly an attitude of opposition to the present Bill.

Now, the question has been discussed as to whether this is Imperial Preference or not. When once we go into the mystifying wood of words, there is no coming out. It is like the *bhukbhulia* (labyrinth) of some of the Rajas. So leaving other words, I will take only the word "preference". I will leave "Imperial" and I will leave British goods. But it is some preference as against Japan and a discrimination. There is no doubt about that. My Honourable friend the Commerce Member has been,—I may say to his credit,—perfectly frank about this. He says:

"Government frankly recognise that, as my Honourable colleague made plain in his budget speech, the method adopted involves preference to British manufacturers."

Though he himself says that his Honourable colleague the Finance Member has not said it in so many words. The Commerce Member has been candid enough to use the word "Preference" for British manufactured goods. But what does the Finance Member say? He says:

"We warned His Majesty's Government that it would not be right for us to ask the Assembly to commit themselves to Imperial Preference as a principle but merely to adopt a particular course which in our judgment was consistent with India's interests at a critical juncture."

We have to mark these words. It is not Imperial Preference, but it is a "particular course of action at a critical juncture" whatever we may understand by it.

Then, he is himself conscious of the crooked nature of this description, for he says in paragraph 39 of his speech:

"Action taken for the provision of revenue is a straightforward matter."

But this provision about protection is not straightforward. The measure for protection that he has proposed is obviously and admittedly not a straightforward matter. The one was a straightforward matter; the other I may characterise as sneaking, surreptitious and crooked. Certainly it is not straightforward, and therefore we see it in its present form.

Now, much has been said in different forms by way of mitigating the evil of this particular principle of preference introduced here. This, as the Finance Member has said, is a particular course of action. Mr. Sarma yesterday said that it was a small measure, a little measure. So he wanted to belittle the importance of this measure of preference. Sir, this belittling reminds me of a small story. The story is about a country parson in England. In one of his official visits, he came across an unmarried mother who had helped to bring into this world a piece of humanity in a way not generally recognised, and the parson naturally reproached the woman with having done this. She held the little brat before the parson and said "what a wee bit it is". I do not know whether she also used the words, "Sir, it is not a policy, but a particular course of action at a critical juncture". (Loud Laughter.) The measure may be small; but you try to belittle this evil, which is a particular course of action at a critical juncture, and say it is a small measure, yet it is illegitimate. Referring to that fiscal authority or convention, I would say

this. If it was a fiscal convention, real and true, then the Government stand in the position of the mother, and the Legislature stands in the position of the father. Therefore any measure brought into being, or sought to be brought into being on that basis without reference to the father or the Assembly is illegitimate. It may be said that this measure is put before the Assembly and who knows it may gain the assent of the Assembly also. But we do know under what conditions it is going to be done. I therefore make a sporting offer to the Government. Let the Government officers, the nominated Members, stand out. The Legislature means the body of elected Members. (Hear, hear.) Let them take a decision. If you win in a division like this, then it is legitimate. Who can prevent you then from proclaiming that this was given assent to? But if you are going to pass this Bill, after declaring your intention that you are going to admit no amendment that may be passed, after having practically told us so, what a great humiliation it is for us. You say you are not going to admit any amendment, even if the House passes it. That at once shows what importance you attach to the vote of the Assembly. Then why should you speak in a dignified manner about the glorification of this non-existent fiscal autonomy? Fiscal autonomy, if it is real, will be tested by three points. With regard to the Government and the Assembly I have already stated what the position is. That is unreal. Then with regard to the Government of India and the Home Government, no one knows what has happened. The Honourable Member has said that he tried to take this House into confidence. I have never heard that secrecy and confidence go hand in hand, and in reply to my Honourable Leader, the Commerce Member has definitely stated that he is not going to lay on the table the whole of the correspondence on this matter. How does this Government therefore say that it has taken the Assembly into its confidence? Therefore, secrecy and confidence do not go hand in hand, and I am not prepared to admit that Government have taken this House into their confidence, and surely there is no real fiscal autonomy in this matter. Then the only point of contact between Lancashire and India remains. That of course is not possible, making Lancashire and India come to any agreement without Government intervening. So, therefore, tested on all these three points of contact, from the point of view of fiscal autonomy, we find that fiscal autonomy is a sham and the Finance Member should have considered twice or thrice before referring to that fiscal autonomy in this particular manner. Instances have been given of the Colonies in which fiscal autonomy has been realised and Imperial Preference has been given. But does the Honourable Member seriously mean that this House is on a par with the Parliaments of these self-governing Colonies? There they can make a free gift of anything. There they are at liberty to make any bargain they please, taking into consideration what political or what commercial or what economic advantages there will be. My Honourable friend, Mr. Jayakar, the other day, said, "I am prepared to give you this measure, but give me in return something very substantial". The Honourable Members opposite did not take up that bait. They stuck to their seats. They made no reply to him. Now, Mr. Shanmukham Chetty said the bargain should be on the basis of economic return. What is the economic return? That question was put to him yesterday by Mr. Neogy, and Mr. Shanmukham Chetty was not able to give any satisfactory reply. Therefore, there is neither political return nor economic return. Then for what consideration shall we agree to this bargain with Lancashire?

Diwan Chaman Lall: Does not the Honourable Member, before proceeding further, think that an authoritative interpretation of the meaning of fiscal autonomy ought to be obtained? Is not that point of order to be raised?

Mr. N. C. Kelkar: My point is that the Finance Member himself knows that this is not in the nature of the tariff autonomy or so called fiscal autonomy. He knows also that India does not like the present Bill and yet he is supporting it and trying to put that before us as if on the basis of fiscal autonomy. I certainly do not want to challenge the veracity of the Honourable Members opposite when they say that they did not receive any mandate from the Secretary of State in this matter. I am prepared to admit that. But that does not obviate the other fact, that the mandate may have come from Lancashire. (Hear, hear.) And mandates in these matters do not come directly. (Hear, hear.)

The Honourable Sir George Schuster (Finance Member): Is the Honourable Member suggesting that there has been any direct communication between the Government of India and the Lancashire industries?

Mr. N. C. Kelkar: I have said not directly. The Government of India lives and breathes in the atmosphere of British commerce (Hear, hear), and I think that idea of a preference originating with Lancashire might have got over the atmosphere or the winds to the Government of India.

The Honourable Sir George Schuster: Will the Honourable Member accept from me the most categorical assurance that no suggestion of any kind of Imperial Preference or preference to Lancashire has ever come to the Government of India, either from His Majesty's Government or from any representative of British industry? The suggestion, as I have already explained, has been explained by my Honourable colleague as having emanated from the Government of India. If any one is to blame for that suggestion if it is not a proper proposal, if it is a proposal which does not commend itself to this House, it is we who are to blame for it. No suggestion of any kind has come to us from any party in England on this matter.

Diwan Chaman Lall: May I inquire whether the Government of India are in a position to accept the vote of this House on the proposals they have made?

The Honourable Sir George Schuster: What does my Honourable friend mean by "the vote of the House"?

Diwan Chaman Lall: If the amendment moved or going to be moved by the Honourable Member, the Leader of the Nationalist Party, is put to the vote of this House, will the Government of India accept the vote of this House on that amendment?

The Honourable Sir George Schuster: The Government of India are in the position of being responsible for a policy on this matter. The Government of India have put before this House what they considered to be a proper proposal, a proposal which, after due consideration and taking into account all the considerations and all the interests which bear upon this matter, they considered to be best in the interests of the country. The Government of India are responsible, and they cannot put that responsibility which rests on them on any other shoulders. That is the constitutional position at the moment and it is for that reason that my Honourable

colleague has announced the decision to which the questioner has referred.

Mr. President: What I have not been able to understand so far is this: whether the Government of India in this matter are responsible to the British House of Commons, or whether they are responsible to this House? They cannot be irresponsible altogether. They must be responsible to someone in every matter, and I want to know, to whom in this matter are the Government of India responsible?

Mr. N. C. Kelkar: I am prepared to accept whatever may be put before us by way of his sincere sentiments by the Honourable the Finance Member. I am prepared to accept whatever is put before the
4 P.M. House by the Finance Member; I am not going to question that; but I am a little puzzled in this matter. I do not understand how the Government of India came to propose special treatment for Lancashire. Why do they not raise the duty to 20 per cent.? They would have got five per cent. more of revenue; they stood to profit by it. Had they really the interests of the consumer in their mind? Sir, the less said about this matter the better. In how many cases did they really think of the consumer? Dr. Johnson once said that patriotism is the last resort of the scoundrel. Here consumers are the last resort of the Bureaucracy in this country. Whenever they want an excuse, they place it on the devoted head of the consumer; otherwise we know how much care they have taken of the consumer. Is all this extravagance for the benefit of the consumer? Is all this new taxation for the benefit of the consumer? Therefore the point is, the Secretary of State did not suggest; it is the Government of India alone who have thought of putting this discriminating tariff as against the interests of Lancashire and as against Japan. The Finance Member has said in his speech that he knows the history of this cotton tariff business, that this has a long and troubled history, but what is the conclusion to be drawn from that troubled history? If he has read that history, he will know Lancashire has been our principal enemy. I do not want to go into that history here. If the Finance Member wants it, perhaps I may reserve it for the third reading, but I tell him and he must remember that there is no other enemy of India with regard to her cotton industry so great as Lancashire. This troubled history extends over two hundred years, and India has suffered throughout at the hands of Lancashire. In the days of the Company, the Government was for protection, but the protection was given for England against the Indian cotton industry. Then when the industry was killed in India, about the year 1840, the Government thought of the blessings of free trade. In 1882 all cotton duties were absolutely removed from the tariff schedule; in 1894 excise duties were put upon the Indian cotton industry. Throughout, we see that the Indian cotton industry has suffered. Indeed, if Government wanted to raise more revenue by taxation, they rather put a duty on salt than put a tax upon the cotton imports from Lancashire. I have no wish to go into this history further, but I really wonder how the Government of India can find a soft corner in their hearts for Lancashire, which has been thoroughly responsible throughout these two hundred years for the ruin of the Indian cotton industry. What would Government have lost if they put a 20 per cent. duty all round? Certainly they would have

[Mr. N. C. Kelkar.]

gained, and the industry would have gained. But this is a cheese-paring Government. At the same time the Government are great mathematicians; they have studied the differential calculus; I have not studied it myself, but there is such a thing as differential calculus, and they have investigated and arrived at the minimum which would do the least harm.

With regard to the cotton duties, when there was a munity, when Government were short of funds, or in 1894, when the value of the rupee went down, and they found it difficult to impose taxation, or when war came and they were faced with deficits, it was only on those occasions that, in order to meet their own needs, they put on cotton duties, and even then they have not gone beyond 11 per cent., and in some years it has happened that a tax on salt has been imposed, even doubled, and cotton duties were not increased. On two or three occasions the Finance Member was obliged to give explanations to the Legislative Council as to why an increase in cotton duties did not find place in the Schedule, which would have brought to Government as much as 10 crores of additional revenue to meet their deficits. I say all this because the Finance Member said in his speech that he is acquainted with the long and troubled history of these cotton duties. If he has read that history impartially, let him say how the Government of India have a soft corner for Lancashire, which has been the chief enemy of the cotton industry in India. This industry is only just coming up. From 1894 to 1926 there was that excise duty. Whenever there was a small rise in the cotton import duty, it was countervailed by an excise duty. So you practically killed the Indian cotton industry; that has been the history of this cotton tariff. I am therefore puzzled to know what can possibly have suggested it, unless there has been a revelation from heaven, that they should give this discriminating protective duty against Japan and in favour of Lancashire. The millowners say they did not suggest it; the Secretary of State did not suggest it; certainly the Assembly did not suggest it. I do not know then who suggested it. I am prepared to accept their explanation and not challenge their veracity, but full explanation is due to us so long as the correspondence has not been placed on the table. Therefore there is some room for suspicion. I do not wish to say anything more. If I have got to say anything more, I will say that perhaps on the third reading. Here I will content myself with only touching the main aspects of the case as they appear to me, and I have tried to give my answers to some of the issues which I have myself raised.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, I rise to congratulate my friend Mr. Kelkar on the very able speech that he has made before this House. He has told us that he would put up a clean fight and he has done so very ably. He has not talked of the Bombay mill industry, of the protection to the Bombay mill industry, like my friend Mr. Ghuznavi who, in his enthusiasm, condemned the Bombay mill industry without even reading the Bill which is before the House. Sir, my friend Mr. Ghuznavi traced the history of the textile industry in India and his grievance dated from 1905, and because something wrong was done in 1905, without considering either the merits or the present condition through which the textile industry is passing. My friend has advised this House to oppose even the consideration of this Bill.

Sir, from the debate that has followed in this House, I find that there is a good deal of confusion. The motion before the House is merely a motion whether the House would agree to give protection to the textile industry of India. That is the principle which this House is asked to endorse. This is the First Reading of the Bill. (*An Honourable Member*: "Not the First.") I mean this is the Second Reading of the Bill. What are we voting for? We are voting for the principle of protection to the textile industry in British India. In this connection, Sir, I should like to congratulate my friend, Mr. Birla, for his very able speech and magnanimity of mind. He at least has recognised that protection is necessary, but his grievance is against the preferential duty. May I tell him, Sir, that as far as the consideration of the Bill is concerned, he at least, if not his party, should support this Bill. Let us understand the issue before the House. The issue before the House is, I take it, to grant protection to the textile industry. Later when the amendments come up, it is open to this House, if it is convinced, to accept the amendment of my friend the Leader of the Opposition or to accept the proposal of Government, as embodied in the Bill, or with the amendment of my friend Mr. Chetty. Therefore, as far as this House is concerned, I take it that, with the exception of one or two Members, there is complete unanimity of opinion that the textile industry requires protection. These proposals, Sir, I take it, are the outcome of the negotiations which took place between the leaders of the textile industry in India and the Member in charge just before the Assembly Sessions began.

Mr. A. H. Ghuznavi: When was this?

Mr. Fazal Ibrahim Rahimtulla: I said just before the Sessions began. I hope my friend Mr. Ghuznavi reads newspapers. Therefore, the point is, whether the proposals that are now before the Government are acceptable to the millowners in India. I won't say, and I hope my friend Mr. Ghuznavi will admit that this measure is not confined to Bombay.

Mr. A. H. Ghuznavi: It is mostly confined to Bombay.

Mr. Fazal Ibrahim Rahimtulla: It may be mostly to Bombay, but the depression is felt all over India.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Was it at the suggestion of the millowners that the preferential duty was proposed?

Mr. Fazal Ibrahim Rahimtulla: I say the proposals emanated out of the conference between the millowners of India and the Government of India. This Bill is the outcome, I have not come to the preferential duties.

Mr. M. S. Aney: The proposals embodied in this Bill?

Mr. Fazal Ibrahim Rahimtulla: The millowners of India required protection, and the Government of India have brought forward a Bill whose principle is protection. (*An Honourable Member*: "Was it part of the negotiations?") That is for the millowners to answer. I must say at once that I am neither a millowner nor a mill agent, nor am I a Labour Leader. I am one of those who want to study this Bill on its own merits. The Leader of my party has said that this party considers every measure before the House on its own merits, irrespective of any other consideration, even if 50 per cent. is to be handed over to the labour of the Bombay

Mr. Fazal Ibrahim Rahimtulla: That is my information.

Mr. Vidya Sagar Pandya: I am afraid you are not quite correct.

Mr. R. K. Shanmukham Chetty: I may tell my friend that the statement of Mr. Rahimtulla is perfectly correct.

Mr. Vidya Sagar Pandya: I have also information that there are cases in which the advance has been made.

Mr. President: Never mind. Both are right.

Mr. Fazal Ibrahim Rahimtulla: There may be an exception in the case of Mr. Vidya Sagar Pandya, and I am glad that the Imperial Bank is treating him so very favourably. One important point which my friend Mr. Ghuznavi advanced without perhaps understanding is the quotation of Mr. Khaitan. He drew the attention particularly of Sir Purshotamdas to it, because he is his colleague and co-worker both in the Banking Inquiry Committee and in the Federation of the Chambers of Commerce. My friend does not understand what finer counts are and what suitable machinery is necessary, what amount of cotton is necessary to be imported and whether the present condition will allow them to think of finer counts before they get adequate protection. I hope my friend Mr. Ghuznavi will realise seriously the present depression in the textile industry. The Government of India say that a moment's delay will be disastrous and therefore they have said that they are giving them protection for three years as an emergency measure, and are not asking you to commit yourself on the question of Imperial Preference. The whole question will be placed before the Tariff Board, and the Government will then come forward with the proposals that may emanate from that body. My friend Diwan Chaman Lall was expressing great solicitude for the consumers. My friend does not know that, whilst India is not in any way showing hostility towards Japan, their whole protest lies in the question of unfair competition, and my friend, who has read the Fiscal Commission's Report, will bear me out that dumping was resorted to in order to kill the steel industry. And then woe be to the consumers. I hope that my friend, Diwan Chaman Lall, will realise that Japan is not selling cheap in order to benefit Indians, but ultimately to benefit Japan, and therefore the question has arisen regarding protection to the textile industry.

Diwan Chaman Lall: May I ask the Honourable Member if he is making this charge, that Japan is dumping goods into India?

Mr. Fazal Ibrahim Rahimtulla: I mentioned the steel industry.

Diwan Chaman Lall: Is the Honourable Member aware that the Tariff Board has definitely denied it?

Mr. Fazal Ibrahim Rahimtulla: It is in the Fiscal Commission's Report. I will ask my friend to refer to it. In paragraph 133 on page 63 of the Fiscal Commission's Report it is stated:

"We have discussed the possibility of protection being neutralised owing to the existence of unfair railway or shipping rates."

This is a kind of method I hope the Government of India will adopt towards Indian Industry. I want to say this. That the cotton mill industry in India has got to fight two opponents. The one is the unsympathetic attitude of the labour, and the second is the Government

of India. I hope, therefore, the Government of India will not take it as an offence if I say that they do not do the right thing at the right moment. The Tariff Board's Report asked for protection in 1927, and it is now that they have come forward with this proposal. Naturally, therefore, the suspicion has risen in this House whether it is really for the cotton textile industry in India or whether it is for the benefit of Lancashire that this proposal has been made. I hope the Honourable the Commerce Member will make this point very clear when he gets up to speak and reply categorically to this House, that it is in the interests of India and that it is entirely due to the present depression prevailing in the country. Had it not been for that, they would not have come forward here to penalise the consumer. I hope, Sir, that the real debate, if it is to take place, will take place on the motion of my friend Pandit Madan Mohan Malaviya, and at that stage we will be able to understand whether it is not in the interests of the consumer that we ought to have a preferential duty.

Sir Darcy Lindsay and Several Honourable Members: The question may be now put.

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, I have no connection with the cotton industry and I do not claim to have any special knowledge about it. Although I am neither an industrial magnate nor an economic expert, I refuse to surrender my judgment either to my Honourable friends Sir Purshotamdas Thakurdas and Mr. Mody on the one hand or to my Honourable friend Mr. Birla on the other hand. As a practical legislator, I consider it my duty to approach the question before the House without racial prejudice and without any economic bias.

Sir, the starting point of the controversy over the principle of Imperial Preference was the Honourable the Finance Member's budget speech. As I have associated myself with a certain amendment under unfair conditions forced on this House by the Government of India, I wish to make my position quite clear on the question of Imperial Preference. I propose, Sir, with your permission, to deal with certain salient passages from the speeches of the Honourable the Finance Member and the Honourable the Commerce Member and to examine the attitude of the Government of India towards the question of Imperial Preference on the one hand and the question of Fiscal Autonomy on the other hand. The Honourable the Finance Member, in paragraph 48 of his budget speech, made the following statement:

"Let me make it clear at the outset that the fiscal autonomy convention is a reality and that decisions on matters of this kind are left to the Government of India and it is on this basis that our deliberations have proceeded throughout."

Now, Sir, I would ordinarily accept a statement when it is made in all earnestness by a Member of the Government on the floor of this House. The position of the Government is that Fiscal Autonomy is a reality and that fiscal decisions are really left to the Government of India. We have obtained certain information from the Government Benches which shows that, before His Majesty's Government addressed the Government of India, the proposals of the Government of India were to raise the revenue duty from 11 per cent. to 15 per cent., and to impose a protective duty of 3½ annas per pound on plain grey goods. The Government of India have admitted that it was only after the communication was received from His Majesty's Government that they changed their ground. Now,

[Mr. Jehangir K. Munshi.]

Sir, is Fiscal Autonomy a reality so far as this House is concerned? Neither Sir George Schuster, nor Sir George Rainy has gone to the length of suggesting that any kind of Fiscal Autonomy vests in this House; the only claim made is that it rests with the Government of India. Then, Sir, the Finance Member goes on to say in paragraph 50 of his budget speech:

"We explained to His Majesty's Government that in placing this proposal before the Assembly we should point out that so far as we are aware this is the first occasion on which the considered opinion of the Cabinet has been conveyed in this form to the Government of India and that we were impressed by the significance of the precedent so established."

In paragraph 51 he goes on to say:

"Finally, we made it clear that in a matter of this kind, after frankly starting our conclusions, we should desire to put our carefully considered views before the Legislative Assembly with whom the final decision must rest."

Now, Sir, I do not know if my Honourable friend Sir George Schuster meant these words when he uttered them in this House in the course of his budget speech. I take it that he did. I go further and take it that Sir George Schuster means these words now and adheres to them. I will repeat them:

"To put our carefully considered views before the Legislative Assembly with whom the final decision must rest."

But, Sir, the Honourable the Commerce Member takes up an entirely different attitude, and this divergence of attitude has created doubts and apprehensions in the minds of the Opposition.

Mr. President: If the Honourable Member is not prepared to conclude his remarks within 10 minutes, I propose to adjourn the House.

Mr. Jehangir K. Munshi: No, Sir, I cannot conclude in 10 minutes.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 27th March, 1930.



LEGISLATIVE ASSEMBLY.

Thursday, 27th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Sir C. P. Ramaswami Ayyar, M.L.A. (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural).

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

Mr. President: The House will now resume further consideration of the motion moved by the Honourable Sir George Rainy on the 13th March, 1930, that the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927, be taken into consideration.

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, yesterday when the House adjourned, I was referring to the inconsistency in the position taken up by the Honourable the Finance Member in his Budget speech and the position adopted by the Honourable the Commerce Member in the speech which he delivered in this House on the 13th of March when moving the consideration of this Bill. I shall again draw the attention of the House to the statement made by the Honourable the Finance Member in paragraph 51 of his Budget speech:

"Finally we made it clear that, in a matter of this kind, after frankly stating our conclusions, we should desire to put our carefully considered views before the Legislative Assembly with whom the final decision must rest."

My Honourable friend Sir George Rainy took up an entirely different attitude. On the 13th of March he said:

"I should be misleading the House if I conveyed the impression that Government have an open mind, or that they are prepared to discuss these various amendments on the footing that all of them are equally open for consideration. I have no desire whatever to mislead the House on that point, and indeed it would be entirely wrong if I did so. Drastic changes in the scheme embodied in the Bill, it would, I fear, be impossible for the Government to accept."

While Sir George Schuster said that the final decision must rest with the Assembly, Sir George Rainy said quite the reverse. I do not know, Sir, which of these two contradictory positions is now the position of the Government of India; and I take it that, either the Honourable the Finance Member, or the Honourable the Commerce Member, will remove the confusion in this House and definitely state which position the Government of India abandon, and which position they adhere to now.

[Mr. Jehangir K. Munshi.]

Sir, the Honourable the Finance Member claims that fiscal autonomy is a reality. That proposition would hold good if the Government of India were prepared to accept the position that in all fiscal matters and on all tariff questions they would abide by the verdict of this House, and that when the verdict of the House is taken, the block of 26 nominated official votes would remain neutral. Even if their position were that, allowing the official block of 26 votes to affect the verdict one way or the other, they would abide by the verdict of this House, we might to a certain extent understand their claim that fiscal autonomy is a reality in this country. But what is the position which Sir George Rainy has taken up? That the Government of India and the Government of India alone are the sole judges of tariff measures to be introduced and tariff policy to be followed, and that they will not, under any circumstances, accept the verdict of this House or respect the sentiments of this House. The words used by Sir George Rainy are emphatic and unequivocal—"impossible to accept any changes" in the proposals put forward by the Government of India. Now, Sir, if the Government of India and the Government of India alone, are, even in antagonism to this House, to be the sole judges of what should be the fiscal policy or the tariff proposals for this country, then it is impossible for this House to lose sight of the fact that His Majesty's Government can influence the Government of India, and in certain circumstances is bound to influence the Government of India, when for instance the interests of Lancashire or any other predominant British interests clash with the interests of India. His Majesty's Government, although actuated by the best of motives towards India, may, by force of circumstances of domestic politics, find themselves in a position when they must bow to forces in their own country. It is impossible for Sir George Rainy to stand up here and tell us that the Government of India are at present free to impose their will on His Majesty's Government regardless of the difficulties of the domestic problems of unemployment facing His Majesty's Government or the embarrassment which would necessarily be caused to His Majesty's Government as a result of the Government of India adopting certain fiscal proposals. It is no use, Sir, trying either to deceive this country or to cloud the real issue before this House. India does not enjoy fiscal autonomy in any shape or form. (Hear, hear.)

Sir, the Government of India have, in my opinion, been actuated by a degree of undue chivalry in the course of this debate. Both Sir George Rainy and Sir George Schuster have got up more than once and have asserted, with an unusual degree of heat, that the proposals which they have put before this House have not been induced by any representations from Lancashire, and have not been imposed by His Majesty's Government. They have gone further; they have taken upon themselves whatever blame and odium may attach to their present scheme. It is not for me, Sir, to help the Government of India to relieve themselves of a particular odium if they insist on having it; but knowing Sir George Rainy as we do, and judging him from his past record, I find it difficult, Sir, to accept the whole of this self-condemnatory statement *in toto*, that the Government of India and the Government of India alone have decided to place this scheme before the House as their own considered judgment in the best interests of India.

Sir, before I proceed to criticise Sir George Rainy's attitude with regard to this particular measure, I wish to pay him the tribute that he deserves.

The attitude which Sir George Rainy took up with regard to taxation on kerosene has produced a deep impression on my mind. Here, Sir, we have a British Member of the Government of India—a Scotchman—who deliberately put forward proposals of taxation which are bound to affect the profits of the Burmah Oil Company. He did so to obtain revenue for the Government of India. He did so, knowing that about half a crore of rupees which he would get in this way from the Burmah Oil Company would in other directions relieve the taxpayer. Such conduct deserves great admiration and I say this in spite of the fact that, mainly on grounds of sentiment, I voted against his proposal to tax the Burmah Oil Company. But at the same time it makes it very difficult for me to believe that the very same man could, if he were an entirely free agent, come forward and force on this House a scheme of Imperial Preference in the form that he has put before this House, which, he has more or less admitted, has been conceived to help Lancashire at the cost of the consumer in this country.

Sir George Rainy has made it clear, in the course of his speech, that if this Bill is passed in the form in which the Government of India have placed it before the House, or subject to the amendment moved by Mr. Chetty, the House will be endorsing the principle of Imperial Preference. Sir George Rainy says:

"I should like to make it clear that we do not ask the House at this stage to pass a final decision on the question whether in the scheme of protection there should be preference for British goods."

In other words, at a subsequent stage of the Bill when the House adopts the final motion, it will, in Sir George Rainy's own words, "pass a final decision on the question whether in the scheme of protection there should be preference for British goods". We shall be called upon, when voting on this Bill, definitely to pronounce our decision whether this House does or does not accept preference for British goods—Sir George Rainy carefully avoids the words "Imperial Preference".

Sir, Imperial Preference may be defined in a number of ways. Imperial Preference may be argued to mean many things. But the atmosphere for Imperial Preference cannot be manufactured either by the Government of India or by any Tariff Board. (Hear, hear.) Have we in this country the atmosphere necessary to induce this House to agree readily to any scheme of Imperial Preference? The basic point of Imperial Preference in any part of the Empire is, to my mind, not wholly economic; it is primarily a matter of sentiment. There must be sentiment, there must be regard, there must be friendship, before any part of the Empire approaches the economic question of affording any degree of protection, or preference or relief to any other part of the Empire. The Government of India are sadly mistaken if they imagine that the present moment is an opportune moment for such a sentiment to express itself in this country

Mr. President: The Honourable Member himself has an amendment involving Imperial Preference.

Mr. Jehangir K. Munshi: I am coming to that, Sir, and that is where the strongest protest of this House has to be recorded.

Now, Sir, the Government of India have got a very serious responsibility in this matter. They may, by force of circumstances, carry this particular scheme through this House now. But in the future, when this

[Mr. Jehangir K. Munshi.]

House enjoys a greater measure of fiscal power, when this House really enjoys fiscal autonomy, will the bitterness that is caused by Government's present attitude help England? Will it help Lancashire? Will it help any other part of the Empire? If the Government of India want to create a proper atmosphere and to induce a proper sentiment for Imperial Preference, the present policy of political repression should be abandoned; and I feel that my Honourable friend, Sir James Crerar, can do more in this direction than either Sir George Rainy or Sir George Schuster. In this connection a very serious responsibility also rests on the European Group in this House. I ask them, have they contributed their share towards creating the necessary atmosphere in this country? Have they done anything to foster a proper sentiment in this House for Imperial Preference? I shall give one recent instance to illustrate my point. The other day I was questioning the Home Member with regard to certain incidents which took place in Rangoon. The European Group were not directly concerned with it. If the European Group imagine that they are more efficient than Sir James Crerar they are mistaken. Sir James Crerar was fully able to deal with the questions raised in this House. But what did the European Group do? An old experienced member of this Group, Sir Hugh Cocke, ranged himself against me and rushed to the help of Government. Sir Hugh Cocke forgot at the moment that I was the solitary representative of Burma in this House, that I was labouring under a serious handicap by reason of difficulties in the matter of communication with Burma, and that, in spite of these difficulties and handicaps, I was trying to do my duty to my Province. He got up and tried to bring my action into discredit. Now, Sir, this may be a small thing, but it reflects the mentality of the European Benches. Have they extended to us friendship, have they extended to us sympathy, in matters political either in this House or outside, that they should expect this House to extend its economic sympathy either to the European community in this country or to Lancashire? In these things there must be first of all a reciprocity of sentiment. (Hear, hear.)

Mr. Arthur Moore (Bengal: European): Sir, the European Group has never asked for any economic concessions in this country on any sentimental grounds. We have only asked to be treated on a level with the other communities in India.

Mr. Jehangir K. Munshi: My Honourable friend, Mr. Arthur Moore, has a painfully short memory; and in this connection I wish to refer to the part I played the other day on grounds of sentiment; and I therefore felt more hurt that Sir Hugh Cocke should have, only two days after that, got up and adopted such an unnecessarily unsympathetic attitude towards me and my Province. The other day Sir George Rainy asked this House to subject the Burmah Oil Company to a taxation which would contribute about half a crore of rupees. Mainly on grounds of sentiment, I walked into the same lobby with my European friends,—on grounds of sentiment for the Burmah Oil Company, which I consider as a good employer of labour in Burma, on grounds of sentiment for my European friends in this House, on grounds of sentiment for the European community in this country. I do not want them to feel that Indians are bound to act against European interests in such matters. And what did my Honourable friend, Mr. Arthur Moore, plead at that moment? He said that, because

these particular European oil interests had enjoyed this immunity from taxation for 25 years, they should be allowed to continue to enjoy that immunity for another 25 years.

Mr. Arthur Moore: Sir, on a point of personal explanation, I said nothing of the kind.

Mr. Jehangir K. Munshi: I am not trying to reproduce Mr. Moore's exact words. I am trying to reproduce Mr. Moore's argument.

Mr. Arthur Moore: That was not my argument.

Mr. Jehangir K. Munshi: It was Mr. Moore's argument and Sir George Rainy replied to it.

Mr. Arthur Moore: May I say, Sir, that it was not my argument? My argument was that, for 25 years, the consumer in this country had a concession, and I thought that the risk should not be taken of withdrawing that concession from the consumer in this country. I said nothing about European interests and my speech had nothing to do with that.

Mr. Jehangir K. Munshi: Does Mr. Moore seriously suggest that the consumer's interest for 25 years was not the Burmah Oil Company's interest for 25 years? (Hear, hear.)

Mr. Arthur Moore: I was not discussing the interest of the Burmah Oil Company or of any particular oil company.

Mr. Jehangir K. Munshi: But the Honourable Member was holding a brief for them.

Mr. Arthur Moore: I was holding no brief. I was speaking in the interest of the consumer.

Mr. Jehangir K. Munshi: My Honourable friend Mr. Moore is now seriously suggesting that the Opposition Benches are filled with a pack of lunatics, who neglect the interests of the Indian consumer and that it falls to the lot of Mr. Arthur Moore to stand up in this House and protest in the name of the Indian consumer that all these traitors are opposed to the interests of the Indian consumer.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Does not my Honourable friend know that Mr. Arthur Moore is connected with a paper which at one time used to call itself the "Friend of India"? (Laughter.)

Mr. Jehangir K. Munshi: Sir, I regret the unnecessary heat introduced into this debate by my Honourable friend Mr. Moore at the very moment when I am appealing to him and his colleagues to create a friendly atmosphere in this House. I am actually pleading that it is up to the European Benches to create a friendly atmosphere in this House and to foster the proper friendly sentiment for Imperial preference, and when I am making these efforts, Mr. Moore says he will not have it.

Mr. Arthur Moore: Sir, may I inform my Honourable friend that I said nothing of the kind whatever? But I do think that it is a little out of proportion to suggest that, because Sir Hugh Cocke took a small part in the discussion of a motion for adjournment the other day (*Mr. Jehangir K. Munshi:* "And an uncalled for part") the European Group is acting

[Mr. Arthur Moore.]

in some manner unfriendly to the interests of India. I think it would be much more to the point if my Honourable friend were to point out in what way the European Group, either by its votes or its speeches in the past, has shown itself other than identified with the best interests of the country? (*Honourable Members*: "Question.")

Mr. Jehangir K. Munshi: This question I can answer very briefly and effectively. I will refer my Honourable friend Mr. Moore to the division lists to find out how often his party voted with the Opposition against the Government. The task will not be a difficult one; and he will hardly find half a dozen such lists during the last ten years. That, Sir, is Mr. Arthur Moore's performance "in the best interests of this country."

Now, Sir, I regret that, when I am trying to appeal to the European Benches to create an atmosphere of friendliness, Mr. Arthur Moore should allow himself to introduce unnecessary heat into the debate.

Mr. Arthur Moore: Not at all.

Mr. Jehangir K. Munshi: I was trying to illustrate, Sir, by an example, that I am actuated by pro-British sentiments, and that I want to help the European non-official commercial community in this country. I want to show proper sentiment towards them, but I can only continue to do so, if there is some sort of reciprocity on their part. Things of this kind cannot be continuously one-sided.

Mr. Arthur Moore: Does it not occur to the Honourable Member that he and I went into the same lobby because we were both interested in the welfare of the industry of his province?

Mr. Jehangir K. Munshi: If my Honourable friend Mr. Arthur Moore imagines that the interests of the province of Burma have been affected by the proposals of Sir George Rainy, he is sadly mistaken, and it appears that he has not applied his mind to the problem at all. Now, I shall leave Mr. Arthur Moore alone.

Sir, the unconvincing argument has been put forward by the Honourable the Commerce Member and the Honourable the Finance Member that, in the best interests of India, preference should be given to British goods in the form laid down by the Government of India with a view to create a friendly atmosphere in England for the Round Table Conference. I wish I could quote the exact words of Sir George Schuster; but I cannot find the passage I have in mind. However, the gist of his argument is this, that the Government of India have been actuated to frame these proposals in their present form by the desire to placate public opinion in England and to promote India's political interests. Now, Sir, Sir George Rainy has spent about 30 years in this country, and although Sir George Schuster has been here for a short time, still he is not entirely unacquainted with the Indian political situation. Did either of these two Honourable Members imagine for a moment that a measure of this type, introduced at the present moment, would not meet with vehement and bitter opposition? Have they in any way helped India's position by introducing this measure at this stage? The bitter opposition which has been roused and which they must have anticipated, has, I think, estranged the relations between England and India. The argument that the object was to win England's friendship cannot be advanced by Sir

George Rainy, who must have realised that this measure was bound to raise bitter controversy on the floor of this House. But even if this House were to agree readily and voluntarily to these proposals, will a better atmosphere be immediately created in England? Better atmosphere amongst whom? Is it going to change Lord Birkenhead? Is it going to convert Mr. Winston Churchill? What possible change in the political situation in England do the Government of India seriously expect as a result of this House passing the proposals in their present form? I do submit, Sir, that the Government of India have not been frank in dealing with this House in respect of this measure. One cannot help feeling that the present measure has been forced on them by representations from England. Whether the representations were official representations from His Majesty's Government which have been revealed, or whether they were confidential representations from the Secretary of State for India which have not been disclosed or whether they were representations from or on behalf of the Lancashire interests, it is for the Government of India to answer. But it is impossible for this House to agree that the Government of India themselves have deliberately gone out of their way, without any initiative from England, to place these proposals before this House in their present form.

I come now, Sir, to my amendment which you have referred to. I have given notice of that amendment, the same as Mr. Chetty's amendment, because the Government of India have left me no free choice. The Government of India have given me a damnable choice. The Government of India tell us: "Accept the measure in this particular form and we shall proceed with the Bill; if you make any alterations we shall drop the Bill". The Government of India force me either to kill the Indian mill industry and ultimately to harm the consumer, or to accept their proposals in favour of Imperial Preference in this particular form without my consent and against my will. This, Sir, is a very difficult position.

Mr. President: The Honourable Member is not going to give a free vote in this House?

Mr. Jehangir K. Munshi: The Government of India have not allowed me a free vote. That is my complaint, Sir. They have placed me in this damnable position: They say: "Either vote for killing the mill industry of India and for harming the consumer in the long run or vote for the proposals which we have put forward regardless of your preference or your wishes." If I vote for killing the mill industry of India, I feel that I would be doing a wrong not only to a great national industry but to the consumer in the long run. I cannot do that. If, on the other hand, I vote for the Government proposals, I am forced to do violence to my conscience, because I am forced to vote for Imperial Preference without being allowed any "preference" at all. I have no objection to the principle of Imperial Preference if the Government of India set about it in the right way, at the right moment and after free consultation with the Opposition. No Government have the right to come forward in this House and say "Here are our proposals for Imperial preference; we have not consulted you, we do not care whether you like them or not; we are going to force them down your throats". If that is the way in which they are going to introduce Imperial Preference, I am entirely against it. Imperial Preference by itself is not pernicious, as some of my Honourable friends in this House imagine; it is a matter of friendly sentiment and economic adjustment. Why should we not sit round a table and discuss, in a friendly spirit, to what extent we can

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help Lancashire in its present difficulties? But the Government of India have not give me a choice. They simply say, "You either kill the industry or accept this principle in the way in which we dictate it to you". Now, Sir, under the circumstances, I have decided that I cannot afford to kill the mill industry. If I do that, I will not only destroy a national industry, but I shall also allow Japan to capture the Indian market and to put up prices and thereby to harm the consumer. I have no objection to Japan getting an advantage; after all Japan is a friendly nation and I have great admiration for the Japanese. But what happens, Sir, to the consumer if the prices are put up eighteen months hence or two years hence? So, Sir, here I am faced with a grim reality: As against that I have my outraged political sentiment and I have decided that I cannot possibly ignore the economic life of the country. I am in agreement with my Honourable friend, Mr. Jinnah, that we cannot possibly ignore the interests of the consumer, simply because the Government of India are forcing on us this principle of Imperial Preference.

Now, Sir, before I leave this point, I wish to deprecate the statement made by an Honourable Member of this House, that he regarded Englishmen in this country as much foreigners as the Japanese. I think, Sir, he was led to make this remark in the heat introduced by unnecessary interruptions. My own views and sentiments do not permit me to regard the Englishman in this country as a foreigner in the same manner as I regard the Japanese. But apart from that, it would be inconsistent with our political creed to regard the Englishman as a foreigner in this country. I mean the Britisher. It will be foreign to our political creed to regard the Britisher as a foreigner in this country. Either we accept the creed of Mahatma Gandhi and say that we want independence, and that we want to break away from the British Empire; or if we stand for Dominion Status, it only means one thing, that we choose to remain within the Empire, and if we choose to remain within the Empire, how can we treat Englishmen or any of the Empire races as foreigners?

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Do they not treat Indians as foreigners?

Mr. Jehangir K. Munshi: My friend Diwan Chaman Lall is asking me whether they are not treating us as foreigners. So far as England is concerned, I do not think we can go to the extent of saying that England treats us as foreigners, as aliens, in the United Kingdom. With regard to the Colonies, the position is different: But I cannot possibly go into that controversy in this debate. But even if we assume that England treats us unfairly, if we decide to remain within the Empire, we can strive for better treatment, but we cannot say that the Englishman is a foreigner in this country.

Now, Sir, I turn to the Honourable Members of the Nationalist Party, and I do hope that the criticism which I propose to make now will be taken in the same spirit in which it is made. My Honourable friend, Mr. Birla, advised the millowners to insist on unalloyed protection and to reject this alloyed protection. My Honourable friend, Mr. Neogy, told the millowners that even if they are dying of thirst, it would not help them to drink out of a glass of water which contains harmful germs. Sir, I wish to place before the House the parallel between the economic position taken up by the millowners and the political position not only of my

Nationalist friends, but of the entire Opposition in this House. Now, what is the position of the millowners in this country at the present moment? They say that they are faced with extinction; that they must accept whatever the Government give them, in however unpalatable a form Government may offer it. They say that their very existence is at stake, and that they cannot afford to indulge in sentiments, political or otherwise. Their position is that, although they are not satisfied with what they are getting, or the form in which they are getting it, they cannot afford to reject what is offered, even in the form in which it is offered, and if they do not get protection in an unalloyed form, they must now take what they get and continue to fight for the rest. Now, let us take the political position of the Nationalist Party; that is my position also. (Hear, hear.) My Honourable friends of the Nationalist Party, of the ex-Congress Party were told at the end of last year, and at the beginning of this year, that their demand for full and immediate Dominion Status could not be granted. His Excellency Lord Irwin said this before the Congress met. His Excellency the Viceroy repeated it when he addressed this House after the Congress met. Pandit Motilal Nehru followed the policy which Mr. Birla and Mr. Neogy are offering to the millowners. He said, "No, we shall not have alloyed Dominion Status; we shall have unalloyed complete Dominion Status immediately, or we shall not have anything to do with it". But my friends of the Nationalist Party have not taken up that attitude. They, in my opinion, have taken up the right attitude. They say, "This Dominion Status, which you are now offering to us in some form or other, is not unalloyed; we would not like to accept it in this form, but we are helpless; we have got to take what you give and fight for more." I submit, Sir, if that is the position of the Nationalist Party in the political arena, the millowners of India adopt the same position in the economic field. (Hear, hear.) And here I wish to make one thing clear. If political ground is lost by unwise judgment or an unwise action, it can be recovered in course of time; but if a serious economic blunder is made and an industry is allowed to be killed, it would take years and years before it can be revived. I therefore, Sir, do appeal to my Honourable friends of the Nationalist Party to consider very carefully whether, in this damnable position which the Government of India have placed this House, they would be justified in doing anything whereby the Indian mill industry would be killed. I think, Sir, I have made my position clear. I have given notice of my amendment—the only amendment acceptable to the Government of India—purely with a view to save a national industry and to save the consumer in the long run, after recording my strongest protest against the policy and action of the Government of India.

Now, Sir, I do not wish to deal with the merits of the case at any length, because I think practically the whole House has recognised the fact that the Indian mill industry requires protection and immediate protection. As a matter of fact, several Honourable Members have gone to the length of saying that the protection offered is not adequate and that it should have been greater. As regards my Honourable friend Diwan Chaman Lall, I think my Honourable friends from Bombay have taken him too seriously. My Honourable friend Diwan Chaman Lall is a labour leader: and in the present condition of Indian labour the millowners of India cannot expect any spontaneous support from a labour leader.

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all of a sudden, has this year been faced with a deficit Budget. Fortunately for the mill industry of Bombay, the mill industry of Lancashire also is badly in need of relief. The Government therefore decided to come out with this Bill, ostensibly to help the millowners of Bombay, but really to support the Lancashire industries. They have raised the duty for the Indian cotton goods from 11 per cent. to 15 per cent., which means a bounty of 4 per cent. to the Indian mills, whereas they are providing a protection of 5 per cent. duty to the British goods. This not only means, Sir, giving with the right hand and snatching away with the left, but this also means that, so far as higher counts are concerned Great Britain will have the practical monopoly in India for her goods. She will not have to face competition from either Japan, Germany, America or Italy. This means, Sir, that she will have the fullest liberty to fix her own prices on her goods and the burden will thus fall heavily on the consumers. But these are not the only evil results of this Bill. The result which will be far more ruinous will be that the Indian mill industry will be handicapped, and it will find, in the course of a few years, that it will never be able to go in for higher counts, these mills will never be able to produce finer counts at competitive prices; their growth will be stunted and India will thus be for ever dependent on Lancashire and also pay heavily for the supply of her fineries.

My Honourable friend, Mr. Birla, said the other day that the protection provided for our industries is inadequate and may prove harmful. Another esteemed friend of mine, Mr. Neogy, proved, if any proof were necessary, that, by the receipt of this five per cent., the British manufacturers will not only profit, but make good their past losses. This is not all. We must also, at the same time, keep in mind that, in the case of the Indian mill industry, protection of four per cent. will only give them a breathing time to put their house in order, whereas in the case of Lancashire, the Imperial Preference will mean a big windfall.

There are some Honourable Members, Sir, in the House who are afraid of calling a spade a spade, and they prefer to call Imperial Preference by the name of British preference or preference for British goods. I have no quarrel with either of these sets of Honourable gentlemen. To me, a layman, Sir, a rose will smell as sweet by whatever name we may choose to call it, although, in the present case, it is not a rose but a prickly briar which emits a bad odour all around.

The simple truth that we must realise, Sir, is that, if we refuse the demand of the Government so far as the British goods are concerned, the Bill goes to the wall and all the tall talk of helping the Bombay millowners will be forgotten. This is a simple fact, and nobody need be afraid of this. There is nothing surprising in it too. We know that no nation, howsoever great it may be, can afford to act generously towards another, unless it at the same time serves its own selfish ends. In the words of Bismarck, in dealing with foreign nations, no one acts unselfishly unless it is his interest to do so. I, for one, therefore, do not see why the Honourable Members on the Treasury Benches and their supporters should be afraid of speaking the truth. I cannot and will not blame them for being patriotic. They, as the constitution stands, are responsible to the British public; they are not responsible to us, they should naturally

therefore look to the interests of the people to whom they are responsible and to whom they belong.

It is no doubt proper that one who pays the piper must call the tune, but how many improper things are not done today in the name of propriety? Besides, situated as we are, Sir, we do not pay them. The money is no doubt ours, but they hold the strings of the purse and are the virtual masters. I therefore have no complaint against them. They are amiable, honourable gentlemen, as good as we are and in certain respects, even superior to many of us. They are doing their duty by their country and I have no complaint against them. This country has not lost or has lost very little on account of them. This motherland of ours has lost on account of her own sons, who, from the time of the advent of the British, have sold the interests of the country, sacrificed her mercilessly, for a mess of pottage or their own sordid gains. It is they who are the sinners. It is they who trample the country and it is they who are today the chains which bind us to our slavery. I wish they were as patriotic as their masters. I pity them, but I bear them no ill-will, no hatred. I only say, Lord forgive them, for they understand and still do not realise what they are doing. As for the Honourable Members on the Government side, they have been charged with the duty of carrying on the machinery of administration. It does not concern them what it grinds, whom it grinds, when it is set in motion. They carry it on simply for the Reasons of State. Their only concern is that the engine and the machinery do not fail, are well oiled, safe and in tip top condition, that it should yield to them the utmost and should not suffer in any way.

They at times try to see that the machine does not unnecessarily hurt others, when they can avoid it, when it suits their purpose and when they can achieve it without hurting themselves or their machinery. I therefore bear them no ill-will or grudge. I know human nature, and can understand them, but I do beg of them, Sir, in all humility, not to try to convince us that two and two do not make four, that darkness is sunshine and that they can see our interests better than we can ourselves do.

This is belittling our intelligence and is most galling and painful. I also beseech them, Sir, in the name of all that is good in this world, not to add to the discontent of the people who are already discontented enough.

My third request to my Honourable friends on the Treasury Benches, through you, Sir, is that, instead of trying to convince us, they should try to convince their own conscience that they ought only to come forward with their demands when they have satisfied their conscience, that they are not, by their narrow vision, circumscribed by selfish ends, hurting others whom they have no right to injure and whom they are morally bound to serve. All of us, Sir, are creatures of circumstances. We are sitting on this side of the House today, and 12 Noon. who knows tomorrow or in the fulness of time we shall not be in their places and they in ours. India had a past; she has a future too and it will not be paying to train her in ways which might recoil on the teachers tomorrow.

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Do unto others as you would wish to be done by, is a maxim which will always pay everyone who acts up to it, in gold. I would also say to the Honourable Members, "Whatever you do, do it with all your heart and as from the Lord." And if I have not already asked too much of my Honourable friends, I will ask them to remember that nations generally pay heavier prices for their sins of commission than for their sins of omission. But this is a digression and I must come to the point.

Leaving aside, Sir, all these material considerations, the Bill does something more. India, today, is growing; it is throbbing with ambitions. She is anxious to build a future for her as bright as her past. She naturally, at this stage, wishes to move very carefully. She does not wish and is not in a position to forego the sympathies of any nation. She therefore does not want to antagonise either Japan or Germany, either America or Italy. Great Britain might well say, "I am here to protect and guide you. I will see that no other nation shall injure you." Great Britain may say all this and perhaps more. She has her own axes to grind at our expense, but I want to tell my Honourable friends, and through them Great Britain, Sir, that we are at the parting of the ways. We want to guide our destinies ourselves; we want to regulate our national life according to our own requirements and needs, and we do not want to discriminate between foreign nations, for we know not whose aid we might need. We do not want to be with those who do not treat us on terms of equality. We do not want to be in an Empire in which we cannot remain on an equal footing with others. We do not wish to be in the British Commonwealth of Nations if we can be there only as men of an inferior status and not as equal and free partners. Who can tell that it may not yet be India's glory to embark on a mission of peace and higher humanity to teach Europe and America that materialism is not the food on which humanity can permanently thrive. We hope we shall be able to give birth to and organise an Asiatic Federation in which Japan, China, Afghanistan, Persia, Egypt and Turkey may be our partners. We may be idealists, hopeless dreamers, but we are realistic enough to realise that it is not proper to antagonise any nation at this stage of our history. We therefore ask the Honourable Members to stay their hands. No offence is meant; this is a plain statement of facts and there need be no heart burning on this account. To my Honourable friends on this side of the House, who are real patriots, who really want to serve their motherland, who are anxious to see their motherland free and are willing to sacrifice all that is best in them in the service of their country, whose aims in life and responsibility do not begin and end with getting a few petty posts for their kith and kin. I would only repeat a few lines of a great saint, who lived and died in this very city of Delhi, and who defied and staggered even such a mighty potentate as Aurangzeb. He was no other than Sarmad and he said:

Sarmad gilah bah ikhtisar mi bayad kard,

Yak kar azin do kar mi bayad kard.

Ya tan barazae dost mi bayad dad,

Ya qataa nazar ze yar mi bayad kard.

"Give up complaining, begging and wailing for trifles. Out of the two ways you choose the one you like. Either surrender yourself quietly to the mercy of your friend" (as the Central Muslim Party seems to be striving for) "or cut off all connections with your friend, non-co-operate, and chalk out your own independent existence."

I am sorry, Sir, that by mistake I have referred to the Central Muslim Party.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Please do not be sorry. We are the target of everybody's attack, because we are in the centre.

Pandit Krishna Kant Malaviya: If this fact gives consolation to my friend, and the cap fits him, I do not withdraw my words.

Dr. A. Suhrawardy: Please do not.

Pandit Krishna Kant Malaviya: What this path is, Sir, should be clear to every one of us. The Government are forcing this measure upon us, in spite of us. Let us accept this challenge of the Government as men and resolve that whatsoever may happen we will defeat the Government; we will nullify this act of the Government; that we will go out from this place straight to our people, tell them our plight and organise a boycott of foreign goods, especially British, and exhort the people to see that nothing of British origin or manufacture comes into our homes. I think, Sir, this is the only course we can adopt to defeat this measure, and I hope my countrymen will rise to the occasion and act upon my simple but effective suggestion.

I have finished, Sir, but before I resume my seat, I want to make it plain to my Honourable friends on the Treasury Benches, and through them to their masters, the British public, that ours is a fight of righteousness, our weapon is suffering and non-violence. We are not afraid of their cannons, guns and regulation *lathies*. We know that the Government will fight for their own existence. They will use all available means to crush us, but we will not retaliate. We will not raise our hands against them, but still we have no doubt that we will achieve the victory, for our faith in our cause is supreme. Truth and justice are on our side, Sir, and we know this much, that no Government, howsoever powerful, can rule a people long without their consent. You can carry on your administration by the help of the sword, but let me tell you the real truth that, so long as the people remain discontented, do not co-operate with you and are averse to the powers that be, the people and not the Government will win.

I, therefore, ask our Masters, through you, Sir, to pause, consider and then decide to act rightly, not as tyrants but as servants of the people of India, for the sovereignty of India lies with them and not with the people of England.

Nawab Sir Sahibzada Abdul Qaiyum (North West Frontier Province: Nominated Non-Official): Sir, the House has listened to many elaborate and long speeches from very experienced Members and very high class philosophers, politicians, economists and even leaders of labour on this subject and I think it is time they should hear the views of some laymen like myself. I thought the last speaker also claimed the position of a layman and had put his case very pathetically before the House. But I am afraid I cannot agree with him in the conclusions he has arrived at. Sir, the debate has reached such a high pitch of eloquence and oratory, that I find it very difficult to follow it in the same strain. I am afraid I shall have to bring it back to the understanding of an ordinary man like myself, because, after all, the House is not entirely composed of highly qualified lawyers and economists, but there are some like myself and my

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Honourable friend, Captain Hira Singh (Laughter), who can only claim ordinary common sense, and it will be from that common sense point of view that I shall try to lay the case before the House. But, Sir, before I do so I should like to remind the House, if reminding is necessary, that I am a nominated Member, that much maligned and condemned nominated Member, of whom you hear so much in this House.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): So the Honourable Member is helpless in the matter owing to want of a constituency.

Nawab Sir Sahibzada Abdul Qaiyum: But I do claim, Sir, that I have a certain amount of self-respect and responsibility (Hear, hear) and a little credit in my own part of the country and it will be with that sense of responsibility that I shall try to lay my views before the House. Is it not a fact, Sir, that, both elected and nominated Members come to this House with certain preconceived ideas, ideas which they have been entertaining at their homes long before their elections or nominations take place? I do not think, that there is much difference between the status of the two, as far as my personal opinion goes. While the one owes allegiance or election to a constituency or a class of people who are out to condemn the present form of Government, the other who comes from his constituency, whether it is the so-called Viceregal Lodge or the people of his own way of thinking. He is not out to condemn the Government in all and every matter. Both are treating the Government like an accused person, but while the nominated Members think that, unless by the evidence laid before the House they find the accused guilty, they will not condemn the Government and pass a verdict of guilty against them, the majority of the elected Members take it for granted that the Government are already guilty and convicted and they will not give the Government the benefit of any doubt that may arise in the House as the result of the debates or discussions! That is the only difference that I can see. I will not say more on this subject. But I must confess that I am a nominated Member, whatever reasons there may be for my coming to this House as a nominated Member

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): What can the Honourable Member do? His friends in the House have not given reforms for his province to enable him to come in by election?

Nawab Sir Sahibzada Abdul Qaiyum: I assure the House that I shall try to be honest in this matter. You may not occasionally find me very honest in some matters. When they touch my religion or my community, possibly I may be a bit partial there, but in a matter like this, I am quite free and open to conviction. Now, Sir, coming to the main issue before the House, I find that the debate we have been holding for the last few days is on a measure which is laid before the House and which claims to give protection to certain industries in this country, especially to the textile industry or mill industry as it is generally called. The people who have introduced the measure also claim that it is a measure for the protection of the industries of the country. On going through the Bill and the Statement of Objects and Reasons of the same, I see that the word "Preference", Imperial or otherwise, is not there and seems to have been intentionally omitted from the language of this Bill. At least I have not come across the word in the Bill itself or in the Statement of Objects and Reasons of it and if this is so, I think we have got nothing except our own fears and

suspicious to go upon. These may or may not be justified—I do not dispute that, but the shape in which the Bill is drafted and put before the House, clearly shows that all reference to Imperial Preference has been omitted. Personally I do not see what difference the omission of the word "Preference" will make if there is that word in the Bill called "protection", which means the same thing, self-protection, self-preservation or self-interest! As long as self-interest exists in this world and words of that sort are there in the dictionary, I think the word "preference" should be used as an adjective only and the two words "protection" and "preference" should be considered as synonyms. If you study nature, there is the principle of self-preservation, and preference in everything before you; in animal life, in vegetable life, and in everything else there is this principle of preference or protection. Well, Sir, if one were to try to make difference between protection and preference, then, according to my light, preference would be applied in a case when you have something surplus to give to somebody and you want to judge to whom you should give it, or when you have something to give in charity and you want to decide to whom it should go. So if there is anything surplus with us and we are asked whether we would like to give it to one nation or the other, then the question of the preferential treatment of the one or the other would arise, but not otherwise. Of course preference could be shown in another way too, that is, if I am to be killed by some one and must die, then I have the choice whether I should prefer to be killed by A or by B! If you want to apply your preference in that way, you are welcome to do it, but I do not believe that the word "preference" should be used in a case like the one under discussion. The simple question before us is this, and it is not disputed by any Member of the House, that the mill industry in the country is starving and is in difficulties and that it requires protection. There is no dispute about that; the question is how to protect it. This protection could be given them either by bounties or by raising the import duties. These are the two ways of helping the industry. If you give bounties, you submit the consumer to a direct taxation. You have to raise the money at once and help the industry by taking the money from the pockets of the consumer in a direct manner. If you impose additional import duties, then the result perhaps is also, to some extent, the same, but there is a possibility of the mills developing themselves in such a way as to bring in some good to the consumer by cheapening their goods as against the foreigner who will have to raise his prices to cover the extra duties. Well, Sir, if we are to consider the position of the mill industry in the country, we have also to consider the position of the producer of the raw material and of the consumer. As regards the producer of the raw material, I believe that, as long as our population stands at its present figure of 30 or 32 crores, and clothing must be found for them from somewhere, the producer's raw material must be purchased either by the local mill industry or by the foreigner. The foreigner will not care to buy much of it if he can find it cheaper in other places, but the local industry will not go out of its way to import raw material from outside when it can find the material in its own country at a fairly cheap rate. If they are wise, the local industries, I am sure, will buy the locally produced material and will employ it to a very large extent. In that case the producer's losses will not, to my mind, be very considerable. I think they will be smaller than even the losses of the consumer. The material will surely be used by the local mills and no surplus material will remain to be exported and the prices of the raw

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material will not go down very much. That is my idea of the thing. Even if the produce is not fully consumed by the local industries or if the local mills do put up higher prices after finishing their goods, the possible result will be that people will restart their cottage industries and will find labour at home which is the object of Mahatma Gandhi's movement. Supposing the people find themselves unable to buy these goods on account of their higher prices, then, is there not the possibility of the revival of cottage industries, and the object of Mahatma Gandhi's movement will be more readily achieved.

Sir, as regards the differential import duty that is suggested to be levied, my idea of it is a little different from others. I will take it in this way, our house is liable to flood from various directions, from the Lancashire side, from the American side and from the Japanese side, etc. I have to fortify my house against these possible floods, in the light of the experience of the past. If I am a wise man and want to be on the safe side, I shall build a stronger wall against the corner from which I have suffered greatly in the past and from which I fear the floods in a more tremendous way in the future and I will put up an ordinary wall against the corner from which I do not expect much damage, or very strong torrents. If the past history of this trade shows that the market of India has been captured to a great extent, if not wholly monopolised, by goods from Japan, as compared with goods from Lancashire and if I see that conditions of labour in Japan are favourable for the expansion of that industry in that country as against the expansion of Lancashire industries, then I should be careful to build the wall against Japan a bit stronger than against Lancashire. Sir, Lancashire every now and then gets into the same labour troubles as Bombay gets into occasionally and there can be no question of comparison between the two. Wages are very high and labour troubles are more constant in England than in Japan and I do not think that Lancashire has much chance of occupying the place which may be vacated by Japan in the Indian markets. There is not much fear of the market left open by the Japanese goods being captured by Lancashire, if the mill industry of this country were to avail itself of this opportunity and develop its resources. No doubt our mill industries will have to exert themselves when they have got this opportunity, and I am sure that in their own interest they will do so. They have seen some bad days, and if the accusation against them is true that, in their good days they did not develop themselves or strengthen their position, I am sure they will benefit by their past experience and not commit the same folly again. They will have to develop their mills, and having done so, there is not the least possibility of their not being able to prevent any influx of goods from the Lancashire side. The local industries have already achieved much in the past in that direction and there is no reason why with this additional import duty they should not improve still more. Well, Sir, that is my reading of the situation. I do not consider that it is a question of preference to one nation or the other. It is the question of protection against possible intruders. I have used the word "floods" and the direction from which we have the greater fear of floods will have to be guarded with a stronger wall than from the other direction.

Personally I am not very much enamoured with this high principle of "free trade" and no partiality, no favouritism and no "preference". I am a very selfish man. I am not like some of those gentlemen, especially my friend, Mr. Acharya, who claim to be more spiritual than myself. I have

only materialistic ideas in a matter like this and can see the gain and loss side of it only. If I gain something by this protection, I will not really worry myself much as to whether full justice is done outside my country to two other nations or not or whether one nation has got preference over the other. I shall be delighted to see that justice is done to everybody all over the world on the face of this earth and that everybody should have equal rights, but that is beyond practical politics and possibilities. People, in order to protect themselves, have to impose differential protective duties, and even if we do not impose them, there are and will be other nations in this world who have already done so. Our sentiments at this juncture appear to be more in favour of Japan at least among some of the elected Members here! I can realise those sentiments as an Asiatic and I can even admire them to a certain extent. But I think that the British nation has not done us badly in the past if we were to compare ourselves with others placed in similar conditions under other nations in the rest of the world. We have not got much experience of other Colonies under other European and American Nations. But if we were to find out about the positions of other countries placed in similar conditions before the war, though they have changed hands now, and I, as a humble traveller in most of the continents of the world, have had the opportunity of seeing those conditions, I can assure the House that they were not very much better as compared with ours and that we were and are much better off in many, if not in every, respect. But the difficulty is, as the Persian proverb says, that vessels do crack when they are near one another, but when far off there is not much chance of their cracking. There is also another Persian proverb which says that the noise of the drum sounds better from a distance! Similarly we hear a good deal of the better treatment of others, but if we were to compare it with our treatment in this country, it will be the same if ours will not be much better.

I am not going, on this occasion, to plead the justice or the injustice of the British rule in India. As I said at the beginning, I will look at this matter only from the economic and material point of view. Sentiments and personal views do not count with me and should not count with others in a purely business matter. By nature we are always very sentimental. Orientals as a rule and Indians in particular are more sentimental than practical. There was a time when we were weeping for certain things that were happening in the far North-West Africa or in the Near-East or in other parts of the world. We were shedding tears for them and spending our little precious money for them. But when things settled down there, those people who were more practical than ourselves would not care to go by our sentiments and would run their affairs as it suited them. Similarly, I have not seen any signs, so far as the Far Eastern nation mentioned in this connection is concerned, of their shedding very many tears on the condition of India, though as members of the Great Nations Conferences that are going on in the world, they can do a lot for us. They can settle matters about the so called Imperial Preference with the British Government. We are not yet free to be blamed for anything. I wonder if the Japanese would ever go out of their way to help us materially if—God forbid—an opportunity were to arise. Our sentiments should go to them—Orientals against Occidentalists, Asiatics against Europeans, Indians against Persians or something of that sort. This is quite good so far as sentiment is concerned, but I am not one of those who will allow those sentiments to interfere with the practical question of the protection of my home industry, or to

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lead the giving up of that protection or possibility of protection, for the sake of that sentiment. I shall be a very pious man if I say that, if a wrong is being done to a certain person in another part of the world, I should give up my chance of getting some gains, a little protection or a little help simply for that sake. If we decide to be so spiritual we shall be always at a loss in the present state of the world's affairs. I am afraid people have become very very materialistic, and they do not go by these sentiments.

Another thing which strikes me is this, Sir, that while in the same breath many Honourable Members accuse the Government of irresponsibility, *i.e.*, of not being responsible in this thing and in that thing, always bringing in that as a grievance, they think as if it is in their power to change the whole constitution all at once by refusing a measure like this. They can express their opinion and have done so, but it is not becoming of them to condemn and abuse the Government in season and out of season on every measure and point. I should like that a week in every Session be allowed for the condemnation of the Government, or if necessary, a week in a month or an hour after the question time and perhaps Members would be quite justified in demanding this; and as the Treasury Benches have got accustomed to it, and have been showing so much patience that I never see much pain on their faces when they are cursed by Members in terms such as "go to the dogs" etc., etc. I believe they will be quite prepared to bear that condemnation for an hour, a day or a week, a month or even a month in the Session. But it is a thing which really destroys the smooth working of the Assembly, when, in season and out of season, condemnation and political issues and constitutional affairs are brought in in such matters as a Tariff Bill. I believe a certificate should be given by the Government of India to such Members at the end of every Session that they knew that they were in disagreement of the Government's present policy, and that they need not waste much time over such condemnations!

Coming back to the old point, Sir—I occasionally get astray I am afraid,—this is a measure which has been brought about for, and is necessary for, giving protection to the mill industry of this country. The industry really is in need of it, and whatever other side issues and sentiments may be raised, it is going to give protection to the industry. It is not only that the millowners will benefit by it, but there will be additional revenues to the exchequer which may be used for some nation-building works. The loss to the consumer, if any, or to the producer, if any, will be the gain of somebody else in the country whether it is the millowner or whether it is the carpenter who will be building some new Government office somewhere in this country; but I believe that the money will to a great extent remain in this country, and that the foreign trade will diminish too to a certain extent by the imposition of this extra duty. We should therefore allow the Bill to pass. Why put the Labour Government which means to do some thing for India into trouble with the Lancashire and other labour organisations at home and weaken their position?

Sheikh Mushir Hosain Kidwai (Cities of the United Provinces: Muhammadan Urban): Sir, to my mind the question of the merits or demerits of the Tariff Bill has been completely overshadowed by the constitutional

crisis of a very great magnitude that has arisen, and until that is solved by some means, by a motion for adjournment or by some other means, I do not think that it would be possible at all to do justice to the merits of this Bill. What is the position, Sir? Either the Government here refuse as was done by Lord Lloyd in Egypt to carry out the policy chalked out by my friend Mr. Ramsay MacDonald's Labour Government in England or it was nothing but a deliberate deception on the part of the Secretary of State for India himself to have said that Dominion Status was in action in certain respects—at least in fiscal matters. Mr. Wedgewood Benn said, on the subject of the constitutional position of India, that India had the same status as a Dominion possessed on the question of fiscal autonomy. But what do we find here? We find that the Government have adopted the attitude that, whatever the opinion of this House may be, they are committed to this Bill, and that they are not prepared to listen at all to the opinion of the opposite Benches on this question. I beg to say that this is not Dominion Status in action. This despotic attitude of the Treasury Benches is not in consonance with the policy which the Secretary of State for India enunciated in the House of Commons so recently. It is obvious that the attitude adopted by the Treasury Benches has made it absolutely impossible to have any fair discussion on this Bill. Every Member of this House (even those Members who were in favour of the Bombay mills not excepted) made it clear that he would not vote with the Government if the Government's threat of withdrawal of the Bill were not there. All the Members believed that improvement was possible in the Bill, but they were afraid of making any improvement because of the attitude adopted by Sir George Rainy that he was not prepared even to look at any amendment, however well supported it might be by arguments. I may go even to the extent of saying that the attitude adopted by Sir George Rainy amounts to an insult to the Leader of the Opposition. I do not belong to his party, in fact I belong to no party, but I do very strongly resent the attitude adopted by Sir George Rainy, and I hope that he will even now give up his obstinacy and give an opportunity to the Leader of the Opposition to make out his case for the amendment he has put forward.

Sir, in my opinion some way must be found to solve the constitutional crisis which has arisen before we deal with this Tariff Bill, and until that is found it is no use our talking and discussing and wasting time over it. It may be said on behalf of the Treasury Benches that Mr. Wedgewood Benn said that Dominion Status was in action when the Government and this House were in agreement; then the Secretary of State would not interfere in fiscal matters. But my point is this. The Secretary of State simply enunciated the policy of the British Government as regards the constitutional position of India, and he used particularly the words, "Dominion Status in action" which could not mean anything else, but what you, Sir, pointed out, that is, if Dominion Status really was in action, then the Treasury Benches would have to act as if they were Ministers in the Dominions as far as the question of fiscal autonomy was concerned—they must agree to the majority vote of this House on fiscal matters.

There is another point, Sir. How could we come to an agreement—the Treasury Benches and the House—unless Sir George Rainy kept an open mind, and he did not adopt that attitude which I should describe as Czarism in action, that is to say he was not prepared to listen

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to any argument; he was not prepared to allow himself to be convinced. If he stuck to this dictatorial attitude how could we expect this House and the Treasury Benches to come to an agreement on this question? Therefore I submit that the matter being one of first class importance, we should first of all decide and come to a clear understanding as to the constitutional position which India occupies in this respect.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, this Bill has been under discussion for a long time and various arguments have been addressed to the House in connection with this Bill. It has been urged that there is no Imperial Preference involved if this Bill is accepted by the House. It has been urged, as this Bill does not accord protection to a sufficient extent, therefore the principle of Imperial Preference does not come in at all. Preference has been sought to be defined and various words have been suggested for the word "preference".

Now, Sir, the first question that arises is, whether this Bill does involve Imperial Preference or not. I will read what the Indian Fiscal Commission have to say on this point. According to them, in paragraph 224:

"'Preference' means that goods from one or more favoured countries pay duty at a rate lower than the general rate. Whether the preferential rate is a real reduction in duty or whether the general rate has been arrived at by making an addition to what is considered the minimum duty, which thus becomes the preferential rate, is considering the economic effect, immaterial."

Now, Sir, I fail to appreciate the arguments of those who believe that no question of Imperial Preference is involved in this Bill. I cannot understand why the Finance Member should have taken pains to devote five or six paragraphs in his speech to this question, and why an appeal to the wider interests of India should have been made on the supposition that no Imperial Preference was involved in this Bill. I take it, therefore, Sir, that this Bill is nothing but a Bill for giving Imperial Preference, and if Imperial Preference is involved in this Bill, I would certainly expect that those conditions which the Indian Fiscal Commission laid down in reference to the adoption of the policy of Imperial Preference should first be satisfied before this measure can be considered. Now, Sir, the first condition that they laid down was that the policy of Imperial Preference should be determined in accordance with Indian opinion. I am reading from para. 262 where they say:

"We recognise that the question of Imperial Preference is one which can only be determined in accordance with Indian opinion, and that the Indian view can be best ascertained by reference to the Council of State and the Legislative Assembly without whose free consent no such policy can be adopted."

Now, Sir, the first point that I wish to submit is that it was the duty of the Government to determine what the Indian opinion was in this matter. It is true that, while the two Houses are sitting, public opinion can best be found out by ascertaining the opinions of the two Houses, but all the same, these two Houses do not cover the entire field of public opinion in this country. Then, again, Sir, in para. 263 this is what the Indian Fiscal Commission say:

"It is evident that the Legislature can hardly be asked to pronounce an opinion on the policy until it has some idea of the extent to which its application is feasible. We would therefore recommend that, as a preliminary to any consideration of the desirability of India adopting the policy of Imperial Preference, an examination should be

made by the Tariff Board to determine whether there are any commodities on which preference might be given in accordance with the principles which we have laid down, to the benefit of the Empire and without detriment to Indian interests."

Now, Sir, we know that, in the year 1926, there was a reference made to the Tariff Board and a perusal of their Report would establish that that Tariff Board did not countenance the acceptance of a policy of Imperial Preference. At page 177 they said this:

"The majority of us do not consider it necessary to discuss the advisability of such a duty for three reasons. In the first place, it would, in effect, amount to Imperial Preference and thus raise broader questions of commercial policy than can be dealt with by such a Board as ours, with limited terms of reference. A second and even more important consideration is that the proposals we subsequently put forward will involve a very much larger expenditure than would be provided by the imposition of a duty which would only affect a comparatively small proportion of the imports into India."

Now, Sir, the Tariff Board did not consider the question of Imperial Preference. According to para. 263, I understand that the convention is that the Tariff Board is an integral part of the constitution as laid down in para. 96 of the Report of the Indian Fiscal Commission. This is what they say:

"It will be obvious that the successful working of any such scheme of protection as we contemplate postulates the existence of a thoroughly competent and impartial organization of the Tariff Board which will make inquiries into the conditions of the industries and recommend whether protection should not be extended to them and if extended what the rate should be."

Further on they proceed to say this:

"The Tariff Board is an integral part of the constitution."

Now, Sir, may I inquire as to why no reference was made to the Tariff Board to inquire into the matter and report upon an important matter like this. The reply is given in the speech of the Honourable the Finance Member, but that reply is hardly convincing. In 1926 the question was whether protection was to be given to the mill industry in Bombay and the mill industry in India. At the time the report came out, the Government shelved that Report. They only produced a yarn Bill, which was also not in accordance with the recommendations of the Tariff Board. I put a question on the 26th March, 1928, in this House and I asked:

"Do the Government propose to take any action in pursuance of the recommendations of the Tariff Board Report on the textile industry?"

The Honourable Sir George Rainy replied:

"As the Honourable Member is no doubt aware, the Government of India have already given effect to the recommendations which they have been able to accept. They have also brought to the notice of the Government of Bombay the recommendations with which the Local Government are concerned. There remains therefore no further action for the Government of India to take."

Now, Sir, it clearly follows that the Government of India did not accept the Report of the Tariff Board and did not think it worth their while to protect the mill industry of Bombay. Now, may I ask what has transpired between March, 1928, and 1930 that has actuated the Government of India to take up the question of protection. Sir, the truth is that, whenever and wherever the interests of India and England clash, the Government of India have not served the best interests of India

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and they will never move in the matter if the interests of England are likely to suffer. But no sooner do the Government of India find that the interests of Lancashire or England require protection, than they take up the matter, give a colour to their own acts and proceed on the supposition that people can be deluded to believe that they are acting in the interests of the mill industry of Bombay, whereas, in their heart of hearts, they think that protection to Lancashire is necessary. That is the sole truth. This is not the only industry that we have seen treated in this manner. Look at any industry in this country and we find the history repeated. What happened in regard to the salt industry and the Sugar industry. Is not the history the same? I do not know of any industry in which the Government have looked to the best interests of this country, when they clashed with the interests of England.

If it is true that this policy of Imperial Preference cannot be given effect to without the approval of Indian opinion and without the approval of the Legislature, in accordance with the recommendations of the Indian Fiscal Commission, may I humbly know what steps the Government have taken to find out Indian public opinion? Whenever a Bill is brought forward in this House and a motion is made that the Bill may be referred to the Select Committee, the Government turn round and say "Where is the hurry? Why not send it for opinions". Now, may I ask, what was the hurry in adopting this course without even considering the report of the Tariff Board. It will be said, it has been said, by the Honourable the Finance Member that the matter is too urgent. Now, Sir, if you will look at the dates of the Tariff Board Report, you will find that the Tariff Board on textiles began its work on the 1st July, 1926, and finished its labours on the 1st January, 1927. It took almost six months to produce this Report. With the help of the materials collected on this Report, Mr. Hardy's Report and the Report of the Fawcett Committee, it would not have taken more than a month for any Tariff Board to report on a matter like this. I understand that the Bombay mill industry applied to the Government of India for protection again in November or December. In those three months any Tariff Board would have undertaken this task and reported on the issue in question. But the truth is that Government did not want to protect this industry. They wanted to evolve an arrangement by virtue of which they might be able to protect the Lancashire industry and give it the colour of protecting the mill industry of Bombay. Sir, I remember a passage which I read in my college days from the speeches of Edmund Burke when he impeached Warren Hastings, in which Edmund Burke described an invention of Ganga Govind Singh and Devi Singh for the purpose of exacting and extorting illegal dues from the poor ryots. He said then that a machine was invented by these two men, and the arrangement was so made that two persons were at one time put on a *tik tiki*, a sort of pivot for caning. Now, the father and the son were both put on the *tik tiki* and it was so arranged that if the father wanted to shirk the injury, it must strike the son and if the son wanted to shirk the injury, it must strike the father. I will give credit to the gentlemen who are responsible for this Bill for finding out a similar arrangement. If, Sir, we want to defeat the Bill, we are confronted with the grim fact that the Bombay mill industry is not protected. If we want to protect the Bombay mill industry, the father is struck. The political issue is the

father and the commercial issue is the son. I think the Government have even beaten Ganga Govind Singh and Devi Singh. The reason which the Honourable the Finance Member has given for introducing this measure is one which will never appeal to this section of the House. The entire mentality behind this measure proceeds upon one assumption, and it is this, that in times to come, as in the past, India is to remain for ever the producer of raw materials for England and England is to be the manufacturer of those raw materials. On page 59 of the speech of the Finance Member we find, he said: "In the second place it is desirable to encourage industrial development provided that this can be done in conjunction with, and as a supplement to, the agricultural life of this country". No Englishman likes India to evolve industries which are not connected with the agricultural life of the country. They want that, so far as manufactures are concerned, India may always look to England for her manufactures. The entire endeavour seems to be that, in times to come, the Bombay mill industry should never succeed in building up an industry dealing with finer counts of yarn and clothes. When I came to this House, the Report of the Tariff Board was one of the first Reports that were supplied to us. I thought that, after all, the Government of India are now taking a new turn in their life, but I was deceived, and when I received the reply that Government are not doing anything in the matter, I recognised that these commissions and committees are only meant for a particular purpose. They are only meant to shelve inconvenient questions for the time being. When we come across any report of any commission which goes to the root of the matter, for instance, the Skeen Committee . . .

Mr. President: What about the Age of Consent Committee of which the Honourable Member was a member.

Pandit Thakur Das Bhargava: In regard to that, I will only submit that the Government have shelved all the recommendations of that Committee, and when they passed the Sarda Bill, they gave us a measure which will be fruitful of much greater evils than of good things. I say it deliberately, because I moved an amendment in that connection so that the Government might be able to take automatic action in suitable cases. Government declined to accept that amendment, while admitting that the amendment was good.

Mr. President: And yet the Honourable Member voted for the passing of the Bill?

Pandit Thakur Das Bhargava: So far as that aspect of the case is concerned, we are not so unreasonable as this Government. If the measure is one which will benefit my people, I will certainly accept it, even if it does not come up to my expectations, but where a principle is involved, where that principle goes to the root of the thing, I will never accept a measure which is full of poison, and will kill me the next day. That is my reply. Sir, I was submitting that whenever an inconvenient report comes in, the Government are in the habit of shelving the report of that Committee. Now, Sir, when this Report came, it was very difficult for the Government to accept the recommendations, because they were, if you will allow me to say so, honest recommendations. Sir, the main recommendation of this Report was that the Bombay industry would be well advised in insisting that the industry builds

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itself up in a way that will be armed with the power of manufacturing cloth of finer counts. That was one of the recommendations. I will now refer you, Sir, to page 153 of the Report where it is said:

"We consider that it is essential that Bombay should utilise to the full the natural advantages it possesses in the matter of climate and of its situation in respect of imports of American or African cotton for the production of goods of higher quality than it has done in the past, that it should devote much less attention than it has done to the production of grey goods, more especially of grey longcloth and shirtings, and that it should embark on a much larger production of bleached and coloured, printed and dyed goods."

And, then, Sir, there were proposals in the Majority Report for giving a bounty to higher counts. The main recommendations did consist in giving every facility for the protection of cloth of higher counts. This was exactly the thing which this Government do not want, and this Bill is designed to postpone for ever any such endeavour in this direction.

Now, Sir, what is the stunt that we are treated to now? In this Bill we find that the position of the Government is that the quality of the finer count does not enter into competition with the cloth manufactured in India. Sir, I do not accept this proposition. But assuming it is true, may I humbly inquire what will happen to any person who now wants to go in for a mill which is intended to produce cloth of finer counts? What protection is there for a mill like that? Then, Sir, it is said that this Bill will only last for three years. What will happen after three years? During this period, the manufacturers of Lancashire will capture the Indian market and will regain the territories that they have lost to Japan. They will be the sole monopolists in this field, and they will be able to extort any price they want. After three years, when they have been practically in sole monopoly of the entire market, and if then any new industry wants to rise up in this land, how will it be able to compete with the specialised industry of Lancashire. Therefore, it may happen that, when the Bombay mill industry is relieved of its present troubles and wants to rise up again, it may be faced with a very grave situation, and it may find itself in such a position that it may not be able to compete at all, in so far as finer counts are concerned, with the Lancashire industry. Therefore, I think, that, judged from this standard, this bait may prove too much even for the Bombay industry.

Sir, much has been said about the interests of the consumers in this House, and with your permission I wish to scrutinise that aspect of the case. I am really amused when I hear Members of the Government of India talking about the consumers. Sir, when I spoke last time on the Budget I submitted for your consideration the real condition of the masses. Any person conversant with those conditions will be laughing in his sleeves when he hears in this House the interests of the masses being talked of by the Members of the Government. Sir, today thousands of people are dying of starvation. Why do you talk of cloth? They are not getting even food. When has this Government thought of these people? They want that they may get labour for one anna a day, but this Government will not provide them with that labour even. Sir, such is the state of things. If a person of those classes were to come into this House and hear the speeches of the Honourable Members, I think he would be very much pained. He will hear that, in his name, such injustice is being

perpetrated and such arguments are being advanced as would actuate him to exclaim, "save me from my benefactors". Sir, it is unsophisticated blasphemy for Members of the Government to talk of the interests of the consumer in this connection. What is, after all, the interest of the consumer in this matter? Generally speaking, he produces cotton which he or his village weaver can manufacture into yarn and cloth. Taking the estimate which appears in Appendix IV of the Report of the Tariff Board, it is about 14 yards of cloth that he consumes per year. This 14 yards, in times of yore, was manufactured in his own village and he did not have to go out to buy it. If this Government could have left him in that blissful solitude, I understand he would have blessed the Government. But, Sir, that industry, which flourished in this land, has been destroyed by this Government, and when an industry has been built up by the industrialists of Bombay and other places, this Government will not protect that industry. Now, in regard to these finer counts, may I presume that the middle class people and persons of affluence will be affected and not the poor class of people? It may be that those who use cloth of finer counts are not poor people. Let me assume that for a moment. On this assumption who will be affected? Not the poorer classes, not the consumers for whom this Government is so solicitous.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muham-madan Rural): I rise on a point of order, Sir. I find the following Notification in the Government of India (Extraordinary) Gazette dated the 26th March, 1930:

"In pursuance of sub-section (2) of section 1 of the Indian Tariff (Amendment) Act, 1930 (XI of 1930), the Governor General in Council is pleased to appoint the 29th March, 1930, as the date on which the said Act shall come into force."

I should like to know how that date could be fixed in advance?

Pandit Thakur Das Bhargava: Sir, I was submitting that, on the assumption that middle classes and rich persons use cloth made of finer counts, will it not be they who will be affected by this Bill? If it is so, then I would submit that the opinions of the elected Members of this House are the only opinions which can be said to be authoritative opinions. On account of the rules and regulations for franchise made by this Government, and the right of representation given so far, if any person or class is represented in this House, it is those middle class people and rich people and thus the opinion of these elected representatives should be regarded as final in the matter. Sir, I find each and every Member, to whatever group he may belong, rising in his seat and saying that he is dead opposed to Imperial Preference. There is absolutely no difference between persons belonging to any of the popular groups in this matter. If the Members of the Independent Party accept this Bill, they say that, "Ours is not a free consent". If the other Members accept the Bill, they always say that they are not free to vote, as it is at the point of pistol that they have to vote with the Government. Therefore my submission is that, if this condition as regards free consent is to be satisfied, it is abundantly clear that this House is dead opposed to the policy of Imperial Preference. Now, Sir, the words used are, "free consent". May I humbly inquire from the Government as to what they understand by the words "free consent". I can understand "consent", but what is "free consent"? Is it consent which is tainted with undue influence, misrepresentation, fraud or force?

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LEGISLATIVE ASSEMBLY.

[27TH MAR. 1930.]

Mr. President: Order, order. The Honourable Member knows that the Government of India Act guarantee freedom of speech and freedom of vote in this House.

Pandit Thakur Das Bhargava: Sir, I do not submit that those gentlemen who will vote with the Government will be carried bodily or personally to the lobby by the Government Members, but I want to know by what name will this Government call that action in which the Government have got a remedy in their pocket, and a person is dying, and the relatives are all gathered round him, and the Government say to them, "Well, here is the medicine by which this person can be saved from the jaws of death, but as a price for that medicine, you shall have to part with all your possessions, with all your conscience and with all your political opinions that you have got, and with all that you hold near and dear. Is this fair play?"

Mr. Fazal Ibrahim Rahimtulla: But they give you the choice.

Pandit Thakur Das Bhargava: I do not doubt that my Honourable friend Mr. Fazal Ibrahim Rahimtulla will not be carried personally into the lobby. But he will be going against what is written in this book (Report of the Indian Fiscal Commission), the product of one of the ablest men in this land, Sir Ibrahim Rahimtulla, his own father, to whom he and I owe great respect.

Mr. Fazal Ibrahim Rahimtulla: May I point out, Sir, that the question of Imperial Preference is not at this juncture before this House?

Pandit Thakur Das Bhargava: In the first instance I only pointed out what Imperial Preference was according to the Indian Fiscal Commission and I regard that as an authoritative pronouncement.

Mr. Fazal Ibrahim Rahimtulla: That comes at a later stage.

Pandit Thakur Das Bhargava: At this stage I would like to deal with two arguments, leaving aside the thread of the argument that I was placing before the House just now. One argument that I heard from Mr. Fazal Ibrahim Rahimtulla was that at this stage, that is, at the consideration stage of the Bill, Members should not make long speeches, because the question has already been discussed, and further, at this stage, it is not germane to go into details of the matter, and when the amendment comes forward, then it will be time for Members to give their opinions, and secondly the Honourable Mr. Munshi today appealed to the Nationalist Benches to give up their attitude of hostility to this measure and adopt another attitude. Now, Sir, I will meet both these arguments. In the first place the position was quite different before the Honourable the Commerce Member said on the floor of the House that he was not prepared to look at any amendment except that of Mr. Chetty, which is nothing but Imperial Preference, and also except that of Mr. Fazal Ibrahim Rahimtulla, which is also based on nothing but Imperial Preference.

Mr. Fazal Ibrahim Rahimtulla: May I point out, Sir, that, as far as the Government attitude is concerned, as I understand it, it is that the Government are not prepared to support any of the amendments which they do not like. It is for this House to decide what amendments they would accept.

Pandit Thakur Das Bhargava: Then, I understand, there is a fundamental difference between him and myself. The Government have made it absolutely clear that they are not going to accept even the vote of this House.

Mr. Fazal Ibrahim Rahimtulla: They never said so.

Mr. M. S. Aney (Berar Representative): They have.

Pandit Thakur Das Bhargava: I understand that if Mr. Fazal Ibrahim Rahimtulla is convinced that Government mean this, he will change his opinion like an honest man. I read only today in the papers and it gave me great pain to read it—if I am wrong I should like to be corrected by the Honourable Sir George Rainy—I read that the Government would not abide by the vote of the House. If I understand that to be the position, then I am perfectly right that this constitutional crisis, to which my Honourable friend, Mr. Kidwai, just now referred, is a grim reality and it is a greater reality than this ghost of fiscal autonomy. Sir, the difficulty seems to be one of exceptional complexity. Under the circumstances I think it is a question more of temperament rather than any other question, which makes a difference between Members of the Independent Party on the one side and Members of the Nationalist Party on the other. The situation resolves itself into this, that the Government admit that the Bombay mill industry is in a desperate position. The Government have said so times out of number, that this industry will die, and they would not refer the matter to the Tariff Board now because the matter is urgent, but at the same time the Government have adopted the attitude that if this particular measure, addition of item 156-A to the Tariff Act, is not passed in the form in which the Government have placed it before the House, or in the form in which Mr. Chetty, the old Secretary of the old Swaraj Party, wants it to be amended, if either of these two things is not acceptable to the House, it is clear, Sir, that the Government will let this industry die out. But, Sir, I, for one, am gifted with a better sense of imagination and I think that no Government are worthy of the salt of India, who take up this attitude, and no Government can take up this attitude for a long time. I am one with my Honourable friend, Mr. Birla, that if the mill industry of Bombay will take courage in both its hands and brave the situation, I have not the slightest hesitation in saying that this Government cannot, for a long time, withhold protection which is due to the industry. After all this is a question of imagination.

Sardar Kartar Singh (East Punjab: Sikh): It is a mere threat. They cannot withdraw the Bill, because they want revenue.

Pandit Thakur Das Bhargava: I do not agree with Sardar Kartar Singh when he says Government want revenue and consequently they have brought in this Bill. The Government would have got two crores of rupees more if they put a duty on Lancashire goods and all that revenue the Government are depriving themselves of and making a present of the same to Lancashire. The question of revenue does not come in. My Honourable friend, Mr. Munshi, made an appeal to us that, so far as the Nationalist Party is concerned, their conduct in this House will be more consistent with the position that Mr. Munshi had taken up rather than with the position that we have taken up in this House. Sir, let me clear the ground by saying that no Member of the Nationalist Party or, for the matter of that, no nationalist would ever agree to Imperial

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Preference in respect of cloth, one of the first and primary necessities of life for which natural advantages exist in this land. Secondly the reply is furnished by the Honourable the Finance Member when he says:

"It affords striking evidence that the fiscal autonomy convention has become an integral part of the constitution and that even when British interests are most profoundly affected by tariff changes in India the intervention of the British Government is restricted to representation and appeal."

Now, Sir, I beg to ask if Mr. Munshi agrees that this fiscal autonomy convention is a mere sham, let him agree to it, let him proceed on the principle on which the Honourable Mr. Jinnah proceeded, and I can understand his position, but as long as Government say, as long as the Secretary of State says in England that fiscal autonomy is a reality, we must take them at their word. Really those gentlemen like the Honourable Mr. Jinnah and Mr. Munshi who speak so smoothly and who speak so sweetly, are really blaming this Government for inconsistency, which is another word for untruth when they say that this convention is not a reality. Sir, one of the two things is right, this fiscal autonomy is a thing which the Government accept, or it is a thing which they do not accept. I can understand the situation, if the Government say that if the Legislature does insist upon the particular amendment, the Government are not prepared to accept it. I can understand that position. The Government can say, and an irresponsible Government can certainly say, that whatever the Legislature insist on, they are not ready to accept, but then is the Legislature not entitled to know what will be the Government's attitude if the Legislature does not accept what the Government say? The Government say they want Imperial Preference, but the Legislature says, "No, we do not want it". But both of them want protection. How can you get this protection to this dying national industry of India if they do not proceed in the way in which this Assembly wants them to proceed? That is the whole question. I do not know, Sir, as to who is responsible for the constitutional crisis. When I read the papers today, I found that the Secretary of State, Mr. Wedgwood Benn, clearly stated in the House of Commons that this policy of Imperial Preference was not initiated by them, and they were not particularly enamoured of this policy of Imperial Preference. It seems that, according to the Honourable Members of the Executive Government, there is no pressure so far as the Government at home is concerned.

Mr. Fazal Ibrahim Rahimtulla: They have admitted that.

Pandit Thakur Das Bhargava: I know. There is no pressure from them. I am perfectly clear in my mind that the millowners of Bombay do not want it. This House clearly does not want it. Then who are those gentlemen who are responsible for this?

An Honourable Member: Six gentlemen.

Pandit Thakur Das Bhargava: My Honourable friend says, six gentlemen who are sitting on the Treasury Benches are responsible. But I can assure the House that the Indian part of the Executive Council could not have been responsible for it. Then the position is that only three Members can be responsible for it. Out of these I know that Sir George Rainy could bring in a Bill of this nature in 1927 when he brought the Yarn Bill, but he did not venture to do anything of the sort on that occasion.

I do not know how to eliminate him out of this. I would like to eliminate all the three, but my difficulty is that somebody is responsible, and whoever is responsible, I am here to give him my meed of praise. After all, the gentleman who is responsible for this measure, does not know the real Indian mind. I do not concur with the Honourable the Deputy Leader of my party when he said that he wants some political return for Imperial Preference. I surely do not concur with Mr. Chetty when he said that he wants an economic return for it. Sir, I very much concur with the Report of the Indian Fiscal Commission, when they say that, whenever Imperial Preference in respect of a commodity is to be adopted as a policy by the Indians, it must be in the nature of a voluntary gift. I quite agree with that. Now, Sir, we cannot but deplore that the Finance Member should have perpetrated a piece of political unwisdom in referring to this matter in the spirit in which he has done it. After all, what does he say? He says that the English people, the Parliament and the Cabinet will be better inclined to consider our claims to Dominion Status in a better mood if we accept this Imperial Preference. Boiled down, it comes to this, that Parliament which, according to the present Government of India Act, is the sole judge of our capacity, will judge us by the things we can offer to them. I do not think that as judges of the capacity of Indians for further reforms, Parliament will take into consideration our inclination or our willingness to pay a certain kind of bribe to them. I call it a bribe and it is nothing but a bribe.

Mr. President: I think the Honourable Member must now conclude.

Pandit Thakur Das Bhargava: Sir, my friend Mr. Agnihotri yesterday submitted before you that, in relation to this Bill, some offences were being committed. He called one of them abetment of illegal gratification. Now, Sir, if you find a proper word in the Indian Penal Code for an action like this, I have no hesitation as a lawyer in calling this Imperial extortion. It is nothing but extortion. You want to extort Imperial Preference from us. All the elements of extortion are there, and if a part of this House goes with you into the lobby, Government must clearly understand that they are not free agents in the sense in which this word is used in the Report of the Indian Fiscal Commission.

Sir, I was submitting before you the point of view of the consumer when I was drawn aside from the thread of the argument. With your permission I will just conclude that aspect of the case. I was submitting that, so far as the middle classes and the average class people are concerned, they will be the persons who will be hit, if you consider that those persons usually use cloth manufactured out of finer counts. In regard to them, I do not know since when Government have developed a soft corner in their hearts for them. If it is the poor people who use cloth manufactured out of the finer counts, may I humbly inquire if the absence of competition will not put them in a worse position? In this connection, I should like to quote again from the Report of the Indian Fiscal Commission. They have said, on page 106, while quoting from the Reciprocity and Commercial Treaties prepared by the United States Tariff Commission in 1918:

"Where a reduction of duty affects only a fraction of the imports of a particular article, and the major portion of the imports of that article is still left subject to the main or non-concessional duty, the result is not only a loss of revenue to the Treasury, because of the lower rates of duty but absence of any gain to consumers. The reduction of duty redounds only to the advantage of the foreign producer."

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Then, again, on page 107 they say:

"The effect of this bonus is to stimulate the trade of the manufacturers of the country receiving the preference, and in a short time they may secure for themselves the whole market, driving out altogether the non-preferred manufacturers."

Then, again, on page 109 they say:

"It is clear that if a single rate of duty is imposed, the States will secure as revenue the whole amount paid by the consumer. But if two rates are imposed and the consumer pays a price based on the higher of these two rates, the State does not secure as revenue the full amount taken from the pocket of the consumer. The tax therefore to this extent is not sound economically, and this unsound economic effect may be represented by saying that the Government loses revenue—not possibly actual revenue, but relative to the amount which it should receive in virtue of the burden which it is placing on the consumer."

In the end, I will submit that this talk about the consumer is as great a sham as fiscal autonomy and the position, shorn of its accoutrements, amounts to this, as has been just said by Pandit Krishna Kant Malaviya, that the Government of the day do not care for public opinion. They usually eat the very words and the principles which they profess to take their stand upon. And, Sir, if this Bill is passed by Government with their own votes, the entire responsibility for this will be Government's. I do not deny that the Finance Member may have been inspired by the best of motives in proposing this measure and saying to the House that, in the wider interests of India, the House should accept it. It may be justifiable, according to his own standards of morality, to say so, but I will submit, on behalf of the non-officials in India, that we do not regard it as a question of bargain. If we want Home Rule or Dominion Status, we want it as our own birthright. In the end if any untoward circumstances ensue, if instead of making the atmosphere better and more amiable, the result of this Bill is a worse atmosphere, the blame shall be Government's and they will not be able to say that the non-officials in this House did not sound a note of warning. This is not in the nature of a threat, but this is a fact of which Government should take account; and I would, in these circumstances, without submitting anything further, submit to Government that it is high time that Government should make a move in bringing about a sort of freedom to the votes of this House, by taking out this question of Imperial Preference from this Bill and regarding the Bill only as a protective measure.

Mr. W. A. Cosgrave (Assam: Nominated Official): Sir, I move that the question be now put.

Mr. President: I suppose no other Honourable Member wants to speak? Therefore I shall call upon the Honourable the Commerce Member to reply. Perhaps it will be more convenient if the Honourable the Commerce Member begins after recess?

The Honourable Sir George Rainy (Member for Commerce and Railways): With your permission, Sir, I should like to begin after lunch.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair.

The Honourable Sir George Rainy: Mr. President, the discussion of this Bill has been in progress now for some four and a half days, and every aspect of it has been exhaustively explored by a number of speakers from every quarter of the House. It is obvious, that, if I were to attempt to reply to the debate on anything like the same scale, I might very easily exhaust your patience and my own strength. I do not think, however, that it will be necessary that I should do so, because, as regards a large number of points, the speakers have answered each other, and when that is the case, it is hardly necessary for me, at this stage, to speak on these points at length. Let me, however, at the outset, attempt to reply briefly to the arguments of those who contend that no case for protection has been made out, and that, for that reason, the House ought to reject the Bill. The principal advocate of that view was my Honourable friend, Diwan Chaman Lall, and as has been said by previous speakers, in this matter, his course has been perfectly consistent, for he has always refused to support measures of protection for the industries of India, and expressed his intention not to support such measures, until they become in his sense national industries, because they have been nationalised. Into that region I will not enter; but one of the reasons which he gave against protection for the cotton mill industry was that the Bombay millowners were an undeserving set of people, and that he was not prepared to impose a burden on the consumer for their benefit. I think Government have already made it plain, Mr. President, that when they said the need for action was urgent, and that if immediate steps were not taken, the consequences might be very grave. They have had in view something bigger, more important, than the benefit of the industry in the narrow sense of the protection of the capital invested in it by the shareholders. That capital investment is of course an important question. But there is a very great deal more in it than that. Diwan Chaman Lall speaks always as the advocate of labour, but he will have to consider what the position of labour would be if a large number of mills in Bombay Island were compelled to shut down. We must also remember to what a large extent, as things are at present, the economic welfare of Bombay City and of a large part of the Presidency is dependent upon the cotton mill industry. Anything like a collapse in the industry must be attended by serious distress for a very large number of people, the bulk of whom are not directly, though they are indirectly, dependent on the industry. I think the House must look at it from that point of view.

Now what are the sins which my Honourable friend, Diwan Chaman Lall, attributed to the millowners of Bombay? One of them was that, during the boom period, there was a great deal of profiteering and that the prices to the consumer soared to unprecedented heights. When you have an industry, under the control of a large corporation, it is in a position to come to its own decisions and can to a large extent regulate prices, but when you have an industry consisting of a very large number of small units each acting independently and there comes a time when there is a shortage of supplies, then what is usually called profiteering is almost inevitable, because every man feels that, if he does not raise his price, someone else will, and therefore, a condition of affairs arises which is very detrimental to the consumer but for which we are not entitled to say that any one in particular is to blame or is an undeserving person. Again it is said that Bombay millowners have not taken sufficient steps to bring themselves up-to-date and—I will not use a certain phrase, Mr. President, not only

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from the fear of giving pain in a certain quarter but because within the walls of this Chamber it is your prerogative to put the House in order and even my friend, Mr. Mody, cannot infringe that—but Government have never concealed their conviction that the future prosperity, nay even the future existence of the industry in Bombay Island is dependent on the carrying out of re-organisation on a drastic scale by the Bombay mills. It is in the belief, and it is in the hope that the industry will find it possible to effect such a reorganisation, that Government have put forward their Bill. I think my Honourable friend, Mr. Mody, in the past, from time to time, has felt that, if any admission were made that there were defects to be remedied and things to be put right, it might be construed as an admission that the case for protection was not very strong. Government do not look at it in that way, Mr. President. In their view, the need for reorganisation does exist; but it is because they believe that reorganisation is not only necessary but possible, that they are asking the House to take measures to provide a temporary shelter behind which that reorganisation may take place.

Now, another argument which has been used in the course of the debate against protection is that the cost of production in Bombay is too high and that ultimately Bombay will be unable to hold its own in competition with mills in other parts of India where wages are lower, which are nearer the supply of raw cotton and which are also nearer their markets. Clearly

the future—and only the future—can tell us what the right view about that is. But I think we have to remember that for certain kinds of production, Bombay has advantages, and that, owing to the large scale on which the industry is established there, the opportunity for rationalisation exists to an extent to which it can hardly exist in the smaller centres. What I mean is this, that it may be possible in Bombay, to a far larger extent than elsewhere, for particular mills to specialise in the production of particular kinds of cloth and thereby effect a reduction in costs which might more than offset the advantages enjoyed by mills at other centres. That at any rate is the belief of Government, and, as I have already said, it is their hope that measures to bring about results of that kind will be taken.

A third argument advanced by my Honourable friend Diwan Chaman Lall was this, that the burden on the consumer would be altogether too heavy, and that he ought not to be called upon to bear it. Now, Mr. President, I hope the time will never come when that argument will not be freely advanced in this Assembly. (Hear hear.) Honourable Members opposite have expressed the view that, when we on the Government Benches urge the interests of the consumer, we are not to be believed. For that reason it is all the more important that, on the unofficial Benches, there should be those who are not open to any suspicion. Rightly or wrongly, to this extent Government go with them. Quite clearly we cannot go the whole extent, because the policy of discriminating protection clearly implies that there must be some burden on the consumer and that, in spite of that burden, the results achieved are likely to be to the national advantage. But we go with them to this extent, that we feel that, in every proposal for protection which is put forward, a real effort should be made to ensure that the benefit which the manufacturer receives should be commensurate with the burden imposed. In an imperfect

world, it may not be possible to secure that result completely, but at any rate the attempt ought to be made, and for that reason it is important, as I have said, that there should always be those in this House who take that point of view and who represent the interests of the consumer.

That completes, Mr. President, what I need say in reply to those who advocate the rejection of the Bill on the ground that no protection is needed, or at any rate, whether needed or not, is not justified. Other speakers have dealt in more detail than I can attempt to do with the minor aspects of that part of the case, and I should like to turn now, Mr. President, to what was said by my Honourable friend, Mr. Birla, in his criticism of the scheme embodied in the Bill, namely, that the protection proposed to be given was not adequate. He pointed out how the capacity for production of the Indian mills had increased in recent years, and he expressed the view that, if Indian mills were to be able to sell freely, without undue competition with each other, it would be necessary to reduce the imports by something like 900 million yards. I have examined the figures, and I am unable to go the whole extent with my Honourable friend. I think, on the one hand, he has to some extent over-rated the productive capacity of the Indian mills when he puts their potential output at 2,700 million yards, while, on the other hand, I think he altogether underrates the reduction in imports which is likely to result from the adoption of the Bill. The record output of the Indian mills in the year 1927-28 was, I think, between 2,300 million and 2,400 million yards and it is possible that, by this time, we ought to put their capacity as high as 2,500 million yards. But, however that may be, I should like to draw attention to one particular point, and it is this. If Bombay sets to work to re-organise, it is inevitable that for certain months, particular mills will be shut down to enable re-equipment to take place, the old machinery to be removed and new machinery to be installed. Therefore during the period of re-organisation, the output of the Bombay mills will be somewhat below the full output of which they might be capable. I think that is a point worth remembering. As to the reduction in the imports likely to result from the Government Bill, I have no doubt myself that that reduction will be substantial. Any one who has watched closely the trend of the figures of imports of cotton goods during the last five or six years must have been struck by the fact that, while quantities have varied, values have remained almost the same, with the result that the 11 per cent. duty brought in almost the same amount every year. That must mean that the public capacity to absorb piece-goods is very sensitive to price, and if the price rises, then we may expect to see, as a result of the higher duty, a substantial reduction in the imports from abroad.

Mr. M. S. Aney: May I ask the Honourable Member one question? Did the Honourable the Finance Member take into consideration the possible reduction in the imports in assessing the amount of duty which he anticipates to recover during the next year?

The Honourable Sir George Rainy: I am suggesting, Sir, that the increase in the duty from 11 to 15 per cent., plus the additional measures proposed in this Bill, must in the ordinary course of events result in a very substantial reduction in imports. Personally, I have no doubt of that myself at all. I am unable therefore to agree with my Honourable friend, Mr. Birla, that the scheme embodied in the Bill ought to be regarded as

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inadequate in the sense that it will not give the mill industry the protection that it needs, and all that I have been able to read of the reception of the Government proposals in Bombay, not as regards their form, but as regards their probable results, leads me to think that, on the whole, the mill industry, while it does not agree that it has received all that it asks for or all that it ought to get, does not regard these proposals as inadequate in the sense that they will be ineffective, and I think my Honourable friend, Mr. Jinnah, was perhaps a little unfair when he referred to a metaphor used by Sir Victor Sassoon in a debate in 1927 about giving a broken crutch to a man who wanted a motor ambulance. Sir Victor Sassoon was speaking of a Government measure which imposed a specific duty upon yarn, but made no change as regards cotton piece-goods, and I quite understand that in those circumstances he should say he was being offered something different and something very much inferior to what he had asked for. But surely it cannot be seriously urged today that, as regards this measure, we are not giving assistance of the kind which the industry has asked for.

One of the charges which has been brought against Government is this, that throughout we have been actuated, above all things, by a desire to benefit Lancashire. I am not too careful to defend myself against that charge. I do not believe even those who have expressed great doubt as to my motives think in their heart of hearts that I am such a Machiavellian person as they sometimes represent me to be; at least I should have very great difficulty in living up to the fanciful picture they have formed in their minds about me if they really entertain this view. But when they make that accusation, I think they completely under-rate the extent to which the increase all round to 15 per cent. must effect a reduction in the imports from abroad, and quite as much from the United Kingdom as from elsewhere. Clearly what may happen in the future must be a matter of opinion, and no one is bound to accept mine, but I have not the least doubt myself that what Lancashire will lose owing to the increase of duty to 15 per cent. is a great deal more than anything it can gain by the increase in the duty to 20 per cent. on goods from other countries. If what the Government of India had in their mind was to benefit Lancashire, surely they have taken the most unusual, remarkable and eccentric way of doing it. Attribute to us, if you like, the most subtle and Machiavellian motives, but it is a little hard if that accusation puts us in a position in which while we may be very Machiavellian, we must also be singularly stupid.

Let me turn for a moment to an aspect of the case which has been very frequently referred to by previous speakers, I mean the question whether this is Imperial Preference or not. Now, there again I did not find amongst other speakers complete unanimity as to what Imperial Preference meant and what it ought to mean, but I think I must say something on that subject in order to explain what the view of the Government of India is. When they say that they are not asking the House to accept Imperial Preference as a principle, they are undoubtedly asking the House to approve in this particular case the imposition of duties which will give preference to British goods. That is written quite plainly on the face of the Bill itself. But at the same time we say that we do not ask the House

to accept Imperial Preference as a principle. Now, what do we mean by that? What we mean is this. If India were to accept Imperial Preference as a principle, then I suppose it would involve the establishment of at least a two-decker tariff, with lower rates for Empire goods and higher rates for goods from elsewhere, and that would be done as evidence of India's consciousness of the benefit she derives from membership of the Empire. We are not asking India to do that. We are proceeding on different lines in this matter altogether. My Honourable friend, Sir George Schuster, speaking on the first day of the debate, made it clear, I think, to those who heard him, what the genesis was of the Government of India proposals and what he said I desire to endorse. My feeling was that, unless the 15 per cent. duty could be reinforced by something more from the minimum 3½ annas duty on plain grey goods, the proposals would be incomplete and would not fully meet the necessities of the case. Also I felt strongly, as the Government did, that an increase all round in the duty to 20 per cent. meant a burden on the consumer altogether incommensurate with the advantage to the manufacturer, and that, if that objection was given the weight which it deserved, then on those lines we could not proceed. And finally it came to this, there was one way and one way only in our view by which we could do justice alike to the needs of the producer and the needs of the consumer. If in this case we could discriminate between imports from the United Kingdom and imports from other countries, the thing could be done, and we did not and do not see any other way in which it can be done adequately. Nobody doubts of course—it is indeed obvious—that at the same time the proposal will be advantageous to the manufacturer in the United Kingdom in the sense that his position is not so bad as it would be if the duties were left at 15 per cent. But I do most strongly contend that his position will be decidedly worse than if the duties were left at 11 per cent. as they were up to the 1st of March, and therefore it is for that reason I cannot accept the charge as just, that what we are doing is giving protection for Lancashire and not for India. The benefit to Lancashire is incidental, while the benefit to India is fundamental in this Bill.

Much has been said, Mr. President, during the course of the debate on the subject of the fiscal autonomy convention, and it is right that I should attempt to explain clearly what exactly the convention is and how it operates . . .

Mr. President: Who is to interpret the convention?

The Honourable Sir George Rainy: Mr. President, all I can do in this House is to explain the view which the Government of India take of it and leave it at that. Now, the *locus classicus* report on the subject will be found in the Report of the Joint Select Committee of both Houses which says, and I make no apology for quoting what is said there:

"This examination of the general proposition leads inevitably to the consideration of one special case, of non-intervention. Nothing is more likely to endanger the good relations between India and Great Britain than a belief that India's fiscal policy is dictated from Whitehall in the interests of the trade of Great Britain. That such a belief exists at the moment there can be no doubt, but that there ought to be no room for it in the future is equally clear. India's position in the Imperial Conference opens the door to negotiation between India and the rest of the Empire, but negotiation without power to legislate is likely to remain ineffective. A satisfactory solution of the question can only be guaranteed by the grant of liberty to the Government of India to devise those tariff arrangements which seem best fitted to India's needs as an integral

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portion of the British Empire. It cannot be guaranteed by statute without limiting the ultimate power of Parliament to control the administration of India and without limiting the power of veto which rests in the Crown. Neither of these limitations finds a place in any of the statutes in the British Empire. It can only therefore be shared by an acknowledgment of a convention. Whatever be the right fiscal policy for India, for the needs of her consumers as well as for her manufacturers it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa. In the opinion of the Committee therefore the Secretary of State should as far as possible avoid interference on this subject when the Government of India and its Legislature are in agreement and they think that his intervention, when it does take place, should be limited to safeguarding the international obligations of the Empire or any fiscal arrangements within the Empire to which His Majesty's Government is a party."

There are two passages to which I would invite the special attention of the House. The first is this:

"The grant of liberty to the Government of India to devise those tariff arrangements which seem best fitted to India's needs as an integral portion of the British Empire."

Now, those who composed the Joint Select Committee had very clear ideas of what they were discussing. Every one of them must have been familiar with that feature of Parliamentary practice and procedure by which no new taxation, and no increase of taxation, can be proposed to Parliament except by a Minister of the Crown. The initiative in such matters in the United Kingdom lies with the Crown, and I think it follows that in India the initiative must rest with the Government of India. It is the special function of Government to "devise arrangements" and to place them before the Legislature.

The second passage is:

"The Secretary of State should as far as possible avoid interference in this subject when the Government of India and the Legislature are in agreement."

Here the point I desire to bring out is that the Joint Select Committee does not attempt to define the functions of the Government of India and the Legislature; it assumes them. The Committee are concerned with one point and with one point only, namely, the circumstances in which the Secretary of State should refuse to exercise his ordinary power of superintendence, direction and control. These circumstances exist when the Government of India and the Legislature are in agreement and beyond that the Committee does not pursue its investigations. The Government of India and the Legislature will discharge their respective functions in accordance with the constitutional practice adopted in all constitutions framed on the British model. The function of the Government is to submit proposals to the Legislature and it is the function of the Legislature to pronounce upon them. Difficulties of various kinds have, however, been raised and with these I must try to deal.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): May I interrupt the Honourable the Commerce Member. He has omitted the crucial sentence in the whole of the paragraph that he has read. That passage is:

"Whatever be the right fiscal policy for India, for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa."

The Honourable Sir George Rainy: I read that passage, Mr. President. Perhaps the Honourable Member did not hear me.

Sir Hari Singh Gour: I did, but I point out that this is the crucial sentence which calls for an explanation.

Mr. President: The Honourable Member does not give way.

The Honourable Sir George Rainy: The Honourable Member, I think, wishes to make my speech for me.

Difficulties of various kinds have however been raised and with these I must deal. One may be stated as follows. The fiscal autonomy convention, thus interpreted, confers upon the Government of India a degree of independence, irresponsibility, autocracy, if you will, that can never have been intended. They have ceased, it may be said, to be responsible to the Secretary of State and they are not responsible in the ordinary sense to the Indian Legislature. To whom then are they responsible? That is a straight question, Mr. President, and I shall try to give a straight answer. The fiscal autonomy convention means this, that, while there is always previous consultation with the Secretary of State, the final decision as to the proposals to be placed before the Legislature rests with the Government of India and with no one else. In this respect, apart from the previous consultation with the Secretary of State, the position of the Government of India is that of a Dominion Government which decides for itself what proposals it will place before the Legislature. To that extent the Government of India are independent, but for how long does this position of independence continue? For exactly the same period as it continues in a Dominion, namely, until the Legislature pronounces upon the proposals placed before it. As soon as the Legislature arrives at a decision, one of two things happens. Either the Government of India and the Legislature are in agreement, and in that case everything proceeds as in a Dominion and no outside interference can affect the decision. But when the Government of India and the Legislature fail to agree, there is a difference. In a Dominion if the question is of real importance, the difference results in a change of Government which restores harmony. In India, under the present constitution, no such result can follow. The actual effect is that the convention ceases to operate and the Government of India come once more under the control of the Secretary of State, for as soon as the Government of India and the Legislature are not in agreement, the convention is at an end. And if the question be asked, in what sense does the Government of India come again under the control of the Secretary of State, I would say this, that clearly the Members of the Government of India are responsible to the Secretary of State for establishing harmonious relations with the Legislature in this region, so far as it is in their power to bring about that result. That is one of the duties of our position.

Now, on this point, Mr. President, I should like to refer to what was said by the Right Honourable the Secretary of State in the House of Commons. The three sentences I shall quote are as follows:

"Nor would any Secretary of State attempt to lay a finger upon this principle of tariff autonomy which has been established in practice for ten years in Indian affairs. There is Dominion Status in action; there is a Dominion attribute. It has now become part and parcel of the rights of India."

Now, it will be clear from the actual words I have quoted, that the Secretary of State is not referring to any new convention or any new

[Sir George Rainy.]

interpretation, for he spoke of something which had been in existence and in practice for ten years. What has been the uniform practice throughout these years in respect of the tariff? The Government of India have framed their proposals and have placed them before the Legislature and the Legislature has passed judgment. Where there has been agreement, the Secretary of State has consistently refrained from interference, either at the preliminary stage when the Government of India decided what their proposals were to be, or at the final stage after the approval of the Legislature had been secured. But if the Government of India and the Legislature are not in agreement, what then? Is there no means of resolving the dead lock? None, I fear, under the present constitution, save the influence of time and persuasion which may induce one side or the other to modify its attitude. For, while in the sphere of tariffs, India already possesses Dominion Status; she does not as yet possess a Dominion constitution. But if the differences between the Government and the Legislature remain unadjusted, ought not Government, many will ask, to give way and accept the opinion of the Assembly as decisive? I realise how naturally that view must appeal to those who sit opposite, but it is one which Government cannot accept. Duties and responsibilities are placed upon us by law, and we cannot divest ourselves of these even if we would. A suggestion of this kind would mean that, whatever changes in the tariff commanded themselves to a majority of this House, or, perhaps some of my friends opposite would say, to a majority of the non-official Members of this House, or to a majority of the elected Members, should be brought into force whatever view Government might take. That would mean nothing else than the abnegation of their functions by Government in a very large part of the financial sphere. The message of the Cabinet has made it clear that the convention applies not only to duties imposed for protective purposes, but also to those imposed for revenue purposes, and from the constitutional point of view, that would be an intolerable position. In a sound constitution, each organ must discharge its appropriate functions, and the function of one cannot, without grave disorganisation, be transferred to another.

What we are all looking forward to in the near future, Mr. President, is a step forward in the path of India's constitutional advancement. If the Conference in London should result, as it might, in placing the control of the tariff in the hands of those who, in one form or another, were responsible to the Legislature, then it would rest with the Member or the Minister to put forward his proposals, and for the Legislature to accept them, to modify them or to reject them. The Minister might or might not accept the changes made by the Legislature. But, if he did, he would become fully responsible for them and could not subsequently plead that the vote of the Legislature relieved him from his responsibility. If he did not, his resignation would follow in the ordinary course, and a Minister would take office who would carry out the Legislature's decision. The point I wish to emphasise is this, that in no constitution framed on the British model, so far as I know, can the full control of tariffs and taxation pass to the Legislature, unless and until the power of removing the Government or part of it is transferred to it. But when that happens, the Executive Government have still their appropriate functions to discharge, for when important changes are in question, it is only the Government who have the requisite information and can discharge fully the responsibility for safeguarding all the interests concerned.

I have tried, Mr. President, to put clearly the view of the Government of India as to the interpretation to be placed upon the fiscal autonomy convention. Let me pass on to what has been said on the lines that the fiscal autonomy convention is a sham. Now, is that seriously urged? How could the policy of protection have been adopted at all in India without that convention? Where would the steel industry in India have been today but for the fiscal convention? And, as regards cotton, are memories indeed so short? Some speakers have referred to what took place in 1894 or 1895, when the cotton duties in India very nearly led to the downfall of the Liberal Government in England, but have Members also forgotten that, as late as 1917, when the customs duty on cotton piece-goods was raised from $3\frac{1}{2}$ to $7\frac{1}{2}$ per cent., it seemed not unlikely for two or three days that that change would bring down the Coalition Government in England, then in the very plenitude of its power. And, apart from the fiscal convention, how could the duty have been raised to 11 per cent. in 1921, or the excise duty removed in 1926, or, indeed, the duty raised to 15 per cent., as has been done in the current year? The answer is, because the Government of India and the Legislature were in agreement and the convention once having been fully and frankly accepted by His Majesty's Government in England, we have no reason now to apprehend interference from that quarter. (Applause from Official Benches.) But the indispensable element which must be present in order that the convention may operate, is that the Government of India and the Legislature should be in real agreement: and if it were proposed that the Government of India's agreement must be assumed whenever a majority of the Assembly took a particular view, that would be an interpretation of the convention entirely novel and something quite different from anything that has existed since 1921.

Mr. President, I am afraid I have delayed the House a great deal longer than I intended when I began to speak, and it is time that I should bring my speech to an end. All I would wish to say in conclusion are two things. Firstly, that there have been a good many suggestions from the other side of the House by some speakers that the motives which have influenced the Government have not always been the best of motives, that they can hardly believe that matters really are as we declare them to be, and that, altogether the circumstances are too suspicious. Now, I make no personal complaint about that and indeed why should I? No one has ever been treated better by every Member of this House than myself and I do not regard it as a personal matter at all. What I do feel is this that, if this attitude of suspicion is too freely indulged in, Honourable Members will find that they are clouding their own judgment and making it impossible for themselves to arrive at a correct appreciation of the position.

The second thing I have to say is this. Much has been said of the past history of the cotton industry in India, and of the injury which it has suffered at the hands of Great Britain. I am not going to enter into these controversies, but I would remind the House that the situation with which they have to deal is not the situation of 1780, of 1813, of 1840, of 1882, of 1885, or even of 1917—not any of these situations—but they have to deal with the situation that exists in 1930. What is that situation? The very existence of the industry in the Bombay island is endangered by competition from abroad, by competition from one particular country. Now in 1927, when this question came up before, the whole subject got clouded and became more difficult by allegations of unfair competition due to the hours of work by night of women in the Japanese mills. But I have already explained in an earlier speech that that has been cleared out of the way.

[Sir George Rainy.]

What we are up against is an intensity of competition which may be asserted in certain ways, but which is due in the main to sheer efficiency, and it is for that reason that reorganisation of the Indian industry becomes all-important, just as reorganisation will have to take place in Lancashire if Lancashire is to hold its own, because a definite advance forward has been made in Japan, that great country which is at present showing an example to all the world. What we desire to see is that the Indian industry should take advantage of the opportunity given to it and should eventually be able to hold its own, even with the Japanese competition, without the need for any adventitious assistance. (Applause.)

Mr. President: The question is:

"That the Bill further to amend the Indian Tariff Act"

Pandit Nilakantha Das (Orissa Division: Non-Muhammadan): Sir, I rise to a point of order. The question involved in this Bill is fiscal autonomy for India. I have heard the Honourable Member for Commerce explaining the convention of that fiscal autonomy to us in which the issue comes out clearly to the effect that the Government of India will either agree or not agree with the decision of the Legislature. I don't think the interpretation of the Honourable the Commerce Member to be correct. But assuming that it is correct, it follows that on questions involving fiscal policy like the one in this Bill, the Government of India and this Legislative Assembly are two distinct entities. The issue is whether the Government agree with the vote of the House or not. What should be considered to be the vote of the House in this question? Now the Government command forty votes in this House . . .

Mr. President: This is not the stage.

The question is:

"That the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927, be taken into consideration."

(Mr. President having put the motion declared that the "Ayes" had it.)

Several Honourable Members: The "Noes" have it.

Mr. President: I would ask Honourable Members not to press for a division now. There are other stages when Honourable Members will have ample opportunities for dividing the House. The "Ayes" have it.

The motion was adopted.

Mr. President: The question is:

"That clause 2 stand part of the Bill."

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muhammadan): Sir, I beg to move:

"That clause 2 be omitted."

Sir, we have just come to a close of a very interesting debate and I put it to the House, that though a case has been made out for further inquiry as to the necessity of protection in the cotton industry beyond what has been granted by the Finance Bill recently passed, no case has been

made out for immediately granting protection by raising the duty to 20 per cent. in respect of cotton piece-goods not of British manufacture. Sir, what is the position? We have heard much about the distressing condition of the cotton industry in Bombay. But what are the facts? First of all the industry in Bombay is in a very bad condition, the worst condition possible. The second point made out is that Bombay is not Ahmedabad. The third point made out is that the dividends of industries in Ahmedabad and other places have come down, though they are not losers. Then there are the other mills in the Central Provinces; they have also suffered some loss. Then there are seven mills in Bengal, and as between them, they have also suffered some loss. But what the loss is due to has not been made out. In what respect and in what proportion have these seven mills suffered loss and what are the causes thereof? But, of course, the less we say of Bengal, the better. What is the position then? We also learn that there is severe competition between Bombay and Ahmedabad. Of course no one would propose that we should protect Bombay against Ahmedabad. Well, then the position comes to this, although the position of the industry in other places might be depressing to some extent, it is not so depressing as in Bombay, and if those industries in other places wanted any degree of protection, the Finance Bill, by raising the duty to 15 per cent., would give sufficient protection to those industries. So that, with the duty raised to 15 per cent. by the Finance Bill, the Bombay industry would be perhaps struggling to maintain its position, and the other concerns in other places of India would prosper. They would not only be able to maintain their position, but they would be in a position to extend their business. Then what would be the effect of the further protection proposed?

Mr. President: What is the Honourable Member doing? He is moving for the deletion of clause 2, which would have the effect, I understand, of doing away with the whole Bill. Is that so?

The Honourable Sir George Rainy: No, Sir. The provision about cotton yarn in clause 3 would still remain, but so far as cotton piece-goods are concerned, the whole Bill would go.

Rai Bahadur S. C. Dutta: That is what I mean.

Sir Cowasji Jehangir: Sir, I rise on a point of order. This is a negative amendment and the Honourable Member will have a right to speak at the close and vote. The effect of the amendment is negative.

Rai Bahadur S. C. Dutta: If the further protection given be really protective, then the position of Bombay cannot be much better according to the accounts given, because, in that case also, competition with Ahmedabad and other mills in India will remain. So that, while Bombay will simply struggle or just maintain its position, these other industries, which are in a better position as regards labour and other conditions, will expand at the expense of Bombay. So that no positive case is made out for giving further protection than is given by the Finance Bill which has become law. Besides we are not sure what the result will be and the future can only say that. If that is so, Government want to take a leap in the dark. Then we are not sure and we

[Rai Bahadur S. C. Dutta.]

have had no arguments to show that the prices of British goods will not increase, and that there will be no competition on account of the removal of Japanese competition between Indian goods and the British goods. So that, whatever protective merit there is in the proposals of

Government, that is already secured by the Finance Bill which raises the duty to 15 per cent; and it is not expected that there will be any further appreciable benefit to the cotton industry by this other proposal of differential treatment. Sir, I yield to none in my desire to make this country self-sufficient in the matter of production of cotton piece-goods, and I am not one of those who would confine this preference to *khaddar* or handloom products only, but would equally extend our protection to mill produce, if a case is made out for protection. What I contend is that a case has not been made out that Bombay will be in a position to profit by the passing of this Bill, because there has been no inquiry, and the various considerations that have been urged in this House have not been considered by any competent committee or board, after recording of evidence. So what I submit is that there should be a further inquiry before such a debatable measure is adopted. I should make it clear here that I am not entering into those irrelevant matters as to the competence or otherwise of the management of the Bombay industries. What I insist upon is that the position should be made clear by evidence in what manner the Bombay industry is going to be improved.

There was a discussion raised by Diwan Chaman Lall who said that the Bombay industry was not national. I do not base my objection on that ground, but the discussion raised by him has made this point clear, that where it is necessary to give national protection, there should be national control. It is not necessary that there should be any distinction made as to whence the capital comes, who are the persons to whom the capital belongs, and what class of labour is employed. Let us take it that it is an industry of national importance, because it is an industry that is carried on in this country by people who are resident in this country. So that, whether we take it that large Indian capital is employed, or Indian labour is employed, or the management is in Indian hands, that may be looked at from one point of view, that it is an industry in national hands. And it is also an industry of national importance because it is concerned with the production of necessities of life, which are used by all classes of people. So long as Government followed the policy of let alone, neither helping nor discouraging the people who are running this industry, the capitalists and labourers were entitled to manage it in their own way, without any interference on the part of Government. But once it is admitted that it is a national industry, and an industry of national importance that affects the vital concerns of the people as a whole, and that State protection is necessary for its existence, it behoves Government to see how it is conducted. I hope,

4 P.M. Sir, if the policy of protection is to be permanently established in this country, this House also will take into consideration this fact, that there should not be any national protection without national control and that this House will advise an efficient method of control. It will not do simply to raise the duty in the hope that the industry, left to

itself, will somehow manage to profit by it. It may or it may not. Why should not the Government propose, in that instance, whether the capitalists want protection or not, if it is thought that the industry is of national importance, to take it into its hands and regularise it? I am not going to suggest that it should be nationalised now. The country may not be ripe now for it. That may not be the best policy now. But why should there not be some control, some regulation, as to the amount of reserve capital, maximum dividends, the amount of bonus and other things, in the same way as the Government controls the co-operative organisations? That is also for the benefit of the country, because it is a matter of national importance.

Then, Sir, it may be asked, what is the alternative to my proposal? I am asking the House to omit this clause altogether relating to the imposition of protective duty. Now, there are two proposals. There is first of all the proposal of Pandit Madan Mohan Malaviya. The only difference is that he wants 15 per cent. or $3\frac{1}{2}$ annas per pound, whichever is higher. I think that would be best if it might be acceptable to all, acceptable to the Bombay millowners and also to the Government. I do not know whether the Government will accept it or not. But I take it, from the attitude of the representatives of the Bombay millowners here, that it will not be acceptable to them because they want a duty of 20 per cent. In that case, if the proposal of the Honourable Pandit be accepted, they will be left to further inquiry after two years, and the further protection that they want might be delayed. What I propose is that this question of protection be dropped altogether now and there should be an immediate inquiry by the Tariff Board, so that the proposal may come up next year.

Mr. President: The Honourable Member is really flogging the dead horse. He knows the principle of protection is accepted by this House. I allowed him some indulgence; but he must conclude his remarks.

Rai Bahadur S. C. Dutta: In that view I will not say anything more. I move my amendment.

Sir Hari Singh Gour: I have one or two observations to make with reference to what has fallen from the Honourable the Commerce Member.

Mr. President: Order, order. Let this be disposed of.

Sir Hari Singh Gour: It is in connection with clause 2 of the Bill.

Mr. President: The principle of protection has been accepted by the House and I think we had better proceed further, and when the two main amendments come, I will give the Honourable Member the fullest latitude.

The question is:

"That clause 2 be omitted."

The motion was negatived.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Sir, with your permission, I would like to move my amendment in the form in which it appears on the typed paper. Sir, I move:

"In sub-clause (1) of clause 2, for the proposed Item No. 156-A, the following be substituted:

'156-A. Cotton piece-goods (other than fents of not more than nine yards in length) —

(a) plain grey, that is, not bleached or dyed in the piece, if imported in pieces which either are without woven headings or contain any length of more than nine yards which is not divided by transverse woven headings;

(i) of British manufacture . . . *Ad valorem* 15 per cent. or 3½ annas per pound, whichever is higher.

(ii) not of British manufacture . . . *Ad valorem* 20 per cent. or 3½ annas per pound, whichever is higher.

(b) Others—

(i) of British manufacture . . . *Ad valorem* 15 per cent.

(ii) not of British manufacture . . . *Ad valorem* 20 per cent."

In moving this amendment, I do not intend to make any lengthy speech. I propose merely to point out the main significance of my amendment. I have not in my amendment taken away the differential system of duty which has been proposed in the Bill as introduced. What I have tried to do in my amendment is to abolish that differentiation in one particular class of goods and that is, plain grey goods. My reason for taking away that differentiation in the case of plain grey goods is this. If it can be proved that any imported cloth, from whatever country it might come, competes with Indian mill products of a similar class, then there is no justification to give a preferential treatment to that class of goods coming from any country. In the case of plain grey goods, it has been admitted by Government in the note circulated to Honourable Members by the Honourable the Commerce Member, that a part of the plain grey goods, to the extent of about 45 million yards, does come into competition with Indian mill-made plain grey goods. I do not therefore see why this class of goods, coming from the United Kingdom, should be exempted from the operation of the specific duty of 3½ annas per pound. It might be asked, why I have not also included the dhotis, which it is admitted also come into competition with Indian mill-made goods. But it has been pointed out in Mr. Hardy's Report that the administrative difficulties in the way of the application of a specific duty for dhotis are almost insurmountable. I have not therefore attempted to bring the dhotis under this class. As has been pointed out in the note mentioned by me, the Indian mills produce a very great quantity of plain grey goods. About 50 per cent. of the total production of the Bombay mills and about 44 per cent. of the total production of all the mills in India come under this category. It is therefore essential, Sir, considering the magnitude of the Indian production in this class of goods, that every attempt should be made that the duty proposed should be, not merely adequate, but completely effective. My amendment, by bringing in all plain grey goods under the operation of the specific duty of 3½ annas per pound, will give that effective and adequate

protection which the Indian mill industry needs, and that, Sir, is the justification for my moving this amendment. So far as the definition is concerned, a slight alteration has been made in my amendment. The object of that is simply this. Of late a class of dhotis from Japan, with printed headings, have invaded the Indian market, and these compete very severely with Indian mill-made dhotis with woven headings. Now, the Japanese are able to produce these printed heading dhotis on their automatic looms, and therefore it is essential that, if effective protection is to be given to the Indian dhotis, the Japanese dhotis with printed headings must also be brought under the operation of this specific duty of 3½ annas per pound. These are my reasons for moving this amendment. With these words, Sir, I move.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I beg to move that:

"In sub-clause (1) of clause 2 . . ."

Mr. President: I should like to explain to the House that the procedure which I propose to follow with regard to these amendments is this. I propose to take Mr. Shanmukham Chetty's and Pandit Madan Mohan Malaviya's amendments together and to allow a general discussion, and at the end of such discussion, to put the two amendments one by one to vote.

Pandit Madan Mohan Malaviya: Sir, I beg to move that:

"In sub-clause (1) of clause 2, for the proposed Item No. 156A, the following be substituted:

'156A Cotton piece-goods . . . *Ad valorem* 15 per cent. or 3½ annas per pound, whichever is higher.'

Sir, the object of my amendment is clear from the language used in it. I recognise the necessity for giving protection, adequate protection, to the cotton industry in India, including of course that of Bombay. I recognise that the industry has been hard hit by the financial policy pursued by the Government of India in the past, and that it stands urgently in need of much assistance. Therefore there is no question in the discussion of my amendment of the principle of protection; that principle is involved in it, and I strongly and heartily endorse it. I feel that all questions relating to weak points in the management of any national industry are questions which have to be considered at other times, on other occasions, and to be pursued very intensely until our management of our national industries stands quite on a par in the matter of efficiency with any industry in the world. But at a time when the industry has been hard hit by the evil policy pursued by the Government for years past, it is not right that we should be raising questions as to the weakness or want of efficiency of the management of the industry.

But, Sir, that is only one aspect of the question. My amendment raises the question of the amount of protection which is to be given to the Bombay industry and the cotton industry generally in India. We are at one with the Government of India in desiring to give protection to the cotton industry of Bombay; in fact, if I may be allowed by the Honourable Members opposite, I would claim that we on this side of the House have naturally more real sympathy with both the capital and labour of Bombay and India than the Members on the opposite Benches. I hope they will not think that I am in any way disrespectful to them, but I do

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claim that they all allow that we, Indians, feel at least not less strongly than the Honourable Members opposite the need of offering assistance to the Bombay industry. The only question is what should be the measure of that assistance, and what is the form in which that assistance should be given. I had hoped that, at the end of a very interesting debate, in which many most excellent speeches were delivered—speeches which would compare well with speeches delivered on a similar occasion in any assembly in the world—the Honourable the Commerce Member would attempt to answer the many important points which were raised in it. I listened to his speech with great attention—as I always do because he is among the Civil Service men by far the best speaker we have in our midst today. But, Sir, my Honourable friend very carefully avoided answering the many important points which were taken up by my friend Mr. Ghanshyam Das Birla in his excellent speech. He also failed to give us any reason as to why the Government of India should be so stubborn in their adherence to the proposals which they have laid before the House. He did not explain, Sir, why it was that the conviction dawned upon the Government of India not in the first instance, but after the receipt of the message from His Majesty's Government, that they should raise the duty on non-British manufactured goods to 20 per cent. The Government of India, roused at long last to the consciousness that the Bombay cotton industry and the Indian cotton industry needed and deserved help, framed their proposals with great care, and those proposals were to raise the general import duty from 11 to 15 per cent. and to put a protective duty of $3\frac{1}{2}$ annas per pound on all plain grey goods. Those were the proposals which the Government of India after months of consideration, after taking all the expert advice which they have at their disposal, after comparing the industry in India and in England, came to. These proposals were communicated to His Majesty's Secretary of State. His Majesty's Government considered these proposals and they courteously asked the Government of India to take into account both the reactions of their proposals in India and their serious effects in England. There was no dictation; they drew attention to what they apprehended would be the result of the imposition of the two proposed duties, on the one side on the consumer in India, and on the other on Lancashire; and they asked the Government of India to give full weight to the considerations they had urged. They feared that the proposal of the Government of India for raising the general revenue duty from 11 to 15 per cent. and a protective duty of $3\frac{1}{2}$ annas per pound on all plain grey goods would hit the Lancashire industry hard, and they urged that, at this juncture, the Government of India should think of the grave results which might follow in Lancashire by this proposal being accepted. They objected to the two proposals and they gave their reasons for their objection. The Government of India considered the views of His Majesty's Government very fully; they urged that as regards bleached goods and finer qualities of grey and coloured goods, which Lancashire mainly supplies, an increase from 11 to 15 per cent. could not be represented as a crushing burden on Lancashire; and the protective duty would not affect Lancashire. I cannot understand why the Honourable the Commerce Member has not offered one word of explanation as to why, at that stage, the conviction dawned on the Government that they should propose a 5 per cent. additional protective duty upon non-United Kingdom goods. I still pause for

an answer. Up to the moment of the receipt of that cablegram the Government of India adhered to their original view. Even in their reply to His Majesty's Government they adhered to the view that the proposals which they had put forward were sound. They urged that they must adhere to those proposals. What was it then that gave them the idea that there should be an additional protective duty of 5 per cent. with a minimum of $3\frac{1}{2}$ annas per pound on all plain grey goods, against all cotton goods of non-British manufacture? It has been made clear that His Majesty's Government gave no indication of their desire to have this additional protection. Even in yesterday's telegram it was made clear, though it was not necessary to do so, by the Secretary of State that he did not send any instructions to the Government of India regarding this additional protection, that to quote the words of the cable, "he had never at any time suggested preferential treatment for goods from Britain. The suggestion originated in India". Nothing could be clearer than that. We still wonder therefore why the Government of India should have taken upon themselves, without any suggestion from Lancashire, or London to propose a higher duty than they had deliberately, after months of deliberation, proposed should be adopted.

Our whole quarrel with this proposed additional duty is for two reasons, first that it is a higher duty than, we have been given to understand, the Government of India believed at the time was necessary, secondly because it introduces a question of preference to the goods of the United Kingdom. I have tried to imagine some reason for justifying this course on the part of the Government. I have failed to do so. The Government of India have not helped us with any. Then it comes to this that, while the Government of India in the discharge of their responsibility, such as they believed it to be, thought it fit to propose the duty of 15 per cent. and a minimum of $3\frac{1}{2}$ annas per pound on all plain grey goods, they thought it consistent with their duty to the people of this country in whose interest the Members of the Government profess to be acting, to add apparently wantonly to the duties that they had first proposed to His Majesty's Government, a 5 per cent. protective duty, with a minimum of $3\frac{1}{2}$ annas per lb. on plain grey goods, against all cotton piece-goods from outside the United Kingdom. I say apparently wantonly because no explanation has so far been forthcoming. And we find that the Government of India now adhere to their new proposal with a tenacity worthy of a better cause. Why has it, Sir, become necessary to raise the duties higher? We have got two very able Members on the Government Benches, the Finance Member and the Commerce Member. Both of them have failed to offer any explanation as to why they felt it necessary to add to their original proposals this extra protective duty. They have not explained

The Honourable Sir George Schuster (Finance Member): I am sorry to interrupt the Honourable Pandit. I did give this House a very full explanation of the course through which our proposals went, and I think if the Honourable Pandit would read my speech which I delivered in answer to his own in the debate on the 13th March, he would find that I gave a very full explanation of how we arrived at our final plan and what had passed through our minds before arriving at that plan.

Pandit Madan Mohan Malaviya: The Honourable Member described to us, Sir, the process of mind which he had passed through, but I regret to say that neither in his speech nor in the statement made today is there any justification offered for raising the duty from 15 per cent. with a

[Pandit Madan Mohan Malaviya.]

minimum of $3\frac{1}{2}$ annas per pound on plain grey goods to 20 per cent. with a minimum of $3\frac{1}{2}$ annas per pound on plain grey goods, against all cotton piece-goods from outside the United Kingdom. My Honourable friend has not explained what facts had occurred within the period of submitting his first proposals to His Majesty's Government and the time when he framed his additional proposals, what events had taken place which affected the cotton industry of India and which justified the step which they had taken. That is my grievance, that is my complaint.

The Honourable Sir George Schuster: I submit, Sir, that it was not necessary for us to advance any special reasons or call attention to anything which had happened to cotton industry of India during the last few weeks. The question of putting up the duty to something higher than 15 per cent. had always been under consideration ever since the deputation of the millowners interviewed my Honourable colleague and the Acting Finance Member on the 8th of December. The claim on behalf of the millowners had always been for a protective duty of 20 per cent. The Government of India's difficulty was to find justification for imposing an all round duty of 20 per cent., and it had always been in the minds of the Government of India that the case would be easier if they could find some principle of discrimination which would avoid the very heavy burden on consumers, of putting a duty on to a large quantity of goods which could not, within the period under contemplation, be manufactured by Indian mills. It was the difficulty of finding such a principle of discrimination which had prevented Government from being able to satisfy themselves that they were justified in imposing a duty of 20 per cent. I explained in my speech that after we had been approached by the Cabinet we felt that in all the circumstances we should be justified in proposing to this Assembly the principle of discrimination which is now embodied in the Bill which amounts to discrimination according to the country of origin. I think, Sir, I am justified in saying that, at least, we have done our best to make history of our proposals clear, and I pointed out to the Pandit that it was extremely difficult to delve back into the past and put before this House a full explanation of a complicated series of discussions when all sorts of ideas came up, and at various stages certain particular forms of proposals held the field, were considered and rejected, then considered again and so on until our final plan was arrived at.

Pandit Madan Mohan Malaviya: I am sorry my Honourable friend should have spent so much of his time and not given us any further enlightenment on the subject. What I beg to ask him is this. The Government of India had, after considering the proposals which the millowners of Bombay had made for a 20 per cent. protective duty, rejected those proposals. They had arrived at the conclusion that they would impose a 15 per cent. duty all round and $3\frac{1}{2}$ annas per pound minimum on all plain grey goods. At the stage when the Government of India arrived at those conclusions they had considered all that the millowners of Bombay had urged and had rejected their proposals. They had decided that the amount of protection which the millowners of Bombay had asked for could not be given. They had also decided that there was no justification for a 20 per cent. all round duty on all cotton piece-goods imported into this country. Then I ask, when a message was received from His Majesty's Government, how did the receipt of that message alter the situation so far as the consumer is concerned or the industry in India is concerned?

How did it so alter the situation that the Government of India suddenly accepted the larger portion or at least a large portion of the proposal of the Bombay millowners and put forward their new proposals of 20 per cent. duty on all cotton piece-goods of non-British manufacture. I regret, Sir, the Honourable Member has failed to offer any explanation, and I hope the House will agree with me in saying so.

The Honourable Sir George Schuster: I would point out to the Honourable Pandit that the result of the Cabinet message was to influence the decision of the Government to put forward a particular principle of discrimination which they think enables them to achieve a double object, namely, the object on the one hand of giving the maximum protection to the Indian industry where protection is needed, and, on the other hand, of avoiding an unnecessary burden on the consumer. The decision which was taken by the Government after the Cabinet message was that, in the light of that message, reinforcing the other considerations which had been previously present to their minds, they should come before this House and frankly propose this particular principle of discrimination.

Pandit Madan Mohan Malaviya: It comes to this, that the Government of India, merely by reason of the receipt of that message, rejected the decision that they had deliberately arrived at, and they became conscious of the necessity and justice of giving further protection to the Bombay mill industry, that while they had definitely and deliberately decided that the Bombay mill industry needed only 15 per cent. and $3\frac{1}{2}$ annas per pound minimum, the effect of the receipt of the Cabinet message was that it set them thinking again about the mistake of their ways and the evil effects of their decision, and roused their conscience to the feeling that the Bombay industry needed more help and should be given more help.

The Honourable Sir George Schuster: I have already pointed out very clearly in my speech in answer to the Honourable Pandit the other day, that at that stage no final decision has been arrived at.

Pandit Madan Mohan Malaviya: I have heard the word "final" used by the Honourable the Finance Member and the Honourable the Commerce Member many times. What does it mean? The final decision arrived at by the Government of India, when they put forward proposals before this House? Does the Honourable Member mean to suggest that the decision, which they conveyed to His Majesty's Government in their despatch, was not the final decision? What was there in it which made it lack the element of finality? It was absolutely final till the Government of India received a message from His Majesty's Government. I think my friends will agree that the decision was final so far as these two proposals were concerned. I wait for an answer. I should like to have an answer.

The Honourable Sir George Schuster: The facts which I stated are perfectly correct, that no final decision had been arrived at. The whole of the budget proposals were still under discussion with the Secretary of State and on this particular matter no final decision had been arrived at.

Pandit Madan Mohan Malaviya: Do I understand my Honourable friend to say

Mr. President: I cannot allow this discussion across Benches to go on indefinitely. The best course for the Honourable Member, when there is a dispute as to what actually are the contents of a document, is to produce the document about which so much has been said.

Pandit Madan Mohan Malaviya: That will be the finest and the fairest thing. We asked for the production of the letter which the Government of India sent to His Majesty's Secretary of State but the Government of India have not produced that letter. Therefore the presumption, as every lawyer would say, is that the evidence which is not produced would be damaging to the party which does not produce it. That in my opinion is clear. I shall ask one question with your permission. Does the Honourable the Finance Member mean to convey to this House that, so far as the proposals to impose cotton import duties were concerned, the Government of India had, at the time of submitting their proposals in the first instance to His Majesty's Government, any idea of revising these two proposals, namely, the raising of the general duty from 11 to 15 per cent., and the protective duty of 3½ annas per pound on plain grey goods? Did the Government of India contemplate changing either of these proposals before putting them before this House, until they received the message from His Majesty's Government?

The Honourable Sir George Schuster: I understand, Sir, that it was your desire that this discussion should not continue.

Mr. President: When there is a dispute as to the actual contents of a document, the proper course is to produce that document and not to carry on a discussion across the Benches in this way.

Pandit Madan Mohan Malaviya: I shall be very thankful if the Honourable the Finance Member or the Honourable the Commerce Member will give us an assurance that they will produce the document. I shall be very grateful indeed.

The Honourable Sir George Rainy: I have already said that I cannot add to the correspondence which I have already placed before this House.

Pandit Madan Mohan Malaviya: I am very sorry to take up the time of the Assembly with these questions. In that case, I take it that the Honourable the Finance Member's last reply meant that so far as these two proposals were concerned, namely, the raising of the general duty from 11 to 15 per cent., and 3½ annas per pound on plain grey goods, they were final so far as the Government of India were concerned, when they sent them up to His Majesty's Government. I hope I am right in assuming it.

The Honourable Sir George Rainy: I think, Mr. President, I must be allowed to reserve what I have to say until my turn to speak comes.

Pandit Madan Mohan Malaviya: The elected Members have to bear a great deal of pain in this House. But the pain that the servants of India should refuse to produce before this Assembly a document which is essential for a correct understanding of the question under discussion and which affects the happiness of millions of people in this country is unbearable. I submit this is scandalous. All that we ask is that the document or cablegram which the Government of India submitted to His Majesty's Secretary of State on the subject under discussion should be laid on the table of this House. They have not the courage to lay it before this House. I must therefore ask the House to assume.

Mr. President: Is the Honourable Member going to be long?

Pandit Madan Mohan Malaviya: Yes, Sir.

The Assembly then adjourned till Eleven of the Clock on Friday, the 28th March, 1930.

LEGISLATIVE ASSEMBLY.

Friday, 28th March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN.

Srijut Tarun Ram Phookun, M.L.A. (Assam Valley: Non-Muham-madan).

QUESTIONS AND ANSWERS.

APPOINTMENT OF MR. HARRER TO THE PUBLIC WORKS DEPARTMENT, DELHI.

838. ***Mr. Abdul Latif Sahib Farookhi:** Will Government be pleased to state the reasons for taking Mr. Harrer on deputation from the Indian Stores Department as Chief Superintendent of the Central Office, Public Works Department, Delhi? Had he any experience of Public Works Department work? When is the Delhi Public Works Department going to revert him to his substantive post in the Indian Stores Department?

The Honourable Sir Bhupendra Nath Mitra: Mr. Harrer was selected for the appointment as he was considered to be suitable for the work to be done in it. He had no experience of Public Works Department work, but had experience in the administrative office of the Indian Stores Department. No decision has yet been taken regarding his reversion to his substantive post.

PAY AND ALLOWANCES OF OVERSEER POSTMEN.

839. ***Mr. Abdul Latif Sahib Farookhi:** (a) Will Government be pleased to state in how many circles in India and in which offices the system of delivery of insured articles by a special delivery staff of overseer postmen was introduced?

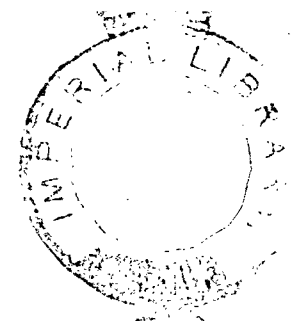
(b) What duty allowance was paid to them for the special duty prior to the last revision in each of the said offices?

(c) To what rank were these overseers raised when the duty allowance was disallowed under the said revision?

(d) Is it a fact that Madras was the second office where the above system of special delivery staff of overseers was introduced, and if so, was it on the lines on which it was introduced in the first instance?

(e) If it is so, will Government be pleased to state whether the overseers of special delivery staff at Rangoon were promoted to the grade of Rs. 70—4—110 or continued to be paid the duty allowance in the revision granted subsequent to the introduction of the system?

(2571)



(f) Will Government be pleased to state whether the overseer postmen of special delivery staff at the Madras, General Post Office, were similarly raised to the grade of Rs. 40—5—90 in view of the disallowance of the duty allowance in the revision sanctioned in 1928?

(g) Will Government be pleased to state how the delivery of the insured articles of the value of above Rs. 250 and up to Rs. 3,000 was effected before the introduction of the new system?

(h) If it is a fact that such insured articles were delivered before by the selection grade sub-postmasters of the Madras City offices, viz., G. P. O., Sow Carpet Flower Bazaar, High Court Buildings, Broadway, Mannaday are not the Overseers of the special delivery staff now doing the work done by the sub-postmasters?

(i) Do Government propose to treat the 12 overseers of the Madras City in the same way as the overseers of the said special delivery staff at Rangoon?

Mr. H. A. Sams: The information required by the Honourable Member is being collected and will be furnished to him in due course.

PETITION TO THE VICEROY FROM PEASANTS AND MERCHANTS OF PISAGAN, AJMER.

840. ***Maulvi Muhammad Yakub:** (a) Is it a fact that a petition signed by more than 400 peasants and merchants of the Pisagan Istimarari area in the district of Ajmer has been presented to H. E. the Viceroy at Ajmer complaining against the enhancement of land-revenue, taxing of cattle and merchandise and ill-treatment by the Raja Sahib of Pisagan and Mr. P. B. Joshi, Assistant Superintendent of Education in Ajmer-Merwara?

(b) Is it also a fact that the grievances stated in the above petition are of a fairly long standing?

(c) Is it a fact that the peasants and merchants of Pisagan made scores of applications to the district authorities on the subject and that for some reasons or others many of these applications were simply filed without any action being taken on them?

(d) If so, are Government prepared to consider the advisability of appointing some special officer to inquire into the nature and causes of those grievances of the peasants and merchants and redress them amicably and effectively?

(e) Are Government aware that a threat has been held out by the Raja Sahib of Pisagan and Mr. P. B. Joshi, Assistant Superintendent of Education to the effect that, for the impertinence of making the said petition to H. E. the Viceroy, a score of leading men from amongst the signatories of that petition will be exterminated from their hearths and homes, and their lands and their properties will be confiscated? If so, how far does this threat bear any truth in it and have the district authorities of Ajmer any such proposals or idea put forth before them?

(f) Will Government be pleased to place the said petition of the peasants and merchants of Pisagan to H. E. the Viceroy on the table of this Assembly?

Sir Frank Noyce: With your permission, Sir, I shall deal with questions Nos. 840 to 842 together. The information is being obtained and will be supplied to the Honourable Member on receipt.

Maulvi Muhammad Yakub: Are Government aware that the Treasury Benches have made it a practice that, in order to evade giving answers to questions of Honourable Members, they say that the information is being collected and will be supplied to the Honourable Member in due course?

Mr. President: Order, order. The Honourable Member is not entitled to attribute motives.

ENHANCEMENT OF LAND REVENUE IN PISAGAN.

†841. ***Maulvi Muhammad Yakub:** (a) Is it a fact that, under the Ajmer Land Revenue Regulations and the Standing Orders of the Government, the Raja Sahib of Pisagan is not empowered to enhance the revenue beyond the limits specified by the Regulations, viz., Rs. 4 per bigha for *chahi* and annasfour per bigha for *barani* without the sanction of the Local Government, and that the Raja Sahib of Pisagan is charging in some cases Rs. 10 per bigha for *chahi* and Re. 1 per bigha for *barani* lands without having obtained the requisite sanction from the Local Government?

(b) Are Government aware that, in a Robkar issued by Colonel Dixon, and published in the Ajmer Regulations, M. to P. the Governor General in Council has sanctioned the abolition of certain cesses in Ajmer-Merwara, and that the Governor General in Council has not withdrawn or cancelled that sanction which is still in force?

(c) Is it a fact that the Raja Sahib of Pisagan is compelling the riyats (ryots) to pay him the cesses prohibited by the above Robkar and the pattas granted by him include the conditions as to payment of the said prohibited cesses?

(d) Will Government please state what cesses the Raja Sahib of Pisagan is recovering from his ryots?

ENHANCEMENT OF LAND REVENUE IN PISAGAN.

†842. ***Maulvi Muhammad Yakub:** (a) Will Government please state if the Raja Sahib, Pisagan, compels his ryots to pay a land revenue even over and above what is stipulated in the patta granted by him and that Gangaram, son of Hukma, holding patta No. 231 for Samvats 1981 to 1985 and Madho, son of Rama, holding patta No. 428 for Samvats 1982 to 1986 are instances of persons from whom the Raja Sahib has recovered revenue in excess of the terms of their pattas?

(b) Are Government aware that criminal proceedings were also instituted on behalf of the Raja Sahib against the ryots to enforce land-revenue and this attempt of the Raja Sahib was only checked by the order of the Additional District Magistrate, dated the 5th September, 1929, in criminal proceedings under section 144 C. P. C. and the order of the Judicial Commissioner, dated the 23rd January, 1930 in criminal revision No. 42 of 1929?

†For answer to this question, see answer to question No. 840.

INTERVENTION OF MR. P. B. JOSHI, ASSISTANT SUPERINTENDENT OF EDUCATION, AJMER-MERWARA, IN THE LAND REVENUE DISPUTES OF THE RAJA SAHIB OF PISAGAN.

843. *Maulvi Muhammad Yakub: (a) Is it a fact that the son of the Raja Sahib of Pisagan has been a ward of Mr. P. B. Joshi, Assistant Superintendent of Education, who acted both as the boy's guardian and private tutor? If so, is this conduct of Mr. P. B. Joshi against the rules of Education Department?

(b) Is it a fact that Mr. P. B. Joshi, A.S.E., in Ajmer-Merwara frequently visits Pisagan and stays with the said Raja Sahib of Pisagan?

(c) Will Government please state for how many visits to Pisagan, or tours including visits to Pisagan in the official capacity, has Mr. Joshi charged travelling allowances from the Government during the last three years, i.e., 1927, 1928 and 1929?

(d) Will Government please state how many inspection notes does the inspection note-book of the Pisagan primary and middle (secondary) schools contain in the hand-writing of Mr. P. B. Joshi during the last three years, i.e., 1927, 1928 and 1929?

(e) Are Government aware of the complaint of the peasants and merchants of Pisagan about Mr. P. B. Joshi's interference on behalf of the Raja Sahib in the land-revenue disputes and harassing and ill-treating them, and do Government propose to take steps in order to prevent this officer of the Education Department from interfering with such matters?

Sir Frank Noyce: The information asked for is being collected and will be supplied to the Honourable Member in due course.

Maulvi Muhammad Yakub: Will the Honourable Member place the information on the table of the House so that it may come on the records of the Assembly Debates?

Sir Frank Noyce: I hardly think, Sir, that the information in regard to such a personal matter is of sufficient importance to lay on the table of the House.

Maulvi Muhammad Yakub: Are Government aware that the object of the Honourable Members of putting questions on the floor of the House is frustrated if the answers do not appear on the records of the Assembly? What action, if any, do Government propose to take in this matter?

The Honourable Sir Bhupendra Nath Mitra: It does not necessarily follow that the Honourable Member's right is in any way interfered with. The Honourable Member has asked for certain information and that information will be supplied to him. According to the practice that has been established, a copy of the answer will also be placed in the Library of the House, so that any other Member who is interested in the matter will have access to the information. To the best of my knowledge this very practice is not unusual in the House of Commons.

Maulvi Muhammad Yakub: Are Government aware that the information that is sought for by the Members on the floor of the House is not for their personal use, but the questions relate to questions of public importance and the public in general is interested in the answers which the Government Members give on the floor of the House?

The Honourable Sir Bhupendra Nath Mitra: That, Sir, is a matter of opinion.

Maulvi Muhammad Yakub: Does it follow, then, that Government do not take any heed of the opinion of the Honourable Members in this House?

The Honourable Sir Bhupendra Nath Mitra: As the Honourable the President said on a previous occasion, if there is any general feeling in the House on the subject, the House has other means of giving expression to that feeling.

Maulvi Muhammad Yakub: Are Government prepared to follow the dictum of the Honourable the President on all occasions and in respect to all questions?

The Honourable Sir Bhupendra Nath Mitra: Sir, I prefer not to answer that question.

RECRUITMENT FROM THE PROVINCES FOR SERVICES UNDER THE CENTRAL GOVERNMENT.

844. *Mr. Gaya Prasad Singh: (a) With reference to the reply given to starred question No. 556 on the 12th March, 1930, have Government taken into consideration the claims of all Provinces for recruitment for services under the Central Government, under the terms of the Resolution passed by the Assembly on the 10th March, 1923, in which it is stated that "claims of all communities, and Provinces" are to be considered?

(b) If so, will Government kindly state the number of Biharees and Oriyas employed in the different Departments of the Government of India in 1924, and now?

Mr. C. W. Gwynne: (a) and (b). Recruitment to the all-India Services and to the Departments of the Government of India is now made by means of competitive examinations held by the Public Service Commission, which are open to candidates from all provinces. No special measures have been taken to secure provincial representation (except as regards Burma) in the all-India Services, or in the services under the Central Government.

Mr. Gaya Prasad Singh: Is it not a fact that, in answer to question No. 556 on the 12th March, the Honourable the Home Member replied that effect had been given to the Resolution which was quoted in that connection? May I know in what way effect has been given to the Resolution, so far as the representation of provinces on the public services under the Government is concerned?

Mr. C. W. Gwynne: I do not think that the Government of India have even accepted the principle that provinces should receive special and proportionate representation. They have agreed to the principle that the various communities should have due representation.

Mr. Gaya Prasad Singh: May I take it, then, that the Honourable Member repudiates the answer that was formerly given by the Home Member on the 12th March?

Mr. C. W. Gwynne: No, Sir.

Mr. B. Das: May I suggest to the Honourable Member that, in the case of a province like Bihar and Orissa, which is not represented in the Secretariat of the Government of India, the Government of India may ask the Provincial Government to recruit a certain number of men on their behalf, or they may ask the Local Government to hold examinations on their behalf in Patna?

Mr. C. W. Gwynne: The Honourable Member is I think making a suggestion. In any case I must ask for notice of that question.

EXAMINATION FOR THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

845. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the nature of the examination held in November last for the staff of the Government of India Secretariat and its Attached Offices?

(b) What is the total number of successful candidates in the 1st and 2nd Divisions, separately?

(c) What are their academical qualifications or other educational attainments?

(d) How many of the candidates failed and what are their academical qualifications?

(e) How many of the successful candidates are Muslims?

Mr. C. W. Gwynne: (a) The examination was a qualifying one for departmental candidates.

(b) 17 and 29.

(c) and (d). The total number of candidates who appeared is 461. I am not in possession of information as to the educational qualifications of the candidates who sat for the examination.

(e) 14.

APPOINTMENT OF MUSLIMS TO THE OFFICE OF THE IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

846. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the total strength of the superior establishment of the office of the Imperial Council of Agricultural Research?

(b) How many of these are Muslims?

(c) Have Government considered the desirability of taking a larger number of Muslims when the question of further recruitment of the staff for the office of the said Council comes up, in order to increase the representation of Muslims?

Sir Frank Noyce: (a) 13.

(b) 5.

(c) The figures, I have mentioned, show that Muslims are already adequately represented on the staff of the Council.

*APPOINTMENT OF MUSLIMS IN THE COMMERCE AND FINANCE DEPARTMENTS.

847. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the total number of (1) Superintendents, (2) Assistants, (3) second division clerks, and (4) third division clerks on the permanent establishment of the Commerce and the Finance Departments of the Government of India Secretariat?

(b) How many of them are Muslims in each of the above grades?

The Honourable Sir George Rainy: (a) and (b). A statement is laid on the table.

Statement showing the number of Muslims in the permanent establishments of the Commerce and the Finance Departments.

	Commerce Department.		Finance Department.	
	Total No.	No. of Muslims.	Total No.	No. of Muslims.
(1) Superintendents	3	..	6	1
(2) Assistants	18	2	33	5
(3) Second Division clerks . .	22	4	35	4
(4) Third Division clerks . .	4	2	8	4

PROPORTION OF MUSLIMS RECRUITED FOR GOVERNMENT OFFICES.

848. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): What steps, if any, have Government taken to secure larger proportion of Muslims since the orders to remove communal inequalities were promulgated in 1926?

Mr. C. W. Gwynne: Annual returns have been prescribed which enable the progress made to be watched and instructions to be issued in cases where they appear to be called for.

APPOINTMENT OF MUSLIMS ON THE MILITARY TEST AUDIT DEPARTMENT.

849. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the number of appointments of Assistant Accounts Officers, Subordinate Accounts Service Accountants and clerks in the Military Test Audit Department and the number of Muslims employed in each grade?

(b) Is it a fact that not a single Muslim is employed in Headquarter office of the Director of Army Audit?

(c) Will Government please state whether any attempt was ever made by the Director of Army Audit to secure the services of qualified S. A. S. passed Muslims from the Military Accounts Department?

(d) Will Government please state whether it is a fact that the Military Test Audit Department was formed after the issue of the Home Department

Memo. of July, 1925, regarding the representation of minorities in the services? Is it a fact that these instructions have been ignored in this Department?

The Honourable Sir George Schuster: (a) (i). Assistant Audit Officers, four, of whom one is a Muslim.

(ii) Accountants in the Subordinate Accounts Service, 30; no Muslim.

No Muslim has qualified as yet for promotion to the Subordinate Accounts Service.

(iii) Clerks, 81, of whom 6 are Muslims. Two other posts were offered to two Muslim candidates. The offers were refused.

(iv) Typists, 5, no Muslim. An offer made to a Muslim candidate was refused.

(b) Yes.

(c) The recognised practice is not to recruit accountants and auditors for this Department from the Military Accounts Department, and this practice is one which it is desirable to continue.

In 1926 when qualified clerks were not available in the Department for promotion to fill a vacancy in the Subordinate Accounts Service, the Military Accountant General was requested to recommend a clerk of the Military Accounts Department, who had passed the Subordinate Accounts Service Examination (Military), obtaining 60 per cent. of the total marks in the aggregate, for the post of an Accountant in this Department.

A Sikh was recommended and employed.

(d) The Military Test Audit Department came into existence on the 1st March, 1925, before the issue of the Home Department Memorandum No. F./176/25-Ests., dated the 5th February, 1926, or before any other instructions issued regarding the representation of minorities in Government service. In filling up vacancies, the instructions have in the recent past not been ignored.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly tell us how promotions to the Subordinate Accounts Service are given effect to?

The Honourable Sir George Schuster: I am afraid I am not quite clear about the purport of the question.

Mr. Anwar-ul-Azim: The purport is this. The Honourable Member just now said that promotions to the Subordinate Accounts Service are made on a certain basis. What is that basis?

The Honourable Sir George Schuster: I am afraid I cannot give the Honourable Member any further details now. But if he will tell me exactly what he wants, I would like to take an opportunity to inquire into the question and give him detailed information.

Dr. A. Suhrawardy: The Honourable Member has just now said that several appointments were offered to Muslim candidates but were refused. Will the Honourable Member please state the reasons of such refusal if he is aware of them.

The Honourable Sir George Schuster: I have not had time personally to inquire into this question at the present moment. But I have already stated in this House that I propose to take up this question as soon as the Session is over, and I agree with the Honourable Member, who has just put the supplementary question, that when we are told that a post

was offered and refused, I personally want to know exactly what happened and why it was. I want to go into all these cases and conduct a detailed examination.

APPOINTMENT OF MUSLIMS IN THE MILITARY ACCOUNTS DEPARTMENT.

850. ***Mr. Abdul Latif Sahib Farookhi** (on behalf of Maulvi Sayyid Murtuza Saheb Bahadur): (a) Will Government please state the number of appointments of S. A. S. (gazetted) Accountants and clerks in the Military Accounts Department? What number of these appointments is held by Hindus, Europeans, Anglo-Indians and Muslims, respectively, in each grade?

(b) Will Government please state whether they have considered or propose to consider the desirability of changing the present system of promotion with a view to secure effective representation of minorities in the higher grades of the services in the Military Accounts Department?

The Honourable Sir George Schuster: (a) A statement is placed on the table.

(b) The promotions to the subordinate Gazetted and Subordinate Accounts Services, to which, I presume, the Honourable Member refers, are regulated by considerations of seniority and merit. With a view both to efficiency in the service and justice to individuals these must continue to be the main considerations.

Statement showing the authorised number of appointments of Deputy Assistant Controllers, Accountants and clerks in the Military Accounts Department and the number held by members of different communities on 31st December, 1929.

Grade.	Number sanctioned.	Number of appointments held by members of the various communities.				Remarks.
		Hindus.	Muslims.	Europeans and Anglo-Indians (a).	Other communities.	
Deputy Assistant Controllers (Gazetted).	90	54	3	20	13	(a) Information in respect of Europeans and Anglo-Indians has not been furnished separately, as it is not available.
Accountants	467	383	23	32	29	
Clerks	3,736 (b)	3,019	316	32	353	(b) 16 permanent appointments were vacant on 31st December, 1929.

REQUISITION OF VILLAGERS TO GUARD THE RAILWAY LINE.

851. *Pandit Thakur Das Bhargava: (a) Is it a fact that the Manager of Tyajabhumi sent a telegram to the Secretary to His Excellency the Viceroy representing that peasants from villages were forced to guard the railway line for 12 hours in *begar* while His Excellency's special train passed that way in August last?

(b) Was a letter sent by one Mr. Vajjnath Mahodya, Manager of Tyajabhumi, to the Commissioner, Rajputana and Merwara on the 5th August 1929 complaining of *begar* being taken on the night of the 4th August 1929 from the inhabitants of Hatundi (Ajmer) for guarding the railway line for 12 hours?

(c) Were copies of the statements of the peasants together with a copy of the telegram referred to above also sent along with the letter?

(d) Was any reply given by the Commissioner to that letter, and if so, what?

(e) Were any inquiries made in this connection? If so, with what result?

Mr. E. B. Howell: (a) Government have no information.

(b) and (c). A letter was received from one Narsidar, who described himself as Manager of Tyajabhumi. No copies of any statements were enclosed, but a copy of a telegram was sent.

(d) and (e). No reply was given by the Commissioner. The matter was under the consideration of the Government of India about that time and they issued orders in October last, directing that reasonable payment should be made for all labour employed to guard railways during Viceregal tours. Effect has since been given to these orders.

DELAY OF A PASSENGER TRAIN AT REWARI.

852. *Pandit Thakur Das Bhargava: (a) Is it a fact that on the occasion of the recent tour of His Excellency the Viceroy from Delhi to Ajmer the passenger train starting from Delhi at about 5 p.m. and reaching Rewari at about 8 p.m. was held up for about 3 hours in the yard at Rewari?

(b) Were the windows of the carriages on both sides closed, and the passengers within the compartments not allowed to leave who had to go without food and drink?

Mr. A. A. L. Parsons: Government have received no information to this effect, but a copy of the question is being sent to the Agent of the Bombay, Baroda and Central India Railway, and I will communicate with the Honourable Member later.

PAYMENT TO VILLAGERS FOR GUARDING THE RAILWAY LINE.

853. *Pandit Thakur Das Bhargava: (a) Is it a fact that eight annas per head was paid to men who were made to stand and guard the line from Delhi to Ajmer on the occasion of the recent tour of His Excellency the Viceroy?

(b) What amount of money was spent in connection with this tour and how much out of the same was paid to persons who guarded the line?

(c) Under what head has the amount so paid been charged?

Mr. C. W. Gwynne: (a) Instructions were issued last October that all labour employed in connection with Viceregal tours should be paid at reasonable rates. I am not aware at what rates the men referred to (if employed) were paid but am making inquiries and will communicate the result to the Honourable Member in due course.

(b) and (c). The expenditure on account of persons employed to guard the line would not be met out of the Tour Expenditure of His Excellency but from heads controlled by the Chief Commissioners of Delhi and Ajmer-Merwara and in provinces from provincial budget heads. I am ascertaining the exact heads to which the cost has been debited in Delhi and Ajmer-Merwara.

NON-MUSLIM CLERKS APPOINTED IN THE NORTH WEST FRONTIER PROVINCE.

854 *Mr. Anwar-ul-Azim: 1. With reference to the reply given by Government to questions Nos. 453 and 454 asked by Mr. Muhammad Ismail Khan on the 12th September, 1929, will Government be pleased to state if:

(a) the following statement shows correctly the number of clerical appointments which the non-Muslims and non-residents have monopolized in the North West Frontier Province:

Name of Office or District.	Total strength of establishment.	Number of Muslims.
Chief Commissioner's Office	48	20
Judicial Commissioner's Office	16	7
Revenue Commissioner's Office	37	13
Irrigation Secretary's Office	162	87
Peshawar Municipal Office	12	2
Forest Department	28	6
Hazara District	59	20
Bannu District	70	15

(b) higher paid clerical appointments in the clerical service in that Province numbering 34 have almost all been monopolized by the non-Muslims and non-residents; and

(c) the masses of unemployed educated Muslims of Peshawar submitted a representation to the Honourable the Chief Commissioner, North West Frontier Province, through the Muslim Association, Peshawar, on the 16th August, 1925, requesting the discontinuance of recruitment of non-Muslims and non-residents in clerical establishments in the Province?

2. If answers to the above questions be in the affirmative, will Government be pleased to state what action was taken by the Local Administration in the matter?

Mr. E. B. Howell: 1. (a) and (b). The statements are being verified and the result will be communicated to the Honourable Member in due course.

(c) Certain Muslims presented a petition on the subject through the Muslim Association, Peshawar, on the 18th August, 1925.

2. The object of the Local Administration has been to adjust the proportion of clerical appointments between the communities with due regard to the claims of the majority community, educational qualifications, and efficiency.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly tell us, for the purpose of recruitment, which are the majority and which are the minority communities in the North-West Frontier Province?

Mr. E. B. Howell: I am not quite clear as to what the Honourable Member means.

Mr. Anwar-ul-Azim: Will the Honourable Member kindly tell us what the idea of Government is as regards the majority and minority communities, so far as recruitment to this Department is concerned in the North West Frontier Province?

Mr. E. B. Howell: If the Honourable Member means, which is the majority community on the basis of population, it is a matter of common knowledge that Mussalmans are in a very large majority in the North West Frontier Province.

APPOINTMENT OF NON-MUSLIMS IN THE NORTH WEST FRONTIER PROVINCE.

855. ***Mr. Anwar-ul-Azim:** 1. Are Government aware that communal representation in Government service had been fixed by the following Local Governments:

- (a) the Government of Bombay Presidency, *vide* their Standing Order No. P.-34, dated the 19th February, 1925, requiring the recruitment of 50 per cent. Muslims in Sind, etc.;
- (b) the Punjab Government, *vide* their Standing Orders requiring recruitment of no less than 30 per cent. Muslims in the ministerial appointments in the Punjab and not more than 70 per cent. by any one class in that Province; and
- (c) the Madras Government, *vide* the Revenue Board Standing Order No. 128 (2), G. O. No. 613, dated the 16th September, 1921, G. O. No. 658, dated the 15th August, 1922 and No. 563, dated the 21st July, 1923, fixing distribution of appointments among several castes?

2. If the answers to part 1 be in the affirmative, will Government be pleased to state what special reasons necessitated departure so far adopted by the North West Frontier Province from the policy followed by other Local Governments?

3. Will Government be pleased to state if the recruitment of Muslims is being made at present in all civil offices in that Province on any authorized principle or is it left to the discretion of the heads of Departments?

4. (a) Will Government be pleased to state if it is a fact that the Honourable the Chief Commissioner, North West Frontier Province fixed a few years ago, 33 per cent. recruitment of non-Muslims in the Police Department of the Province?

(b) If so, will Government be pleased to state the special reasons which necessitated the fixation of this percentage and the principle on which it was based?

Mr. E. B. Howell: 1. The Major Local Governments have power to regulate such matters in regard to services under their control and some of them have issued instructions on the subject. No precise information is however readily available as to the nature of those instructions or the local considerations on which they are based.

2. There has hitherto been no jointly concerted policy for the whole of India from which the North-West Frontier Province could be said to have departed.

3. No precise proportion has been fixed, but every consideration is paid to the claims of educated Muhammadans.

4. (a) No, Sir.

(b) Does not arise.

COMPOSITION OF THE MUNICIPAL COMMITTEE OF PESHAWAR CITY.

856. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state whether the following elected and nominated seats have lately been allotted to the Members of the Municipal Committee of Peshawar City on a population basis:

<i>Elected.</i>							
(i) Muslims	..	..	5	}	<i>Total Composition.</i>		
(ii) Hindus	..	..	2				
(iii) Sikhs	..	..	1				
<i>Nominated.</i>							
(a) Muslims	..	..	3	}	Muslims	..	8
(b) Hindus	..	..	2		Hindus	..	4
(c) Sikhs	..	..	2		Sikhs	..	3
					Total	..	15
Total				..	15		

(b) If answer to part (a) be in the affirmative, will Government be pleased to state on what consideration the above seats have been assigned in both cases?

Sir Frank Noyce: (a) and (b). The present composition of the Municipal Committee of Peshawar is as follows:

<i>Elected.</i>				}			
(a) Muslims	..	..	5				
(b) Hindus	..	..	2				
(c) Sikhs	..	..	1				
<i>Nominated.</i>				}	<i>Total Composition.</i>		
(a) Muslims	..	..	4		Muslims	..	9
(b) Hindus	..	..	3		Hindus	..	5
(c) Sikhs	..	..	1		Sikhs	..	2
<i>Total</i>					<i>Total</i>	..	16

In assigning seats to the different communities, account has been taken not only of population but also of voting strength and taxable capacity.

PREPONDERANCE OF ONE COMMUNITY IN CERTAIN SERVICES.

857. ***Mr. Anwar-ul-Azim:** Will Government be pleased to state how they reconcile the difference in the policies adopted by:

- the Local Governments in India,
- the Railway Administration in India,
- the Posts and Telegraph Departments in India, and
- the subordinate Military Departments in India,

and definitely state whether any, and if so, what, practical steps have been ordered by Government of India to be taken by the Departments concerned to prevent the existing enormous preponderance of members of one class or community in Government service specially in the provinces in which a community is a majority one, and has not so far been successful to secure its due share in provincial, civil, military, postal, and other services, as is the case at present in the North West Frontier Province?

Mr. C. W. Gwynne: (a) The major Local Governments have power to regulate such matters in regard to services under their control, and some of them have issued instructions on the subject. But I have no precise and recent information as to the nature of such instructions or the considerations on which they are based.

(b), (c) and (d). The Honourable Member no doubt has in mind services under the Government of India and locally recruited. I am not aware that the assumption of fact contained in his question is correct. But I may inform him in regard to these services that the operation of the general orders for the prevention of the preponderance of any one class or community is under examination.

APPOINTMENT OF MUSLIMS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

858. ***Mr. Anwar-ul-Azim:** (a) Will Government be pleased to state:

- the present number of Assistant Directors General (acting and permanent hands to be shown separately) working in the Office of the Director General of Posts and Telegraphs in India; and
- the number of Hindus and Muslims holding the twenty selection grade appointments ranging in pays from Rs. 300 to 750 in the same office?

(b) In case the Muslims are under-represented in the service or are conspicuous by their total absence, will Government be pleased to state what measures they propose to adopt to increase the representation of the Muslim community?

The Honourable Sir Bhupendra Nath Mitra: (a) (i). Of the seven appointments of Assistant Directors General, three are at present held by permanent officers and four by officiating officers.

(ii) The number of selection grade appointments in the office of the Director General, Posts and Telegraphs, with pay ranging between Rs. 300 and Rs. 750 is 18. One of these appointments is vacant at present. 16 of these are held by Hindus and none by Muslims.

(d) The appointments of Assistant Director General are made by selection. The permanent appointments being made on the recommendation of the Public Service Commission. Last year an acting appointment was given to a Mussalman Superintendent of Post Office who had obtained the requisite seniority, but he was found by the Director General to be wholly unsuited for the work. As regards the other appointments, they are filled by promotion of qualified officials in the lower ranks irrespective of the communities to which they may belong. As has been frequently stated, promotion from a lower to a higher grade in the Department or in any other branch of public service is determined by seniority and efficiency. The due representation of minority communities is secured by the reservation of vacancies occurring in such posts as are filled by direct recruitment.

Nawab Sir Sahibzada Abdul Qaiyum: When appointments are made, are the recommendations of the Public Service Commission fully followed or has the officer in charge of making appointments the right to exercise his discretion in selecting men from among those recommended by the Public Service Commission?

The Honourable Sir Bhupendra Nath Mitra: If my Honourable friend is referring to promotions made on the recommendation of the Public Service Commission, then I may tell him that the recommendation of the Commission is strictly followed, and the head of the Department has no option in any way to modify or depart from the recommendation of the Commission. In regard to recruitment for posts which are filled by direct recruitment on the advice of the Public Service Commission, the head of the Department, in the case of Probationary Superintendents of Post Offices, has certain discretion. But, in exercising that discretion, he has to follow the standard orders of the Government of India which lay down that one-third of the vacancies must be reserved for the adjustment of communal inequalities. To be more

precise, if in any year there are (say) six vacancies, then the Director General is bound to take, in two of the vacancies, two members of the minority communities from the list sent up by the Public Service Commission.

Nawab Sir Sahibzada Abdul Qaiyum: In the case of promotions from the lower grades to the higher grades, is a list of suitable candidates prepared by the Department and sent to the Public Service Commission to give their opinion about the fitness of these candidates, or do applications for promotion go direct to the Public Service Commission from these officials seeking promotion? That is to say, do all applications from aspirants to promotion go direct to the Public Service Commission, or does the Department send on all or only a few of the applications to the Public Service Commission from junior men aspiring to the higher grades, for the verification of their fitness for promotion?

The Honourable Sir Bhupendra Nath Mitra: What happens is this, and I think I can explain the practice in regard to the Indian Posts and Telegraphs Department more precisely. The Director General sends up to the Public Service Commission the names of a certain number of officials who have attained the requisite seniority, and with these names he sends up a confidential record of each one of these officers. The Public Service Commission then selects officers for promotion and puts them in a certain order of precedence.

Nawab Sir Sahibzada Abdul Qaiyum: What is the test which is applied by the Public Service Commission for giving preference to one candidate over the other or for putting them all in order of merit? Do the Public Service Commission form their opinion on the record or official reports submitted to them by the Department, with the remarks, good or bad, noted against each name, or have they got some other means or criterion to judge the merits or demerits of these candidates?

The Honourable Sir Bhupendra Nath Mitra: It is not possible for me to explain to my Honourable friend precisely how the Public Service Commission form their conclusions in the matter. But I should think that they pay due consideration to the confidential records of these officials in regard to the manner in which they have discharged their duties in the past.

Nawab Sir Sahibzada Abdul Qaiyum: I shall try to put my question a little more clearly this time. My meaning is this. There are people serving in the Department, whose work is reported upon by their seniors confidentially, and there is the fact that, in this service the number of minority communities is not up to the mark. If a list is sent from the Department to the Public Service Commission for a report, it may not contain very many names of the minority community people serving in that Department; and the second thing is that, if it rests with the Department to send selected names according to their will and wish to the Public Service Commission, there is the possibility that the Department may not send up the names of any suitable candidates belonging to the minority community. Moreover it looks useless to send names to the Public Service Commission, of candidates whose fitness or otherwise is better known to the Department than to the Commission.

The Honourable Sir Bhupendra Nath Mitra: I shall be equally frank with my Honourable friend, Sir Abdul Qaiyum, and my remarks have a special bearing on the Indian Postal and Telegraph Department. In the first place I think he said that among senior officers, i.e., those holding posts

of (or corresponding to) Superintendents of Post Offices, from among whom promotion takes place, there is a lack of adequate representation of minority communities. If by minority communities he means minority communities as a whole, he is under a misapprehension, and I would ask him to study the published list of officers of the Indian Postal and Telegraph Department. He will find there that, as a matter of fact, it is the minority communities, speaking as a whole, which are in preponderance. In the next place, the names of all the senior officers are sent up to the Public Service Commission, and with the name of each officer is sent up his past record. Therefore it is not correct to say that the names of particular officers may not be sent up to the Public Service Commission.

Nawab Sir Sahibzada Abdul Qaiyum: What is the object in sending such names to the Public Service Commission? What other facilities have they got to judge the merits or demerits of these candidates?

The Honourable Sir Bhupendra Nath Mitra: I was coming to that. Then, the Public Service Commission is supplied with the confidential record of each of these officers, and this confidential record represents the views expressed on the officer's work, not by members of any particular community, but mostly by Englishmen, who have, up till recently, held the highest posts in the Department, like Directors General or Post Masters General.

Nawab Sir Sahibzada Abdul Qaiyum: Then why cannot they be trusted with the selection of their candidates when they are in a better position to judge of the merits and demerits of their subordinates.

The Honourable Sir Bhupendra Nath Mitra: I did not catch the point of my Honourable friend's interjection. I was simply explaining to him the practice which is followed. Perhaps it might be possible to hold examinations, in which case the position might be much worse.

OFFENCES COMMITTED IN THE PESHAWAR DISTRICT JAIL.

859. ***Mr. Anwar-ul-Azim:** (a) Will Government please place on the table a statement showing the cases of riots in which razors had been used by the convicts, poisoning of convicts at the instance of their enemies, and other serious offences committed in the Peshawar District Jail during the past three years and state on whom lies the responsibility of lack of supervision which brought about the introduction of razors and poison inside the Jail making the lives of convicts insecure?

(b) Will Government please state briefly the circumstances of each case as elicited in judicial inquiries and the result?

(c) Will Government please state whether, any and if so, what punishment has been awarded to the officers and staff of the Jail for disregard of strict orders contained in the Jail Manual on the subject in the cases mentioned in part (a) above?

Mr. C. W. Gwynne: Information was called for last year in response to a question by an Honourable Member. No riot occurred in the Peshawar Central Jail during the five years prior to January, 1929. Two cases of poisoning occurred during the period in question, in neither of which was the poisoning administered by a convict. In one there was no evidence against the Jail staff: in the other a Warder received three months imprisonment. I am making enquiries from the Chief Commissioner as to whether any such incidents have occurred during the last year, and will inform the Honourable Member in due course.

ALLEGED INJUSTICE TO MR. PROFULLA KUMAR SETT, ASSISTANT IN CHARGE, MEDAL SECTION, ARMY DEPARTMENT.

860. *Maulvi Muhammad Yakub: With reference to my starred question No. 889, dated the 25th September, 1929, is it not a fact that a representation was made by the Secretary, All Bengal Muslim Youngmen's Association, 14 Gardner Lane, Calcutta, to the Army Secretary, in respect of injustice to and maltreatment of Mr. Profulla Kumar Sett, Assistant in charge, Medal Section, which was thoroughly investigated, and afterwards filed by the order of the Secretary on the grounds that no reminder was received or the matter pursued by the said Association? Is it a fact that this representation was dealt with by Mr. G. M. Young? Will Government please make a further search for the papers and place them on the table of this House?

Mr. G. M. Young: The answer to the first part of the question is in the negative. The second and third parts do not arise.

MEMORIAL FROM MR. SHYAMA CHARAN CHATTERJEE, A GOVERNMENT PENSIONER.

861. *Maulvi Muhammad Yakub: With reference to my starred question No. 889 (b), dated the 25th September, 1929, is it a fact that in paragraph 19 of his memorial to His Excellency the Viceroy and the Governor General in India, Mr. Shyama Charan Chatterjee, a Government pensioner stated that the enquiry which was nominally made before the submission of the memorial in question, was conducted in a manner which was prejudicial to him? Will Government please state whether any inquiry was made on or after the receipt of his memorial alluded to and if so, will they kindly place the decision of the Inquiry Committee on the table of this House?

Mr. G. M. Young: The answer to the first part of the question is in the affirmative. The allegation was, however, found upon investigation, to be baseless. Government have no intention of laying any papers in connection with this case upon the table of the House.

Maulvi Muhammad Yakub: Why not?

Mr. G. M. Young: My Honourable friend must be well aware of the details. Or perhaps he is not aware. It was an exceedingly trivial case, of no public interest whatever, and settled six years ago.

Maulvi Muhammad Yakub: The Honourable Member never gave me the details, and how can I be expected to know them?

Mr. G. M. Young: If my Honourable friend had been aware of the details, he would not, perhaps, have suggested that the papers should be laid on the table. The case relates, Sir, to the disappearance of a sum of Rs. 6-11-0 from the accounts of the Medal Section. An inquiry was held and it was found that the clerk mentioned in the question was responsible for the disappearance. Steps were therefore taken to recover the amount from his salary.

DAILY REPORTS OF WORK DONE BY CLERKS IN THE MEDAL SECTION, ARMY DEPARTMENT.

862. *Maulvi Muhammad Yakub: With reference to my starred question No. 892 (e) of the September Session, 1929, is it not a fact that the

practice of submitting daily reports of the daily work done in the Medal Section has been in force since 1920 and is not the Medal Section part and parcel of the Army Department Secretariat? If the reply is in the affirmative, will Government please state the circumstances under which an incorrect reply has been given to this House to the effect that no clerk is required to submit daily report? Do Government propose to take some action against the clerk who is responsible for this?

Mr. G. M. Young: I am told that it is the practice in the Medal Section for clerks to note at the end of the day, on a slip of paper, the number of cases with which they have dealt during the day, and the number still with them. There is no order requiring them to do this, nor are other clerks of the Army Department required to submit daily reports of any kind. In his previous question the Honourable Member inquired whether Mr. N. C. Dass submitted a report of his daily work as required in the case of other men of the Department. Mr. N. C. Dass was not a clerk of the Medal Section. The question, if I may say so, was therefore misleading; but the answer given by my predecessor was substantially correct.

ASSISTANCE OF MINT EMPLOYEES BY MR. N. C. DASS.

863. *Maulvi Muhammad Yakub: With reference to my starred question No. 892 (d) asked in the September Session, 1929, will Government please state whether the men employed in the Mint for inscribing the names of the recipients on the medals were all illiterate and none of them could read the typewritten names, numbers, designations, regiments, etc., on the rolls and they therefore required the continued assistance of Mr. N. C. Dass for reading them the necessary details or whether Mr. N. C. Dass used to point out to them, on the spot, which roll was to be attended first? If the reply is in the affirmative, will Government please state if the Punching Contractor, before the transfer of the punching work to the Mint, also utilised the services of Mr. N. C. Dass, and if so, what private remuneration he received from him? If Mr. Dass did not help the Punching Contractor, what was the special reason for which the punching work in the Mint could not be done in the Mint?

Mr. G. M. Young: With your permission, Sir, I will answer questions Nos. 863, 864, and 865, together.

Government do not accept any of the inferences drawn in these questions. The facts are that the men who were employed on the work of punching medals at the Mint were mechanics, and though they could read words and figures sufficiently well to inscribe them on the medals, were not capable, without supervision, of making the necessary abbreviations. Mr. N. C. Dass, a clerk of the Army Department Records Office in Calcutta, used accordingly to go over to the Mint and give the mechanics the requisite assistance. For this work he was granted an honorarium of Rs. 500. If we had employed as punchers men with sufficient knowledge of army nomenclature to carry out the transcriptions without help, it would have cost us a great deal more than Rs. 500, and would have been a real waste of Government funds. The number of medals inscribed was well over two millions. In the earlier stage, the work was performed by a contractor in the office of the Medal Section itself, and there was then of course no need to utilize the services of Mr. N. C. Dass.

ASSISTANCE OF MINT EMPLOYEES BY MR. N. C. DASS.

†864. *Maulvi Muhammad Yakub: Will Government please state the circumstances under which the Mint Master engaged inefficient punching men who required the continued assistance of Mr. N. C. Dass and afterwards the award of an honorarium of Rs. 500? Will they kindly obtain the explanation of the Mint Master for this loss of Government and place it on the table of this House?

ASSISTANCE OF MINT EMPLOYEES BY MR. N. C. DASS.

†865. *Maulvi Muhammad Yakub: Will Government please state if the laborious work which Mr. N. C. Dass did was to point out to the punching men the details which were to be inscribed on the medals? If the reply is in the negative, will they kindly furnish the full particulars of the work done by him, and for which he was paid Rs. 500 as honorarium?

TEMPORARY SERVICE OF CERTAIN CLERKS IN THE COMMERCE DEPARTMENT.

866. *Maulvi Muhammad Yakub: Is it a fact that five temporary clerks of over four years' service in the Commerce Department were granted gratuity and leave admissible to them concurrently with the period of notice? If the reply is in the affirmative, will Government please furnish details of their temporary service?

The Honourable Sir George Rainy: Leave was granted to 5 temporary clerks, who were retrenched from the Commerce Department in 1923, in connection with the general reduction of the Secretariat establishments following upon the recommendations of the Indian Retrenchment Committee. No gratuity was paid to them. Their length of service varied from 4 years and 8 months to 7 years and 3 months.

EMPLOYMENT OF *ex*-SOLDIERS.

867. *Maulvi Muhammad Yakub: Is it a fact that, in his letter No. 17840-Home Military, dated the 27th June, 1927, and the Governor in Council order issued therewith, the Home Secretary to the Government of the Punjab stated that the Governor in Council was not satisfied that everything possible to accord preferential treatment in the matter of civil employments to *ex*-soldiers and others who served during the Great War, has been done, and invited the special attention of the heads of the Departments to the necessity for fresh efforts to secure civil employments for them? If the reply is in the affirmative, will Government please state whether they issued similar instructions to the heads of the Departments? If not, why not, and are they prepared to do it now? Are Government aware that many *ex*-service men are in a destitute condition, and although they possess the requisite qualifications of the various posts, do not get treatment equal to that given to the civilian candidates?

Mr. C. W. Gwynne: The reply to the first part of the Honourable Member's question is in the affirmative. I am not aware that any representations have been made as regards special difficulties experienced by *ex*-soldiers in other provinces in obtaining employment, but the Indian Soldiers' Board

†For answer to this question, see answer to question No. 863.

receives and deals with a certain number of applications from other parts of India for assistance in this respect. In reply to question No. 279, asked by Mr. Rajah on the 11th February, the Honourable Member is referred to the instructions in the matter which have been issued to Departments of the Government of India. No other instructions have so far been issued, but I am prepared to examine the question further.

EMPLOYMENT OF TEMPORARY MEN IN THE GOVERNMENT OF INDIA SECRETARIAT.

868. *Maulvi Muhammad Yakub: Is there any rule under which Government can entertain and keep on temporary men in the Secretariat for an indefinite period?

Mr. C. W. Gwynne: There are no rules on the subject, but the Government of India have recently laid it down that the multiplication of temporary appointments should be avoided as far as possible.

OFFICER IN CHARGE OF THE MEDAL SECTION, ARMY DEPARTMENT.

869. *Maulvi Muhammad Yakub: (a) Is it a fact that the Medal Section practically consists of one assistant and seven clerks and is placed under an officer of an Assistant Secretary's grade? If so, will Government state the reason?

(b) Have Government considered the question of placing the Medal Section under one of the Assistant Secretaries of the Army Department?

(c) What was the strength of the Medal Section in 1922, when the post of the Officer in charge Medal Distribution, was not made permanent? What was the total number of assistants in charge, sub-sections, i.e., 1914, 1914-15, I. G. S., B. W. & V. Medals, War, Recruiting and other Badges, Permanent Replacement and old War Medals (from 1799 to 1908-11) sub-section, etc., and what were the names of the Assistants in Charge of these sub-sections from 1st April, 1920, to 31st March, 1924?

Mr. G. M. Young: (a) No. Sir. The section consists of one assistant, ten clerks and a mechanic. The officer in charge is not graded as an Assistant Secretary.

(b) No.

(c) The strength of the section in 1922 was 47. The information asked for in the latter portion of this question is not available.

TRANSFER TO DELHI OF THE RECORDS OF THE ARMY DEPARTMENT.

870. *Maulvi Muhammad Yakub: Have the Army Department Records yet been brought to Delhi and, if not, when do Government intend to bring them to Delhi?

Mr. G. M. Young: Printed records of the Army Department from 1890 and all unprinted records of the last six years are kept in Simla. The older printed and unprinted records were left in Calcutta because until recently there was no storage accommodation available for them. They will be brought to Delhi in the course of the next year.

ADMISSION TO EXAMINATIONS OF DEPARTMENTAL AND RETRENCHED CLERKS.

871. ***Maulvi Muhammad Yakub:** (a) Is it a fact that Messrs. Karam Chand Varma, Gajjan Singh, clerks, Master General of Ordnance Branch, late of the Army Canteen Board, and some retrenched clerks of the Medal Section, holding temporary appointments in the Army Headquarters, have not been allowed to sit in the departmental examination of November, 1929? If so, will Government furnish a complete list of the retrenched clerks of the Medal Section and the Army Canteen Board holding temporary appointments in civil and military offices of the Government of India who have not been permitted to appear at the last examination and also state the reasons for withdrawing these concessions in each case?

(b) Have any clerks who neither belong to the Medal Section nor to the Army Canteen Board been allowed to sit in the examination? If so, what are the special reasons for doing so?

Mr. G. M. Young: (a) The answer is in the negative as regards Messrs. Karam Chand Varma and Gajjan Singh, both of whom were permitted to sit at the examination. There was only one retrenched clerk of the Medal Section holding a temporary appointment in Army Headquarters, who was not allowed to appear at the departmental examination, because the concession applied only to clerks who were serving in the Medal Section in 1929. The appointments of seven of these in the Medal Section were made permanent, and employment was found at Army Headquarters for three more. The clerk, who was not allowed to appear at the examination, had been selected for retrenchment, four years previously, when the first reductions in the Medal Section were made, on account of his unsatisfactory work and conduct. The latter part of the question does not arise.

(b) Yes, exceptional cases were referred to the Public Service Commission, who granted admission on the merits of each individual case.

EMPLOYMENT OF RETRENCHED CLERKS.

872. ***Maulvi Muhammad Yakub:** Is it a fact that Messrs. Abdul Haq, R. R. Sett and S. C. Sett, late clerks of the Medal Section, have been provided with appointments in the Army Headquarters after retrenchment? If so, do Government propose to give similar treatment to the clerks of the Medal Section who were thrown out of employment after faithfully serving Government for almost ten years; in many cases, at the time when they became overaged and unfit for further service?

Mr. G. M. Young: The answer to the first part of the question is in the affirmative. Government have always been, and are still prepared to consider applications from clerks, who were retrenched, for further employment. I would point out, however, that the large Medal establishment employed during the first few years after the war was on an avowedly temporary basis, and that none of the clerks so employed had any expectation of permanent employment. It was inevitable that after the main work of distributing medals was completed, the establishment should be greatly reduced. I cannot accept the suggestion in the last sentence of the Honourable Member's question that Government should re-employ clerks who are over age and unfit for further service.

RETRENCHMENT OF CLERKS IN THE MEDAL SECTION.

873. ***Maulvi Muhammad Yakub:** Will Government please state whether the clerks who were transferred, along with the Medal Section, from Simla to Calcutta, after being given 20 per cent. deputation allowance, and the clerks who were entertained in Calcutta, were, wholly or partly, paid from War Office funds? If so, did the retrenchment in the Medal Section occur on the recommendation of the War Office with a view to curtail their expenditure?

Mr. G. M. Young: The answer to the first part of the question is in the affirmative, and to the second part in the negative.

TRANSFERS OF CERTAIN OFFICERS OF THE POSTS AND TELEGRAPHS DEPARTMENT.

874. ***Maulvi Muhammad Yakub:** (a) Will Government be pleased to state whether Government have promulgated rules, regulating transfers of Deputy Assistant Electricians and Sub-Divisional Officers of the Engineering and Telephone Branches of the Posts and Telegraph Department? If so, would they table departmental regulations prescribed for the purpose?

(b) Has a time limit been fixed under the rules above, for each station or locality?

(c) Is it a fact that there is a general lack of uniformity in the manner transfers are being effected generally, i.e., some being provided prolonged tenures at places, whilst others, either stagnate at inconvenient stations or are jostled about oftener?

(d) Will Government be pleased to furnish a list of all such officials in all cadres, afore-mentioned, who have already served in the same place or post for over three years, indicating also respective periods involved?

(e) Are Government aware that a strong feeling exists throughout and amongst all cadres afore-named, that transfers could be conducted on better and more equitable lines than they are at present?

(f) Are Government prepared to review the whole question of transfers in all three branches?

Mr. H. A. Sams: (a) There are no special rules relating to the transfer of officials of the classes referred to. The officials are subject to the general rules regarding the conditions of transfer.

(b) No.

(c) As transfers of the officials referred to are effected in the interests of the service, there cannot be uniformity as regards the period for which an officer is stationed at a particular place.

(d) Information will be collected and will be furnished to the Honourable Member in due course.

(e) No.

(f) There appears to be no necessity for the action suggested.

CONDONATION OF BREAK IN SERVICE OF CERTAIN TEMPORARY EMPLOYEES.

875. ***Maulvi Muhammad Yakub:** (1) Will Government be pleased to state if it is a fact that:

(a) As a result of the Report of the late Inchcape Committee, reduction in the establishment of different Departments of the Government of India was effected, and certain temporary men, having long temporary service at their credit at the time, were thrown out of employment and again provided for in Government Offices by the Staff Selection Board with a short break in service?

(b) Government granted leave up to some specified period to those retrenched temporary men who had four years' temporary service or over at the time of retrenchment?

(c) There is an article 420 (d) in the Civil Service Regulations to the effect that the break in temporary service shall be condoned if it is due to the reduction in establishment?

(2) If replies to part (1) be in the affirmative, are Government prepared to treat as leave or condone the break in service of the temporary men referred to in part (a) above to enable them to avail themselves of their long temporary service before the break for purposes of *leave and pension*?

Mr. C. W. Gwynne: 1. (a) Yes.

(b) Retrenched temporary employees, who had put in 4 years' continuous temporary service or more, were allowed to count that service for purposes of leave as if it had been permanent service.

(c) Article 420 (d) of the Civil Service Regulations provides, as an exception to the general rule that an interruption between two periods of service shall have the effect of making it impossible to reckon the earlier period as service for any purpose, that a loss of appointment owing to reduction of establishment shall not have that effect.

(2) The question of leave has already been disposed of on the merits of each individual case and Government do not propose to reopen the matter. The position regarding pension was explained in reply to Mr. Siddheswar Prasad Sinha's starred question No. 717 on the 23rd September, 1929.

MEDICAL ATTENDANCE FOR APPRENTICES AT THE KHARAGPUR WORKSHOPS.

876. ***Mr. S. C. Mitra:** (a) Will Government please state whether the facilities afforded in medical attendance and medical assistance to the apprentices in the Bengal Nagpur Railway Workshops at Kharagpur are equal for all and for all purposes, regardless of their race and class?

(b) If the reply to part (a) above is in the negative, will Government be pleased to state what are the differences observed, as regards the kind and quality of such attendance and assistance that are given to the Indian apprentices and particularly to the "A" grade apprentices from that given to the Anglo-Indian and European apprentices there?

(c) Are Government prepared to instruct the Railway to make the rules for medical facilities to their apprentices uniform? If not, why not?

Mr. A. A. L. Parsons: With your permission, Sir, I will answer questions 876, 877, 878 and 879 together. I have called for information and will communicate with the Honourable Member when it is received. I wish, however, to say that the Agent of the Bengal Nagpur Railway is personally investigating the question of removing the inequality, which must, I think, be admitted to exist in the treatment of European and Anglo-Indian and Indian apprentices in the Kharagpur Workshops, and the Honourable Member's questions will be useful in bringing particular points to his notice.

LEAVE ADMISSIBLE TO APPRENTICES OF THE KHARAGPUR WORKSHOPS.

†877. ***Mr. S. C. Mitra:** (a) Will Government please state what period of leave during the year, on full pay, is admissible to the apprentices in the Bengal Nagpur Railway workshops at Kharagpur, that counts towards their service and increments?

(b) Does the medical leave of apprentices at Kharagpur count for service and increments? If so, for how long does it ordinarily count in the year and what are the allowances granted to the apprentices while on medical leave?

(c) What other leave with full pay is admissible to the apprentices that counts for increments and service and is granted on extraordinary reasons?

(d) Is there any differential treatment observed for the Indian apprentices, particularly for the "A" grade apprentices, in respect of leave and leave allowances from that of the Anglo-Indian and European apprentices in the Kharagpur Railway workshops?

(e) If the reply to part (d) above is in the affirmative, will Government please specify the differences observed and state reasons for the differential treatment?

COMPENSATION FOR INJURY FOR APPRENTICES OF THE KHARAGPUR RAILWAY WORKSHOPS.

†878. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state whether any compensation for injury or disability caused in performance of their duty, is given to the apprentices in the Bengal Nagpur Railway workshops at Kharagpur?

(b) If the reply to part (a) above is in the affirmative, will Government please state whether the Workmen's Compensation Act is applicable in such cases?

(c) If the reply to part (b) above is in the negative, will Government please place on the table a copy of the rules that regulate the grant of such compensation to the apprentices in the Kharagpur Railway workshops?

(d) Have the Bengal Nagpur Railway had any occasion before to grant such compensation to any one of their Apprentices? If so, will Government please furnish the particulars?

(e) Is there any different ruling for the grant of such compensation to Indian and particularly to the "A" grade apprentices from that of the Anglo-Indian and European apprentices in the Kharagpur Railway workshops? If so, what is the reason for this differential treatment?

†For answer to this question, see answer to question No. 876.

TRAINING OF APPRENTICES IN THE KHARAGPUR WORKSHOPS.

†879. ***Mr. S. C. Mitra:** Is it a fact that the rules governing the admission of apprentices in the Kharagpur Railway workshops lay down different kinds of distribution in their training for the different periods of apprenticeship of the Indian "A" grade apprentices, but there are no such conditions laid down in the rules for the European and Anglo-Indian apprentices there? If so, will Government please state the reasons for this differential treatment?

APPOINTMENT OF INDIAN OFFICERS IN THE OFFICE OF THE DEPUTY COMMISSIONER, DELHI.

880. ***Mr. S. C. Mitra:** (a) With reference to the reply to question No. 745 (b) in the Legislative Assembly Debates, dated the 25th February, 1929, will the Honourable Member in charge of the Home Department kindly say if it is a fact that a junior Anglo-Indian clerk was again imported in the office of the Deputy Commissioner, Delhi, to officiate as Office Superintendent in May or June, 1929, in supersession of long service assistants? If so, why?

(b) Will Government be pleased to state, if the post of the Registrar, office of the Chief Commissioner, Delhi, is reserved for Europeans and Anglo-Indians? If not, do Government propose to appoint an Indian to the said post on the occurrence of a vacancy?

Mr. C. W. Gwynne: (a) An Anglo-Indian Head Assistant from the Chief Commissioner's office on a higher rate of pay than any of the clerks in the Deputy Commissioner's office was appointed to officiate for one month for the Superintendent of the Deputy Commissioner's office while the latter was doing his military training. There was no racial discrimination.

(b) No. There is no vacancy at present and Government cannot give any undertaking of the kind suggested in advance.

APPOINTMENT OF A JUNIOR CLERK AS SUPERINTENDENT, REFORMATORY SCHOOL, DELHI.

881. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that the Chief Commissioner, Delhi, has appointed an Anglo-Indian clerk of his Office as Superintendent, Reformatory School, Delhi, which is a gazetted post?

(b) If so, what are the technical and educational qualifications of the said gentleman to hold the post?

(c) Has he any previous experience of any juvenile jail, or of educational institutions? If not, on what considerations has a junior clerk been appointed to hold a post of such a responsible nature?

(d) Why have the claims of senior Head Assistant been ignored in filling the appointment?

Sir Frank Noyce: The information asked for is being collected and will be supplied to the Honourable Member later.

†For answer to this question, see answer to question No. 876.

ACCEPTANCE OF DALIS BY THE SUPERINTENDENT, DEPUTY COMMISSIONER'S OFFICE, DELHI.

882. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state, if it is a fact that the clerks in the Deputy Commissioner's Office, Delhi, have to pay a certain portion of their salary of the month of December and with the amount have to purchase presents and wait on the Superintendent of the Deputy Commissioner's Office, Delhi, with *dalis* on the Christmas Day?

(b) Is it a fact that the *dalis* were accepted by the Superintendent of the Deputy Commissioner's office on the last Christmas Day from his subordinate clerks? If so, what was the value of the presents received and with what motive were they presented and accepted?

(c) In view of the reply given by the Home Member to question No. 748 (a) on the 25th February, 1929 on the subject, are Government prepared to institute an inquiry as to whether the practice of accepting *dalis* is prevalent in the Deputy Commissioner's Office, Delhi?

Mr. C. W. Gwynne: (a) No.

(b) The Superintendent accepted a few trifling presents of fruit, nuts or flowers from his clerks. Government have no reason to suppose that the motive of acceptance as well as of presentation was anything but goodwill.

(c) The presentation related to one occasion only and no question of the prevalence of a general practice arises. Government do not therefore consider it necessary to hold an inquiry as suggested.

APPOINTMENTS AND PROMOTIONS IN THE DEPUTY COMMISSIONER'S OFFICE DELHI.

883. ***Mr. S. C. Mitra:** (a) Is it a fact that the appointments and promotions in the Deputy Commissioner's Office, Delhi, are not made with due regard to seniority and efficiency and that employees are given pay of the higher grades without actually performing the duties of the higher posts?

(b) Is it a fact that one clerk is working as a Vernacular Munshi, and his name is shown as an English clerk in the Deputy Commissioner's Office? If so, why is the Superintendent of the said office allowed to make such appointments?

Mr. C. W. Gwynne: (a) and (b). The reply is in the negative.

MEMORIALS FROM THE CLERICAL STAFF OF THE DEPUTY COMMISSIONER'S OFFICE, DELHI.

884. ***Mr. S. C. Mitra:** (a) With reference to the reply to question No. 746 (b) in the Legislative Assembly Debates, dated 25th February, 1929, will the Honourable the Home Member kindly say what has become of the memorials addressed to H. E. the Viceroy submitted by the clerical staff of the Deputy Commissioner's Office, Delhi, in June 1927?

(b) Were the memorials withheld? If so, under which rule of the memorial rules?

(c) Were the memorialists informed of their memorials being withheld? If not, why not?

(d) If the memorials are still under consideration, how long does the Delhi Administration intend to take before submitting the memorials?

Mr. C. W. Gwynne: (a) I understand that they were returned to the Deputy Commissioner.

(b), (c) and (d). The memorialists had prayed for further increase of the salaries, etc., recently sanctioned by the Government of India and for the grant of house rent. The Deputy Commissioner was informed in December 1927 that the Chief Commissioner was not prepared to refer the matter to the Government of India, and it is understood that this decision was conveyed to the memorialists. The memorials were not technically withheld, and it would have been open to the memorialists to approach the Chief Commissioner again with a request that they should be submitted to the Government of India even though the Chief Commissioner was unable to support them. They have not done so yet.

PAY OF EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, ALIGARH.

885. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state if it is a fact that a large number of workers in the Government of India Press, Aligarh, have been paid less than the pay sanctioned by Government for the posts they hold?

(b) If so, is it a fact that such procedure is contrary to the provisions of the Fundamental Rules?

(c) Why is the Manager allowed to cut the sanctioned pay of the workers and why does not the Controller of Printing exercise proper supervision in the matter?

(d) Is it a fact that wages to the extent of about Rs. 15,000 were cut and are Government aware that some of the workers had to live on one meal a day owing to the reduction of 25 to 30 per cent. of their wages?

The Honourable Sir Bhupendra Naih Mitra: An inquiry is being made and the result will be communicated to the Honourable Member in due course.

(Mr. President called Mr. Ranga Iyer to put question No. 887.)

Mr. Vidya Sagar Pandya: May I know, Sir, what has become of question No. 886?

Mr. C. W. Gwynne: I have been informed, Sir, by the Legislative Assembly Department that the Honourable Member has withdrawn this question.

Mr. C. S. Ranga Iyer: That is why I did not put question No. 886.

CORRESPONDENCE BETWEEN THE SECRETARY OF STATE AND THE GOVERNMENT OF INDIA ON CERTAIN MATTERS.

887. ***Mr. C. S. Ranga Iyer:** (a) Will Government be pleased to state if any correspondence has passed between the Secretary of State for India and the Government of India in regard to:

- (i) the arrest of Vallabhbhai Patel;
- (ii) the policy to be adopted towards the civil disobedience movement; and
- (iii) the representation of the Congress in the projected Conference of Princes and people in London?

(b) If so, will they be pleased to issue a white paper or make a statement regarding the said correspondence?

Mr. C. W. Gwynne: (a) (i) and (ii). The Government of India have been in communication with the Secretary of State in regard to the policy to be adopted towards the civil disobedience movement and have reported to him the facts regarding the arrest of Mr. Vallabhbhai Patel.

(iii) There has been no correspondence between the Government of India and the Secretary of State on this subject.

(b) The reply is in the negative. For the policy of the Government of India towards the civil disobedience movement the Honourable Member is referred to His Excellency the Viceroy's address to the Assembly on the 25th January last.

Mr. Vidya Sagar Pandya: May I know, Sir, if there is any truth in the newspaper report this morning that both Sardar Vallabhbhai Patel and the Lord Mayor of Calcutta are going to be released before their time? (*Several Honourable Members:* "No, no. It is Subhas Chandra Bose.")

Mr. C. W. Gwynne: I have no information, Sir.

PROMOTIONS OF SUBORDINATES ON THE EAST INDIAN RAILWAY.

888. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government please state the total increase in expenditure today incurred by the recent raising of wages of the menial, unskilled and skilled employees on the East Indian Railway?

(b) Will Government be pleased to state the total number of subordinates promoted to official grades, both temporary and permanent and how many of them are Europeans, Anglo-Indians, Hindus, Mohammedans and other classes?

Mr. A. A. L. Parsons: (a) I do not know to what particular revision of wages the Honourable Member refers. If he will let me know precisely what information he wants I shall be glad to furnish him with it, if possible.

(b) I have called for information and will communicate with the Honourable Member when it is received.

Lieut.-Colonel H. A. J. Gidney: In view of the stereotyped replies given by the Railway Board of collecting information, will the Honourable Member tell this House where the Railway Board usually place their collection boxes? These are evidently not put in the right places, because I have been waiting so long for a reply to this question.

(No answer was given.)

PROMOTION OF SUBORDINATES ON STATE RAILWAYS.

889. ***Lieut.-Colonel H. A. J. Gidney:** Will Government please state when they intend remedying the present position of a large number of subordinates on the State Railways officiating as officials by making them either permanent or improving their salaries?

Mr. A. A. L. Parsons: The position will be improved when the cadres of the superior establishments of State-managed railways are revised. Proposals for the revision of the cadres are about to be referred to the Central Advisory Council for Railways.

RATES OF PAY ON THE EAST INDIAN RAILWAY.

890. ***Lieut.-Colonel H. A. J. Gidney:** (1) Will Government please state whether:

- (a) the revised rates of 1928 on the East Indian Railway were drawn up by the Railway Board; and
- (b) these rates are applicable to the entire staff of the East Indian Railway, i.e., including those recruited before the date of the introduction of these rates?

(2) Will Government please state the cost of the staff before the 1928 rates of pay were introduced?

Mr. A. A. L. Parsons: (1) (a) No.

(b) A copy of Circular No. 485/A. E.-388, dated the 1st October, 1928, of the Agent, East Indian Railway, which contains a full answer to the Honourable Member's question, has been placed in the Library.

(2) The total cost of all staff of the East Indian Railway including superior officers in the year 1927-28 was Rs. 6,95,67,687.

Lieut.-Colonel H. A. J. Gidney: Is the Honourable Member aware that the Agent of the East Indian Railway, when giving his evidence before the Labour Commission, stated that it was the Railway Board who introduced these revised 1928 rates of pay and not the East Indian Railway Agent?

Mr. A. A. L. Parsons: No, Sir; I was not aware of that. In fact, I have not seen the evidence.

Lieut.-Colonel H. A. J. Gidney: I rise to a point of personal explanation, Sir. My question that was sent to the Legislative Assembly has been so altered as to render it absolutely innocuous. I asked for a difference between the total cost of pay of the subordinate establishments between the years 1928 and 1926. The important part has been omitted and the smaller part has been kept as it was.

Mr. President: Was the Honourable Member informed that his question was so altered?

Lieut.-Colonel H. A. J. Gidney: I was not informed of that, Sir.

Mr. President: I will look into the matter.

PAY OF POLICE INSPECTORS IN DELHI.

891. ***Lieut.-Colonel H. A. J. Gidney:** (a) Has the attention of Government been drawn to the grievances of the Delhi Province Police Inspectors, Sergeants and Sub-Inspectors in regard to their pay and prospects in consequence of the revision made from the 1st April, 1928, detailed in an article on page 9 of the August (1929) issue of the *Anglo-Indian Review* as follows:

- (i) Great disappointment and discontent is prevailing among the above ranks owing to the adverse effect of the increments fixed and given;

- (ii) the increments fixed for Inspectors (*viz.*, Rs. 7-8-0) are much too inadequate in comparison with Inspectors in Bengal (*viz.*, Rs. 12-8-0) and even in clerical and other services in most of which the rates of increments of Government servants drawing pay at Rs. 100—300 amount to not less than Rs. 10 or Rs. 20;

- (iii) the senior officers in each grade have suffered considerable loss in not getting any incremental pay for their longer services as compared with junior officers;

- (iv) in spite of representation against and recognition of the anomaly by the Departmental heads, nothing has been done to redress their grievances; and

- (v) though in order of precedence and pay, duties and responsibilities, the Inspectors ranked with Tehsildars, the latter have since been elevated to be gazetted officers and given pay from Rs. 200 rising up to Rs. 375?

(b) Do Government propose to take any steps to go into this matter and redress the grievances of these servants?

(c) Is it a fact that whereas the Indian Imperial Police and Provincial Police Services have their own organisations to represent their disabilities, Inspectors, Sergeants and Sub-Inspectors are not permitted to have such bodies?

(d) If so, are Government prepared to issue instructions to their Departmental officers to permit the formation of such Associations?

Mr. C. W. Gwynne: (a) (i) to (v). I have not seen the article referred to, but my information is that the introduction of the time-scale for the old graded system of pay has, on the whole, given satisfaction to the ranks concerned. The rate of increment for Inspectors in Bengal is Rs. 25 biennially, not 12-8-0 annually as suggested. In the clerical service of the Government of India Secretariat, and Attached Offices, the rates of increment vary, but it is not a fact that the minimum increment in scales running to Rs. 300 is Rs. 10. Officers who happened to be at, or very near, the top of their particular grade, naturally got a smaller increase of pay immediately under the new time-scale than they would shortly have received under the grade system, and officers who at the time of revision happened to be at or near the bottom of their particular grade, received an increase of pay immediately, which they would not for many years have received under the grade system, but such anomalies must be regarded as inevitable in a change of system from grades to a time-scale. Individual cases of hardship have been brought to the notice of departmental heads of the service. I understand that Inspectors ranked with, but junior to, Tehsildars, and that the latter have been created gazetted officers on a pay ranging from Rs. 200 to 375.

(b) The Inspectors, Sergeants and Sub-Inspectors at Delhi belong to the cadre of the Punjab police. The Government of India do not contemplate action in the matter.

(c) Subject to compliance with the rules laid down by the Government of India, the formation of Associations of police officers of the ranks mentioned is permitted, but it is for the Local Government to prescribe the rank

or ranks which may comprise an association and to accord recognition. For the reason stated in reply to part (b), the Local Government concerned in this case is that of the Punjab.

(d) Does not arise.

Lieut.-Colonel H. A. J. Gidney: In view of the Honourable Member's reply that the increase in the Bengal Police Inspectors' grade is Rs. 25 biennially, surely I am right in assuming that the increase annually is Rs. 12-8-0? This is obvious?

Mr. C. W. Gwynne: No, Sir, payment is not made annually.

SUPPLY OF TIMBER FROM THE ANDAMANS TO MATCH FACTORIES IN INDIA.

892. ***Sir Darcy Lindsay:** (a) Will Government be pleased to state what has been the supply of timber during the year 1929-30 from the Andamans to match factories in India and Burma?

(b) Have the demands for this special class of timber been fully met, and what has been the allocation by the Andamans Administration to the several match factories which have indented for it?

(c) What steps have Government taken to ensure that indents of the Indian companies and firms receive full consideration and that undue preference will not be given to any particular company? What steps have Government taken to ensure that no long term contract will be entered into which is likely to be prejudicial to the interests of the Indian companies as a whole?

(d) Will Government be pleased to state whether they have arrived at any definite conclusions on the Report of the Indian Tariff Board, and if so, as to what action they propose to take in order to conserve this growing industry to Indian interests?

(e) What steps are being taken by the Forest Department to discover suitable woods for match manufacture that can be extracted in quantity and readily transported to factories, as recommended by the Tariff Board on page 102, in paragraphs 21 and 22 and on page 118, in paragraph 25 of their Report?

Sir Frank Noyce: (a), (b) and (c). Information is being collected and will be supplied to the Honourable Member as soon as possible. The Honourable Member may rest assured that his suggestion that indents of Indian companies and firms for timber required for match factories in India and Burma should receive full consideration and that undue preference should not be given to any particular firms will be sympathetically explored.

(d) and (e). The proposals of the Indian Tariff Board referred to by the Honourable Member have been under consideration for some time. They were discussed with the Inspector General of Forests who, in August 1928, submitted proposals which included the establishment of an experimental match factory at Dehra Dun. As the appointment of a Special Committee to report on the future scope of the activities of the Forest Research Institute was contemplated by Government, it was decided to postpone action on the Inspector General of Forests' recommendations until this Committee had also had time to examine them. The desirability of this course of action was also indicated by the need for ensuring

that the definite research project, which the Tariff Board recommended should be drawn up, should be framed with due regard to economy. The Forestry Committee dealt with this matter in paragraph 54 of their Report, of which copies will be found in the Library of the House. Stated briefly, their recommendation was that before any project was drawn up, or any elaborate manufacturing plant installed at the Institute, a meeting of the representatives of the match trade should be convened and their exact requirements ascertained. The Inspector General of Forests was accordingly authorised to convene a conference of such representatives. Unfortunately, his efforts in this direction did not evoke sufficient response and the idea of the conference had, therefore, to be abandoned. The Government of India are now in communication with Local Governments regarding proposals which the Inspector General of Forests has submitted to provide for testing at Dehra Dun all species of Indian wood that appear to be suitable for use in the manufacture of matches and then testing them on a manufacturing scale at one of the match factories in India, and for ascertaining the requirements of match factories and arranging with provincial Forest Departments not only for the utilisation to the best possible advantage of available supplies but also for the selection of new areas for growing suitable species of timbers. The views of Local Governments on these proposals are now awaited.

Sir Purshotamdas Thakurdas: The question raised here does not affect any particular individual. It is a matter in which match factories all over India are interested. May I ask whether Government are prepared to place the reply on the table of the House?

Sir Frank Noyce: The reply to (a), (b) and (c)?

Sir Purshotamdas Thakurdas: Yes.

Sir Frank Noyce: Certainly.

Sir Purshotamdas Thakurdas: I thought the Honourable Member said that he would supply the answer to the Honourable Member who put the question.

Mr. President: It will be placed on the table.

Sir Purshotamdas Thakurdas: May I ask if Government are prepared to draw the attention of the Andamans' Administration to what is indicated in the latter portion of question (c).

Sir Frank Noyce: By all means. I would explain to the Honourable Member that we are endeavouring to find out from the Andamans' Administration exactly what the system there is at present. The suggestion now made by the Honourable Member will certainly be duly considered if the reply we receive from the Andamans' Administration shows that the practice is not being followed already.

Mr. Vidya Sagar Pandya: Will the Government make inquiries as to whether suitable timber is available there for manufacturing pencils also?

Sir Purshotamdas Thakurdas: My question was, will Government consider the desirability of asking the Andamans' Administration not to enter into any long term contract pending their making the reply available to this House.

Sir Frank Noyce: I think we should get the reply of the Andamans' Administration in the course of the next few days. I do not think there is the smallest danger of their entering into any fresh contract before we get their reply.

Sir Purshotamdas Thakurdas: My point is, that some time may elapse between the time the Government get the reply and the time when Government can make that reply available to this House. Will Government consider the desirability of asking the Andamans' Administration not to enter into a long term contract until the Assembly has had an opportunity of making a representation to Government, based on the reply which we may get hereafter?

Sir Frank Noyce: I am certainly prepared to consider that question.

Mr. Vidya Sagar Pandya: My question has not been answered.

Mr. Sarabhai Nemchand Haji: Will Government take steps to see that the benefit under this scheme goes to genuine Indian companies and not to the so-called indigenous companies, about which we have come to know, and which are only controlled by foreigners?

Sir Frank Noyce: I must ask for notice of that question.

Mr. Sarabhai Nemchand Haji: Is the notice required because the Honourable gentleman does not know the difference between a genuine Indian national company and an indigenous company which sails under false pretences and is controlled by foreign interests?

Sir Frank Noyce: The Honourable Member's question raises an important issue of policy and therefore I must ask for notice.

DECENTRALISATION OF THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL TELEGRAPHS, CALCUTTA.

893. ***Mr. S. C. Mitra:** 1. (a) Is it a fact that the office of the Deputy Accountant General, Telegraphs, Calcutta, is going to be decentralised? If so, when is it going to take effect?

(b) Will Government please state what is the approximate cost estimated for this scheme? What is the necessity and importance of this scheme? What is the urgency for immediate action during the financial stringency of the Government revenue?

(c) Is the decentralisation likely adversely to affect the system of commercialisation of accounts that has been lately taken up?

2. (a) Is it a fact that the decentralisation of the office of the Deputy Accountant General, Telegraphs, was not originally approved by the Auditor-General, but after persistent demands from Mr. Jagat Prasad, the Auditor-General gave his approval?

(b) Are Government going to make arrangements for house accommodation for the employees in Nagpur and Madras, or are they going to grant house-rent allowance for the employees?

The Honourable Sir George Schuster: 1. (a) Yes; the decentralisation is expected to be completed by the end of August or September 1930.

(b) Against a gross recurring saving of about Rs. 37,000 per year there will be:

- (i) recurring extra expenditure of Rs. 22,600 per annum; and
- (ii) non-recurring expenditure of Rs. 1,15,000.

Decentralisation has been found advisable mainly on the following grounds:

(1) Decentralisation is a natural corollary of the unification of the Engineering Circles and the Postal Circles on the administrative side. The audit officer, through decentralisation, will be enabled to maintain closer touch with the Executive and to exercise more effective supervision over the divisional accountants.

(2) Besides improving the general efficiency of engineering audit, the decentralisation is expected to economise time and expenditure on local inspections and to facilitate the introduction of a system of intensive inspections.

(3) The decentralisation is expected not only to increase efficiency but also to produce some economy as already indicated. I may add that the proposals were very fully explained to and accepted by the Standing Finance Committee.

(c) No.

2. (a) No.

(b) The matter has been considered, but it is not proposed at present to take any action in the direction indicated, as it is understood that there is no special difficulty in securing house accommodation at a reasonable rate in the two places mentioned. Government quarters are not provided generally for clerks in these places.

SHORTAGE OF QUARTERS FOR EMPLOYEES OF NON-MIGRATORY OFFICES AT NEW DELHI.

894. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to state the total number of non-gazetted Government servants belonging to the non-migratory offices at New Delhi, such as the Indian Stores Department, Accountant General, Central Revenues, etc., who applied for, but were not allotted any, Government quarters at New Delhi during either of the last two winter allotments?

(b) Is it a fact that the migratory staff are allowed conveyance allowance if they fail to secure any quarters at New Delhi and reside outside that area?

(i) Is it a fact that this conveyance allowance is denied to the non-migratory servants under the same circumstances?

(ii) Will Government please state the reasons for such a distinction?

(c) Are Government aware that well ventilated and healthy private houses are not available in New Delhi and Delhi?

(d) Is it a fact that the non-migratory staff are in receipt of less emoluments than those of the same status in migratory Government Departments?

(e) Do Government propose to consider the claims of these men when allotting Government quarters for the next winter?

The Honourable Sir Bhupendra Nath Mitra: (a) 348 in 1928-29.
429 in 1929-30.

(b) Conveyance allowance is granted to persons of the class indicated who apply for, but cannot be provided with. Government accommodation in New Delhi, if they in consequence have to live in the Old Delhi Notified Area and attend office in New Delhi.

(b) (i) Yes.

(b) (ii). The reason is that, save in exceptional circumstances, an officer is not entitled to conveyance allowance for the purpose of attending office.

(c) Government are aware that there are very few private houses available in New Delhi, while there is difficulty in finding good accommodation at reasonable rates in old Delhi.

(d) I have no precise information in the matter, but doubt whether this is true as a general proposition.

(e) Government do not see any reason to give preference to non-migratory staff over the migratory staff in the matter of allotment of quarters.

Lieut.-Colonel H. A. J. Gidney: Will Government give equality and not preference? Equality is asked for, not preference.

The Honourable Sir Bhupendra Nath Mitra: The relative claims of the two categories are always considered before allotments are made.

CONTRACT FOR COPYING PORTRAITS OF THE KING AND QUEEN.

895. ***Dr. B. S. Moonje:** (i) Will Government please state if it is a fact that, in the Fine Arts Exhibition recently held in Delhi, two artists, Messrs. Fernandis and Kelkar, were declared to be the best of all others and given first prizes particularly in the competition for copying pictures of well known European artists and for drawing original pictures of their own on the European style?

(ii) If so, are Government aware that the contract of copying the pictures of Their Majesties the King and the Queen has not been given to these two artists, but to others?

(iii) If so, will Government please state the reasons thereof?

(iv) Is it a fact that these artists have submitted a representation to the Government against what they believe to be an injustice done to them?

(v) If so, how has their representation been disposed of?

The Honourable Sir George Schuster: (i), (ii) and (iii). I would invite the Honourable Member's attention to the Press communiqué dated the 3rd March, 1930, issued by the Military Secretary to His Excellency the Viceroy, which explains the position.

(iv) No representations have been received by Government from Messrs. Fernandis and Kelkar.

(v) Does not arise.

REPORT BY MR. HAYMAN.

896. ***Maulvi Muhammad Yakub:** (a) Are Government aware that in reply to my starred question No. 631, put on the 18th March, information as to the Report of the inquiry made by Mr. Hayman was not supplied?

(b) Will Government be pleased to reply to all the points raised in my starred question No. 631, put on the 18th March, 1930?

(c) Will Government be pleased to supply the House with a copy of the Report of Mr. Hayman? If not, why not?

Mr. A. A. L. Parsons: (a) On the contrary, it was explained in the reply given to the Honourable the Deputy President, who asked what was the nature of the grievances investigated by Mr. Hayman, what were his findings on those grievances and what steps were taken by the authorities on his report, that the grievances fell into two categories, first general, and second with regard to the treatment of particular individuals. A memorandum detailing the general grievances and explaining the action taken on them was placed in the Library. It was also explained that in those of the individual cases which he investigated, Mr. Hayman found no reason to propose an alteration in the orders passed by the East Indian Railway authorities, but he suggested that some of them should be re-examined by the Agent, to whom my Honourable friend might apply for any information he desired. My Honourable friend also asked what action had been taken by the Railway Board and he was referred to a letter which had been sent to him. That letter explained that the Agent of the East Indian Railway would, when he considered it desirable to do so, instruct the Divisional Superintendent to meet the officials of the East Indian Railway Union at Moradabad, and, subject to any general or specific instructions issued by him, discuss the merits of any particular case with the officials of the Union. That was a complete account of the action which has been taken by the Railway Board. I regret that I am not prepared to lay a copy of Mr. Hayman's report on the table for it is a confidential document, but if the Honourable Member will let me know any specific points on which he requires further information I will see if it can be supplied to him.

Maulvi Muhammad Yakub: Will Government kindly state if any action has been taken by the Divisional Superintendent as yet.

Mr. A. A. L. Parsons: I am unable to say. If the Honourable Member will give me details of cases on which he would like to have information, I will see whether I can obtain that information for him, including the question whether the Divisional Superintendent took any action.

UNSTARRED QUESTIONS AND ANSWERS.

DESCRIPTION OF EMPLOYEES OF GOVERNMENT OF INDIA PRESSES.

330. **Mr. Mukhtar Singh:** (a) Is it a fact that some employees of the Government of India Presses have recently been converted from "industrialists" to "ministerialists"?

(b) Is it the intention of the Government that the Factory Act will not apply to such men now?

(c) Is it not a fact that the men so converted are still working the same number of hours daily as before?

(d) Do Government intend to reduce their time and bring it to the level with the clerical establishment?

(e) What are their advantages and disadvantages under such change?

The Honourable Sir Bhupendra Nath Mitra: (a) to (e). Certain employees of the Government of India Presses have been declared as "ministerial" for the purpose of the Fundamental Rules. The distinction between ministerial and non-ministerial officers is quite different from the distinction between clerical hands and industrial hands. The declaration referred to does not affect the working hours or the emoluments of the men concerned or the applicability of the Indian Factories Act.

HOLIDAYS IN THE GOVERNMENT OF INDIA PRESS, DELHI.

331. Mr. Mukhtar Singh: (a) Is it a fact that the Home Department of the Government of India issued a circular No. F-47/2/29-Public, dated the 7th February, 1930, recently sanctioning some more holidays for the Government of India Secretariat and Attached Offices?

(b) Is not the Government of India Press, Delhi, an attached office?

(c) Has the circular been sent to the said Press?

(d) If not, where is it being delayed, and why?

(e) Is it not a fact that, by this delay, the Press has already been deprived of a few holidays since the circular issued?

(f) Are Government prepared to see that holidays sanctioned for Attached Offices and observed in the office of the Controller of Printing and Stationery are given to the Press also?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) to (f). The question of the applicability of the orders to the employees of the Government of India Press, Delhi, is at present under the consideration of Government.

LATE HOURS AT THE GOVERNMENT OF INDIA PRESS, DELHI.

332. Mr. Mukhtar Singh: (a) Is it a fact that every year some men are compelled to come to office at 10 A.M. for Princes Conference work and are made to work up to 11 P.M. in the Delhi Press?

(b) Is it not a fact that many protests were made to the Manager, without any effect?

(c) Is it not also a fact that no special concession is allowed to men working so late at night?

(d) Do Government propose to stop the practice and compel no men to attend office at any other time than the usual attendance time?

The Honourable Sir Bhupendra Nath Mitra: (a) During the few days the Chamber of Princes is in session at Delhi, a few men are usually booked to attend at 10 A.M. in connection with the printing of the proceedings.

(b) No representations have been made to the Manager in this connection.

(c) Men working late at night are paid overtime at special rates.

(d) Government do not consider it necessary to issue any orders on the subject.

ALLOWANCES OF READERS OF GOVERNMENT PRESSES.

333. Mr. Mukhtar Singh: (a) Will Government please state why acting allowance is not given to readers of Government Presses except the head readers?

(b) Is there no difference of responsibility between first, second and press readings?

(c) Is it not a fact that the Honourable Sir Bhupendra Nath Mitra, in reply to a question of Mr. S. C. Mitra last year, admitted that because of this difference in responsibility, so many grades have been kept?

(d) Is it not a fact that some readers of the Government of India Press, Delhi, have recently been shown as acting and are being given the acting allowance by order of the Controller?

(e) Will Government please explain how this has been done?

(f) Are Government prepared to sanction such allowances to readers whenever any vacancy occurs or a man goes on leave? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The attention of the Honourable Member is invited to the reply given by me on the 3rd April, 1929, to part (c) of Mr. S. C. Mitra's unstarred question No. 453.

(c) The Honourable Member is presumably referring to the reply given by me on the 30th January, 1929, to part (a) of Mr. S. C. Mitra's starred question No. 274. In comparing the duties of readers and revisers I stated that the responsibilities of a reader vary according to the grade in which he is employed.

(d) No.

(e) Does not arise.

(f) No. Because no such allowance is admissible under the Fundamental Rules in this case.

FORMATION OF A SEPARATE PROVINCE OF KANARESE-SPEAKING PEOPLE.

334. Rao Bahadur B. L. Patil: (a) Will Government be pleased to state whether representations have been received by the Government of India regarding the formation of a separate Province of all the Kanarese-speaking territories now distributed between more than one administrative unit?

(b) Are Government aware that the Nehru Committee appointed by the All-Parties Conference, 1928, held that a *prima facie* case was made out for unification and formation of Karnatak as a separate Province?

(c) Will Government be pleased to state whether the British Karnatak Association submitted its memorandum to the Simon Commission and to the Simon Committee of Bombay on this subject?

The Honourable Sir James Crerar: (a) and (b). The replies are in the affirmative.

(c) Government have no information.

RECKONING OF TRADE UNIONS AS PUBLIC INSTITUTIONS.

335. Pandit Nilakantha Das: (a) Will Government be pleased to state whether the Trade Unions, registered under the Trade Unions Act, are reckoned as public institutions? If not, why not?

(b) If they are reckoned as public institutions, what facilities do Government provide them for their smooth working?

(c) Are they required to pay court fees in litigations and in other matters in which the assistance of the Court is sought by the Unions?

The Honourable Sir Bhupendra Nath Mitra: (a) A registered trade union is not a public institution in the sense that it affects or belongs to the State or to the community at large.

(b) Does not arise.

(c) As far as I am aware a registered trade union enjoys no special privilege in regard to the payment of court fees.

WELFARE COMMITTEES AND THE BENGAL AND NORTH WESTERN RAILWAY-MEN'S ASSOCIATION.

336. Pandit Nilakantha Das: (a) When was the Bengal and North Western Railwaymen's Association started and when the Staff Welfare Committees on that Railway?

(b) Is it a fact that in the Bengal and North Western Railway, an officer of high rank performs the functions of the President and another works as Secretary of the Welfare Committees? If so, what is the principle underlying this practice?

(c) Were men among subordinate rank not available for filling up these offices?

(d) How many meetings of these Committees were held during the year ending the 31st March, 1929, and how many meetings of the Executive Committee of the Bengal and North Western Railwaymen's Association were held during the same period?

(e) Will Government be pleased to lay on table, a copy of the constitution of the Welfare Committees of the Bengal and North Western Railway and another of the Bengal and North Western Railwaymen's Association? If not, why not?

Mr. A. A. L. Parsons: I have called for information from the Agent of the Railway and will communicate with the Honourable Member when it is received.

FUTURE ADMINISTRATION OF THE BENGAL AND NORTH WESTERN RAILWAY.

337. Pandit Nilakantha Das: (a) Has attention of Government been drawn to a resolution passed at the Jharia Session of the All-India Congress held in December, 1928 and printed at page 58 of Appendix of the "Report and the Congress Constitution of the All-India Trade Union Congress, Ninth Session, 1928", urging upon the Government of India to take over charge of the Bengal and North Western Railway Administration as soon as its present contract with Government expires on the 31st December, 1932, in view of deplorable condition of the subordinate staff on the said Railway?

(b) If reply to part (a) be in affirmative, will Government please state whether the said resolution has been recorded for consideration when the question, regarding its future administration, comes for final consideration in 1931? If their attention has not been drawn to the resolution, are Government prepared to call for a copy of it? If not, why not?

Mr. A. A. L. Parsons: (a) and (b). Government are in possession of a copy of the resolution referred to.

COST OF WATCH AND WARD STAFF ON COMPANY-MANAGED RAILWAYS.

338. Pandit Nilakantha Das: (a) Will Government be pleased to state whether the payment for "watch and ward" on the Company-managed railways is borne, in India, out of the Government revenue?

(b) If so, what have they to spend for it on the Bengal and North Western Railway per annum?

(c) How many watchmen are employed on this Railway and what is their wage?

(d) Are there any other staff? If so, what is their position and how much has the Company to incur per month?

Mr. A. A. L. Parsons: (a) Yes, the charge is met from railway revenues.

(b) Between Rs. 75,000 and 80,000.

(c) and (d). Government have no information.

RECOGNITION OF UNIONS BY THE RAILWAYS.

339. Pandit Nilakantha Das: (a) Will Government be pleased to state the number, title and address of the unions of the railway employees and of their officers?

(b) How many unions of the railway employees are registered under the Trade Union Act and how many out of them are recognised by the Agent of the Railway?

(c) Which of their unions are not recognised and what are the reasons for their non-recognition?

(d) What steps Government propose to take to have recognised the unrecognised union?

(e) What facilities are provided to the unions by the Agent for organisation of the railway employees?

(f) (i) Do railway authorities deduct from the wages of members, the subscription due to recognised unions? (ii) Are the officers of such unions given passes to travel free in order to organise staff on the line? (iii) Are the correspondence between the unions and their members and their publications carried over the respective railways free of charge? (iv) Do the Railway authorities provide such facilities to the institutes of their employees? If so, why do they not provide these facilities to the Unions?

Mr. A. A. L. Parsons: (a), (b), first part of (c) and (e). A statement giving the information required has been placed in the Library of the House.

Second part of (c) and (d). The recognition of railway unions has been left to the Agents of railways and Government do not propose to call for the reasons why recognition has been withheld from particular unions or to take any steps to have all or any particular unions recognised.

(f) (i), (ii) and (iii). No.

(iv) Institute subscriptions are recovered through the medium of salary bills. Information in regard to the other points is not available.

It is not proposed to extend to Railway Unions concessions allowed to Railway Institutes as the two organisations are different in character.

RESOLUTION PASSED AT THE TRADE UNION CONGRESS AT JHARIA.

340. **Pandit Nilakantha Das:** (a) Has the attention of Government been drawn to resolution No. 53, passed at the ninth session of the All-India Trade Union Congress, at Jharia, in December, 1928, and printed at page 53 of appendix of the Report and Constitution of the Congress of the same year?

(b) (i) If so, do Government propose to investigate the allegations and claims contained in the said resolution? (ii) If not, why not?

(c) If their attention has not been drawn to it, do Government propose to obtain a copy of the said resolution for their consideration? If not, why not?

Mr. A. A. L. Parsons: (a) Yes.

(b) No; but I would like to point out that a systematic examination is being made of the suitability of the rates of pay of the lower paid establishments of railways.

(c) Does not arise.

SUPPLY OF INFORMATION PREVIOUSLY ASKED FOR.

341. **Pandit Nilakantha Das:** With reference to the reply given to unstarred question No. 349 on the 18th of March, 1929, will Government be pleased to state whether they were able to obtain the cutting referred to in the question? If so, what action were Government pleased to take?

Mr. A. A. L. Parsons: The answer to the first part of the question is in the affirmative.

As regards the second part, I would invite attention to the reply given on the 20th January, 1930, to question No. 52 by Khan Bahadur Sarfaraz Hussain Khan.

SUPPLY OF INFORMATION PREVIOUSLY ASKED FOR.

342. **Pandit Nilakantha Das:** With reference to the reply given to unstarred question No. 336 on the 18th March, 1929, will Government be pleased to state whether they propose to answer the second part of my question? If not, why not?

Mr. A. A. L. Parsons: A reply was given to the second part of the question to which I understand the Honourable Member to refer.

SUPPLY OF INFORMATION PREVIOUSLY ASKED FOR.

343. **Pandit Nilakantha Das:** With reference to the reply given to unstarred question No. 341 on the 18th March, 1929, will Government be pleased to state whether they propose to obtain the solicited information? If not, why not?

Mr. A. A. L. Parsons: Government are not prepared to call for the information as it cannot be procured without an expenditure of time and labour that would be entirely incommensurate with the value of the results obtained.

SUPPLY OF INFORMATION PREVIOUSLY ASKED FOR.

344. **Pandit Nilakantha Das:** (a) With reference to unstarred question No. 347 and the reply given to it on the 18th March, 1929, will Government be pleased to state if they propose to obtain the required information? If not, why not?

(b) If they propose to obtain the information, are Government prepared to obtain the figures that stood on any of the days before the 6th March, 1929?

Mr. A. A. L. Parsons: (a) Government are not prepared to call for the information as it cannot be procured without an expenditure of time and labour that would be entirely incommensurate with the value of the results obtained.

(b) Does not arise.

PUNISHMENT INFLICTED ON THE ACCUSED IN THE BHATNI TRAIN COLLISION.

345. **Pandit Nilakantha Das:** (a) With reference to the reply given to unstarred question No. 340 on the 18th March, 1929, will Government be pleased to state what punishment has been inflicted upon the accused in the Bhatni train collision case?

(b) Is it a fact that they were dismissed from their service before their prosecution?

Mr. A. A. L. Parsons: (a) The Jemadar has been sentenced to eighteen months rigorous imprisonment with a fine of fifty rupees. The Assistant Station Master and pointsmen have been acquitted. The three men have been dismissed from the railway service.

(b) Yes.

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

Mr. President: The House will now resume further consideration of the amendments moved by Mr. Shanmukham Chetty* and Pandit Madan Mohan Malaviya† on the 27th March, 1930.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): **Mr. President,** when the Assembly 12 Noon. rose yesterday, I was drawing the attention of the House to the situation created by the persistent refusal of the Government

*“In sub-clause (I) of clause 2, for the proposed Item No. 156-A., the following be substituted:

‘156-A. Cotton piece goods (other than tents of not more than nine yards in length)—

(a) plain grey, that is, not bleached or dyed in the piece, if imported in pieces which either are without woven headings or contain any length of more than nine yards which is not divided by transverse woven headings;

(i) of British manufacture . . . *Ad valorem* 15 per cent. or 3½ annas per pound whichever is higher.

(ii) not of British manufacture . . . *Ad valorem* 20 per cent. or 3½ annas per pound, whichever is higher.

(b) Others—

(i) of British manufacture . . . *Ad valorem* 15 per cent.

(ii) not of British manufacture . . . *Ad valorem* 20 per cent.”

†“In sub-clause (I) of clause 2, for the proposed Item No. 156-A., the following be substituted:

‘156-A. Cotton piece-goods . . . *Ad valorem* 15 per cent. or 3½ annas per pound, whichever is higher.’”

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LEGISLATIVE ASSEMBLY.

[28TH MAR. 1930.]

[Pandit Madan Mohan Malaviya.]

of India to lay on the table of this House the letter or cablegram which the Government of India addressed in the first instance to the Secretary of State in connection with their proposals for taxation for this year; and I was going to say that the Government have not the courage to lay it before the House because it seemed to me that they were aware that, if the letter was laid before the House, it could not support the position which they have taken up, and that on the contrary, it would lend support to the contentions which we are placing before this House. This view is confirmed by the answers which the Honourable the Finance Member gave yesterday to some of my questions. The position which has arisen in the debate is this, that the Government of India have agreed—at any rate, they have not disputed the correctness of the proposition—that when they sent up their proposals of taxation in the first instance to His Majesty's Secretary of State for India, there were two proposals among them relating to cotton piece-goods, namely, an increase from 11 per cent. to 15 per cent. in the general revenue duty and of $3\frac{1}{2}$ annas per lb. on plain grey goods as a protective duty. But on my asking him why it was that, on the receipt of the message from His Majesty's Government, he decided to raise the duty to 20 per cent. on all non-British cotton goods with a minimum of $3\frac{1}{2}$ annas per lb. on plain grey goods, the Honourable Sir George Schuster told us something which throws some light on the situation. He said:

"The question of putting up the duty to something higher than 15 per cent. had always been under consideration ever since the deputation of the millowners interviewed my Honourable colleague and the Acting Finance Member at the time on the 8th of December. The claim on behalf of the millowners had always been for a protective duty of 20 per cent. The Government of India's difficulty was to find justification for imposing an all round duty of 20 per cent., and it had always been in the minds of the Government of India that it would be easier if they could find some principle of discrimination which would avoid this very heavy burden on consumers, by putting a duty on to a large quantity of goods which could not, within the period under contemplation, be manufactured by Indian mills. It was the difficulty of finding that principle of discrimination which had prevented Government from being able to satisfy themselves that they were justified in imposing a duty of 20 per cent."

This makes it quite clear that the Government of India felt from an early stage, after the 8th of December, that the demand of the millowners of Bombay in particular and of India in general for a 20 per cent. all round duty on imports of cotton goods was a reasonable one. It was not a demand which could be dismissed as obviously unjust. And though the Government of India, in their first proposals, did not have the courage to put forward any such proposal, as we understand, in the darkness which has been created and maintained by them by keeping back the correspondence from us, they still had that fact present in their mind. Their conscience was still stinging them that they had not given that much protection to the Bombay industry that it deserved in the circumstances. They were conscious that, having raised the rupee ratio to 1s. 6d., they had inflicted a loss of $12\frac{1}{2}$ per cent. upon the industry, and had presented a bonus of $12\frac{1}{2}$ per cent. to every foreign manufacturer who sends his goods to India. Being conscious of that fact, they felt all the time that they had not done enough justice to the millowners of Bombay. But they could not see their way how to solve the difficulty. It is here that the letter which we have asked for and which has not been produced, would probably throw some light. But I am sorry we have to depend upon conjectures. In the circumstances my conjecture is that, if that

letter were laid on the table, it would show that the Government of India did assert, in their correspondence with His Majesty's Government, that the demand of the millowners for a 20 per cent. all round duty was not an unreasonable demand, and that therefore they had to find some excuse for not accepting it. If the letter, I submit, were laid on the table, it would support this view that the Government of India did say, in that correspondence, that the demand of the millowners for a 20 per cent. all round duty was not unreasonable. This view is supported by the answer which the Honourable the Finance Member gave yesterday. He says that, from the 8th December onward, the demand of the millowners for a 20 per cent. all round duty was always present to his mind. He was always thinking how to accept that demand and what to do in the circumstances. He had before his mind the picture of Lancashire rising in rebellion and throwing out of office the Government in power. As the Honourable Sir George Rainy reminded us yesterday, the British Government had been put in jeopardy on two previous occasions in connection with Indian cotton duties. The Government were very much perplexed and did not know what to do. They could not think of agreeing to a 20 per cent. all round duty on all imported cotton goods because that would bring them face to face with Lancashire, and Lancashire has been more powerful in the chequered and unhappy history of India's relations with England than any other single interest. Lancashire could not be opposed, and therefore they could not think and could not muster up courage enough to do justice to the Bombay mill industry by proposing a duty of 20 per cent. on all cotton goods.

Sir Hugh Cocke (Bombay: European): May I ask the Honourable the Pandit whether, in his view, putting Lancashire aside, it would have been a good thing for the Indian consumer to pay this 20 per cent. duty all round?

Pandit Madan Mohan Malaviya: Yes, and I will answer that question in detail later on. Now, Sir, the Honourable Sir George Schuster made it very clear in the answers which he was good enough to give to my questions, that the Government did all along feel that something more than 15 per cent. of general revenue duty and $3\frac{1}{2}$ annas per pound of protective duty was needed to give protection to the Bombay industry. If so, I entirely agree with the view that the Bombay industry needs full 20 per cent. today. Not only that, it needs more. And if we had it in our power, we would give that protection to the Bombay industry today. Let there be no misunderstanding on that point. But the Government would not make up their mind to put forward such a proposal for the dread of Lancashire. What did they do? They sent up the proposals, which were all that they could rise up to in the situation. And when His Majesty's Government drew attention, as they were bound to do, because His Majesty's Government consists of English patriots, to the probable serious effect of those proposals on the Lancashire cotton industry, the Government of India put forward their new proposals of preference to United Kingdom goods. Our friends on the other side are also patriots, and not the less so by reason of their being members of the Government of India. I was rather taken aback by Sir George Rainy fighting shy of asserting that position. It would have been perfectly straightforward to get up and say that they have the interests of their own country at heart, and that therefore they had put forward the proposal that they did. It is deplorable that, while we

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have been associated with this Government for such a long time, we have not learnt to practise the same amount of patriotism. But the reason is obvious. Subordination to a foreign Government is the greatest curse that can fall upon any nation. (Hear, hear.) It destroys the manhood in the people and it affects their moral fibre to a terrible extent. A foreign bureaucratic government is a body which corrupts the people over whom it exercises its power, its patronage and its influence. Its very presence has a corrupting influence.

But, Sir, to come back to my point, the Government did not put forward an all-round 20 per cent. duty because they could not face the wrath of Lancashire. I am asked by my Honourable friend, Sir Hugh Cocke, would it not inflict a very heavy burden on the consumer if an all-round 20 per cent. duty was imposed? That is the one plea urged by the Honourable the Finance Member and the Honourable the Commerce Member in offering such weak justification as they have been able to offer for not imposing a 20 per cent. duty all-round. Let us examine it. I think, Sir, I can claim that every fibre of my soul lives in sympathy with my people. Their happiness has been the happiness of my ideals and their sorrows have been the sorrows of my life. I am naturally anxious that not a single iota of burden should be laid upon the people where it is not justifiable in the circumstances. I will be the last person to say that, without compelling necessity, five per cent. more duty should be placed upon the consumer of cloth than is proposed by the Government. But why do I say still that I am prepared to support it? It is for very good reason. This wicked system of Government which is conducted on principles which take no account of justice or reason and is most extravagant is a curse. The salaries paid are intolerably high. Public expenditure has been maintained at an extremely high level, in spite of protests of the people. Time after time, whenever the Government have been under the necessity of finding more money, with very few exceptions they have resorted to fresh taxation. Even in this year when there is any amount of unemployment and suffering in the land, Government have quietly imposed taxation of over five crores upon the people, and, what is most galling, with the support of a certain number of elected Members of this House. Why, then, Sir, do I still support the proposal? Because it would enable a great national industry, the second in importance in this country, this great cotton industry of India, to stand upon its legs, to find that shelter and protection from foreign industries and from foreign manufacturers which it so sorely needs, and because upon all principles of protection such a course would be justifiable. If we put on a five per cent. extra duty on all foreign imports, the consumer undoubtedly pays it; he suffers for the time. He will have to pay an extra amount of two annas per dhoti or more, but he will pay with the feeling that he feeds his own national industry, and that when the national industry grows after a time, it will shut out all foreign manufactures and recapture the whole home market. (Hear, hear.) It used to supply that market until 1840, and even until 1880 to a large extent. It was by the deliberate and wicked policy of the British Government that the cotton industry of India was destroyed. Even today it is the action of England which is hurting that industry, and therefore, if a 20 per cent. all-round duty was imposed upon all cotton goods, it would protect the Indian industry, and the Indian industry, in spite of all the

nonsense that has been talked about the efficiency of foreigners being superior to that of Indians, will yet be able to show what Indians can accomplish. In the past no people in the world showed greater skill and greater industry in the production of cotton goods than Indians. India stood supreme among all the nations of the world in her cotton manufactures, and I hope to live and see in the near future, that the critics of Indian industry will acknowledge that the Indian is not less efficient or less industrious than any of his fellowmen in any other part of the world. But we want to give it the protection and assistance it needs. We want to give it time to breathe so that it may live and grow, and that time will come if there is a 20 per cent. duty, or even a little more, secured to the Indian manufacturer. No doubt, Sir, the burden on the consumer will be great for a time, but whatever burden he bears, he will bear to contribute to the development of the Indian cotton industry.

It is idle to think of this great industry as if it was a private property belonging to individuals or groups. This industry is a property belonging to the body politic of the nation as a whole. It is idle to tell me that one of my fingers is an isolated entity. The five fingers of my hand constitute my hand, and so every national industry is like a finger of the body politic, and if you cut off one, you weaken the whole and if you cut off two, you disable the whole still further. Therefore every industry, which is a national industry, deserves the protection of the government of the country. We have the example of other nations. While England talked of free trade when it suited it, England also imposed very heavy import duties when it suited it. I do not want to go into past history; it has been repeated *ad nauseam*. We know England imposed very heavy duties on Indian goods when it suited it to do so. England compelled India to take off duties on cotton imports when it suited her, to enable her to send her goods more freely to India. England now wants to take advantage of the position of dominance which she has acquired over India, a wrongful position, a position morally utterly unjustifiable, and taking advantage of that position, England wants to impose a burden upon India in favour of her own manufacturers at a time when India is utterly impoverished. Australia has flourished by high tariff walls, Canada and the United States of America and many other countries of the world have built up their national industries under the protection of high tariff walls. On the contrary, Sir, I grieve to say that there is no country in any part of the world where such injustice has been done to the national industries, particularly to the national cotton industry, as has been done in India under the British Government. Australians were not fools; the Canadians were not fools; the people of the United States of America were not fools; when they imposed heavy import duties; and after willingly and deliberately bearing the heavy burden which those duties imposed, they had the satisfaction of finding that their national industries stood upon their legs, and so they are prosperous now. Therefore, Sir, if a higher duty is to be paid by the consumer to help a national indigenous industry, it is justifiable to impose such a duty. In all discussions about protection, one obvious thing that has to be remembered is that protection is justified only because it will help a national indigenous industry. If a national indigenous industry can be benefited by protection, it ought to be given. If a national industry cannot be benefited by protection, there is no justification for compelling the consumer

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to pay one pice more for an article than what he can get it for from a free market. It is clear, therefore, Sir, that if a duty of 20 per cent. all-round were imposed, it would benefit the national cotton industry and will be justified.

But we are asked, why select the cotton industry for a heavy duty? Why not let the burden of taxation be distributed over other commodities, as has actually been done in this year's Budget. It will be said the Honourable the Finance Member has been very considerate in one respect, that he felt perhaps oppressed with the thought that, while higher duties were being levied from the poor, the rich should escape bearing their share of the burden, and that therefore he has tried to distribute the burden in the way he has done. He has raised the income-tax—Yes, but along with that has he not also imposed the silver duty, a duty which falls undoubtedly heavily upon the poor, a duty for which there is no justification unless the money raised by it were to be set apart by the free consent of the representatives of the people for some beneficial purpose, to help the people of the country. He expects to raise from the silver duty about one crore of rupees, while others think that two crores of rupees will be raised by it, and he has also imposed a duty on oil, which will bring in a large amount which also the poor man has to pay. If therefore he had decided to raise the cotton import duty to 20 per cent. all-round, the poor man in India would have paid through cotton goods alone, and in that case it would not have been necessary to impose a duty on silver, or a duty on oil, which the poorest of the poor use. The higher duty on cotton goods could be justified if there was need for such a heavy addition to the expenditure of the country, to the taxation of the country. If you raised the duty to 20 per cent, it is obvious that the burden would still have to be borne by the people, but the other burdens and the other injuries inflicted upon them would have been avoided. That has not been done.

Now, Sir, what is the situation in which the proposal to impose this duty has been presented, and what are our objections to it? Our first objection to it is that, either the Government of India were right in thinking that Bombay needs more protection or they were not. If they were right—as I say they were—in thinking that Bombay needs more protection, they should have agreed to the proposal of the Bombay millowners to impose a 20 per cent. duty all round. There is even now an amendment before the House, of which notice has been given by my Honourable friend Munshi Iswar Saran. If they are even now prepared to do justice to the Bombay millowner, Government can agree to that amendment, and I venture to say that a large body of Members on this side of the House will support Government in that proposal if they will only have the courage and the justice to accept it. But our difficulty is that Government are not willing to accept it, and it is this situation that we find ourselves face to face with in this House. Our objection to the proposals of Government is now clear. We are for a uniform rate of import duty on all cotton imports. We do not want that there should be any discrimination and preference introduced in this matter. Munshi Iswar Saran's amendment and my amendment both secure a uniform rate and both avoid discrimination and preference. Let Government accept either. And here, Sir, we are face to face with another situation which is most painful and most humiliating. Government

Members, the Honourable the Finance Member and the Honourable the Commerce Member, have both made it plain, they have not concealed it, that their proposal does involve preference to the goods of the United Kingdom. They have put it clearly, the Schedule shows it, their proposal shows it, they have made no secret of it. What the Finance Member, in his careful speech, said was: "We do not ask the Assembly at this stage to commit itself to the principle of Imperial Preference". That is all that he said. He never concealed that there was preference in his proposal to British goods. He said "We do not ask the Assembly at this stage to commit itself to the principle of Imperial Preference. But we put forward a particular proposal, which no doubt gives preference to British goods, but we do not ask the Assembly to adopt a policy or principle of Imperial Preference." But I am grieved to think that that has led some of my friends to rack their brains to find out arguments to support the idea, the absurd and untenable idea, that there is no preference to British goods involved in the proposals of Government. Sir, the saddest part of the story is that men of education, men who understand the English language and use it with great ability, should try to find out pleas and excuses for apologising on behalf of Government that they have not introduced any preference to the United Kingdom goods in this Bill. Government Members have the dignity not to adopt such a course. They tell you that it is preference to the goods of the United Kingdom, and it should be obvious to the meanest understanding that it is so. Still we have had many speeches and much argument in this House to try to lead us to think that there was no preference to United Kingdom goods involved in this matter.

Now, Sir, what is the justification for such preference? A great deal of discussion has taken place as to what preference is. I thought the matter was made very clear when I drew attention to the Fiscal Commission's Report. The Fiscal Commission said:

"Preference means that goods from one or more favoured countries pay duty at a rate lower than the general rate."

Obviously, the goods of the United Kingdom are to pay duty at a lower rate. That is preference clear and simple; and yet very elaborate efforts have been made to persuade us that there is no preference to British goods involved in the Bill. Now, Sir, preference can be justified only when it is to the benefit of the country which gives the preference to another country. My Honourable friends, the Finance Member and the Commerce Member, have not been able to show how it is to the advantage of India to give this preference to the United Kingdom goods so far as economic interests are concerned. My Honourable friend, Mr. Chetty, who has disappointed some of his fellow-workers by the attitude he has taken up on this occasion, said that there was an economic benefit to be had. He wanted an economic benefit; others wanted a political benefit. But in considering the question of preference to the goods of any particular country, the first thing to consider is the economic benefit. Hang all your politics if my people are going to die of starvation. What is the good of talking of a Round Table Conference and a constitution which will come into existence after they have been gathered to their forefathers? You have to protect the interests of the people who live today, and the interests of the people who live today, demand

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that, unless you are giving them some *quid pro quo* for what you are taking out of the poor, you have no right to lay your hands upon their little income or property. And what is the economic benefit which is promised to the Indian taxpayer by this preference to British goods? The economic benefit has been explained by my Honourable friend Mr. Birla; it would be the presentation by the Indian taxpayers to the British manufacturer of 2 to 2½ crores of rupees every year for the next three years. I thought that the Honourable the Commerce Member would feel that it was his duty to controvert that statement and, if it was not correct, to give the Assembly a correct estimate of the amount which Lancashire would gain from India by this proposal. Two and a quarter crores a year for three years was the estimate of a man of business who understands his business. I submit, Sir, that is economic benefit to Lancashire and loss to India. But that is not all. Japan is a competitor with Lancashire in cotton goods in India. India also is a humble competitor. The Indian cotton industry has been subjected to many handicaps; but by reason of that virtue of efficient and economic management, faulty though it is—and I am not less anxious than any of my Honourable friends on this side that that management should be improved until it beats the management of industry in every other part of the world—still due to such management as Indians have been able to show, this cotton industry has stood its ground so long. But the larger competition now is between Lancashire and Japan. Lancashire has had a long run and has had practically a monopoly of the Indian market for a very long period. I can well understand the pain which every lover of his country must feel in England at the trade of Lancashire being reduced or lost. I can very well understand their anxiety that it should not be lost or reduced. But when Englishmen take up the service of India and take the oath of allegiance to the King of England who is the Emperor of India, I expect that they will put the interests of India first and foremost in all considerations which affect the relations between the two countries, and in that view what Englishman can say that the Indian cotton industry has injured the trade of England in a material degree during the last five years? The competition has been between Lancashire and Japan. Under only one head. Lancashire has lost 34 million yards in the last five years, and Japan has gained 33 million yards in the same period. India has not added very much to her own production. Therefore, the competition is between Lancashire and Japan. The principle of protection is therefore absolutely put out of court. Lancashire is not a nascent indigenous industry of India. Lancashire is an old well-established industry of England, perhaps having the premier position in the world. There is certainly no cotton industry of an equal standing in any other part of the world that I know of. So well established, having practically a monopoly of this huge market of 320 millions, if Lancashire has failed to keep the position which she had so long enjoyed, that is not to the credit of Lancashire. If the Japanese, who have built up their industry during the last few years, have been able to take away so much ground from Lancashire, it must be due to the more efficient management, more economic management by the Japanese of their mills. Lancashire should therefore look within itself for an explanation to understand the situation. It is rich enough to afford to spend a couple of crore of rupees for a few years. It is rich enough to

spend much more than that in order to maintain its position in competition with another country. But what justification can there be for Lancashire asking the poor Indian consumer to bear a loss of two crores and a quarter every year, in order that Lancashire should recover some of the lost ground from Japan or that it should not suffer a greater loss? I cannot understand, Sir, how anybody with any sense of fairness can put forward a proposition like this and defend it? I cannot understand it.

Now, Sir, there is another very important fact which I want the Assembly to remember. If India were a free country, India could not discriminate against Japan. England dare not discriminate against Japan today by imposing any import duty on Japanese goods going into England at a higher rate than it imposes upon the goods of any other country. International obligations make it impossible for England to do that, and if India were a free country tomorrow, India would not be able to discriminate against Japan. England is taking advantage of our dependence on her, upon our position being subordinate to her, to inflict this wrong upon India and to inflict this wrong upon Japan. England is taking advantage of our position. I should not say England. I am very sorry if in my remarks on this question I used the word "England" and thus accused the people of England of a wrong attitude on the question before us. I wish my remarks to apply to the Government of India, because I have no reason to think that the English people have countenanced the proposals of the Government of India. Our quarrel is the more painful, because the Members of the Government of India, being in the service of India, have put forward a proposal which inflicts a serious wrong upon her people. I wish, Sir, to use a phrase used yesterday by Sir George Rainy. I think, talking of the convention he said that, if the Government were bound to accept the view of the Assembly it would be an intolerable position. The position in which the Assembly is placed is truly intolerable, and I hope the Government of India will yet recognise that the situation demands a reconsideration. I have heard the Honourable the Commerce Member express the attitude of the Government in very clear determined words. But I do not feel daunted by that fact in asking the Government still to reconsider the matter, and, Sir, if they are willing to do so, we make two offers to them. Either they agree to impose a 20 per cent. duty all round on all cotton piece-goods imported into this country and I venture to say that the House will, by an overwhelming majority, lend support to this proposal, or they agree to the amendment which I have put forward, which also imposes a uniform rate on all goods imported into this country, though it secures a little less to Bombay, somewhat less in some matters only, than the proposals of the Government; but it is equally free from the taint of discrimination against any particular country or countries.

Now, Sir, I wish the Assembly clearly to understand that I have been driven to this amendment which I have put forward because of the situation created by the Government. If the Government would, even now, be willing to agree to a 20 per cent. all round duty, I have said, and I repeat it, I will support it. But when we found the Government unwilling to do so, we put our heads together and have put forward the best proposal that we thought could be made in the situation. And let me say here, in support of what my Honourable friend Mr. Neogy said, that it is extremely unfortunate that a Bill of the importance of the Bill before us has not been referred to a Select Committee. If it were, all the facts and the figures produced from either side could be very fully tested, and it would have been possible to put forward proposals which could be communicated, if

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the Government so desired, to His Majesty's Government also for their approval, and which they could have laid before the Government of India as a whole with the authority of the Select Committee.

Mr. President: Not too late yet.

Pandit Madan Mohan Malaviya: True, Sir. Only there is a feeling of despair. How long is this unequal fight to be maintained? Our numbers are weak. Our stamina, I grieve to say, is weak, and there is a desire to escape from this situation as early as may be. The sufferings of the people are not sufficiently stirring the hearts of many of us, I am sorry to confess, and we feel that, as there is no likelihood of the Government accepting any suggestion from us, the sooner we get away from this place, the better. Now, Sir, if there were a Select Committee, the position would have been much better. I say this, in addition to the reasons advanced by my Honourable friend, Mr. Neogy, for this reason. The Government of India have, to my mind, deteriorated very much during the last few years. I do not know what the "Government of India" now mean, Sir. In the statute, the "Government of India" mean a Government consisting of so many Members of the Executive Council. There used to be many more meetings of the Council, I understand, in days gone by than there are now; there used to be many more despatches, some of which I have had the pleasure of reading, than there are now. I do not know, Sir, in what way the present proposal was originally dealt with. It is important to remember that, even when a matter has been dealt with only by a Secretary to the Government of India, and when a matter has been disposed of by the Secretary after the approval of the Member has been obtained by him, the decision is issued in the name of the Governor General in Council. There is not the smallest indication given whether a Member of the Government of India was present or was consulted before a particular decision was arrived at. And latterly there has been a frequent practice of settling things by cablegram between England and India: the despatches of old, some of which gave us help in discussing public questions, are becoming more and more rare. So I do not know whether, in this matter, this departure from the old practice of the Government of India has been to our advantage. I dare not pry into the secrets of the Government of India; I have not sought to meet any Member of the Government of India in connection with this question. If they have their secrets to keep, we have our own self-respect also to keep. But I do not know in what position this matter has been before the Government of India, and whether all the views expressed in this Assembly from the time when the Bill was introduced have been discussed by the Members of the Government of India, and if they have been, I should like to know what opinion every individual Member of the Government of India recorded. If it has not been done, the responsibility for not doing it lies upon the Members of the Government of India. If it has been done, there should be no hesitation on the part of the Government of India in letting us know how the matter has stood. Sir, my complaint becomes therefore the stronger that the matter was not referred to a Select Committee, because, if the matter were referred to a Select Committee, the pros and cons. of it would have been weighed, and possibly, in that Select Committee, the Honourable the Commerce and the Honourable the Finance Member, who are the keepers of the conscience of the Government of India in this matter, might have felt the justice of listening to the recommendations of the Select Committee. That has not been done, and so, Sir, this Bill comes before this House, in its

present form, for which the procedure of a Select Committee, which has been provided in the Government of India Act has not been available. We have to explain our own proposals in this House, and I wish to explain the exact difference between the amendment which I have put forward and the proposal of the Government of India. Honourable Members are aware, Sir, that the Government of India have accepted the amendment which has been moved by my Honourable friend Mr. Shanmukham Chetty. Some Members are very grateful to the Government of India for what they have done. I am also grateful to the Government of India, for we must be thankful for small mercies, however small the mercies may be. But what virtue have they shown in accepting that amendment? The questions which I have put and the answers which I have got have made it clear that what is now Mr. Chetty's amendment was the original proposal of the Government when it went up to the Secretary of State. Why the Government of India did not put that original proposal in the Bill which they introduced in this House has not been explained. Was it because they wanted to keep that up their sleeve in order that, if there were some Members in this House, who are not statesman-like, who insisted on fighting on this question of preference to English goods, the Government might make a concession by agreeing to an amendment like Mr. Chetty's? But, however that may be, for that reason the Government cannot claim any virtue for having accepted the amendment of Mr. Shanmukham Chetty, because it is part of their own original proposal communicated to His Majesty's Government. But how far have I advanced the position? I confess to my regret that I have not done very much by my amendment for rescuing the consumers of this country from what amounts to a heavy burden in the circumstances of the case; but my proposal goes beyond Mr. Shanmukham Chetty's in this: Mr. Shanmukham Chetty's proposal is that there should be a duty of 15 per cent. or $3\frac{1}{2}$ annas per pound whichever is higher on all plain grey goods. That is part of his proposal. If that were the only proposal which Mr. Shanmukham Chetty had made, he and I would have been very much closer to each other, as we used to be in the past and, as I hope, we may yet be in future, but he proposes to limit this duty to goods of British manufacture only, and has gone on to propose a duty of 20 per cent. or $3\frac{1}{2}$ annas per pound whichever is higher, against plain grey goods not of British manufacture. He has also proposed a discriminating duty of 15 and 20 per cent. on goods of British and non-British manufacture. I have avoided all discrimination and have proposed a uniform duty of 15 per cent. or $3\frac{1}{2}$ annas per pound whichever is higher against all cotton goods imported into this country. That is the difference between the proposal of my Honourable friend and mine. Government have expressed their willingness to accept Mr. Shanmukham Chetty's amendment. That amendment of my friend means that there would be a duty of $3\frac{1}{2}$ annas per pound on only plain grey goods of British manufacture. But there are English cotton piece goods other than plain grey goods which come into this country. I do not see any justification for exempting them from the operation of the duty. There is an idea that these other bordered or coloured goods, as they are called, particularly large quantities of dhotis which are imported from Lancashire, do not compete with the Indian product. But my Honourable friend, Mr. Ghanshyam Das Birla, has shown that that is not the correct position. Let me quote his own words. He said:

"I propose to lay on the table, for inspection by this House, samples of dhotis which will show that there are dhotis imported from Manchester in very large quantities made out of finer counts and yet they compete with dhotis of coarser counts made in

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India. The reason is obvious. The Manchester dhoti, although very inferior so far as durability is concerned, is sold at Rs. 2 per pair, while the Indian-made dhoti, although nearly 100 per cent. more durable than the Manchester dhoti, is sold at Rs. 2-6-0 or Rs. 2-7-0 per pair." "In a country where poverty is rampant," *my friend went on to add*, "and the poor have got to live on two annas per day, it is not at all surprising that a man prefers to buy a cloth which is far less durable, merely because it is a little cheaper, than a similar cloth which is far more durable but slightly dearer. Dhotis from Manchester do compete therefore with Indian goods, and if you allow this to continue, you will have, on the figures quoted by Mr. Shanmukham Chetty, a keen competition going on against not only the products of the Bombay mills, but against the products of our Indian mills."

Is there any justification for exempting these dhotis, these coloured and bordered goods from the duty? Is there any justification for this discrimination? I submit not. Therefore my amendment seeks that there should be one uniform duty on all cotton goods imported into India. And I cannot see any reason why the Government should not accept this amendment.

Now, Sir, the Government ought to think primarily of the interests of the consumer, and if you allow so much of competition to go on with the products of the Indian mills, the result must be disastrous to India, and I beg the House further to consider in what insidious way this will work against our own industry. At present, owing to the competition from Japan and England, prices are kept at a certain level. The Japanese sell their things cheap. I do not know if they are always good, nor can I say that the English goods are always good now. There was a time when they used to be, but opinions differ now. It is said the concern of the Lancashire manufacturer is not that he should supply goods which would be durable but goods which are cheap which the poor man is attracted to buy. The Japanese have tried to lower their prices, and they have secured a market in India. Lancashire must reduce its prices in order to compete with the Japanese. It would be bound to, and the result will be that Indian consumers will purchase these foreign cloths at a cheaper price than they will do otherwise. In such a situation what does the Government proposal mean? It means this. The Government say, "We shall not allow this to go on. This has gone on for five years to the detriment of Lancashire. We shall shut out the Japanese by raising a tariff wall against them 5 per cent. higher than against British goods". Now, what do we give to the Lancashire people? We give them the advantage of a 5 per cent. lower duty, and they bring in their goods in a larger quantity; they practically secure a monopoly of the Indian market and they will then raise their prices. . . .

Mr. President: Order, order; I think the Honourable Member needs some rest before he proceeds further.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes Past Two of the Clock, Mr. President in the Chair.

Mr. President: I think the Honourable the Leader of the Opposition should have set a better example. I hope he realises that he has incurred the displeasure of the Chair.

Pandit Madan Mohan Malaviya: I am sorry, Sir. I apologise to the Chair. My health is unfortunately bad at this juncture. I apologise not only to the Chair but also to all the Members of the House for being late.

I have pointed out, Sir, the difference between the amendment of my Honourable friend, Mr. Chetty, and mine, and I hope I have given sufficient reasons to the House to appreciate that difference. I do not understand why the Government who are willing to give the higher protection to the Indian cotton industry should be unwilling to give the somewhat lower protection that I am asking for. If their solicitude for the Bombay industry is genuine, I cannot understand why when they are prepared to give the larger protection of their present proposals, they object to give the somewhat lesser protection that I am pleading for. My difficulty is not with the Government alone. My difficulty is with my old colleagues also. I am grieved to find that, placed in the situation in which we find ourselves, my Bombay friends in particular and many other friends in the Assembly are acting under a sense of coercion, of the terrorisation which the Government have adopted. It is a most unusual course, a course unprecedented in the history of legislation, even in this country. I have known occasions, and you will, Sir, remember one very important occasion, the passage of the Rowlatt Bill through the Imperial Legislative Council, when in the teeth of protests of all Indian Members of the Council the Government carried the Bill through. But even on that occasion the Government did not start by telling the Council that, come what may, however strong, earnest and deep the opposition of the Indian Members, however unanimous the opposition of the Indian Members, the Government would not listen to any suggestion for any change. On this occasion the Government have adopted this unprecedented attitude. Practically, at the stage of the introduction of the Bill, the Honourable the Commerce Member told this House that the Government were not prepared to accept any substantial changes in the Bill even if they were passed by a majority of the Members of this Assembly. That, I submit, is unprecedented and is indescribably wrong. This expression of the opinion of the Government has unnerved many of my fellow Members of the Assembly. I am sorry to think that it has been so. Many of my Bombay millowner friends and the representatives of the Bombay mill industry and other friends of the Indian cotton industry are acting now under the sense of this threat, which is not a mere threat, but a declaration of the determined view of the Government. They are face to face with this situation, that they must either accept the cup of milk which the Government are presenting to them, but which contains, even according to the opinion of those who are willing to accept it, a dose of poison, or they should allow this great national industry, the cotton industry of India, to perish now and have no chance of reviving. I submit, Sir, it is not surprising that, in this situation, many Honourable Members feel that the battle is lost before it is begun, that it is no good fighting, that you might as well break your heads against a stone wall, or throw yourself into the burning fire, as attempt to stand between the decision of the Government and the Bombay cotton industry. Many a Member, sound and sensible, who has realised that Imperial Preference which is being practically forced upon us is an evil has said: "What are we to do? The Government are adamant; and we do not want to wreck the Bombay industry". My Honourable friend, Mr. Jinnah, also has succumbed to that situation. I am grieved to think that it should be so. On another occasion, my very esteemed friend, Mr. Jinnah, and some other friends succumbed to the proposals of Government in the matter of

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preference to British steel. I do not think there is one Member today who voted for it who does not realise that that was a mistake and that the country has suffered by reason of the attitude then taken by him. Today we are face to face with this grave situation, and several of my friends say that they find themselves hopeless and helpless, because the Government have taken up this attitude. And they ask us to tell them how we can save the Bombay industry if we oppose the proposal of the Government. My Honourable friend, Mr. Jinnah, put a direct question to the Government Member, if we carry the amendment which stands in my name or any other amendment like it, what will be the attitude of Government? The Government had no hesitation in saying that, if my amendment or any of the three or four other amendments was carried, they would withdraw the Bill. And, then my friends found themselves in this position, that if they do not accept the proposal of Government, including preference to the United Kingdom goods, the Bombay industry stands the chance of being ruined. In that strain many an Indian has spoken.

Far be it from me to accuse any of my fellow brethren. They are acting as people placed in a condition of subjection to a foreign power find themselves compelled to act. They are acting under the coercion of this legalised despotism that is being carried on. (*Cries of "Shame" from Non-Official Benches.*) They have succumbed to it. My Bombay friends have pleaded with us that we should not wreck the Bill. I have myself received telegrams and representations from many quarters, mostly from Bombay, imploring me not to wreck the Bill and not to wreck the Bombay cotton industry. Some friends have gone to the length of reminding me what I owe them gratitude for many favours done to me in the past. They subscribed munificently to the Hindu University of Benares when I went to Bombay to ask for their help, and they also subscribed munificently to the Tilak Swaraj Fund when Mahatma Gandhi asked for the Fund the support of the country. I am a human being, and I grieve to think that I should be acting in opposition to the wishes and opinions of friends who have been friends to me for twenty-five, thirty or more years; that I am acting in opposition to the wishes of those who are carrying on this great cotton industry under very difficult circumstances. But I would be false to myself and to my God if I allowed the interests of the Hindu University or any other interest to stand between me and the interests of my country. (*Loud Non-Official Applause.*) If it were necessary to sacrifice a hundred Hindu Universities, I hope God will give me the strength to sacrifice them without any hesitation and not to sacrifice the interests of my country. (*Loud Applause.*) I hope my Bombay friends will realise that I am not acting in a light-hearted fashion. I have weighed all the consequences, and I find that, while the proposals of Government will give them a temporary relief, an apparent relief, there is that insidious poison of the bounty to Lancashire which will in the long run, work disaster to the Bombay industry and to the industry of India. I realise that, to present a bonus of 2½ crores, or something like it, to a well and long-established industry like that of Lancashire at this juncture, to enable it to secure the whole of the Indian market, will be to hand over that market for a long time to come to Lancashire. I realise that that would mean that the Bombay industry would not be able to stand the competition of Lancashire for any length of time. I want Bombay to live; I want the Bombay industry to live, but if it is necessary for me to choose between my country and sacrificing the Bombay industry, I will have no hesitation in sacrificing it at the altar of

my country as a whole. (*Loud Non-Official Applause.*) My country is my first concern and my last concern. Bombay cannot live if India perishes. Bombay cannot prosper if India is impoverished and degraded and if there is depression all over the land. Today, Bombay is still producing a very large quantity of cotton goods, but does it find a market for them? Do the Indian manufacturers find a market for all the quantity of cloth that they produce? They cannot, they do not. If the Indian people are impoverished, no industry can prosper. Am I to forget, am I to overlook this important view, this large view, and succumb to the fears which have taken possession of the hearts of my Bombay friends? I fear that if this Bill is passed, the Bombay industry will find to its cost that it cannot stand the competition of Lancashire after the reorganisation which is going on there, and Bombay will rue the day when it offered its support and pressed us to support the Bill of Government.

Now, Sir, this being the position, what is the duty that lies upon us at this juncture? Our duty is clear. In matters economic, we must look straight to the reality of things. We find our indigenous industry is exposed to competition and to danger. Our duty is to find what amount of protection it needs, and to give that protection with open eyes, remembering that, whatever protection is given to an indigenous industry, re-circulates among the people. It is like water sent out into a garden, it plants, it supports and nourishes every plant and every tree in the garden, but if the water of a garden is drawn up by the scorching rays of foreign administration and showered upon a distant land, then the land from which it has been drawn must inevitably suffer. (*Hear, hear.*) We do not think it right that any protection which we should offer should redound to the advantage of any one except the people of the country who will make the sacrifice involved in giving that protection. (*Hear, hear.*) The consumers of India who are asked to bear the burden of the higher duty are entitled to know whether, in our judgment, it is right to impose that burden upon them. The example of many foreign countries tells us what is the right course to pursue in the modern conditions of life to protect the cotton industries of our country. That being so, what is the attitude we should adopt at this moment, with this declaration of the Government, with this prospect of the Bill being wrecked if we carry this amendment? I ask my Honourable friends in all humility and in all love to cast off fear from their minds, to dare to be right, to dare to be just (*Hear, hear.*) and to trust in the justice of God to help us and win our cause. What is this Government? What is the power of this Government before the power of the Supreme Ruler who rules over the Universe? Let everybody in the world know that this Government of India, as it is called, taking advantage, taking mean advantage of the situation (*Hear, hear.*) in which we find ourselves, offers us a cup of milk in which there is a big drop of poison, and I implore you to have the good sense to refuse to take that milk, and to insist that we shall have a pure and clear cup of milk by reason of our birthright as the people of this great country. (*Hear, hear.*) Accept my amendment, if it appeals to you as the right amendment. Present it to Government, let the Government then take the responsibility of rejecting the proposal which is passed by a majority of this Assembly. Let them take that responsibility, let the world know the reality of things, and I venture to say that the Government will tremble in their shoes a long while before they decide to reject the opinion of the majority of the elected Members of this House. (*Hear, hear.*)

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If they do so, there are other means open to you. I have been asked, "What about the loss to Bombay while you are indulging in your patriotism?" My submission is, there will be very little loss to Bombay, if Bombay has the support of the whole country. Every honest, honourable man, every honest Indian should take a vow that he shall not use a bit of English cloth if this Bill is passed. There is such a thing as the people of a country and the Government of India do not compare, are not worth mentioning in comparison with the great people of this country, if their indignation is roused against a measure passed in this Assembly with the help of official votes against the opinions of the elected representatives of the people. That is the help which you can render to the Bombay industry. I do not want, I do not wish that Bombay should antagonise the rest of India, that the people should feel that, owing to the fears entertained by some friends in Bombay, and those who are representing them here, the elected Members of this Assembly voted a sum of 2½ crores a year to Lancashire. Do not let that feeling go throughout the length and breadth of India. It will hurt Bombay much more than the measure which the Government are giving it will help. For this reason I ask every elected Member of this Assembly to support my amendment and to present it to the Government.

Now, Sir, I am reminded at this stage of the attitude which the Government have taken in regard to the convention of fiscal autonomy. The exposition of the fiscal autonomy convention, I am told, made by the Honourable the Commerce Member yesterday leaves no room for me to discuss this question. I am told, I am wasting my breath and incurring great risk in doing so. Perhaps, I am, but while there is breath in me, let me protest with all the strength I can command against the impudent claim put forward by the Honourable the Commerce Member that the Government of India, acting by themselves, without the agreement of this Assembly, can practically decide what taxation shall be imposed upon the people. (Shame.) The Government of India said, this convention means this, that you have got Dominion Status in fiscal matters, but not Dominion Government, that the initiative must always rest with the executive Government, a proposition which nobody will question, that if the initiative taken by the Government is accepted by the Assembly, there is harmony, but if it does not meet with the acceptance of this Assembly, then the Government are the masters of the situation in the sense that they can withdraw the proposal that they have made and leave the country and the industry or interest concerned to perish. That they have that power, and they tell you that they are prepared to exercise that power; they are determined to exercise that power, that they will withdraw the Bill if the Assembly does not accept the proposal they have put forward. This is dictation of the worst kind I have read or heard of in any country's history. We are asked practically to register the decree of the executive Government. Whatever our sentiments, whatever our judgments, however strong our grounds for opposing it, we must either accept what they give us or see one of our great national industries perish. Is that the convention? Does the Honourable Member seriously think, in his heart of hearts, that that is the spirit of the fiscal autonomy convention? I say, he cannot. The moment he realises the implications of it, he must recoil from the position he has taken up. The fiscal autonomy convention, said

the Honourable the Commerce Member, is a reality, it is not a sham. I say, yes, it is a reality, and because it is a reality, we want to prove it a reality, and if you do not accept the verdict of the majority of the Assembly, you will have proved that your assertion is not correct. This is the position. If you accept the verdict of the majority of this Assembly, you will prove that it is a reality. What is that convention? The Secretary of State used to exercise the power of superintendence, control and direction in that matter of taxation, as in other matters in India until the fiscal convention was established. But when the reforms were introduced, there was a Joint Select Committee of Parliament appointed. That Joint Select Committee considered the question and laid down a very simple and clear proposition. I wish, with your permission, Sir, to read again a passage which has been read twice before in this House, but it is very important to draw attention to its language. The Joint Select Committee said in discussing clause 33.

"The Committee have given most careful consideration to the relations of the Secretary of State with the Government of India, and through it with the Provincial Governments. In the relations of the Secretary of State with the Governor General in Council the Committee are not of opinion that any statutory change can be made, so long as the Governor General remains responsible to Parliament, but in practice the conventions which now govern these relations may wisely be modified to meet fresh circumstances caused by the creation of a Legislative Assembly with a large elected majority. In the exercise of his responsibility to Parliament which he cannot delegate to any one else, the Secretary of State may reasonably consider that only in exceptional circumstances should he be called upon to intervene in matters of purely Indian interest where the Government and the Legislature of India are in agreement.

"This examination of the general proposition leads inevitably to the consideration of one special case of non-intervention. Nothing is more likely to endanger the good relations between India and Great Britain than a belief that India's fiscal policy is dictated from Whitehall in the interests of the trade of Great Britain. That such a belief exists at the moment there can be no doubt. That there ought to be no room for it in the future is equally clear. India's position in the Imperial Conference opened the door to negotiation between India and the rest of the Empire, but negotiation without power to legislate is likely to remain ineffective. A satisfactory solution of the question can only be guaranteed by the grant of liberty to the Government of India to devise those tariff arrangements which seem best fitted to India's needs as an integral portion of the British Empire. It cannot be guaranteed by statute without limiting the ultimate power of Parliament to control the administration of India, and without limiting the power of veto which rests in the Crown; and neither of these limitations finds a place in any of the statutes in the British Empire. It can only therefore be assured by an acknowledgment of a convention. Whatever be the right fiscal policy for India, for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa. In the opinion of the Committee, therefore, the Secretary of State should, as far as possible, avoid interference on this subject when the Government of India and its Legislature are in agreement, and they think that his intervention, when it does take place, should be limited to safeguarding the international obligations of the Empire or any fiscal arrangements within the Empire to which His Majesty's Government is a party."

May I ask the attention of the House to the very important points that are mentioned in this recommendation of the Joint Select Committee? The Legislature and the Government are to be in agreement and the opinion of the Legislature, which has been created with a large elected majority, is to be respected. We are reminded that the only question to be determined is what is in the best interests of the consumers in India as well as of the manufacturers in India, and they say that India should have the same liberty to consider her interests as Great Britain, Australia, Canada, New Zealand, and South Africa. But says the Honourable the Commerce Member, "You have got Dominion Status here, but you have not got Dominion Government". If we had Dominion Government, would

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the Noble Lords and the other members of the Joint Select Committee have been so foolish as to waste their time and trouble over writing this paragraph? Where was the necessity for this recommendation of the Joint Select Committee if Dominion Government had been established in full? It is because we have not got Dominion Government, they pointed out that, in this matter of fiscal autonomy, Dominion Status should come into action, and that is a view which is supported further by what Lord Crewe's Committee had recommended. My Honourable friend, Mr. Neogy, drew the attention of the House to two passages in that Report which are of great importance in this connection. They said in paragraph 16:

"In examination of the Budget, and in criticism of general administration, the Legislative Assembly can express its views only by means of resolutions and these will continue to be advisory in character without legal sanction. Government may accept a resolution either because they agree at the outset or because they decide to defer to the opinion of the Assembly. Where for any reasons reference to the Secretary of State is considered necessary, we recommend that a joint decision of the Government of India and a majority of the non-official Members of the Assembly reached by discussion of a resolution should be given the same degree of authority as similar decisions on legislative proposals and that the principle we have stated in paragraph 15 should be applied in this case also."

I invite the attention of the House to the words, "A joint decision of the Government of India and a majority of the non-official Members of the Assembly" upon which the Committee laid stress. Paragraph 15 referred to above runs as follows:

"In normal cases where legislation comes before the Secretary of State it must already have received the assent of the Governor General and must have been passed by a majority of votes in the Council of State and in the Legislative Assembly. But in as much as there is a substantial official vote"

—I beg every Honourable Member of the House to note these words—

"But in as much as there is a substantial official vote in the latter body" (the Legislative Assembly) "and normally an official majority in the former" (the Council of State), "it follows that the measure has not necessarily the support of a majority of the non-official Members in either Chamber."

They say with reference to a measure which has been passed both by the Legislative Assembly and the Council of State, that it has not necessarily the support of a majority of non-official Members in either Chamber. And they go on to say:

"In order, therefore, to give proper emphasis to the legislative authority of the Assembly, we recommend that whenever legislation has the support of a majority of the non-official Members of the Legislative Assembly, assent should be refused only in cases in which the Secretary of State feels that his responsibility for the peace, order and good government of India, or paramount considerations of Imperial policy require him to secure reconsideration of the matter at issue by the Legislative Assembly."

You have it clearly laid down by Lord Crewe's Committee that, in all such matters, what you have to look for is the support of a majority of the non-official Members of the Legislative Assembly. Now, Sir, in the face of this very clear and authoritative proposition, laid down by Lord Crewe's Committee, how is the Honourable the Commerce Member justified in telling this House that, even if this House passes an amendment by a majority of the votes of this House, the Government will not adopt it?

Recently, Sir, the Honourable the Commerce Member also referred to the statement made by the Secretary of State that Dominion Status was already in motion and has been in practice for ten years. Even now, while this discussion has been going on in this House, we have a statement cabled to us from London in which Mr. Wedgewood Benn is reported to have said:

"In answer to a question by Sir William Davison whether Government had approved of the Government of India's proposal, in view of its opposition to preferential tariffs: Mr. Wedgewood Benn stated, 'I am called upon to protect the fiscal rights of India which I intend to do.'"

"Mr. Hammersley suggested that there had been a change of policy" (in respect of Mr. Chetty's amendment) "since representations were made, but Government had taken no steps:

Mr. Benn replied that the Cabinet's considered views were sent by telegram on the 7th February, to the Government of India. They had to have regard to the established rights of India and the Assembly in these matters."

"The established and indisputable rights of India and the Assembly in these matters". What are these rights except those that I have drawn your attention to in the recommendations of the Crewe's Committee and the Joint Select Committee? Sir, I cannot understand how the Government of India imagine that their position in this case is anything different from what has been laid down here. The reality of the fiscal autonomy convention demands that, though the initiative for putting forward proposals of a legislative character, particularly proposals of taxation, rests with the Government of India, as it rests with the executive in every country, once the proposals have been laid before the Assembly the Government of India should consider themselves bound to defer to the opinion of this House, even though it has not been laid down by the statute, because this convention has been established to prevent a dead-lock arising on such an occasion. Sir, I submit that in the cablegrams, which were exchanged between the Government of India and His Majesty's Government, that was the position which was present to the mind of the Government of India, because in one of the cablegrams, the Government of India clearly said that they would solicit the most free consent of the Legislature on their proposal, and they repeated, in two places, that the final decision must rest with the Legislative Assembly. I submit, therefore, Sir, that this matter requires clearing up, and that the Government of India ought to recognise that

The Honourable Sir George Rainy (Member for Commerce and Railways): I apologise to the Honourable Member for interrupting. My correction is purely verbal. The exact phrase used is, "The most free expression of opinion".

Mr. President: And the final decision will rest with the Assembly.

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Pandit Madan Mohan Malaviya: I thank the Honourable the Commerce Member. They did say:

"We desire also to make it clear that in a matter of this kind, after frankly stating our case, we should desire to solicit the most free expression of opinion from the Legislature with whom the final decision must rest."

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the Noble Lords and the other members of the Joint Select Committee have been so foolish as to waste their time and trouble over writing this paragraph? Where was the necessity for this recommendation of the Joint Select Committee if Dominion Government had been established in full? It is because we have not got Dominion Government, they pointed out that, in this matter of fiscal autonomy, Dominion Status should come into action, and that is a view which is supported further by what Lord Crewe's Committee had recommended. My Honourable friend, Mr. Neogy, drew the attention of the House to two passages in that Report which are of great importance in this connection. They said in paragraph 16:

"In examination of the Budget, and in criticism of general administration, the Legislative Assembly can express its views only by means of resolutions and these will continue to be advisory in character without legal sanction. Government may accept a resolution either because they agree at the outset or because they decide to defer to the opinion of the Assembly. Where for any reasons reference to the Secretary of State is considered necessary, we recommend that a joint decision of the Government of India and a majority of the non-official Members of the Assembly reached by discussion of a resolution should be given the same degree of authority as similar decisions on legislative proposals and that the principle we have stated in paragraph 15 should be applied in this case also."

I invite the attention of the House to the words, "A joint decision of the Government of India and a majority of the non-official Members of the Assembly" upon which the Committee laid stress. Paragraph 15 referred to above runs as follows:

"In normal cases where legislation comes before the Secretary of State it must already have received the assent of the Governor General and must have been passed by a majority of votes in the Council of State and in the Legislative Assembly. But in as much as there is a substantial official vote"

—I beg every Honourable Member of the House to note these words—

"But in as much as there is a substantial official vote in the latter body" (the Legislative Assembly) "and normally an official majority in the former" (the Council of State), "it follows that the measure has not necessarily the support of a majority of the non-official Members in either Chamber."

They say with reference to a measure which has been passed both by the Legislative Assembly and the Council of State, that it has not necessarily the support of a majority of non-official Members in either Chamber. And they go on to say:

"In order, therefore, to give proper emphasis to the legislative authority of the Assembly, we recommend that whenever legislation has the support of a majority of the non-official Members of the Legislative Assembly, assent should be refused only in cases in which the Secretary of State feels that his responsibility for the peace, order and good government of India, or paramount considerations of Imperial policy require him to secure reconsideration of the matter at issue by the Legislative Assembly."

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"We recognise that the question of Imperial Preference is one which can only be determined in accordance with Indian opinion; and that the Indian view can be best ascertained by reference to the Council of State and the Legislative Assembly, without whose free consent no such policy can be adopted."

It is from this passage that I took the words "free consent", and I am sure that the Honourable the Commerce Member will not refuse to these words of the Fiscal Commission the same weight that he would attach to the words used by the Government of India in their cablegram to the Secretary of State. Now, Sir, I submit that, in view of all to which I have drawn attention, the Government of India should adopt the correct position in this matter which is this. The Government of India, as the executive Government, initiate proposals. We have not the power to do that, nor do we claim that we have. Once the proposals have been laid before this Assembly, in the very language used by the Government of India in their cablegram, they should solicit the most free expression of opinion of this Assembly and remember that, with this Assembly, the final decision must rest. That, I submit, is the convention which has been established. If it were otherwise, it will come to this. My Honourable friend, the Commerce Member, in discussing to whom the Government of India were responsible, said the previous consultation with the Secretary of State was of course to be had. But after that, the final decision as to what proposal it will place before this Legislature rested with the Government of India. I do not quarrel with my Honourable friend for that statement. I concede that the final decision as to what proposals the Government of India will place before the Legislature rests with the Government of India. But I say that, beyond that, once that has been done, in the language used by the Government of India themselves in the cablegram, the most free expression of opinion of this Assembly should be solicited and the final decision must rest with the Assembly. But, said the Honourable the Commerce Member, if according to the sense of responsibility they owe for the administration of this country, the Government of India cannot accept it, they are not to be forced to do so.

I submit, Sir, that on this occasion, having dealt with the theoretical aspect of it, having discussed the principle of the fiscal convention, I appeal to every Member of this House and the Government to consider what the situation at present is. I am not asking the House to pronounce a verdict on that question. I am taking the facts as they are. The Government of India have put forward a proposal for giving a certain measure of protection, say, X to the Bombay cotton industry or the Indian cotton industry. If the Assembly ask for X+1 measure of protection, I can understand the Government of India saying, "This is

more than we have decided to give, what we think it right to agree to give, and we cannot agree to it". But if the Assembly asks for X—1 can anybody say that the Government of India will be right in refusing to accept the decision of the Assembly, when it does not ask them to go beyond their own decision, but asks them to agree to something less than they have decided upon? That is the proposal I put before the Government and the Assembly. The Government of India have proposed a 20 per cent. duty with a minimum of $3\frac{1}{2}$ annas per pound on plain grey goods from outside the United Kingdom, and a 15 per cent. or $3\frac{1}{2}$ annas per lb. on plain grey from the United Kingdom. My proposal is a 15 per cent. all round, with a minimum of $3\frac{1}{2}$ annas per pound whichever is higher. Will anybody try to persuade himself or others that my proposal is less than the proposal of the Government of India? Or will anybody try to persuade us that a part is greater than the whole in this instance? If we asked the Government of India to agree to something which was beyond what they had proposed, I could understand them saying, "In the discharge of the responsibility which we hold according to our light rests upon us, we cannot agree to it", but when it is something less than is suggested, with what justification can the Government of India say, "Even if you pass it by a majority, we shall not accept the proposal, but will withdraw the Bill". I submit, Sir, this position is utterly untenable. It cannot be justified by any canon of reason or justice. If the Government would look at the matter in this clear light, there should be no difficulty on their side in accepting my amendment. But, Sir, my words are too feeble to find acceptance from the Government. The Government Member has expounded the view of the Government of India as to what this fiscal autonomy convention is. He has told us, Sir, that the Government of India have framed their proposals, and when there is no agreement between them and the Legislature, the Government of India cannot accept any of the many proposals which are before the Assembly, because the Government of India cannot divest themselves of the responsibility which rests upon them. Those are the words used by the Honourable the Commerce Member: "We cannot divest ourselves of this responsibility; it will be an abnegation of its functions by Government."

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): May I know, Sir, on a point of information, whether the view which was enunciated by the Honourable the Commerce Member as regards the interpretation of the fiscal convention is the view of the entire Government of India, and if so, whether it has the approval of the Secretary of State?

The Honourable Sir George Rainy: As I explained to the House yesterday, all I can say is that that is the view which the Government of India take of this convention.

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report published by the cable, in which it is stated that Mr. Wedgewood Benn stated, in answer to a question in the House of Commons, on the subject of the Indian cotton duties, that he had never suggested preferential treatment for goods from Britain; the suggestion originated in India. Then he went on to say, "I am called upon to protect the fiscal rights of India which I intend to do", and he said they had to have regard to the established and indisputable rights of India and the Assembly in these matters. When, Sir, Mr. Wedgewood Benn said that he was called upon to protect the fiscal rights of India, which he intends to do, I thought there was some room left, some ray of hope left, that, if the Government of India and the Assembly differed, the matter might be referred to the Secretary of State and that he might, by the grace of Providence, be inspired to act justly to India. But the statement of the Honourable the Commerce Member would seem to show, either that this report was incorrect, or that he had received some further communication, since this report was published from the Secretary of State, which justified him in making the statement which he has made. If he has, it is only fair to this House that he should let us know.

The Honourable Sir George Rainy: No, Sir, I have had no further communication.

Pandit Madan Mohan Malaviya: Then, I submit, Sir, probably the House will agree with me, that the Honourable the Commerce Member is not justified in saying that he has reason to think that his view has the approval of the Secretary of State. But, Sir, this raises a very important question to which I invite your attention. This House is called upon to legislate, to pass this Bill, which is before the House, into law. The statute is silent as to what is to be done in a matter like this. The Joint Select Committee's Report and the Crewe Committee's Report have made it clear and the Fiscal Commission have made it clear that the decision must rest with the Government of India, acting in agreement with the majority of the non-official Members of the Assembly. The Honourable the Commerce Member has given this Assembly his own interpretation of this convention. I have endeavoured, in my humble way, to place my interpretation of this convention before this House; other Members before me have tried to do that. You, Sir, preside over this Assembly. This is a matter of such supreme importance to the people of this country, that I must appeal to you to decide and to give a ruling to this Assembly on this very important question which involves a most important issue. I beg you to help us by an expression of your considered opinion as the Speaker of this Assembly, as the President of this Assembly, whether, in view of all that has been placed before this Assembly by the Government Members, the Honourable the Commerce Member and the Honourable the Finance Member, and ourselves on this side of the House, whether the interpretation put by the Honourable Sir George Rainy on the convention is correct and consistent with the recent declaration of the Secretary of State. I would also request you, Sir, to give us a clear guidance, by a ruling, whether the attitude, taken up by the Government that they have not an open mind in regard to my amendment, and that, if that or any other amendment referred to by them is accepted by the House, they will not further proceed with the Bill, is consistent

with the fiscal autonomy convention. And lastly, Sir, whether the official and nominated Members are entitled to record their votes on a division on this Bill. I have put these propositions before you, Sir, because, in the state of opinion that now prevails on either side of the House, it is impossible for many Members to come to a clear conclusion as to the rights of this House and of the Government in regard to this matter. So far as the last proposition is concerned, whether the official and nominated Members are entitled to record their votes on a division on this Bill, I beg you to give us your guidance on this matter, because, from the language used in Lord Crewe's Committee's Report it is clear that what that Committee recommended was that a matter like this should be decided by a majority of the votes of the non-official Members of the Assembly. They foresaw, Sir, that with an elected majority with a large number of official Members in this Assembly and a majority of official and nominated Members in the Council of State, a position like this was likely to arise. That position has arisen. The only solution which the Honourable the Commerce Member suggested was the establishment of Dominion Government.

The Honourable the Commerce Member said there was Dominion Status in action, but there was no Dominion Government in existence, and if we are to wait according to his interpretation, we must wait until we get Dominion Government in existence here; until then we should be at the mercy of the Government of India in regard to any proposal for the relief of any industry, however urgently protection may be needed. Is that the position, Sir? Have we to be entirely at the mercy of the executive Government, even when the majority of the Assembly supports the major part of the proposal of the Government and asks for only a little variation from it, or are the Government bound, under such circumstances, to defer to the opinion of this Assembly, to accept their verdict for a change in their proposals so long as it does not exceed, at any rate, the original proposals put forward by them? These are questions, Sir, which I beg you to consider and to help the House with your opinion on them. I do not think, Sir, at this stage, I can usefully take up any more time of the House. I feel that it is very important that, in a matter like this, the Assembly should have the benefit of your considered opinion to guide it in the dark situation in which it has the misfortune to find itself.

Sir Hari Singh Gour: (Central Provinces Hindi Divisions: Non-Muhamadan): Sir, there are one or two observations

Mr. President: I would like the Honourable Member to confine himself to the points raised by the Honourable Pandit.

Sir Hari Singh Gour: That is exactly the point, Sir, upon which I propose to address the House. There are one or two observations which have fallen from the Honourable the Commerce Member against which this House must distinctly and emphatically enter its protest. The Honourable the Commerce Member is reported to have said—I give you his *ipsissima verba*. He says this:

"If the Government and the Legislature are not in agreement there is no means of evading that deadlock under the present constitution till",—

[Sir Hari Singh Gour.]

mark these words please,—

"by persuasion one side is won over by the other. While therefore in the sphere of tariffs India already possesses Dominion Status, it does not yet possess the Dominion Constitution."

Now, the words which the Commerce Member has used give away his whole case. He says that, under the present constitution, it is still by persuasion one side or the other is won over by the other. Sir, the Joint Parliamentary Committee have laid it down that, in the matter of fiscal autonomy, the Government are to act in agreement with the Legislature. Now, I ask the Commerce Member, how are the Government to act in agreement with the Legislature when they do not consult the Legislature, or keep an open mind to be convinced by the Legislature? I am perfectly prepared to admit, and my friend Pandit Malaviya has conceded it, that the initiative should primarily rest with the Government of India, but the initiative being taken, it was the duty of the Government of India to come before this House and say we do not stand committed to this view because our decision must be in agreement with yours, and therefore by the only constitutional method open to us by consultation, by compromise, it may be by a decision of the Select Committee, we shall come to an agreement, and it is only then that the Legislature and the Government can be said to have come to an agreement. Now, what is the position? The Government come before us and say, "We do not care what you think, much less do we care what you say; all we do care is that you should agree with us, and if you don't, so much the worse for you". Now, that is intolerable. No self-respecting Legislature would for one moment tolerate it. This position ascribes to Government a degree of infallibility which it has not got under the existing constitution. The Honourable the Commerce Member read to you the words of the Joint Parliamentary Committee, and you remember, Sir, I pointed out at the time that the crucial sentence, the decisive sentence, the deliberative and concluding decision of the Joint Parliamentary Committee is contained in one sentence, and that sentence must be complied with. What is that sentence? It says:

"Whatever be the right of fiscal policy for India for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa."

That is the decision of the Joint Parliamentary Committee. In the matter of fiscal autonomy, the Members of this House are exactly in the same position as Great Britain, Canada and the other self-governing countries. Consequently, it follows as a matter of constitutional necessity, that in the matter of fiscal autonomy, the procedure and practice of the self-governing Dominions of the British Commonwealth must be followed. My friend the Commerce Member asks, "But how is this possible when we are irremovable?" I answer that question by saying that, the mere fact that you are irremovable, does not take away your obligation, it does not make you any the less responsible to this House. What is the meaning of responsibility? In the case of a Minister, who introduces an unpopular measure before this House, you turn out the Minister and replace him. In the case of an irremovable Member, all that Member can do is to say, "You cannot turn me out, but I can change my views, because I have got to obey you", and that is what the Commerce Member has got to do

if he wishes to respect the views of the Joint Parliamentary Committee. There is no use and you cannot get away from the fact that, if you are to apply the analogy of the self-governing Dominions; if you are to admit, and the Commerce Member has admitted it, that, so far as the question of fiscal autonomy is concerned, India is a Dominion. Within that small and narrow compass, the constitution must operate and work as if we were a self-governing Dominion, and I submit, Sir, that is what the Secretary of State said, that for the last ten years the fiscal convention has been worked by India like a self-governing Dominion.

Now, Sir, another point to which I want to draw your attention is this. I contend, in the first instance, that there is no incongruity between an irresponsible executive and the working of this convention in the spirit of the recommendation, may I say the decision, of the Joint Parliamentary Committee, because both in the House of Commons and in the House of Lords, when the Parliament Act was under discussion, it was conceded by responsible Ministers of the Crown that the Report of the Joint Parliamentary Committee must be read as a part of the Act. Now, that being the position, it raises another question of great constitutional value, and it is this. If the executive Government wanted this House to give their "most free expression of opinion", I use their own phrase, do you think, Sir, that this House is in a position to give its most free expression of opinion when Member after Member on the Treasury Benches has spoken and said "Either accept this half a loaf, or you will get nothing at all"? Is this conducive to the most free expression of opinion? I ask the Honourable the Commerce Member to pause and consider. If they wanted to concede to this House a free and unfettered expression of opinion, it was up to them to come before us and say, "I have made no decision whatever on this matter. I am free to decide after hearing you. It may be that you will convince me, in which case I shall be converted. It may be that I shall convert you, in which case you and I will agree". But what is the position that the Government have taken up? They say, "We recognise, we admit, we concede that this convention is a reality. We therefore concede that you are a Dominion, while you are dealing with the enforcement of this convention, but at the same time, so far as we are concerned, we have put wax into our ears, and whatever you may say, however strong may be your argument, however conclusive your logic, we refuse to agree with you unless you agree with us, and if you don't agree with us, then we do not give Bombay the protection which they so sorely need". I ask any fair minded Member of this House, whether on the Government Benches or on the Opposition Benches, if this can be characterised as giving to the House an opportunity for the most free expression of opinion. That, I submit, is a question upon which I would like to have a reply from the Honourable the Commerce Member.

Now, Sir, there is another point and a very important one, dealing as it does with this constitutional issue. It has been said by the Honourable the Commerce Member—and I would give the House his exact words as reported so that there should be no chance of any misunderstanding—

"that would mean, (Sir George Rainy continuing said), that it might be contended that Government should, in this matter, abide by the majority vote of this House."

Now comes the considered reply of the Government:

"that would mean, (Sir George Rainy continuing said), that it might be contended in a very large part of the fiscal sphere."

The Honourable Sir George Rainy: May I interrupt the Honourable Member for a minute? I can give him the exact words, which were:

"That would mean nothing less than the abnegation of its function by Government in a very large part of the financial sphere."

Sir Hari Singh Gour: Now, mark the implication of those words that, "If we were to abide by your decision, we shall be abdicating our function . . ."

The Honourable Sir George Rainy: I said "abnegation".

Sir Hari Singh Gour: " . . . we shall be abnegating our function in a large sphere of financial responsibility". Sir, that is begging the whole question. What is their function? They are ascribing to themselves a function which is against the report of the Joint Parliamentary Committee. He has himself, in the previous paragraph, pointed out that, so far as this question of fiscal autonomy is concerned, the function is the function which the Government share with the Members of this Legislature. Where is the abnegation of function? They ascribe to themselves a power and a privilege which, according to the interpretation on the convention by the Honourable the Commerce Member himself, in the passage to which I have referred, he is not entitled to. I submit the function of the Government of India is a creature of the statute. These functions are the functions which they can only discharge with due advertence to the rights and privileges and, let me add, obligations, created by the statute. I have already pointed out that, so far as fiscal autonomy is concerned, the Government of India have got no right whatever to make any decision except with the agreement of the Legislature. My friend, Mr. K. C. Roy, tells me that this is the right in all Bills. I go further. In the matter of other Bills governed by the ordinary language of the Government of India Act, the powers of the executive Government in this country are larger . . .

Mr. President: What are they?

Sir Hari Singh Gour: Take for instance, the power of certification.

Mr. President: Order, order. The Honourable Member made it quite clear yesterday, that when the Legislature and the Government of India do not agree, the convention ceases to be operative and they resume their powers again.

Sir Hari Singh Gour: I am just coming to that very point. I thank you, Sir, for drawing my attention to it. My friend, Mr. K. C. Roy, interjected a remark and said that, in the ordinary matter of legislation, the Government of India have got certain statutory duties. That is perfectly true in regard to ordinary legislation. But in regard to this fiscal autonomy, there are the exceptional powers conferred upon the Indian Legislature, and these powers could not be made a part of the statute, because the Indian Legislature could not be given the sovereign rights in all other matters, and the power of the veto of the Crown could not be limited. That, of course, you will find in the previous sentence. The Honourable the Commerce Member says that, if there is any agreement between the executive and the Legislature, in that case the convention goes by the board. Now, I beg to ask him this question. Is there anything in the convention to show that the convention is only operative if and when the Government and the Legislature are in agreement, and if

they are not, the convention is inoperative? You cannot implement on a convention a power of giving yourself a right which the statute has not given you. Nay more, it would create in the Government of India an autocracy unprecedented in its previous history. For while in all other matters it is subject to the general power of supervision, direction and control of the Secretary of State, that power is expressly withdrawn when the Government acts on the convention. In this case the power of control must be deemed to be transferred to and vested in the Legislature—since the Government must be responsible to some constituted authority, and the Secretary of State's power being withdrawn the power of the Indian Legislature necessarily comes into play. To that extent the will of the Legislature is paramount and the executive must submit to its decision. I therefore submit with due respect to the Honourable the Commerce Member that in this respect the ordinary constitution cannot come into play because the convention must be carried out and there is absolutely nothing in the circumstances of the convention, or in the mode and manner of its operation, or in the procedure by which it is to be enforced which makes it unworkable. Sir, the Joint Parliamentary Committee was an expert committee. They adverted to the fact that, in ordinary matters of legislation, the Indian Legislature had a limited authority. Surely, the Joint Parliamentary Committee must have seen, with half an eye, that there was a possibility of a deadlock between the Legislature and the Executive if the Legislature took one view and the Executive another. But have they adverted to it? They have. They have adverted to it in that pregnant phrase in which they have said that we charge the Government of India to recognise and to treat the Indian Legislature as a Parliament and themselves as belonging to a Dominion Parliament, and give the Legislature the fullest opportunity to decide as to how and when and in what manner the convention is to be enforced. Otherwise, there was no necessity to use this very emphatic phrase, namely, that they should have the same opportunity to consider her interest as Great Britain, Australia and the rest.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): How is the agreement to be found between the Legislature and the Executive?

Sir Hari Singh Gour: By mutual discussion.

Diwan Chaman Lall: By a vote of this House?

Sir Hari Singh Gour: By consulting you and me or by persuasion by you and me. But they have put themselves out of court; they have taken a false step. They are trying to show you, Mr. Chaman Lall, and you, Sir, that the . . .

Mr. President: Both are not in the Chair.

Sir Hari Singh Gour: I have been trying to show you, Sir, that the position of the Government has become intolerable by the action they have taken of deciding a thing before placing it before this House. The position therefore is the very reverse of what was contemplated by the Joint Parliamentary Committee. But let me not digress. Another point which I wish to emphasise is this. Flowing from the language of the Joint Parliamentary Committee that we are to constitute ourselves as a Legislature of Great Britain, Australia and the other self-governing Colonies, it follows, as the Honourable Pandit Madan Mohan Malaviya has pointed out,

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from Lord Crewe's Report, that if you are to give this House, within the limited scope of deciding her own fiscal policy, the same rights and privileges as belong to a self-governing Dominion, then official and nominated vote has no place. Have you got any official and nominated Members of Parliament in England or in Australia or in Canada?

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Of course not.

Sir Hari Singh Gour: You have not. Very well, Sir. If therefore you are to sit here as a Dominion for this limited purpose, then I submit, it follows, as a matter of logical necessity, that nominated and official Members should not have any vote. (Interruption by Mr. K. C. Roy.) My friend Mr. K. C. Roy has asked me whether a taxation Bill goes before the House of Lords.

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): He is a nominated Member.

Sir Hari Singh Gour: That was a question which I had the misfortune to raise in the first Assembly when the then Finance Member wanted his Finance Bill to go before the Joint Committee of the two Houses. We then raised a point and that point succeeded, namely, that so far as fiscal matters are concerned, they are the primary concern of this House. I beg therefore to submit that, if you really work the constitution, even the occupants of the Treasury Benches must work the convention in the liberal spirit in which it was intended to come into operation. That being the position, I ask the Honourable occupants of the Treasury Benches to reconsider the position.

The Honourable Pandit Madan Mohan Malaviya has suggested a line of action, namely, that all the amendments in the Bill be referred to the Select Committee.

Mr. President: After the consideration stage is over.

Sir Hari Singh Gour: With the consent of the Honourable Member I have not the slightest doubt that that difficulty can be circumvented.

Mr. M. A. Jinnah: We can do this also under the convention, I suppose, as interpreted by Sir Hari Singh.

Sir Hari Singh Gour: Yes, we can set up a committee of the whole House, as is done in the House of Commons. We are to work as the Dominion Parliaments work in the matter of this convention. That, I submit, is a plain reading of what the Joint Parliamentary Committee have laid down in words which have been read by the Honourable the Commerce Member and my friend Pandit Madan Mohan Malaviya.

Now, Sir, that is all that I have to say with reference to the constitutional issue. May I say also a few words on the merits of this particular Bill?

Mr. President: I wish the discussion to be confined to the constitutional issue.

Sir Hari Singh Gour: Then, this is all I have to say on the constitutional issue.

Mr. M. A. Jinnah: Is there any point of order, Sir, that you are considering? I have not quite followed the debate so far. Is there any specific point of order which you wish to consider?

Mr. President: The Honourable Pandit has put several questions. Will the Honourable Pandit kindly pass them on to me?

Pandit Madan Mohan Malaviya: I requested the President to be pleased to help the Assembly by rulings on three questions:

(1) Whether the interpretation put by the Honourable Sir George Rainy on the convention is correct and consistent with the recent declaration of the Secretary of State;

(2) Whether the attitude taken up by the Government that they have not an open mind in regard to my amendment, and if that or any other amendment is accepted by the House, they will not further proceed with the Bill is consistent with the fiscal autonomy convention;

(3) Whether the official and nominated Members are entitled to record their votes on a division on this Bill.

Mr. Arthur Moore (Bengal: European): Sir, I wish to speak.

Mr. President: Is the Honourable Member going to speak on the constitutional question?

Mr. Arthur Moore: Yes, Sir.

Sir Hari Singh Gour: I have got only one point to submit; that is that the powers of the Chair to decide matters of constitutional issues and matters of rights and privileges of this House were settled in the first Assembly in connection with the Supreme Court Bill, with the consent of the then Law Member, and that question came up again in the third Assembly, and it was then decided that it was within the privilege and power of the Chair to decide these questions. That is all I have to say on the powers of the Chair.

Mr. Arthur Moore: Sir, the Honourable Member, Sir Hari Singh Gour, with very great ingenuity brought an accusation of begging the question. I think that with even greater ingenuity, he himself begged the question at the outset, because he started with the basic assumption that the Joint Parliamentary Committee laid it down that it was the business of Government to agree with the House.

Sir Hari Singh Gour: I never said anything of the kind.

Mr. Arthur Moore: I have not got the Honourable Members words before me, but I am sure I am within the recollection of the House when I say that the whole of the first part of the argument was based entirely on the assumption that the Joint Parliamentary Committee laid it down that it was the duty of Government to agree with the House. But, Sir, as I understand it, the Joint Parliamentary Committee laid down that the fiscal autonomy convention comes into operation if and when the Government and the House find themselves in agreement.

The Honourable Pandit, during certain passages in his speech, spoke with great eloquence and evidently under the stress of deep emotion, and

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I do not think that any of us who heard him can have doubted his complete conviction that he was speaking in a righteous cause. In view of what you say, Sir, I shall confine myself purely to the constitutional point. I would like to have taken up his argument, so largely based on the figure of 2½ crores, which I do not think can be sustained, but I will drop that point and deal

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): On a point of order, Sir. Do Honourable Members exhaust their right of speaking by addressing the House on this point of order?

Mr. President: No.

Mr. Arthur Moore: So, I shall stick to the point of order.

The Honourable Sir Brojendra Mitter (Law Member): What is the point of order?

Mr. President: The Honourable Member has not heard?

The Honourable Sir Brojendra Mitter: I do not understand that there was any point of order which the Chair has got to decide.

Mr. President: You may take the point that the points raised are not points of order.

The Honourable Sir Brojendra Mitter: I fail to understand what is the point of order. There is a motion before the House, there are two amendments, one that of the Leader of the Opposition and the other that of Mr. Chetty. These are the two amendments which are before the House. What is the point of order on the motion or on those amendments?

Mr. President: The point of order is this. The Government of India have given their interpretation of what the fiscal autonomy convention on which they have based this Bill means. The Honourable Pandit has put his interpretation, and I am called upon now to say which of the two interpretations is correct. That is one. The second point is, on a matter based on the fiscal autonomy convention whether the official and nominated Members of this House are entitled to take part in the division. That is the second point of order.

The third point of order is, whether the attitude taken up by the Government, namely, that they have not an open mind and that the Assembly is bound to take what they give is consistent with the fiscal autonomy convention.

Sir Hari Singh Gour: I submit that raises the question of privilege of the House. (Hear, hear.)

Sir Cowasji Jehangir: I understand that the final point of order raised by my Honourable friend is that Government have no right to withdraw the Bill if the Honourable Pandit's amendment is carried. (Hear, hear.) That is the final point of order.

Mr. M. S. Aney (Berar Representative): He has not made that point.

Mr. President: I have already fully explained to the House what the questions raised by the Honourable Pandit are.

Mr. M. A. Jinnah: I rise to a point of order. I want your ruling whether any of these three points, which have been stated and which are contained in the statement of Pandit Madan Mohan Malaviya, are points of order, having regard to the progress of the Bill. ("Hear, hear" from the Government Benches.)

Mr. President: That is a point on which I shall be prepared to hear Honourable Members.

Mr. M. A. Jinnah: The first point I want you to consider is whether these are points of order.

Mr. President: I should like to hear Honourable Members on that point too.

Mr. M. A. Jinnah: Let us confine it to one thing at a time.

Sir Hari Singh Gour: Is not a question of privilege of the House a point of order?

Mr. Arthur Moore: Well, Sir, I think I understand your wishes and I shall endeavour to comply with them. I heard my Honourable friend the Pandit's remarks with regard to this fiscal autonomy convention, and it did seem to me that the Honourable Pandit throughout was making a large assumption. He assumed that he was speaking for the majority of the House, and he assumed that the Government and the House are not in agreement. Now, Sir, that is an issue, I submit, which has yet to be settled.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): What about the Honourable the Commerce Member's statement?

Mr. Arthur Moore: The second point is this that he has said repeatedly

Mr. T. Prakasam (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural): Sir, I wish to rise to a point of order.

Mr. President: The point of order is being discussed. Mr. Moore.

Mr. Arthur Moore: It is said repeatedly

Mr. T. Prakasam: With your permission, I should like to rise to a point of order on the statement which my Honourable friend has made. He says on the first question raised by Pandit Malaviya, that it is a matter yet to be settled by this House. It is not a matter to be settled by the House, because the Honourable the Commerce Member has already given his views about it.

Mr. President: That is not a point of order.

Mr. Arthur Moore: I would suggest to the Honourable Members opposite, that we have all listened to their views at very great length. I shall be as brief as I can and I should very much like you to allow me to develop my argument, and it is this. It is suggested that Government have come before us in an entirely unyielding attitude. Sir, I do not think that that can be sustained. The Honourable the Finance Member has already told us that we shall not, in its final stages, be asked to accept the Bill as it stands. We have been told that we are not even asked to accept the proposal outlined on the 28th February by Sir George Schuster. The Government are going to accept an amendment, and from whom does that amendment come? It comes from the Opposition. It does not come from any reactionary or any one who sits behind them. It comes from one whom we have known as

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one of the ablest Members of the Party that Pandit Motilal Nehru used to lead in this House, and from one whom we are very glad to have still with us, though we know that he remains as convinced a Swarajist as ever.

Mr. Jehangir K. Munshi (Burma: Non-European): Give him a free choice!

Mr. Arthur Moore: I give the Honourable Member the credit of assuming that he had a free choice. I should think it is very unfair to Mr. Chetty to suggest that he has not a free choice, and I am sure Mr. Chetty would repudiate such a suggestion. But there it is. No one can say that Government have not made an effort on this occasion to meet the House in the interests of this very fiscal convention. The argument which is brought to rebut that is that the House has not a free choice, because Government have said that this is as far as they will go, and that they will not accept any further amendment.

Mr. M. A. Jinnah: Sir, I again most respectfully rise if you will permit me. I understood that, on my point of order whether the points stated by Pandit Malaviya were points of order or not, your ruling was that you want to hear our views on that also.

Mr. President: Yes, on that also. That is what I said.

Mr. M. A. Jinnah: Quite so. Now, may I most respectfully submit that that is a question which ought to be disposed of first, *i.e.*, whether there is a point of order or not. I would like to point out to you also the Standing Order, that generally it is for the President to decide a point of order. It is open to you, if you have any doubt, to consult one or two of the leading Members of the Assembly, or the old Members of the Assembly, who may have some experience, to guide you. But otherwise, may I point out, the Standing Order says this:

"The President shall decide all points of order which may arise, and his decision shall be final. Any Member may at any time submit a point of order for the decision of the President, but in doing so shall confine himself to stating the point."

Now, Sir, if you are going to allow this general discussion of all these matters on this point of order of mine, namely, whether the points raised by Pandit Malaviya are points of order or not within the meaning of the Standing Order, my submission is this. You will first of all have to decide whether they are really points of order. If you still want to consult certain Honourable Members, of course, it is within your power to do so.

Mr. Arthur Moore: On a point of order, may I ask whether the point of order raised by Mr. Jinnah is a point of order? (Laughter.)

Mr. M. A. Jinnah: Certainly it is.

Mr. T. Prakasam: May I know whether there is any rule . . .

Mr. President: Order, order. I do not wish to hear several Honourable Members on the points of order raised by Pandit Malaviya and the point of order raised by Mr. Jinnah as to whether the points of order raised by Pandit Malaviya are points of order or not. I shall confine myself to two or three Honourable Members and Government if they choose to participate in the discussion. But I am not going to separate the two. The discussion will be on the question whether the points of order raised by Pandit Malaviya are really points of order or not, and if they are points of order, what the views of the Honourable Members are.

Pandit Madan Mohan Malaviya: May I just supplement your statement by one remark?

Mr. President: Order, order.

Pandit Madan Mohan Malaviya: I should like to explain . . .

Mr. President (to Mr. Arthur Moore): I hope the Honourable Member will be brief. He will have another opportunity of speaking on the merits.

Mr. Arthur Moore: Sir, I do not think I need go into the question of merits now, though I submit that my argument with regard to the fiscal convention is germane to the Bill itself. And I should like, with your permission, to deal with the question of Lancashire because that seems to be largely the basis of the argument about the fiscal convention, and whether the House has a free choice or not. I would call my Honourable friend Pandit Malaviya's attention to a sentence from the Report of the Joint Parliamentary Committee, which he himself read out, and to which he attached considerably less importance than I do. The Committee say that the convention exists "in the interests of India as an integral part of the British Empire". That, Sir, is the point. If we are discussing the merits, I think I can say to the Honourable Pandit Malaviya that the figure of 2½ crores which is so freely talked about is entirely illusory; and that Lancashire will actually be extremely hard hit by this Budget.

Mr. M. A. Jinnah: It seems to me that the Honourable Member is determined to speak on the merits of the Bill.

Mr. President: I hope the Honourable Member will confine himself to the points of order.

Mr. Jehangir K. Munshi: And also tell us which point of order he is particularly dealing with.

Mr. Arthur Moore: Mr. Jinnah has raised so many points of order that all our heads are slightly in a whirl.

Dr. A. Suhrawardy: That is a point of disorder. (Laughter.)

Mr. M. A. Jinnah: I have been upheld by your ruling, Sir. The Honourable Member is going beyond the point of order.

Mr. Arthur Moore: I was submitting that it is the question of the fiscal convention which is now under discussion and not merely the point of order of Mr. Jinnah. The President has clearly ruled that both are to be discussed together; and Pandit Malaviya made it perfectly clear that he based his argument with regard to this fiscal convention largely on the question that the House was being asked to do something not in the interests of India but in the interests of Lancashire.

Mr. President: The point, if it is a point of order, is whether the interpretation put by Government on the fiscal autonomy convention is correct or not.

Mr. Jehangir K. Munshi: May I suggest, Sir, that the point of order be written out and handed over to Mr. Moore? (Laughter.)

Mr. Arthur Moore: That, Sir, is the first of Pandit Malaviya's three points. But Pandit Malaviya went much beyond that in the other two points which he raised. He also asked, Sir, whether nominated and Government Members should vote, and I would submit, Sir, that any ruling to say that they should not vote would be to wash out the importance not

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only of the Simon Commission and the Round Table Conference and the Government of India Act, which will probably be passed next year, (Laughter and applause.) and would give Dominion Status by a side wind in the next five minutes. That is the second point. I would like to refresh my memory as to what is the third point.

Diwan Chaman Lall: Here, there are the three points.

(The Honourable Member passed on a slip to Mr. Arthur Moore.) (Laughter.)

Mr. Arthur Moore: I find that I have completely disposed of the Pandit's other points about the Government having an open mind, because I have shown that the Government, in not asking the House to accept their original proposal, have done something to meet the House. But at the same time, I should like to say that I am very largely in agreement with Honourable Members opposite as to the way in which this is to be done. (Hear, hear.) I do think that a very unfortunate precedent has been established of conducting these negotiations outside the House, (Hear, hear.) and that the Government would have found itself in a very much stronger position if it had accepted Mr. Chetty's amendment on the floor of this House instead of telling us their decision before it had been discussed.

The Honourable Sir Brojendra Mitter: I think Mr. Jinnah's point of order is perfectly sound. What the Leader of the Opposition calls a point of order is really not a point of order. What is a point of order? When a Member is saying something or bringing in a motion which is not in order, you can stop him. What are you expected to stop now? Are you expected to stop the discussion on the motion which is before the House? No, because you cannot do it under the rules; you cannot stop discussion. You cannot prevent discussion, nor can you refuse to put the question.

Mr. President: Under which rule?

The Honourable Sir Brojendra Mitter: Rule 17A. You cannot refuse to put the question. That being so, Sir, my submission is that none of these points can possibly be points of order. Now let us see. The first is, is the Honourable the Commerce Member's interpretation of the convention correct? Supposing it is not correct, what then? What follows? Supposing it is correct, what follows? In either event, you are bound to put the question before the House, the question which is being debated. Therefore, how can it be a point of order? Your decision one way or the other cannot stop the debate, nor can it stop putting the question before the House.

Diwan Chaman Lall: Is the Honourable Member referring to rule 17A?

The Honourable Sir Brojendra Mitter: Yes. Then the second point is about the attitude of the Government. Supposing the attitude of the Government is wrong. What then? What follows? The debate will not stop on that account. Supposing the attitude of the Government is right, the debate will go on equally well. Then, how can it be a point of order? Assuming you, Sir, come to the conclusion that the point of order of the

Leader of the Opposition is good, what is out of order? Is the Bill out of order? Objection ought to have been taken on the introduction of the Bill, that the Bill has not been properly brought before the House.

Mr. President: May I point out to the Honourable Member that the Honourable Pandit's point is that the Honourable the Commerce Member's statement, that the Government have made up their minds and they are not going to accept any other amendment except that of Mr. Chetty, is inconsistent with the fiscal autonomy convention on which this measure is based, and therefore he wants my ruling whether this attitude is right, and if that is not the right attitude, how it affects the whole question.

The Honourable Sir Brojendra Mitter: I have followed what you have been pleased to explain. My difficulty is still not overcome. Assuming the attitude which the Honourable the Commerce Member took up is most reprehensible—I am not discussing the merits of the attitude—but assuming that it is most reprehensible, what follows? Can you refuse on that basis to put the question on the motion before the House?

Mr. President: It has to be considered.

The Honourable Sir Brojendra Mitter: I am submitting that, even in that case, you cannot prevent the discussion on the motion which is before the House, nor can you refuse to put the question before the House.

Mr. President: Under the new rule?

The Honourable Sir Brojendra Mitter: Under the new rule 17A. That being so, it is irrelevant, the whole of this point.

Mr. President: If that rule is *ultra vires*?

The Honourable Sir Brojendra Mitter: If you hold that that rule is not binding, that is another matter. But that point of order has not been raised yet. (Applause.)

Then as regards the third point, as to who can vote on the motion which is before the House, we have not yet come to that stage. We are still in the stage of discussion and when the time comes for voting, the point may be taken by any Member as to who are entitled to vote.

Mr. President: The Honourable Member accepts that as a point of order?

The Honourable Sir Brojendra Mitter: It may be. But at the present moment it is premature. When Government Members are about to vote, then any Member can take the point that they are not entitled to go into any division lobby. I can understand such a point of order; but we have not come to that stage yet, and all I need say now is, if that point of order is raised at that time, you will give me an opportunity to speak.

Mr. President: The Honourable Member may make it quite clear now.

The Honourable Sir Brojendra Mitter: Under section 63D of the Government of India Act the question shall be decided by a majority of votes of Members present and no distinction is made between elected and nominated Members.

Mr. President: If any Member has got a pecuniary interest in the subject matter of the motion, he is entitled to vote?

The Honourable Sir Brojendra Mitter: He is entitled. Whether he ought to vote or not, is for him to consider; but that is not a point of order.

Mr. M. A. Jinnah: I am very loath indeed to take up the position which I wish to take up. But I assure you, Sir, and assure this House, that any observations that I make are entirely based on one consideration and one consideration only, and that is the true and the correct interpretation of our Standing Orders and the various parts of our constitution. I, Sir, attach very great importance to our coming to a correct decision on points of this character, and therefore, please do not consider that I am taking the view because we have taken up a somewhat different position in regard to the Bill to that of the other Honourable Members. Now, Sir, in the first instance, what we are now concerned with is the consideration of this amendment.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): Has the amendment been formally moved? That was not moved formally.

Mr. M. A. Jinnah: I thought the Honourable Member who moved the amendment spoke for nearly four hours and then finally. . . .

Mr. President: When? Today?

Mr. M. A. Jinnah: Nearly four hours yesterday and today certainly, and finally ended by saying, "I move my amendment". I do not know where the Honourable Member was. Now I do not want to waste the time over that. I am glad he knows now that the amendment has been moved. Therefore, Sir, I was saying that the amendment was moved and the House is seized of the amendment. Therefore, Sir, I must say that an amendment has been moved and the House is seized of that amendment. Well, now, Sir, the first question that is raised is this. Is the interpretation put upon the convention of fiscal autonomy by the Government of India, through of course the Honourable the Commerce Member, correct? Now, Sir, is it within your province to decide? That is the first question. But I will assume for the moment that it is within your province. Whatever interpretation you may put upon it, will it prevent the Government of India from withdrawing this Bill? Whatever interpretation you put upon it, we shall be exactly in the same position from which we started. Therefore, it seems to me, Sir, that, in the first instance, whatever interpretation you may put upon it, and whatever respect it may command, it cannot be conclusive or decisive; and secondly, it will not prevent the Government from withdrawing this Bill if they are so determined. Now, with regard to this second point, there again the question is raised, is the attitude of the Government, namely, that they have announced that they will withdraw the Bill if the amendment is carried, consistent with the correct interpretation of the convention? Well, now suppose you pronounce that their attitude is not correct or consistent with the true interpretation of the convention; what follows then there? Nothing. Now, Sir, in the first instance, I most respectfully submit that neither of these two points are points of order, and whatever

opinion you may express is not going to be of any real use if you admit that the Government have power to withdraw this Bill.

Now, Sir, then comes the third point, namely, whether you can give a ruling and say that any particular Member of this House is not entitled to vote because he is an official, or because he is a nominated Member, which will be directly in contradiction with the terms of the statute, and for that ruling, Sir, I say, with great respect, you may well command respect, being a ruling coming from you, but it will not be effective; it will be a contradiction of the terms of the statute, and it is not a point of order. Therefore my submission is, Sir, that none of these three matters raised by my Honourable friend are points of order. I am very sorry to say this—I say this, because I want every Member to give his judgment fairly and in the interests of the progress of the constitution under which we are working, and which we wish to build up, because once we go wrong in these matters, I do not know where we may be landed. I do not think it is desirable to go wrong in these matters, whatever be our feelings with regard to the merits of the Bill, and therefore I wish to place before you, with the utmost respect, that these three points are not points of order, and I say. . . .

Mr. President: Honourable Members will remember that, in the past, points of order have been raised whether a particular Member is entitled to vote or not.

Mr. M. A. Jinnah: With great respect, Sir, I say, yes, the point may be raised on the ground of interest of a Member.

Mr. President: It is for the Chair to decide whether it is a point of order or not.

Mr. M. A. Jinnah: I say, that this point of order raised has only got to be stated and rejected. If you are asking my opinion, I give it, take for example this. Supposing an Honourable Member here gets up at the stage and says, "I rise to a point of order; the Honourable Sir George Schuster should not be allowed to vote because he is an official", I should think, in my opinion, the President should say, "Nonsense, I have no power", and there is an end of it. You are asking my opinion, and therefore I am giving my reasons. My reasons are that you cannot decide contrary to the terms of the statute, and say that the official Members and the nominated Members are not entitled to vote. Therefore, Sir, I submit that none of these matters are points of order, and if they are points of order, I say really that they ought to be rejected, on the merits at once and the progress of the Bill should not be delayed.

Mr. M. S. Aney: Sir, there are two questions raised for your consideration. The first is whether the points raised by the Leader of the Opposition are points of order or not, and the second question is whether the interpretation put upon the convention by the Honourable Sir George Rainy is correct, and also consistent with the pronouncement made by the Secretary of State. Besides these two points, there is the third point arising out of the second, viz., whether, in view of the convention, the official and nominated Members shall be entitled to vote when the House will have to divide. I was considerably surprised at the speech which the Honourable the Law Member has made. He has tried to make an attempt to define what a point of order should be, and if I have understood him

[Mr. M. S. Aney.]

aright, what I gathered from his speech was this, that in his opinion a point of order should be a point of such a nature that a ruling thereon by the Chair would either interfere with the normal work of this House or with the debate on a particular motion under discussion. Such a point alone can be a point of order; no point which does not satisfy this test can be a point of order. That is the definition which he tried to lay down in his speech, and on the basis of that definition, he made an attempt to show that none of the three points are of such a nature that they can be considered points of order. He conceded, however, that the last point, namely, that official and nominated Members should vote or not, is a point of order, but according to him it was premature to raise the point at this stage, and the proper time to raise it, he thinks, is when the motion is going to be voted.

In the first place, Sir, I decline to accept that even as an approximately correct definition of a point of order. The Honourable the Law Member must be aware that there are various kinds of points of order, and that it is not necessary, in the case of every one of them, that a ruling on it would necessarily interfere with the working of the House or with the debate on any particular motion under discussion before the House. Say, for example, any Honourable gentleman, in the course of his speech, used any particular word, and some other Honourable Member got up and said that a particular term used was an unparliamentary one, may I ask the Honourable Member whether such a point will in any way interfere with or prevent the debate? A point of order must raise a question which nobody except yourself alone, in your capacity as the custodian of the constitution, can decide. The real definition of a point of order always is that it raises a question relating to the procedure, propriety or privilege of the House on which the Chair alone can pronounce an opinion on a proper interpretation of the constitution or custom or convention of the House, and can call the Honourable Member or group of Members to order. There can be no other test of a point of order.

Secondly, the question is whether the points raised by my Leader can be points of order at all. My Honourable friend, Mr. Jinnah, has suggested that these cannot be points of order at all, in view of the fact you, Sir, are bound by the constitution, and your ruling will have to be given in terms of the provisions of the Government of India Act and the statute. One thing, which he seems not to have taken note of, is this, that it has been admitted by all that there is a convention with regard to fiscal autonomy. That has been established and recognised for over ten years. What is the exact nature and scope of that convention may be a point of some difference of opinion, but a convention which has been established and recognised for over ten years, becomes a part and parcel of the constitution as much as the Government of India Act itself. It is as much a part of the constitution as the Act and the rules framed thereunder, having the force of an Act, and therefore any question, with regard to that convention or the interpretation of its precise nature and scope, is a proper question for you to interpret and not for anybody else. Therefore, I submit, Sir, that the two questions which have been raised by my Honourable Leader, the Leader of the Opposition, being related to that convention of fiscal autonomy and requiring, as they do, a correct interpretation of the convention, are proper points of order, on which you alone, Sir, can

give a decision. That disposes of the preliminary objection which my Honourable friend, Mr. Jinnah, has raised. It may be a very bad point, a wholly untenable point; it may be that there are not very sound reasons behind it; but these facts do not take the question out of the category of points of order. These considerations seem to have been entirely overlooked by my Honourable friend, Mr. Jinnah, and therefore he has raised the question whether these questions are points of order or not.

Sir Cowasji Jehangir: May I inquire, Sir, whether you can enforce your ruling given on these points of order?

Mr. President: The Chair has got all the powers to enforce its ruling.

Mr. M. S. Aney: Now, Sir, with regard to the convention, the most crucial point in that convention on which my Honourable friend, the Commerce Member, has solely relied is the reference to the fact of agreement mentioned in the Report of the Joint Parliamentary Committee. This fiscal autonomy convention, whatever it is, has got a real meaning only if there is agreement between the Government of India and the Legislature. That is a very crucial fact in regard to this question. Now, Sir, everybody knows that an agreement is a bilateral transaction and not a unilateral one. An agreement requires two things; there must be two separate entities. So there must be one party called the Government of India and another party called the Legislature entirely separate and different from the Government of India. It is only with regard to this fiscal autonomy that this question of agreement comes into prominence and has got some importance. In other matters the question of agreement never arises at all. So what the position of the Government Members in this House is with regard to other matters is not in any way a factor which ought to weigh with us in finding out their proper position so far as fiscal autonomy is concerned. Now the Government of India ordinarily are a body consisting of His Excellency the Governor General and his Executive Councillors, but they are here in this House also with their own representatives numbering in all 25. Those 25 persons do not represent any other interests except what are known as those of the corporation called the Government of India. Those who have studied the constitution know that the 25 nominated official Members, who are here in this House, only represent the Government of India. Now, if the Government of India come to this House for the sake of ascertaining what is the view of this Legislature on a fiscal measure, then that Government of India must know that they, as a body, are a separate body from the Legislature, whose free consent and opinion they want to know or find out. If they merge themselves in this body at all, then the distinct existence of the two entities, without which the bilateral transaction cannot be imagined, is altogether obliterated. Therefore, they and those official Back Benchers, whom they have brought to this House to represent themselves, are only one party whose duty is simply to ascertain the view of the Legislature. That is precisely what was conveyed by the language of the Crewe Report, a passage from which was read out by the Honourable the Leader of the House. The non-official majority in the House is therefore the only factor which ought to weigh at the time of division in regard to any fiscal measure governed by the fiscal autonomy convention. It may also be argued in terms of the language in the Joint Parliamentary Committee's Report that

[Mr. M. S. Aney.]

the interests of the manufacturers and the consumers and not of the exploiters whom the Government of India in this case undoubtedly represent have to be mainly looked to in regard to fiscal matters, and a decision has to be taken by this House only on that basis. Now, I can understand that there are non-official nominated Members in the House,—and I shall concede even to these nominated Members,—that they are supposed to represent certain minorities and other interests which are non-franchised under the existing state of our constitution in the country. But under the constitution the official block represents none but the Government of India, and if the Government of India want to concede that fiscal autonomy convention is a reality, then, in order to carry it out honestly and faithfully, the only equitable position which they can take is, that they cannot and ought not to take any part in voting so far as the decision of the fiscal question in this House is concerned, as they are here only for the sake of ascertaining the view of the Legislature which is the other party to the agreement. It is of course open to them to agree or not to agree with the view of the Legislature. They may afterwards take any stand they like, but in order to ascertain the opinion of this House and to find out whether they can agree with it or not, they can only take the attitude of neutrality and nothing else.

Sir, if this fiscal autonomy is a reality, and if this convention is a part of the constitution, it is your right to enforce, without fear or favour, the terms of that convention in such a way as to give this House a fair chance of expressing its free and unfettered opinion, and then the Government of India can decide whether they will agree with that opinion or not. In short, the fiscal autonomy convention, to be a reality, necessarily implies a convention of neutrality of official Members at the time of division. For these reasons, Sir, I maintain that it will be open to you to decide the last point raised by the Leader of the Opposition, if you think that my interpretation is a correct one, viz., whether the official Members are entitled to record their votes on the question or not, when you will be pleased to put the question and ask the House to divide. This is the view, Sir, I submit for your consideration in all humility.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadian Rural): Sir, I should like to say something

Mr. President: I think we have heard enough on the point.

The Assembly then adjourned till Eleven of the Clock on Monday, the 31st March, 1930.



LEGISLATIVE ASSEMBLY.

Monday, 31st March, 1930.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBERS SWORN.

The Honourable Mr. Harry Graham Haig, C.S.I., C.I.E. (Home Member); Mr. Thomas Ryan, C.I.E., M.L.A. (Department of Industries and Labour: Nominated Official); Mr. John Collard Bernard Drake, C.I.E., O.B.E., M.L.A. (Department of Commerce: Nominated Official); and Mr. Rama Shankar Bajpai, M.L.A. (Director of Public Information).

QUESTIONS AND ANSWERS.

ASSURANCE GIVEN IN THE HOUSE OF COMMONS *RE* THE GOVERNMENT OF INDIA'S ATTITUDE TOWARDS MAHATMA GANDHI AND CONGRESSMEN.

897. ***Mr. Jehangir K. Munshi:** (1) Are Government aware that an assurance was recently given in the House of Commons by the Secretary of State for India:

- (a) that Government do not intend to make use of section 124-A of the Indian Penal Code to pursue a repressive policy against Mahatma Gandhi or his followers;
- (b) that Government do not intend to prosecute Congressmen for views they may express or for propaganda they may preach, as long as they do not commit any acts of violence, or incite others to commit acts of violence?

(2) Have Government received any communication or instructions, either from His Majesty's Government, from the Secretary of State for India or from the Secretary of State for India in Council, with regard to the said pronouncement of policy recently made in the House of Commons?

The Honourable Mr. H. G. Haig: (1) No, Sir.

(2) The question does not arise.

Mr. Jehangir K. Munshi: Are Government aware that a debate recently took place in the House of Commons on Mr. Fenner Brockway's Motion?

The Honourable Mr. H. G. Haig: Yes.

Mr. Jehangir K. Munshi: Have Government studied that debate?

The Honourable Mr. H. G. Haig: Yes.

Mr. Jehangir K. Munshi: Will Government tell the House what assurance was given by Mr. Wedgwood Benn in connection with political prosecutions?

The Honourable Mr. H. G. Haig: I have been unable to find on studying Mr. Wedgwood Benn's speech any assurance of the nature described in the Honourable Member's question.

Mr. Jehangir K. Munshi: Will Government tell the House whether any assurance of any nature was given by the Secretary of State for India?

The Honourable Mr. H. G. Haig: I think the Honourable Member might perhaps read the speech for himself.

Mr. Jehangir K. Munshi: Am I to take it that the Government of India are unable to understand the statement made by Mr. Wedgwood Benn?

The Honourable Mr. H. G. Haig: Will the Honourable Member kindly quote the passage in Mr. Benn's speech to which he refers?

Mr. Jehangir K. Munshi: Is there no passage in Mr. Wedgwood Benn's speech to the effect put in my question?

The Honourable Mr. H. G. Haig: No, Sir, most emphatically not.

Mr. M. S. Aney: Will the Honourable Member be pleased to state whether the recent prosecutions under section 124A were not prosecutions for expressions of opinion?

The Honourable Mr. H. G. Haig: I think that question will arise on a later question asked by the Honourable Member.

INSTRUCTIONS FROM HIS MAJESTY'S GOVERNMENT *RE* THE CIVIL DISOBEDIENCE MOVEMENT.

898. ***Mr. Jehangir K. Munshi:** (1) Have Government received any communication or instructions, either from His Majesty's Government, or from the Secretary of State for India, or from the Secretary of State for India in Council, with regard to the policy to be followed and action to be taken in connection with the Congress propaganda or in connection with Mahatma Gandhi's programme of civil disobedience?

(2) Will Government:

(a) place on the table all such communications and instructions?

(b) communicate to this House the gist and purport of all such communications and instructions?

The Honourable Mr. H. G. Haig: (1) The Government of India have been in close communication with the Secretary of State in regard to the policy to be followed in the present situation.

(2) (a) and (b). The communications between the Government of India and the Secretary of State are confidential and I am unable to take the action suggested in regard to them.

PROSECUTION OF MR. SEN GUPTA.

899. ***Mr. Jehangir K. Munshi:** (a) Will Government place on the table:

(i) a copy of the complaint filed by the Commissioner of Police, Rangoon, against Mr. Sen Gupta?

(ii) copies of the speeches alleged to have been delivered by Mr. Sen Gupta in Rangoon in respect of which the Government of Burma are prosecuting Mr. Sen Gupta under section 124-A of the Indian Penal Code?

(b) Are Government aware that Mr. Sen Gupta has constantly preached the doctrine of non-violence?

(c) Will Government state whether the prosecution of Mr. Sen Gupta by the Government of Burma is or is not contrary to the recent announcement made in the House of Commons by the Secretary of State for India?

The Honourable Mr. H. G. Haig: (a) (i) and (ii). I regret that I am not yet in possession of copies of the complaint filed against Mr. Sen Gupta and of the speeches on which the prosecution was based.

(b) I have not made a study of Mr. Sen Gupta's speeches, but I should not have supposed that this was their main key-note.

(c) I am not aware precisely what announcement the Honourable Member is referring to.

Mr. K. C. Neogy: May I draw the attention of the Honourable Member to the following statement made by His Excellency the Viceroy in this Chamber on the 25th January last:

"It has not therefore been the policy of my Government that prosecutions for seditious speech should be extended beyond those cases where the language used, or the circumstances of its employment, constituted an incitement to violence or made it necessary to regard the speech as incidental to a movement directed to the subversion of law and of the authority of Government?"

Will the Honourable Member be pleased to tell us as to how far this particular case satisfies the conditions laid down by His Excellency the Viceroy in this statement?

The Honourable Mr. H. G. Haig: The statement of policy which the Honourable Member has just quoted is the policy of the Government of India and they consider that the initiation of this prosecution is in no way in conflict with that policy.

Mr. K. C. Neogy: Has the Honourable Member examined the judgment of the Magistrate who convicted Mr. Sen Gupta, before making this statement?

The Honourable Mr. H. G. Haig: No, Sir. We are not in possession of a copy of the judgment.

Mr. M. S. Aney: Will the Honourable Member be pleased to say whether before they gave sanction for this prosecution the Local Government was in communication with the Government of India and, if so, did they submit a copy of the speech for the perusal of the Government of India?

questions of policy which may be held to effect the exercise by Local Governments of their responsibility. The Government of India were consulted in this case, but I am afraid I am not prepared to lay on the table the communications exchanged.

Mr. K. C. Neogy: At what stage were the Government of India consulted in this case?

The Honourable Mr. H. G. Haig: Before the prosecution was initiated.

Mr. K. C. Neogy: And what papers were laid before the Government of India in this connection by the Government of Burma?

The Honourable Mr. H. G. Haig: No papers were laid before the Government of India.

Mr. K. C. Neogy: What was the purport of the communications that the Government of India received from the Government of Burma in this matter?

The Honourable Mr. H. G. Haig: I cannot disclose the details of the communications that have passed, but the Government of Burma consulted the Government of India on the general aspect of instituting such a prosecution.

Mr. K. C. Neogy: Do I take it then that the sanction of the Government of India was obtained by the Government of Burma before this prosecution was launched?

The Honourable Mr. H. G. Haig: The Government of India had no objection to the initiation of a prosecution on the assumption that the Government of Burma wished to prosecute.

Mr. B. Das: Is it not a fact that, in the case of Sardar Vallabhbhai Patel, the Government of Bombay did not consult the Government of India before they prosecuted him?

The Honourable Mr. H. G. Haig: Yes, Sir; that is the case.

Mr. Jehangir K. Munshi: Were the Government of India aware, before they allowed the Government of Burma to prosecute Mr. Sen Gupta, that the prosecution was based on statements attributing motives to the Burma Government's campaign for separation?

The Honourable Mr. H. G. Haig: As I have already stated, the Government of India did not examine the speeches.

Mr. Gaya Prasad Singh: May I take it that the Government of India concurred in the views expressed by the Government of Burma with regard to the prosecution of Mr. Sen Gupta?

The Honourable Mr. H. G. Haig: The initiative comes from the Government of Burma on whom the responsibility for deciding on the prosecution lies.

Mr. K. C. Neogy: Do I take it that the Government of India were satisfied that the conditions laid down by His Excellency the Viceroy were fulfilled in this particular case before they agreed to the prosecution being undertaken?

The Honourable Mr. H. G. Haig: Yes, Sir. They had no reason to suppose and they have no reason to suppose that the prosecution was in any way in conflict with that policy.

Mr. M. R. Jayakar: Did the Government of India have before them a copy of the speech delivered by Mr. Sen Gupta?

The Honourable Mr. H. G. Haig: No, Sir.

Mr. Gaya Prasad Singh: Then how did they agree with the views expressed by the Government of Burma in regard to the prosecution for his speech?

The Honourable Mr. H. G. Haig: I have already explained that they were merely consulted on the general question of policy.

Mr. Jehangir K. Munshi: Did the Government of India apply their mind at all to this question before they allowed the Government of Burma to prosecute Mr. Sen Gupta?

(No answer was given.)

PROSECUTION OF MR. SEN GUPTA.

902. ***Mr. Jehangir K. Munshi:** Have the Government of India received any communication from the Government of Bengal in connection with the prosecution of Mr. Sen Gupta in respect of speeches delivered by Mr. Sen Gupta in Bengal?

The Honourable Mr. H. G. Haig: No, Sir.

PROSECUTION OF MR. SEN GUPTA.

903. ***Mr. Jehangir K. Munshi:** Will Government state:

- (a) why the Government of Burma considered it necessary to prosecute Mr. Sen Gupta for two speeches delivered by him in Rangoon during his short temporary stay in Burma days after he had returned to India; and
- (b) why the Government of Bengal have not considered it necessary to prosecute Mr. Sen Gupta for a series of similar speeches delivered by Mr. Sen Gupta in Bengal, which is the permanent centre of his political activities?

The Honourable Mr. H. G. Haig: (a) The Government of Burma considered that a number of statements made by Mr. Sen Gupta were false or deliberately misleading and that, in the case of one speech, they were calculated to cause hatred and disaffection towards Government among the large Indian population of Burma, and in the case of another speech, that they were intended to excite the religious animosity of the Burmans against the British Government. They took a serious view of the probable effect of these speeches.

(b) The speeches, I understand, were concerned quite definitely with Burman problems and conditions and, therefore, presumably, were not similar to speeches which Mr. Sen Gupta may have delivered in Bengal.

Mr. Jehangir K. Munshi: Did the Government of India take the same serious view of the matter as the Government of Burma did?

The Honourable Mr. H. G. Haig: I have already explained, the Government of India have not seen the speeches.

Mr. Jehangir K. Munshi: Have the Government of India satisfied themselves that the view taken by the Government of Burma was correct in view of His Excellency's speech?

The Honourable Mr. H. G. Haig: It is impossible to form a definite opinion without seeing the speeches.

Mr. Gaya Prasad Singh: Does the Honourable Member realise that the Government of Burma and the Government of India have made themselves thoroughly ridiculous by the way in which Mr. Sen Gupta was prosecuted and convicted?

Mr. President: Order, order.

PROSECUTION OF MR. SEN GUPTA.

904. ***Mr. Jehangir K. Munshi:** If it was considered necessary or desirable (a) either to punish Mr. Sen Gupta for speeches delivered by him during the past three months, or (b) to deprive him of liberty, will Government state why it was decided to prosecute him in Burma instead of in Bengal?

The Honourable Mr. H. G. Haig: There was no question of a desire to punish Mr. Sen Gupta for speeches generally delivered by him during the past three months. The action taken was solely concerned with the effect of the particular speeches which he made in Rangoon.

IMPRISONMENT IN BURMA OF MR. SEN GUPTA.

905. ***Mr. Jehangir K. Munshi:** Are Government aware that strong public resentment has been caused by Government's tactics of seeking to imprison Mr. Sen Gupta in Burma far away from his home, his family and his friends?

The Honourable Mr. H. G. Haig: There was no question of tactics. The Government of Burma considered it necessary to put Mr. Sen Gupta on his trial in respect of speeches made at Rangoon, and the trial was in accordance with the ordinary provisions of the law held in Rangoon.

Mr. Jehangir K. Munshi: Are Government aware of the strong resentment caused in the public mind by this action of the Government of Burma?

The Honourable Mr. H. G. Haig: No, Sir: I do not think they are.

Mr. Jehangir K. Munshi: Have Government taken any steps to find out public opinion on the question?

The Honourable Mr. H. G. Haig: They seem to be eliciting a certain amount of opinion this morning. (Laughter.)

GOVERNMENT'S POLICY IN REGARD TO CIVIL DISOBEDIENCE.

906. ***Mr. Jehangir K. Munshi:** Will Government take this Assembly into their confidence and make before this House a statement through the Honourable the Home Member with regard to their decision and policy in dealing with the Congress movement of non-violent civil disobedience?

The Honourable Mr. H. G. Haig: I would refer the Honourable Member to His Excellency the Viceroy's address to this House on the 25th January last, to which I have nothing to add.

GOVERNMENT'S POLICY IN REGARD TO CIVIL DISOBEDIENCE.

907. ***Mr. Jehangir K. Munshi:** Will Government give an assurance to this House that they will not prosecute either Mahatma Gandhi or any of his lieutenants without consulting the leaders of the various parties in this House except in cases of grave emergency directly involving elements of violence?

The Honourable Mr. H. G. Haig: Government are unable to give any assurance of the kind suggested.

IMPRISONMENT OF POLITICAL PRISONERS IN BURMA.

908. ***Mr. Jehangir K. Munshi:** (a) Are Government aware that the Burma Legislative Council on the 17th of March, 1926, expressed itself against Indian politicians being taken to Burma and imprisoned in the jails of Burma?

(b) Are Government prepared to respect the wishes and sentiments of Burma as conveyed by the said motion carried in the Burma Legislative Council on the 17th of March, 1926?

The Honourable Mr. H. G. Haig: (a) and (b). I have seen the debate to which the Honourable Member refers. It related, not to the prosecution of Indian politicians for acts performed in Burma, but to the detention of persons in Burma in respect of activities that had taken place elsewhere.

LATE OFFICE HOURS IN THE FOREIGN AND POLITICAL DEPARTMENT.

909. ***Mr. Mukhtar Singh:** (a) Will Government be pleased to lay on the table a statement showing the clerical and staff strength in 1916 and in 1930 in the Foreign and Political Department and the amount of work done in 1916 and 1930?

(b) Will Government be pleased to state the strength of clerical and staff establishment in the Issue, Establishment and Accounts Branches of the Foreign and Political Department of the Government of India in 1916 and 1930 and also lay on the table a statement showing the work done in 1916 and the work in 1930?

(c) Is it a fact that the employees have to sit late generally after 5 o'clock in order to meet the pressure of work?

(d) Is it a fact that a representation to this effect has been made both orally and in writing and that no action has yet been taken in the matter?

(e) Is it a fact that, in the Foreign and Political Department, even in branches in which there is no abnormal work, the staff is detained after 4-30 P.M. daily? If it is so, will Government be pleased to state the reasons for so doing?

Mr. E. B. Howell: (a) and (b). A statement is laid on the table. It has, however, been very hastily prepared and as there have been considerable changes in the organisation of the office and the distribution of work

between 1916 and 1929, which is the latest year for which figures are available, as it stands it might be somewhat misleading. With your permission, Sir, and that of the Honourable Member, I will take leave to revise it, if necessary, after further examination and add certain explanatory matter.

(c) and (d). The pressure of work has undoubtedly been heavy ever since 1923, when an arbitrary reduction of twelve posts was made in accordance with a recommendation of the Inchcape Committee. Some relief was afforded in 1926 by the restoration of six of these, and the question how any further relief can be obtained, consistently with the need, for economy, is now under consideration.

(e) No.

1916.			Statement.			1929.		
2	Secretaries	..	..	..	..	2	..	2
2	Deputy Secretaries	..	..	..	..	2	..	2
1	Under Secretary(ies)	..	..	..	..	2	..	2
1	Assistant Secretary (ies)	..	..	..	..	2	..	2
1	Registrar	..	..	..	..	..	..	..
1	Attaché	..	..	..	..	1	..	1
9	Superintendents	..	..	..	..	10	..	10
36	Assistants	..	..	..	..	54	..	54
46	Clerks ..	..	..	..	..	66	..	66
2	Stenographers	..	..	..	..	5	..	5

Regular Branches, 1916.	Strength.	Amount of work.	Regular Branches, 1929.	Strength.	Amount of work.
Est. A	7	2,676	Accounts	8(+3)	3,625
Est. B	6	1,857	Establishment . .	9(+2)	6,057
Ext. A and War Branches.	8	590	External	8	5,013
		9,786			
Est. B	6	1,328	Near East	8	5,755
Frontier	6	1,557	Frontier	8	5,524
General and Liby. .	7	3,310	General	7	4,006
Int. A	6	3,129	Political	7	3,561
Int. B	6	1,655	Internal	6	2,875
Int. C	7	1,618	Honours	7	2,164
			Reforms	7	2,671
Issue	20	40,233	Issue	16	67,002

ESTABLISHMENT OF A POST OFFICE AT KHURAD IN THE HISSAR DISTRICT.

910. ***Mr. Mukhtar Singh:** (a) Are Government aware that in Sankrodh Khurad in Hissar District a great deal of inconvenience is felt on account of want of a post office in this village?

(b) Is it a fact that the amount of correspondence received and despatched from this village justifies the introduction of a post office there?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state when a post office is likely to be opened in this village? If the answer to part (b) be in the negative, will Government be pleased to state the amount of correspondence received and despatched by post in this village during the last year?

The Honourable Sir Bhupendra Nath Mitra: I have no information whether the facts are as stated. The matter has been brought to the notice of the Postmaster-General, Punjab and North-West Frontier Circle, and he will be asked to consider whether, after investigation, the opening of a post office at Sankrodh Khurad is justified. If the need for a post office is established, the Postmaster-General will take steps to open it when funds at his disposal permit.

RESOLUTION RE ESTABLISHMENT OF VILLAGE PANCHAYATS.

911. ***Mr. N. C. Kelkar:** (i) Will Government be pleased to state what action the Government of India have taken on the Resolution recommending the Government to appoint a mixed committee of officials and non-officials to examine rural conditions and establish panchayats, passed by the Legislative Assembly on the 17th September, 1929?

(ii) Will Government be pleased to state what steps, if any, they have hitherto taken or propose to take in the near future to introduce and popularise the constitution of village panchayats in centrally administered areas, in accordance with the assurance given by Sir Frank Noyce during the debate on the Resolution?

(iii) Will Government be pleased to state if they propose to lay down a general policy for the guidance of the Provincial Governments, with a view to accelerate the growth and establishment of village panchayats in all the provinces of British India?

Sir Frank Noyce: (i) For the reasons which were fully stated by the Government spokesman in the course of the debate on the subject in this House in September last, the Government of India have not found themselves in a position to accept the view that a central committee should be appointed to inquire into the administration of what is a provincial transferred subject. Copies of the debate have, however, been forwarded to Local Governments for information and for such action as they may consider suitable.

(ii) The views of the Local Administrations have been invited as to the action which should be taken to stimulate the development of village panchayats in their respective areas. As regards the North-West Frontier Province, the Government have expressed their agreement with the Chief Commissioner that that province does not offer a hopeful field for efforts to establish village panchayats. This view is borne out by the experience of the adjacent districts in the Punjab in which not a single regular

panchayat has yet been formed. A similar decision has been taken in regard to Baluchistan, conditions in which also present special features. The question of extending the Punjab Village Panchayat Act, 1921, to Delhi is under consideration. In Coorg, a Panchayat Act is already in existence and the Chief Commissioner is considering ways and means of establishing village panchayats. As regards Ajmer-Merwara, the local authorities have promised to submit a report after examining the regulations that obtain in the United Provinces.

(iii) Government are unable to accept this suggestion. The matter is one which is primarily the concern of Ministers in provinces.

APPOINTMENT OF NON-EUROPEANS AS PILOTS AND HARBOUR MASTERS IN RANGOON.

912. ***Mr. Jehangir K. Munshi:** (a) Are Government aware that no non-Europeans have so far been employed as Pilots or Harbour Masters in the Port of Rangoon?

(b) Are Government prepared to afford facilities to non-Europeans residing in Burma to qualify as Masters?

The Honourable Sir George Rainy: (a) So far as the Government of India are aware, no Indian has been appointed as a Pilot or Harbour Master at Rangoon.

(b) I presume that the Honourable Member is referring to facilities for obtaining certificates of competency as Masters. The Government of India do not propose to afford further facilities in this direction than are already provided by the Training Ship "Dufferin" at Bombay.

CONSTRUCTION OF A ROMAN CATHOLIC CHURCH AT MINGALADON CANTONMENT, BURMA.

913. ***Mr. Jehangir K. Munshi:** (a) Will Government be pleased to state what progress has been made in building the Roman Catholic Church, Mingaladon Cantonments, Burma?

(b) (i) Have any plans and estimates been forwarded by the military authorities to the Government of Burma in connection with the said church?

(ii) If not, are Government prepared to see that the matter is expedited?

(iii) Will Government be pleased to state when the building of the said church will be completed?

The Honourable Sir George Rainy: (a) The necessity for the construction of a Roman Catholic Church at Mingaladon Cantonment has been accepted and the local military authorities have been asked to submit proposals through the Government of Burma.

(b) (i). No, not yet.

(ii) The Government of Burma have reminded the local military authorities.

(iii) It is not possible to give this information at present.

UNSTARRED QUESTIONS AND ANSWERS.

REPRESENTATIONS FROM POSTMEN.

346. **Mr. C. S. Ranga Iyer:** (a) Will Government be pleased to state if it is a fact that when representations are made by the postmen to increase the staff, they are informed that their request cannot be complied with either on financial grounds or on the ground that statistics do not justify it?

(b) Is it a fact that a Postmaster's recommendation for increase in the number of clerks is invariably complied with and rarely refused?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). No, Sir.

STRENGTH OF STAFF AT THE PALGHAT POST OFFICE.

347. **Mr. C. S. Ranga Iyer:** (a) When was Palghat post office made a selection grade post office?

(b) What was the strength of the clerical or the postmen staff prior to its conversion as a selection grade post office?

(c) What is the present strength in both cases?

The Honourable Sir Bhupendra Nath Mitra: (a) From December 1st, 1919.

(b) Ten clerks excluding the sub-postmaster and nine postmen including one village postman.

(c) Eleven and eight, respectively.

STRENGTH OF STAFF AT THE COIMBATORE POST OFFICE.

348. **Mr. C. S. Ranga Iyer:** (a) Is it a fact that the demand of Coimbatore postmen to increase their number was rejected on the ground that there is not statistical justification for the increase?

(b) Is it a fact that in the same post office of Coimbatore the clerical establishment was strengthened by two hands in one year?

(c) What was the strength of the clerical and postmen staff at Coimbatore in 1919 and the strength at present?

The Honourable Sir Bhupendra Nath Mitra: (a), (b) and (c). Government have no information, but inquiries are being made and the result will be communicated to the Honourable Member.

PAY AND SERVICE OF POSTMEN IN THE MADRAS CIRCLE.

349. **Mr. C. S. Ranga Iyer:** (a) Will Government be pleased to state if there was any revision of pay of postmen in 1928?

(b) If the answer to part (a) be in the affirmative, how and when was the revision given effect to in the Madras Circle?

(c) Was the pay revised with retrospective effect and after due consideration of the service rendered by each official?

(d) Is it a fact that the seniors and juniors are getting equal pay and why?

(e) How many postmen are employed in each of the undermentioned Post Offices, the length of service and the present pay of each:

1. Mangalore.	7. Ramnad.	13. Bezwada.
2. Erode.	8. Dindigul.	14. Chirala.
3. Panruti.	9. Cuddalore.	15. Tenkasi.
4. Chidambaram.	10. Palamcottah.	16. Ellore.
5. Pondicherry.	11. Nellore.	17. Cocanada.
6. Coimbatore.	12. Guntur.	18. Salem?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) The revision was given effect to from the 1st May, 1928, and was carried out in accordance with the Fundamental Rules.

(c) The reply to the first part is in the negative. With respect to the second part, transfers from the old to the new scales of pay were regulated under the Fundamental Rules.

(d) Government have no information as to the precise operation of the rules in individual cases. But such a result does not infrequently arise in every Department from the application of the Fundamental Rule.

(e) Government do not propose to call for the information as the expenditure of time and labour required for its collection would, in the opinion of Government, be out of all proportion to the importance of the result.

THE CREW SYSTEM.

350. **Dr. Ziauddin Ahmad:** (a) Are Government likely to replace the crew system by the old system?

(b) Why are persons now acting as crews and crews-in-charge debarred from the benefit of the Provident Fund and gratuity rules?

(c) Will Government give the number of the crew-in-charge, recruited in the year 1929? How many of them were promoted from the rank of the crew?

Mr. A. A. L. Parsons: (a) The Honourable Member's attention is invited to my reply to part (a) of his starred question No. 584 on the 17th March. The matter is at present under the consideration of the Government of India.

(b) The Honourable Member's attention is invited to my reply to part (b) of his starred question No. 584 on the 17th March.

(c) I am asking the Agent of the East Indian Railway to furnish the information and I will communicate later with the Honourable Member.

HOURS OF WORK OF CREWS AND GRANT OF COMPASSIONATE ALLOWANCE IN CASE OF ACCIDENT.

351. **Dr. Ziauddin Ahmad:** (a) How many hours per day is a crew expected to work? Are they allowed overtime? If not, why not?

(b) Are Government aware that the members of the crew sometimes are required to work 18 hours a day?

(c) Have Government allowed any compassionate allowance to the family of the crew who met with accidental death?

(d) Is the compassionate allowance only for persons bearing European names? If not, will Government be pleased to state the names of persons, whose families were granted compassionate allowances after their accidental death?

Mr. A. A. L. Parsons: (a) In regard to the hours of work of crewmen, the Honourable Member is referred to the information supplied to Mr. Amar Nath Dutt in Railway Board's letter No. 164-L., dated 30th November, 1929, a copy of which is in the Library of the House.

I have called for information on the subject of the grant of overtime to crewmen and will communicate with the Honourable Member when it is received.

(b) No.

(c) and (d). If the Honourable Member will let me know definitely the particular case or cases he has in mind I shall supply him with the information he wants.

I would like to make it clear, however, that no racial discrimination exists in the matter of the grant of compassionate gratuities.

INVESTMENT OF THE RAILWAY RESERVE AND DEPRECIATION FUNDS.

352. **Dr. Ziauddin Ahmad:** (a) Do Government consult Standing Railway Finance Committees about the manner in which the Reserve and Depreciation Funds are invested?

(b) If not, do Government propose to consult the Committee in future before investing its Reserve and Depreciation Funds?

Mr. A. A. L. Parsons: As was explained to the Honourable Member in reply to his question No. 587 on 17th March, 1930, Reserve and Depreciation Funds are not invested in any real sense of the word, but are merged in the balances of the Government of India. That being so, there can be no question of consulting the Standing Finance Committee for Railways about the manner in which they are invested.

PURCHASE OF THE BENGAL AND NORTH WESTERN RAILWAY BY GOVERNMENT.

353. **Dr. Ziauddin Ahmad:** (a) When will the contract of the Bengal and North Western Railway come to an end?

(b) Have Government begun negotiations for the purchase of the Bengal and North Western Railway?

(c) Have Government estimated the amount required for its purchase? If so, what is the amount?

(d) What dividend did the Bengal and North Western Railway pay during 1928-29?

Mr. A. A. L. Parsons: (a) The earliest date on which the contract can be determined is 31st December, 1932.

(b) No negotiations are in progress.

(c) The purchase price is estimated approximately at a little over 10 million sterling.

(d) 19 per cent.

RAILWAY PROJECTS.

354. **Dr. Ziauddin Ahmad:** (a) What are the new railway projects costing five lakhs or more, which the Government are contemplating to initiate during the next three years?

(b) Have Government taken the consent of the Railway Finance Committee?

(c) Will Government lay the details of the projects with estimate before the Assembly before actually starting the work?

Mr. A. A. L. Parsons: (a) There are no new projects costing five lakhs or more which Government propose to initiate in 1930-31. As regards 1931-32 and 1932-33, it is not possible at present to forecast what projects Government are likely to be able to take up.

(b) and (c). Do not arise.

UNCLAIMED INTEREST ON GOVERNMENT SECURITIES.

355. **Dr. Ziauddin Ahmad:** (a) What is the amount of unclaimed interest in the years 1926-27, 1927-28 and 1928-29, in the Post Office Savings Bank, Government Securities, War Bonds and Loans, etc.?

(b) To whom do Government propose to hand over the unclaimed interest?

The Honourable Sir George Schuster: (a) The information is not available and Government do not consider that the advantage to be obtained from compiling the necessary figures would be commensurate with the work involved.

(b) Interest not claimed in the year in which it falls due may be claimed in subsequent years. Interest which is not claimed is not debited to Revenue and this reduces Government expenditure and the general burden of taxation.

SHORT NOTICE QUESTION AND ANSWER.

HUNGER STRIKE BY THE KAKORI PRISONERS IN BAREILLY JAIL.

Mr. M. S. Aney (on behalf of Mr. N. C. Kelkar): (a) Is it a fact that some of the Kakori prisoners in Bareilly Jail are on hunger strike?

(b) Is it a fact that they so exhausted that they may die any moment?

(c) Is it a fact they have started the hunger strike on account of their standing grievance, that they are not given the benefit of even the new Jail Rules for treatment of prisoners?

(d) Is it a fact that these prisoners are still treated as "C" class prisoners?

(e) Is it a fact that they are willing to give up hunger strike if they are treated even as "B" class prisoners?

(f) Will Government state whether the new Jail Rules have been communicated to the authorities of the Bareilly Jail? If so, when?

(g) If not, will Government explain why they were not so communicated?

(h) Will Government state whether the jail authorities of Bareilly have been asked for and given any explanation of their conduct in not making the new Jail Rules applicable to these prisoners?

(i) Are Government prepared to take immediate steps to see that the grievances of these hunger strikers are redressed at once?

The Honourable Mr. H. G. Haig: (a) Yes.

(b) My information is that their condition is fair.

(c) They started hunger-striking on the 8th February, before the new rules were brought out.

(d) They have been treated as ordinary prisoners under the old rules.

(e) I understand that this is so.

(f) to (i). The Jail Superintendents were duly instructed to make their recommendations about the classification of prisoners, and the Local Government have now had sufficient material to begin considering the cases as a whole and have passed orders regarding prisoners in a number of their jails. They have classified the Kakori prisoners, among others, in B class.

Mr. Jehangir K. Munshi: Will the Honourable Member make it clear to the House what he means by saying, "Their condition is fair"?

Dr. A. Suhrawardy: That is they are not on the point of death.

The Honourable Mr. H. G. Haig: That is the report we received from the Local Government, and I am afraid I cannot amplify it.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Secretary of the Council of State:

"I am directed to inform you that the Council of State has, at its meeting held on the 27th March, 1930, agreed without any amendment to the Bill further to amend the Sea Customs Act, 1873, to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary certain duties leviable under the Indian Tariff Act, 1894, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax, to vary the excise duty on kerosene leviable under the Indian Finance Act, 1922, and further to amend the Indian Paper Currency Act, 1923, and the Indian Finance Act, 1926, which was passed by the Legislative Assembly at its meeting held on the 24th March, 1930."

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1929-30.

INTEREST ON DEBT AND REDUCTION OR AVOIDANCE OF DEBT.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 3,62,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Interest on debt and reduction or avoidance of debt'."

The motion was adopted.

FOREIGN AND POLITICAL DEPARTMENT.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Foreign and Political Department'."

Mr. President: Will the Honourable Member kindly tell the House for what purpose this supplementary Demand is asked for to enable me to decide whether the amendment tabled is in order.

The Honourable Sir George Schuster: The supplementary Demand is required to meet the cost of telegrams, which attained an unexpectedly high figure. The circumstances in which this had occurred are fully reported in the proceedings of the Standing Finance Committee, which have been circulated to Honourable Members.

Mr. President: Has that anything to do with the deportation and continued ill-treatment of the ex-Maharaja of Nabha?

The Honourable Sir George Schuster: I am unable to trace any direct connection between the two subjects.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Foreign and Political Department'."

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I beg to move:

"That the Demand for a supplementary sum"

Mr. President: Before the Honourable Member moves his amendment, I want him to tell me how his motion is in order, because, as the Honourable Member already knows, on a supplementary Demand for Grants, no questions of policy can be raised, but any question that is directly concerned with or relevant to the expenditure that is necessary can be allowed.

Mr. M. K. Acharya: I presume, from the details I have been able to get about the grant in question, that a portion of that grant will certainly be spent in probably issuing instructions to guide the personal conduct of the ex-Maharaja of Nabha, who is now confined in Kodaikanal. Therefore,

(2670)

before even a single pie could be utilised for that purpose, the House will have to be satisfied and the House has got reason to demand that proper treatment is afforded to the person who is now confined in jail under Government custody in Kodaikanal hills. That, I think, Sir, is perfectly relevant to the question before us whether this supplementary sum could be given for use of telegrams and things of that kind for the Foreign and Political Department a portion of which I think was certainly going to be spent in regard to this particular purpose. If you, however, rule my motion out of order, I shall not move it.

Mr. E. B. Howell (Foreign Secretary): May I assure the Honourable Member that no portion of the money was spent on telegrams of that nature?

Mr. President: I am afraid in that case I cannot allow the Honourable Member to move his amendment.*

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan): Sir, I have got an amendment† in my name to this Demand.

Mr. President: Is that also connected with the expenses on telegrams?

Mr. E. B. Howell: I must admit, Sir, that some of this has been spent on telegrams for matters connected with the amendment which my Honourable friend is proposing. If I may say so, it was more or less, at his direct request, that money was spent on telegrams for matters connected with this affair.

Mr. President: I do not quite follow the Honourable Member. Has this motion any connection with the supplementary Demand for Grant?

Mr. E. B. Howell: No real connection, Sir. We have spent some small portion of this sum, the grant for which is now asked for, on telegrams, some of which—perhaps one or two of which—were connected with the subject matter which my Honourable friend has in mind, and which he has mentioned in his motion. But may I make a further observation, Sir? Even supposing that that is so, I would ask your ruling, Sir, whether the Honourable Member's motion is in order, seeing that it cannot be discussed without affecting the relations between the Government of India and the ruler of a foreign State, the State of Muscat, to which Gwadar belongs.

Mr. Fazal Ibrahim Rahimtulla: I want to raise this issue, because I want to know what measures the Government of India are adopting in order to ensure the life and property of British subjects who are residing in Gwadar temporarily for the purpose of business. The British resident is the representative of His Majesty for the safeguarding of these subjects, and I wish to raise the discussion in order to find out what part he has played during the disturbances of 1929. I have no desire to bring the State of Muscat at all into this debate. Sir, I beg to move

Mr. E. B. Howell: Sir, I am asking for your ruling whether the Honourable Member's motion is in order, in view of the fact that it concerns relations with another State.

*"That the demand for a supplementary grant of a sum not exceeding Rs. 43,000 in respect of 'Foreign and Political Department' be reduced by Rs. 100." (The deportation and continued ill-treatment of the Ex-Maharaja of Nabha.)

†"That the Demand for a supplementary grant of a sum not exceeding Rs. 43,000 in respect of 'Foreign and Political Department' be reduced by Rs. 100." (Treatment of British subjects at Gwadar.)

Mr. President: It is a very difficult question, and if the Honourable Member will enlighten me as to which rule or Standing Order debars any such discussion on a budget cut, I shall be much obliged.

Mr. E. B. Howell: I shall endeavour to convince you, Sir. The Honourable Member's complaint is that, in the course of certain disturbances which arose in the town of Gwadur last year, a member of the Khoja community, who are in a very small minority there, was murdered, and it amounts to a complaint that the case was not very adequately investigated by the Muscat authorities, and that the persons guilty of the murder were not punished as they should have been. A matter of this sort necessarily affects the relations between the Government of India and the authorities of the Muscat State in that the Government of India could not possibly express any opinion to the adequacy of those proceedings and the measures taken without affecting their relations with the Muscat State.

Mr. President: I quite understand that; but under what rule or Standing Order is a discussion of a matter of that kind prohibited on a budget cut?

Mr. E. B. Howell: With all due deference I understand it is prohibited by Legislative Rule 23 (1).

Mr. President: That applies to Resolutions, does it not?

Mr. E. B. Howell: It does.

Mr. President: This is not a Resolution.

The Honourable Sir George Schuster: Sir, on a point of order, I venture to submit that, if you allowed a motion of this kind to be discussed in connection with a supplementary Demand of this kind, you would, in effect, be departing from the spirit of the rule which you have hitherto applied in dealing with these questions. A supplementary grant for the cost of telegrams must obviously cover telegrams dealing with practically every subject which comes within the purview of the Foreign and Political Department. But if the mere fact that a sum of, say, eight annas has been spent on a telegram on a question of policy enables the Honourable Member to initiate a debate on that policy in this Assembly. I submit it would lead to a great waste of time and diversion of attention to matters of policy on occasions when this House ought not really to be asked to deal with them.

Mr. President: That is a point that I understand.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadian Rural): Sir, may I point out with reference to what fell from Mr. Howell?

Mr. President: I do not wish to give any ruling on the main objection, because it involves a very important point of principle and I should not like to hazard any opinion all at once. There must be a full discussion before I can give any definite ruling, but in view of the observations made by the Honourable the Finance Member, I am not inclined to allow the Honourable Member to proceed with his motion.

Pandit Hirday Nath Kunzru: This is without prejudice to the larger question raised by Mr. Howell?

Mr. President: Yes, without prejudice to the larger question. The question is:

"That a supplementary sum not exceeding Rs. 43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Foreign and Political Department'."

The motion was adopted.

MISCELLANEOUS DEPARTMENTS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 3,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Miscellaneous Departments'."

As there is another amendment* tabled in connection with this Demand I would explain that the purpose of this Demand is

Mr. President: Does any amount out of this go to the party leaders?

The Honourable Sir George Schuster: I trust not, Sir.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 3,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Miscellaneous Departments'."

The motion was adopted.

CIVIL WORKS.

The Honourable Sir George Schuster: Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 11,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Civil Works'."

Mr. President (to Dr. Ziauddin Ahmad): The Honourable Member wishes by his amendment† to raise a question of policy which I cannot allow.

The question is:

"That a supplementary sum not exceeding Rs. 11,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1930, in respect of 'Civil Works'."

The motion was adopted.

THE COTTON TEXTILE INDUSTRY (PROTECTION) BILL.

POINTS OF ORDER.

Mr. President: Before the House proceeds with further discussion on the Cotton Tariff Bill, I propose to give the Chair's decision on the points of order raised.

By Mr. Gaya Prasad Singh:

*"That the Demand for a supplementary grant of a sum not exceeding Rs. 43,000 in respect of 'Foreign and Political Department' (page 2) be reduced by Rs. 100." (Ineligibility of Indians for appointment as Diplomatic representatives.)
 †"That the Demand for a supplementary grant of a sum not exceeding Rs. 11,70,000 in respect of 'Civil Works' be reduced by Rs. 100." (Bad supervision and over payment in the works done at Dehra Dun.)

[Mr. President.]

The Honourable the Leader of the Opposition formulated for the Chair's consideration the following propositions:

1. Whether the interpretation put by the Honourable Sir George Rainy on the fiscal convention is correct and consistent with the recent declaration of the Secretary of State;
2. Whether the attitude taken up by the Government that they have not an open mind in regard to his amendment, and that, if that or any other amendment is accepted by the House, they will not further proceed with the Bill, is consistent with the fiscal autonomy convention;
3. Whether official and nominated non-official Members are entitled to record their votes on a division on this Bill.

The Honourable the Leader of the Independent Party then raised a point of order as to whether any of the three points, which have been stated, and which are contained in the statement of Pandit Madan Mohan Malaviya, are points of order, having regard to the progress of the Bill.

The Honourable the Law Member concurred with the Honourable the Leader of the Independent Party in the view that they are not points of order.

The central contention is that, even if the points of order raised by the Honourable the Leader of the Opposition were sound, it does not seem that the Chair can give any relief, and where no relief is possible, no point of order can arise.

The Chair cannot concur with this view. The test whether a point is a point of order is not as to whether the Chair can give any relief, but whether it involves an interpretation of the rules, Standing Orders and various parts of the constitution which regulate the course of business of the House in one form or another, and whether it raises a question which the Chair alone can decide. The points of order raised by the Honourable the Leader of the Opposition fulfil these conditions. I therefore rule that the points raised by the Honourable the Leader of the Opposition are points of order within the Standing Orders and rules of the House.

1. The Honourable the Leader of the Opposition, by his first point, invites the Chair to give the House its authoritative interpretation of the fiscal convention. I desire to assure him and the House that, if I were satisfied that such interpretation was necessary for any specific purpose connected with the debate on this Bill, I should have, without hesitation, responded. But from what will follow later, the House will see that it is wholly unnecessary for me, for the purpose we have in hand, to proceed to interpret the Convention at this stage. I therefore refrain from doing so.

2. The position with regard to the second point is not so clear. The mill industry of India is admittedly on its last legs and needs immediate and substantial protection. The Government of India have submitted their proposals in that behalf to this House in the form of this Bill, based on the fiscal convention. They tell the House,

in the initial stages of the Bill, that if the Assembly does not accept their proposal, it will be impossible for them to proceed further with the Bill. This has created an impression in the minds of Honourable Members that, if the House did not accept the proposals of the Government of India, the mill industry of India would go without any protection, resulting in its total destruction. Several speakers, during the course of the debate, have expressed their strong resentment and disapproval of this attitude of Government.

In the considered opinion of the Chair, the Government were not within their rights in taking up that attitude, having regard to the terms of the convention, and this is so, whichever of the two interpretations of the convention is correct. If we take the interpretation of the Leader of the Opposition, that the vote of the House is final and binding on Government, the Government are bound to proceed with the Bill and take the vote of the House on it. According to the other interpretation, *viz.*, that put by the Commerce Member, as soon as disagreement is found between the Legislature and the Government, the Secretary of State would resume his powers of direction, superintendence and control. That means that the Secretary of State might either agree with the Government of India or with the Legislature. But if the House, by the attitude of the Government, is virtually compelled to accept the Government's proposals, no case for the interference of the Secretary of State would arise, and the House would thus be deprived of the opportunity of recording their free vote on them and having the matter examined by the Secretary of State. In either view, therefore, a free vote of the House is essential in all measures under the convention. It is therefore clear that the statement that the Government would not proceed with the Bill is not warranted by the constitutional position, and is also calculated to seriously interfere with the free vote of the House. In the first case, where it is contended that the vote of the House is of a binding character, the Government of India are bound to proceed with the Bill. In the other case, where the Secretary of State resumes his powers, he might throw his weight with the Legislature and direct the Government of India to proceed with the Bill; and even where he does not accept the view of the Legislature, he might ask the Government of India to proceed by way of recommendation or certification. The Government of India are not fair to themselves or to the Secretary of State when they convey an impression that, if the House did not accept their proposals, they would allow the mill industry of India to go to wreck and ruin.

In these circumstances, and in the interests of the freedom of vote in this House, and in either view of the convention, it is due to the House that the Government of India should, even at this late stage, reconsider their position and tell the House that they have an open mind and that they have not finally decided, and indeed could not decide, without reference to the Secretary of State, to drop the Bill, in the event of the House amending their proposals in any manner. I hope they will realise, on reflection, if indeed they have already not done so, that by the extraordinary attitude they have taken up, they have denied the House an opportunity to convince them by arguments and persuasion and thus rendered the whole debate on this measure unreal and farcical, and violated the spirit of the convention. I am aware that the suggestion made by me, even if carried out by Government, would not undo fully the mischief done by the statements of the Commerce

[Mr. President.]

Member. That, however, is the minimum that is due to the House in the interest of free expression of opinion and freedom of vote, so necessary in this matter.

3. I now come to the third point. The Honourable the Leader of the Opposition contends that official and nominated non-official Members are not entitled to record their votes on any division on this measure. I fully appreciate the point of view of the Leader of the Opposition that any decision taken in a House, constituted as this is, with 144 Members, of whom 26 do not represent any electorate in India, will go forth to the world as the decision of India in favour of Imperial Preference: and it is therefore necessary that if the convention is to be worked in the spirit of the recommendation of the Joint Parliamentary Committee, official Members should not vote. But, I hope, he will, in his turn, appreciate the limitations of the Chair, due to the constitution under which it is bound to conduct the business of this House, and I am sure no one knows more than the Leader of the Opposition that, by no possible stretch of language is it open to the Chair to rule that official Members shall not vote. The question whether they should or should not vote is for them to decide. As to their right to vote, there can be no question. So also the right of the non-official nominated Members. I agree that real fiscal autonomy is possible, even under the existing constitution, if the decision on fiscal measures is left to the vote of the non-official Members and such decision is regarded as binding on the Executive: but this can be done by a convention and not by a ruling of the Chair. I therefore rule that the official and nominated non-official Members are entitled to record their votes.

Before we proceed with the discussion of this measure, I desire to tell Honourable Members that it is my wish to finish this Bill in the course of the day and I hope and trust Honourable Members will co-operate with me in pushing through the various stages. If the Government also would restrict other business only to non-controversial matters, we may finish the whole business and adjourn the House. But that is for them to consider; but so far as the whole House is concerned, I appeal to them to co-operate with me in putting through this particular measure today. (Applause.)

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): May I ask you, Sir, to adjourn the House up to half past two, to enable me and my colleagues on these Benches to consider the decision you have given, particularly that which refers to the action taken by my Honourable colleague, Sir George Rainy, at an earlier stage of this discussion, so that we may inform you as to the course of action which Government propose to take in regard to that decision?

Mr. President: The Honourable Member, before voting takes place, can say whether, on behalf of the Government, he is prepared to accept that suggestion or not. The suggestion—he knows I have not given it the form of a definite ruling which I must enforce. I have merely made a suggestion in the general interest of the House as a whole, and in the interest of the growth of Parliamentary institutions in this country. If yet the Honourable the Leader of the House wants time, I am perfectly willing to adjourn the House till half past Two.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): No, Sir. No useful purpose will be served in view of the expression of opinion that

you have given. I think, Sir,—most respectfully I submit—that we should proceed with the Bill and the Government can make their statement at any time they like.

The Honourable Sir Bhupendra Nath Mitra: If, as I understand it more precisely, it is a suggestion and not a decision, I am quite willing to fall in with your desires in the matter.

Mr. President: I have made a suggestion which might be turned into a decision any moment. It all depends upon what the Government are going to say.

The Honourable Sir Bhupendra Nath Mitra: That is my precise difficulty. I thought this was a ruling, a decision, and therefore I wanted time. If, on the other hand, it is a mere suggestion for the consideration of the Government and Government will have an opportunity of considering the matter between now and the time when the debate on this Bill comes to a conclusion, in view of what fell from my Honourable friend, the Leader of the Independent Party, I have not the slightest desire to stop the progress of this discussion.

Mr. President: I think we had better proceed with the Bill, because it is my desire that we should get through this Bill today.

The House will resume further consideration of the Bill further to amend the Indian Tariff Act, 1894, and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927

I think we have had 4½ days debate on this and every aspect of the case has been threshed out and all that is required is really that the Honourable the Commerce Member should give his reply to the Debate on the amendment* and we can then proceed further.

The Honourable Sir George Rainy (Member for Commerce and Railways): I think the House would like to hear Mr. Hardy, who is in a position to speak on one aspect of the case with greater authority than anybody else, and that is with regard to the administrative difficulties.

Mr. President: If he promises not to be long, certainly.

Mr. G. S. Hardy: I will not be long.

Mr. President: Mr. Hardy.

Mr. G. S. Hardy (Commerce Department: Nominated Official): Sir, it is not often, during the debate on a measure in this House, that an executive officer of Government, who will be responsible for its working, is given an opportunity of explaining on the floor of the House the difficulties which he apprehends will arise, should it become law. I welcome that opportunity, Sir, and I ask the House to bear with me for a few

*Amendment by Pandit Madan Mohan Malaviya that:

"In sub-clause (1) of clause 2, for the proposed Item No. 156A, the following be substituted:

'153A Cotton piece goods *Ad valorem* . . . 15 per cent. or 3½ annas per pound, whichever is higher'."

[Mr. G. S. Hardy.]

moments while I describe some of the practical problems that would arise if this amendment were passed and a minimum specific duty, based on weight, were imposed on all classes of cotton piece-goods. I should like to explain at the outset, Sir, that I am not concerned primarily with the additional labour and annoyance that will be caused to officers of the Customs Department, for I am quite sure that, if additional staff is required to carry out the wishes of this House, the House will give a sympathetic hearing to demands for any supplementary grants that may be required for the purpose. I am concerned, Sir, rather with the convenience and interests of piece-goods importers, piece-goods merchants and piece-goods consumers. It may come as a surprise to those who are accustomed to regard the Customs officer as the natural and sworn enemy of trade, to find one posing as the champion of the rights of importers and pleading for their interests. I can assure any Honourable Members, who hold that view, that we, Collectors of Customs, are on the most friendly terms with the large majority of importers. It is true that, we have to extract from them the uttermost farthing which the law demands, but a great deal of our time is spent in trying to ensure that the process of extraction is performed as painlessly as possible. We exercise, in fact, Sir, the dual function of the dental surgeon and the anaesthetist, and it is in the latter, rather than in the former capacity, that I appeal to the House to give some consideration to that long-suffering patient, the importer. Let me first of all, Sir, describe, very briefly, the procedure which the importer has to follow before he can obtain possession of a consignment of piece-goods. On the arrival of the steamer in port, he takes his bill-of-lading, the document that gives him the title to his goods, to the office of the steamship company who communicates to him the number of his particular item in the ship's manifest without which he cannot make entry at the Custom House. They also give him a delivery order, which he will require at a later stage. He then prepares his bill-of-entry, in which he must give a complete description of his consignment, the number of packages, the marks of each, a sufficient description of each style for the purpose of both statistical classification and assessment, the number of pieces, the size of each, and the c. i. f. cost. He must also declare for each style the market price ruling in the port at the date of entry. When he has completed his bill-of-entry, he presents it to the import department which checks it with the corresponding item in the manifest, and if it corresponds, he can then proceed to appraisal. He takes his bill and other documents with the shipment-samples for each style to an appraiser, who sees that all the details are correctly transcribed, and then proceeds to check the market value. I will not weary Honourable Members of this House with a full description of this process; any Honourable Member who is interested will find an account of it in paragraph 24 of my Report. If the appraiser is satisfied, he makes a provisional assessment which is then checked by a second senior appraiser. I would remind this House that this second check was recently imposed as a result of the recommendations made by the Public Accounts Committee of this House. I understand that the House attaches considerable importance to it. I only mention it because it constitutes a further complication in the process of the clearance of goods. When this process is complete, he is then able to proceed with the physical examination of his goods. He takes his

documents and the shipment samples to the wharf and with the help of the Port Authority's staff he identifies his packages, and presents them to the examining appraiser. This officer checks the quantities, compares the goods with the sample on which the valuation has been based and, if everything is in order, he confirms the assessment. The importer then pays the duty, obtains a clearance order, goes to the Port Authority's office and pays port charges, and is then finally in a position to clear his goods. I am afraid, Sir, that this has been a very tedious description and I hope the House has not found it unduly wearisome. If so, I should like to assure the House that it is a very much more wearisome business for the importer who has to carry out the processes I have described. He is only allowed a very limited free time for this purpose, beyond which he becomes chargeable with demurrage. I think it is a fair statement to say that the free time allowed is sufficient but only just sufficient if there is no hitch in the procedure and no dispute as to the assessment.

Now, Sir, we are proposing to complicate this process of clearance by the addition of a second assessment. If this amendment is carried, the appraising staff will have to carry out two separate assessments and compare the results before a final assessment can be made. It may be suggested that the Port authorities should be moved to allow additional free time for this purpose. I am afraid that this is not a practicable suggestion. The free time allowed varies somewhat from port to port, but in each case has been very carefully calculated in relation to local conditions so as to ensure rapid transit of cargo and to avoid congestion. It is clear, therefore, that every importer will be put to considerable inconvenience, unless we can reduce to a minimum the trouble caused by this second additional assessment.

Now, Sir, I should like to point out that a minimum specific duty on cotton piece-goods, based on weight is a definite departure from ordinary tariff principles. We have, in our tariff, a large number of specific duties on sugar, coal, oils, and various other articles, but in every case the specific duty is based on the unit by which the goods are bought and sold. Cotton goods in this country are occasionally sold retail by weight and Indian mills occasionally sell by weight in the wholesale trade but, in the import trade, piece-goods are never bought or sold by weight; they are invariably sold by the piece. The advantage of having a duty based on a unit, which is the unit of sale, is obvious. If the duty is a minimum duty, then the ascertainment of quantity involved in assessing *ad valorem* duty is equally useful for the assessment of the specific duty. With a single specific duty, if the unit of assessment is the same as the unit of sale, we have in the invoice for the article evidence of the first order as to the quantity of the goods on which the duty is payable. The importer is not going to pay for goods which he has not received, and the supplier is not going to send him goods for which he is not going to be paid. Consequently there is a very strong presumption that the quantities stated in the invoice are correct, and we can confine ourselves, in assessing the specific duty on such an article, to a mere percentage check of the weight or volume as the case may be. Now, we shall have no such safeguard in the assessment of this minimum duty. Therefore, Sir, it is clear that we must carry out much more intensive checks of quantity and shall only be able to administer this minimum duty without serious difficulty if we confine it to classes of goods which for some special reason can be simply and expeditiously

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weighed. I hope to convince this House that the only class of goods which satisfies this condition is the class of "plain grey" goods as defined in the Government Bill. The distinctive features of plain grey goods for this purpose are that they are packed in bales, no one of which ordinarily contains cloth of more than one size or of one quality. The gunny packing of the bale and the baling hoops constitute a very small proportion of the total weight of each bale. Consequently, by weighing a bale and making a small empirical deduction for tare, we can arrive at the nett weight of the contents without any very great difficulty. Now, Sir, grey dhotis are also packed in bales, but unfortunately the contents of such bales are not uniform. We find that a large proportion of bales of dhotis contain goods of different styles and different sizes, all packed together, so that a part of the contents of a bale may be assessable to the specific duty and a part to the *ad valorem* rate, and we cannot therefore make a proper assessment without opening the bale. Nor would it be possible to apply the minimum duty to the gross contents of a bale, for this would offer an obvious and simple method of evading the minimum duty and would practically defeat its object. This feature of the dhoti trade, of having bales packed with mixed assortments, is one that is very popular and one which I am sure this House would not wish to do anything to discourage. The up-country merchant wants an assortment of different styles; every man has his own taste in dhotis nor is everybody the same size. I am quite sure that if my Honourable friend Mr. Mody and my Honourable friend Mr. Ramsay Scott and myself were to go out to buy dhotis together for our personal use, and the merchant to whom we went had only one size in stock, at least two of us would be disappointed. I should like to emphasise this point further by calling the attention of the House to a consignment with which I recently had to deal. It was a shipload of plain grey cloth from Japan consisting of some six hundred odd bales; there were fifteen different styles in the whole consignment, that is, an average of about 40 bales for each style. Now, Sir, we could have assessed those 600 bales to a specific duty by the weighment

12 Noon. of a reasonable percentage, say 5 per cent. of each style, so that only 30 bales would have to be weighed and none would have to be opened. Now, I have here a document relating to a shipload of dhotis. It covers 11 pages; it relates to 581 bales, and it includes 206 different lots, so that the least we could do in this case would be to weigh 206 bales. But out of these 206 lots, no less than 62 were mixed consignments, each bale having a number of different sizes and styles.

Now, Sir, we always try and avoid, in the Custom Houses, the opening of bales of piece-goods, because, when once you open a bale by cutting the baling hoops over the gunny, the contents of the bale immediately expand to two or three times their original volume, and they cannot be replaced in the original packing. I would ask the House to consider what would be the result if we had to deal with a consignment like that and open 62 bales. Honourable Members from Bombay may remember that some 10 or 12 years ago there was a large fire in the Moolji Jaitha piece-goods market. I was there the morning after the fire. The Fire Brigade had extinguished the fire, the Salvage Corps were at work, and the streets all round were piled up with loose piece-goods. Now, Sir, that is what our wharves would look like if we tried to assess this specific duty on dhotis.

It may be suggested that dhotis might be packed in cases, but there are two objections to that. Firstly, it is a much more expensive form of packing and as the goods are not packed under pressure they occupy a much larger space and importers will have to pay more freight, the extra cost of which must fall on the consumer. The second objection is that the assessment of a specific duty on goods in cases is itself very difficult. We have already had experience of assessing the minimum specific duty on cotton yarn, which is both assessed and bought and sold by the pound. Even there we found when we came to make check-weighments, that there was considerable variation owing to moisture and other causes from the nominal weights on which the goods were sold. We had some difficulty in arriving at a satisfactory arrangement with importers whereby we assessed on the selling weights and made reasonable allowances for such variations as were recognised by the trade. We cannot apply that system to cotton piece-goods packed in cases which will be liable to similar variations because there is no "selling weight". We shall have to undertake actual weighment of individual pieces from each separate lot of coloured and white goods. They arrive in lots which average only three or four cases to each lot, and we shall have to open at least one in every three or four and remove the contents for weighment. Weighment of individual pieces is a delicate matter; we cannot use rough scales, nor can we carry delicate scales about the wharves. We shall have to bring all the samples to the Custom Houses, and I can say quite frankly that we simply have not the space for the purpose. There will be enormous delays in the assessment of these goods, wharves will be congested, trade will be dislocated, and shipping will be held up. I think it is clear that the only class on which we can assess a specific duty with reasonable ease and expedition is the class of "plain grey" goods as defined in the Bill. I am quite prepared to admit that the minimum specific duty would not be applicable to all goods, but it must be remembered that we should not have to weigh those goods, which were actually liable to the specific duty. We should have to weigh all goods whose price was sufficiently near the critical figure to raise the slightest doubt as to whether they were liable to the minimum or not, and that would constitute a very large percentage of the total.

It may be argued that, in other countries, specific duties based on weight are to be found in their tariffs. If they find them practicable, why not in India? The answer, Sir, is this, that in those countries where specific duties are based on weight, a very large proportion of the piece-goods trade is done by weight; a lot of the trade is rail-borne and not sea-borne, and consequently freight is charged on weight and not on volume. In none of those countries is the variety of the trade anything like it is in India; in none of those countries is the volume of the trade anything like it is in India; and in none of them do they attempt to administer an alternative duty, such as is proposed here.

Sir, it is a happy coincidence that the class of goods which Government desire particularly to protect is the one which is particularly susceptible to simple and expeditious weighment. Coincidences are always apt to arouse suspicion, but the reason for this one is not far to seek. It is cheap standardised cloth which is packed in the simplest and cheapest form of packing and is consequently simple to weigh. It is cheap standardised cloth which comes in large uniform consignments which enable us to

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be satisfied with a percentage check. It is cheap standardised cloth which competes most severely with the Indian mills, and it is against the cheap standardised cloth that the Indian mills require special protection to enable them to organize similar standardization which will eventually result in cheapness to the consumer.

Sir, when this debate finally comes to an end, when the last of the amendments has been moved and discussed, and when the Bill, in whatever form it may finally take, becomes law, Honourable Members from Bombay will be able to go back and enjoy the protection which this House may decide to give them. Other Honourable Members, including my friend the Honourable the Commerce Member, will be able to go back and put this vexed question of cotton piece-goods tariffs out of their minds for the time being. I, Sir, shall not be in that fortunate position. My troubles will just be beginning. I appeal to all Honourable Members of this House to reject the amendment of the Honourable Pandit Madan Mohan Malaviya, which seeks to impose on the tariff an anomaly which will cause very great inconvenience to importers, dislocation of trade and inevitable loss to the consumer.

Mr. M. A. Jinnah: I do not wish to take up the time of the House unnecessarily, but I want to make my position clear with regard to this amendment of my friend Pandit Madan Mohan Malaviya. Sir, I am opposed to this amendment on the merits. I have carefully considered this question and I have come to the conclusion that it is detrimental to the interests of India to accept this amendment. The object of my Honourable friend will not be served. In my opinion it will enable Lancashire to escape completely from any duty beyond the 15 per cent. revenue duty. So far as Japan is concerned, it escapes straightaway the 5 per cent. protective duty. Therefore, Sir, I have come to the conclusion that this will not constitute an effective, or for the matter of that, an adequate, protection for the textile industry. On the merits I am opposed to it. The objection which has been pointed out by Mr. Hardy is only on the ground of administrative difficulties. My difficulties are that it will enable Japan to escape this duty by turning its attention and energy to the manufacture of finer counts. Out of the 14,000 million yards which form the total import from Lancashire, the goods which directly compete with our manufactures are about 186 million yards. There Lancashire will probably completely escape, and Japan may turn its energies and its attention to making finer counts. The result of this amendment would be that the mill industry will be reduced to that protection only which is given indirectly by the 15 per cent. revenue duty against Lancashire. Sir, that is not giving adequate protection to the textile industry of ours and I am not prepared, merely with one object and the sole object, namely, of getting rid of Imperial Preference, to reduce the measure of necessary protection and which is the main object of the Bill. I think my Honourable friend is too much carried away with his ideas of Imperial Preference and is carried away to such an extent that, as long as he can secure the elimination of "Imperial Preference", he is indifferent as to what other disadvantages may ensue.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): No.

Mr. M. A. Jinnah: The result of that amendment will be that. Therefore I want to make it clear that I am opposed to this amendment on the merits, but if there is any other proposal which can be considered by this House, I am quite willing, and my party is quite willing to give due consideration to that if circumstances permit us to do so, but that stage is not reached yet.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, I cannot understand the position taken up by the Leader of the Independent Party. The original position taken up by him was this, that he would support the proposals of the Government of India as modified by Mr. Chetty's amendment, because he was not in a position to alter those proposals except at the sacrifice of the Bill itself. Now, I understand the position is, the Honourable Member is not prepared to accept the amendment moved by the Honourable the Leader of the Nationalist Party, because he is opposed to it on its merits but that he is prepared to accept another amendment if it is moved.

Mr. M. A. Jinnah: I have said the same thing from the start. I said that my party would be prepared to consider any other amendment. I said at the very start that I myself have got an amendment to move. Therefore I have not committed myself to any particular amendment, but I said that I am open to consider the amendment under certain circumstances, but in so far as this amendment has been moved, I am opposed to it on its merits.

Diwan Chaman Lall: The position is just as obscure as it was in the beginning. I want the Honourable Member to assist this House with regard to the position that he has taken up. Either the position is that he will accept nothing moved from this side of the House which materially affects the proposition placed before the House by Government . . .

Mr. M. A. Jinnah: The Honourable Member is either dense or he refuses to understand. I made it very clear that, so far as this amendment is concerned, I am opposed to it on the merits. If there is any other amendment, I am prepared to consider it. I have got an amendment to move myself.

Diwan Chaman Lall: May I ask the Honourable Member to refer to his speech? His original speech definitely stated the grounds on which he based his argument. He said that he would accept the proposals of the Government as modified by Mr. Chetty, and they had his fullest support whether he agreed with them or not.

Mr. M. A. Jinnah: That is not true, I never said that.

Diwan Chaman Lall: May I remind the Honourable Member that he used the very expressive phrase, "beggars cannot be choosers".

Mr. M. A. Jinnah: I never said that in connection with this particular point. I said that in answer to an interruption.

Diwan Chaman Lall: Any how, I take it that the Honourable Member is prepared to move his amendment. If any other proposal is put forward from this side of the House which the Honourable Member is prepared to accept, which the Government may not accept, I want to know from the Honourable Member whether he would be prepared to wreck this Bill even in that case.

Mr. M. A. Jinnah: That stage has not yet been reached. I will inform the Honourable Member and the House when that stage is reached.

Mr. M. S. Aney (Berar Representative): May I ask one question about the procedure that we are following. You have stated that you will allow Honourable Members who have got amendments to move them and then allow a general debate. If my Honourable friend Mr. Jinnah has got an amendment, he should also move it.

Mr. President: I have restricted the debate to the two main amendments, that of Mr. Chetty and that of Pandit Madan Mohan Malaviya. When they are disposed of, I will take other amendments.

Diwan Chaman Lall: As I have already said, I am against the principle of Imperial Preference, as imported into this Bill by the amendment moved by Mr. Chetty. Further, if the original Bill as well as the Finance Bill are examined, the principle of Imperial Preference is there. If the Government were not to accept Mr. Chetty's amendment, the position, as I understand it, would be this, that British goods would come in entirely duty free, whereas Japanese goods or other goods from other countries would be taxed. That would be the position, but by accepting Mr. Chetty's amendment, the position is altered in this respect that the Honourable Member over there, on behalf of Government, accepted certain modifications in regard to long cloth and shirting and imposed a differential duty on British goods. I originally stated that the reason why the Government of India accepted Mr. Chetty's amendment was very simple. As the Honourable the Leader of the Nationalist Party has stated, the proposal was originally set forth by the Government of India before the Secretary of State, and they made Mr. Chetty agree to the bringing forward of an amendment of this nature. Now, the reason why this amendment is brought forward is very simple. As I said, Lancashire does not mind losing the trade in long cloth and shirting, which is only 77 million yards or less today, so long as they get this Imperial Preference in regard to other goods which, as the Honourable the Leader of the Independent Party said, amount to 1,400 million yards, but in reality a little more. If that is the position, then they get preference in regard to coloured goods, and also in regard to white bleached goods, and they get preference in regard to dhotis. They are therefore quite prepared to sacrifice the trade in long cloth and shirting. The position as put forward by the Government is this. We are doing this in order to safeguard the interests of the consumer. May I ask how the Government can reconcile that position when the actual effect of their measure will be to cut out competition from Japan and from other countries? I want to ask a simple question of the Honourable Member. Take the case of white bleached goods. Is it or is it not a fact that the white bleached goods imported from United Kingdom are about 525 million yards, whereas the white bleached goods imported from Japan are only 5 million yards? Therefore, there is every danger for Lancashire that the trade from Japan will so increase, as it has increased in other commodities, as to endanger that trade between Lancashire and India. If there is free competition on an equal basis, the Honourable Member knows perfectly well that the consumer's interests will be safeguarded, because, with free competition between Japan and Lancashire, the prices will be kept down. Now, I ask, by penalising Japan as against Lancashire, in this particular brand of goods, is the Honourable Member safeguarding the interests of the consumer? Let me take the case of long cloth and shirtings.

Dr. L. K. Hyder (Agra Division: Muhammadan Rural): Explain the competition.

Diwan Chaman Lall: My Honourable friend says: "Explain the competition". If he will only read the statement issued by Sir George Rainy, he will find the explanation on pages 2 and 3 where Sir George Rainy has stated definitely that this trade has been captured from Lancashire partly by Japan and mainly by India. It is this steady advance of Japan in capturing trade in these various classes of goods that has created the fear in the mind of the manufacturers in Lancashire, and that is the basis of this measure of Imperial Preference. It will not do to encourage Japan. That statement is very clear and shows that, during the last few years, Japan and India have marched ahead at the expense of Lancashire and that, if this burden of extra 5 per cent. is placed against Japan in the matter of white bleached goods, she will not be able to march ahead at the expense of Lancashire. That is the basis for this discrimination and no other. Let me take the case of long cloth and of shirtings and of coloured goods. In the matter of coloured goods, it is obvious the competitive figures are only 50 million yards from the United Kingdom and 86 million yards from Japan. Now, I want to ask if the figure of Japan is 86 million yards per year and the figure of the United Kingdom is 50 million yards per year, how is the Honourable Member, by putting on an extra duty of 5 per cent. against Japan, safeguarding the interests of the consumers in this country? I would like to have a reply to that question. I would like to know how the Honourable Member is safeguarding the interests of the users of this 86 million yards of coloured goods. I would like to have a reply from the Government. If there is competition between Japan and Lancashire in the matter of coloured goods, and if Indian consumers are using coloured goods, then by penalising Japan, you are cutting out one source of supply and you are giving a virtual monopoly to Lancashire, but how is the Honourable Member going to safeguard the interests of this country? May I know how he is going to safeguard the interests of the average consumer?

In regard to other class of goods, let me take the case of dhotis. Japan is sending in 30 million yards of dhotis, which are competitive, and 5 million yards of dhotis which are not competitive, and according to the figures supplied by the Honourable Member, Lancashire is sending in 88 million yards of competitive dhotis. I showed, on a previous occasion, that they have taken the figures on a different basis. As a matter of fact the Japanese competitive figures in dhotis are not 30 million yards. They are not even one single yard. But taking the Honourable Member's figures to be correct, namely, that Japanese competitive imports are 30 million yards and the Lancashire competitive figure is 88 million yards, I want to ask the Honourable Member in what particular manner, by penalising Japan and stopping competition in the matter of dhotis, the Government are going to safeguard the interests of the consumer. Does the Honourable Member give us a guarantee that, because of the advantage that Lancashire will get of 5 per cent. against Japan and other countries in the world, he will keep the prices down for the consumer? No such guarantee has been given and can ever be given by this Government or any other Government. Sir, that is the position in regard to dhotis. The same is the case in regard to long cloth and shirtings. By adopting this method, the Government are going to penalise not only one country but

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all other countries as against Lancashire by shutting out competition from all these countries, with the result that the interests of the consumer will suffer. If it is looked at from that point of view, there is not the slightest doubt that the Honourable Member is not right when he says that the measure that he is bringing forward before this House is designed in the interests of the consumers of this country. It is not so designed. What it is designed for is to give assistance to Lancashire. The other day when the Honourable the Leader of the Nationalist Party raised this matter, he asked the Government to place on the table those documents that had passed between the Government of India and the Secretary of State for India, but he was told that these documents could not be placed on the table of this House. They could not be made public. Then the Government were asked by the Honourable the Leader of the Nationalist Party: "At whose suggestion did you bring in this policy of Imperial Preference?" And the reply, as far as I could understand it, and as far as this side of the House could understand it, was that it was at their own suggestion. Two days ago, the newspapers reported a speech in the House of Commons delivered by Mr. Graham, the President of the Board of Trade, in which he made the significant remark, that, as a result of the representations made by them to the Government of India, the question of Imperial Preference was incorporated and placed before the House.

The Honourable Sir George Rainy: I think it is only fair that I should intervene at this stage. I would draw the Honourable Member's attention to the very definite reply given by the Secretary of State in the House of Commons that no suggestion came from the British Cabinet for the adoption of a scheme of British Preference.

Diwan Chaman Lall: May I conclude, therefore, Sir, that the British Cabinet is speaking with two voices—one the voice of Mr. Wedgwood Benn and the other the voice of the President of the Board of Trade?

The Honourable Sir George Rainy: The Honourable Member does not seem to be acquainted with what must have been in Mr. Graham's mind. He was obviously referring to the telegrams which were exchanged and which have been laid on the table of this House and which were also laid on the table of the House of Commons. The result of that representation was, the Government Bill took the shape that it has taken.

Diwan Chaman Lall: That is exactly my point. It is as the result of the representation sent down by the British Cabinet that the Bill has taken the shape that it has.

The Honourable Sir George Rainy: That is a very different thing from suggesting that any suggestion came from the British Cabinet that it should take this form.

Diwan Chaman Lall: The Government of India are adepts and experts at diplomatic replies.

An Honourable Member: Camouflage.

Diwan Chaman Lall: I make this charge against the Government, that they have not proved that their statement is correct, and the only manner in which they can refute the charge levelled by this side of the House, is by placing all the documents in their possession on the table of the

House. Let the House judge, let the country judge. There is a definite statement by the President of the Board of Trade to this effect, that, as a result of the representations made by them, this has been done, and that it would not be fair to ask the Government of India to do anything more. That statement has appeared in the Press. It is a Reuter's telegram which the Honourable Member must have read. Whether the President of the Board of Trade is speaking with knowledge or not, it is not for me to say, it is not for this House to say. We do not possess the information. The information is in the secret archives of the Government of India. Let them lay bare these secret files. Let us know what exactly is the position. Why this unseemly hurry to introduce this principle of Imperial Preference into this Bill against the united voice, I say deliberately, almost the united voice of the country? Why have they done so? Why are they flouting public opinion, why are they flouting the opinion of this House in regard to this matter? Seeing the dependent condition in which the people are, and taking advantage of the strength that they possess, the Government have come forward and say:

"We will not listen to any representations made by this House, we will not listen to any arguments placed before us on the floor of this House. We are not amenable to any suggestion or any persuasion from the other side of the House. We are determined that this principle should be adopted."

This is what the Government say, and as my Honourable friend Mr. Kelkar said the other day, they do not call it Imperial Preference, but only a particular course of action adopted at a critical juncture. Now, Sir, I want to ask the Honourable Member this question, and I asked him that question in my original speech also, but the Honourable Member was very discreet in his silence. I refer to the Anglo-Japanese trade convention of 1905. If the principle of Imperial Preference has been imported into this Bill, I ask the Honourable Member to tell me whether a treaty entered into between the Government of India—by His Majesty's Government on behalf of the Government of India—and the Japanese Government is to be considered a scrap of paper, I want to ask him whether he is going to make this House a party to considering that particular trade convention a scrap of paper

The Honourable Sir George Rainy: As regards the convention to which the Honourable Member refers, the same statement applies to all the commercial treaties and agreements to which India is a party. Not one of them contains a clause debarring India from giving preference to other countries which are part of the British Empire.

Diwan Chaman Lall: The reading of that convention is conveyed in a letter which was addressed by the Government of India to the mill-owners of Bombay in 1926. In that letter there was not a suggestion of the kind which the Honourable Member is making now. The terms used in that convention are these:

"Any article, the produce or manufacture of the Dominions and Possessions of His Majesty the Emperor of Japan shall enjoy upon importation into India" (*not the Dominions and Possessions of His Majesty the King Emperor, mark you*); "the lowest customs duties applicable to similar products of any other foreign origin."

The Honourable Sir George Rainy: Quite so. No goods coming from parts of the British Empire are goods of foreign origin. (Hear, hear.)

Diwan Chaman Lall: I should like to know, Sir, if in his interpretation of this trade agreement, the Honourable Sir George Rainy has taken legal opinion.

The Honourable Sir George Rainy: That, Sir, has been the uniform interpretation placed upon it by His Majesty's Government and by the Government of India ever since 1905.

Diwan Chaman Lall: That interpretation is wrong and unjustified. If that has been the uniform interpretation placed upon it, that goods coming from Lancashire, as far as India is concerned, are not goods of foreign origin, let me remind the Honourable Member what happened to that interpretation in 1926. Did they ever place this interpretation upon this agreement in 1926? (Hear, hear.) No. They did not want to give protection to the millowners of Bombay in 1927. Because they did not want to give protection, they trotted out with great vigour, with great force this argument of the Trade Convention of 1905, that they could not possibly treat Japan on a differential basis because that would have meant the denunciation of the trade agreement of 1905. (Hear, hear.) In the course of the letter which the Government of India issued to the Secretary of the Bombay Millowners' Association, dated Delhi, 26th March, 1926, this is what they say:

"The case as stated above raises issues of grave importance,"

—I want Honourable Members to mark these words "grave importance"—

"for the proposals which have been submitted for the consideration of the Government of India contemplate the imposition of differential duties on yarns and piece-goods imported from Japan. If, therefore, they were subjected to this, they would involve the denunciation by the Government of India of the Trade Convention with Japan of 1905." (Applause.)

The Honourable Sir George Rainy: May I point out, Sir, that what is contemplated in that letter is differential duties on Japanese goods as distinguished from goods from all other countries. That would be entirely contrary to the Convention.

Diwan Chaman Lall: What is contemplated is goods coming from Japan only. It therefore comes to this, that this particular Bill makes a difference between goods of British origin and goods from all other origins and therefore this Trade Convention is not violated. Is that the position?

The Honourable Sir George Rainy: Yes, Sir.

Diwan Chaman Lall: If that is the position, I want to say that this is clearly not borne out by the interpretation put upon Article I which I have read out to the House. There goods of British origin are not mentioned. There the goods that are mentioned are goods trading between Japan and India. Japanese goods *versus* all goods of foreign origin, which must include British goods.

The Honourable Sir George Rainy: The Honourable Member will remember that treaties are made in the name of His Majesty the King-Emperor and clearly no part of His Dominions could, in such a treaty, be described as a foreign country.

Diwan Chaman Lall: The question is not whether the countries within the British Empire should be described as foreign countries. The question is goods of "foreign origin". (Hear, hear.) The Honourable the Commerce Member surely knows the distinction. The distinction is not whether Canada is a foreign country, as far as India is concerned, both being parts of the British Empire. The point is whether Canadian goods

coming into India are to be treated as goods of foreign origin, and if they are goods of foreign origin, then Article I operates. (Applause.) I want to know whether the Honourable Member has taken the necessary steps that are contemplated in the letter of 1926 which I have just read out. Has he taken the necessary steps to denounce that Trade Convention of 1905?

Raja Ghazanfar Ali Khan (North Punjab: Muhammadan): Does not my Honourable friend think that Japan is more competent to defend her treaty rights than my Honourable friend is?

Diwan Chaman Lall: My Honourable friend is asking whether Japan is not more competent to fight for her treaty rights than we. My Honourable friend is exceedingly obtuse. He could not have any sense of honour if he says that it is not a point of honour involved in this so far as India is concerned. I say the honour of every man is involved in this question. (Hear, hear.) If he thinks that the Government of India can go and make a treaty over our heads, without even consulting us, without even telling the House, and can then with impunity break that treaty then my Honourable friend should know that his sense of justice and honour must be exceedingly obtuse if he is willing to permit the Government to treat this Trade Convention as a scrap of paper. I do not care for Japan. I am not concerned with Japan. I am concerned with the action of my own country. I would be the first to get up and support a measure placed before this House by the Honourable Member over there, prohibiting any Japanese from coming into this country and setting up mills as the Japanese are doing now. I would be the first to support that. I do not want the resources, the raw materials and the labour of this country to be utilised for the benefit of any foreign nation. Let me remind Mr. Ghazanfar Ali that just as Japan can look after herself, so also can Lancashire without the assistance of his vote cast for Lancashire and against his own country. I am against this proposition of the Honourable Member of giving a preferential duty in this Bill, placing a burden upon goods which are of non-British origin, for the simple reason that there is no justification either from the technical point of view or from the point of view of the consumer, nor any justification from the moral point of view for the Honourable Member to do what he is seeking to do, namely, to give an advantage to Lancashire in order that competition should be killed and that a heavy burden should be laid upon the shoulders of the consumer and the future of the industries in this country, so that when the time comes for these industries to be nationalised, the future should be a dark one and that we should be all at the mercy, at the beck and call of Lancashire, merely because the Honourable Member over there has the power, the will and the strength to carry any measure of this nature that he pleases through this House, constituted as it is at present. Sir, I emphatically protest against the policy of the Government in not even consulting this side of the House, not even consulting the country, not even waiting to ask the verdict of the country on a measure of such vast importance as this indeed is. I say deliberately that, not only the interests of the consumer, not only the interests of the public, not only the interests of the industry, but the honour of India is involved, and I want to warn all Honourable Members that, before they vote for this Bill, they should think twice before they cast their votes in favour of an unjust measure of this nature. (Applause.)

Sir Darcy Lindsay (Bengal: European): Sir, I should like to state that the views of my Group are very much in accord with those expressed by my Honourable friend Mr. Jinnah. (Laughter.) We cannot . . .

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Will my Honourable friend allow me to put a question to him? My Honourable friend Mr. Jinnah said that, while he was against this amendment, he wanted to propose an amendment of his own. Does my Honourable friend know the terms of that amendment which Mr. Jinnah has not yet communicated to this House?

Sir Darcy Lindsay: When my Honourable friend Mr. Jinnah moves that amendment, which I do not see tabled, I may have an opportunity of further expressing my views thereon. What I am now supporting are the views of Mr. Jinnah in connection with my Honourable friend Pandit Malaviya's amendment. My reasons are that I cannot comprehend in what way my Honourable friend Pandit Malaviya's amendment is going to help the national industry.

Mr. B. Das (Orissa Division: Non-Muhammadan): Or help Lancashire!

Sir Darcy Lindsay: Never mind about helping Lancashire. I want to know in what way it is going to help the national industry, and that is the point that this House has to consider. We are informed by the spokesmen of the industry that, with a 15 per cent. protection, they will not be able to improve their position in the manufacture of medium class goods that they fear will be largely imported from Japan. They are perfectly satisfied that, with a protective duty of 15 per cent., they will be able to compete against Lancashire, but with 15 per cent. they will not be in a position to hold their own against Japan. That is the position, so far as I see it, and it is to enable the Indian mills to place themselves in a position to manufacture, in the first instance, medium class goods—and I hope later on all classes of goods—that they ask for this additional 5 per cent. I am perfectly well aware that, in the first instance, they asked for a protection of 20 per cent. all round, but when it was shown that this 20 per cent. all round would not necessarily benefit themselves so far as goods were concerned, that they were not in a position to manufacture, and that it would impose a very heavy burden on the country as a whole, they receded from that position and now readily accepted what Government have proposed, that is, a protection of 20 per cent. against Japan on all goods, and against Lancashire, 15 per cent., with the protective duty of an extra 5 per cent. or $3\frac{1}{2}$ annas per pound on the small quantity of grey goods that now come in with which they have to compete.

Now, Sir, my Honourable friend, Pandit Malaviya, made a very strong point against the Honourable the Commerce Member that he did not reply to a statement made by my Honourable friend Mr. Birla that this Bill was going to place in the pockets of Lancashire trade no less a sum than 24 crores of rupees. Just how this Bill is going to place that large sum of money in the pockets of the Lancashire trade, I am at a loss to understand, and I am quite sure my Honourable friend, Mr. Birla, does not really believe that his statement was an accurate one of what was likely to happen.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): May I know what is your estimate, Sir Darcy?

Sir Darcy Lindsay: My estimate is that it will place nothing in the pockets of Lancashire. My estimate is that these goods will come into the country at 15 per cent. and be sold to the consumer at competitive rates. If my Honourable friend wishes to assume that, because there is this protection against Japan of 5 per cent., the Lancashire manufacturers will be able to charge their customers 5 per cent. more for their goods, I am not at all with him.

Mr. Ghanshyam Das Birla: Has my Honourable friend read the majority Report of the Fiscal Commission and does he know what they say in the matter?

Sir Darcy Lindsay: I ask my Honourable friend whether it is not common sense. Does he not know that the trade will be sufficiently hard-hit with having to increase their prices by the 4 per cent. increase to 15 per cent. in the revenue duty?

Mr. Ghanshyam Das Birla: It is just because we have got common sense that we are fighting, and it is also because you have got common sense that you are fighting in your own interests, that is the interests of Lancashire.

Sir Darcy Lindsay: I am not fighting in my own interests. I am fighting in the interests of India.

Mr. Ghanshyam Das Birla: Will the Honourable Member explain to me . . .

Sir Darcy Lindsay: I have been interrupted sufficiently. Sir, I most emphatically protest against this statement of my Honourable friend, Mr. Birla, and I hope that Sir George Rainy, when his turn comes, will make it perfectly clear.

My Honourable friend, Diwan Chaman Lall, had a good deal to say about the concealment of telegrams, and he was quite sure, in his own mind, that there was some sinister motive on the part of Lancashire and the Government at Home in enforcing this measure upon the Indian Government. We have had assurances, and ample assurances, from Sir George Rainy that that was not the case. I am sure that my Honourable friend, Sir George Rainy, would be perfectly ready to take Diwan Chaman Lall or Pandit Malaviya into his room and show them certain papers, but he is not in a position to place those papers before the House as they contain many other matters.

Mr. T. Prakasam (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural): May I know if my Honourable friend has seen them?

Sir Darcy Lindsay: No, I have not seen them.

Mr. M. S. Aney: How does the Honourable Member know that they contain many other matters?

Sir Darcy Lindsay: I think it is only common supposition that they do. If my Honourable friend knows that they do not, he is entitled to speak.

Now, Sir, if it came to a question whether we should vote for Munshi Iswar Saran's 20 per cent. all round or Pandit Malaviya's amendment, and India could not do without this protection, I might even be inclined to vote with my Honourable friend Munshi Iswar Saran. I say that honestly. I am out to protect the Indian Mills, (Hear, hear.) give them all the help I can and I am absolutely convinced that on Panditji's proposal the Indian mills will not get that protection. It is on those lines, Sir, that I strongly oppose his amendment.

Now, Sir, there was a small personal matter that I would like, with your permission, to refer to. My Honourable friend, Mr. Neogy, the other day stated that thumbs were cut in Bengal by the ancestors of Sir Darcy Lindsay. I was always under the impression that we came from a common ancestry and if my ancestors cut thumbs in Bengal, equally so did my Honourable friend Mr. Neogy's ancestors. But I will bring it home a little more closely to Mr. Neogy. I have here, Sir, an extract from a newspaper, the *Pioneer*, of June, 1922, which deals with the subject. It gives particulars of an extract from a book written by Romesh Dutt, "The Economic History of British India":

"Dealing with the state of Bengal after the Battle of Plassey, Mr. Dutt says:

"While the inland trade of Bengal was thus dis-organised by the Company's servants and their agents in every important district, the methods by which they secured the manufacturers to themselves were equally oppressive. These are fully described by William Bolts, an English merchant, who saw things with his own eyes."

Here follows a statement by William Bolts to the effect that weavers were compelled to weave cloth for the servants of the Company and their agents at oppressively low prices, which concludes:

"And the winders of raw silk, called Nagodas, have been treated with such injustice, that instances have been known of their cutting off their thumbs to prevent their being forced to wind silk."

I therefore venture to suggest to my Honourable friend that it was possible his nearer ancestors than mine did cut off thumbs.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): What a compliment to your ancestors!

Sir Darcy Lindsay: Now I do not wish to detain the House any longer. But again I wish to state definitely that we are in support of this measure because we think it is for the real good of the mill industry in India and the people of India who, I hope, in a very few years time, will be able to receive from their national mills supplies of goods at a lower rate than is now being given to them. It is a matter of vital importance to India that we are today considering, and I do earnestly beseech the House to give it their gravest consideration and support the Bill as amended by Mr. Shanmukham Chetty.

The Assembly then adjourned for Lunch till a Quarter Past Two of the Clock.

The Assembly re-assembled after Lunch at a Quarter Past Two of the Clock, Mr. President in the Chair.

The Honourable Sir Bhupendra Nath Mitra (Leader of the House): Sir, in the statement which you made in this House this morning, you made the suggestion that the Government of India should, even at this stage, reconsider their position in regard to the statement made by my Honourable colleague, Sir George Rainy, when he moved for the consideration of this Bill. Before my Honourable colleague made that statement, the position had been very carefully considered by the Government of India, who had given considerable thought and examination to the various amendments to which my Honourable colleague referred in the course of that speech. As a result of that careful consideration, the Government of India decided to accept one of the amendments, namely, that put forward by my Honourable friend, Mr. Shanmukham Chetty. That itself shows, Sir, that they had a very open mind while they were examining the various amendments which had been placed before them in the course of certain informal discussions. Having come to that decision, I think it was only fair to this House that Government should make its position clear to the House and my Honourable colleague, who is well-known for his frankness and honesty of purpose, did not hesitate for a moment to place the House in full possession of the attitude of the Government of India. The Government of India see no reason to depart from the attitude which they have adopted in the matter, after the fullest consideration of the merits of the various amendments which were placed before them, and it is with the greatest regret therefore that I am unable to inform the House that the Government of India can in any way recede from that position.

Mr. President: Is there any Honourable Member who wishes to speak?

(Both the Honourable Sir George Rainy and Pandit Hirday Nath Kunzru rose in their places.)

Mr. President: Pandit Hirday Nath Kunzru.

Pandit Hirday Nath Kunzru: Perhaps, Sir, the Honourable the Commerce Member, wants to put a question. If my Honourable friend wishes to put a question, I am prepared to give way to him.

The Honourable Sir George Rainy: No, Sir, I did not hear you when you called upon the Honourable Member. That was my difficulty.

Pandit Hirday Nath Kunzru: Sir, the speech of my Honourable friend, Mr. Jinnah, came as a surprise to me this morning. He told us, however, that there was still a ray of hope inasmuch as he proposed to move an amendment of his own. After the speech which he delivered at an earlier stage, I was at a loss to understand what that amendment could be. But now the reply given by my Honourable friend, Sir Bhupendra Nath Mitra, the Leader of the House, must have made it plain to everybody that Government are determined to stick to the decision which they announced to the House when this Bill first came before it. I think I heard my Honourable friend, Mr. Jinnah, say that he would move his proposition

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only in case Government gave an undertaking that they would not drop this Bill if an amendment which was not wholly acceptable to them was carried. I take it, therefore, that he is not prepared to put any new proposal before the House at this stage.

Mr. M. A. Jinnah: I think, Sir, I have made my position in this House clear more than once. We have said that we are not satisfied with the Bill as it is presented to us, including the acceptance of Mr. Chetty's amendment. But if you would ask me what I would like, that is a different matter altogether. Therefore, we are not supporting the Bill, but we shall be obliged to prevent this Bill being wrecked. If the Honourable Member wants to know what the amendment was that I wanted to move, I will inform him privately. Even if he wants to know on the floor of the House, I am quite prepared to tell him.

Pandit Hirday Nath Kunzru: Sir, I am not actuated by any idle curiosity. My Honourable friend's proposal roused a great deal of interest in the House because we hoped that it might lead to some practical results. Since he is not going to move it, its exact terms are not a matter of any consequence whatsoever. I should be sorry, Sir, to misrepresent the position of my Honourable friend, Mr. Jinnah. I know what he said when this Bill first came before the House. It is perfectly true that he stated then that he was not in favour of the Bill, as placed before this House by the Government. He was not particularly enamoured of the proposal of Imperial Preference, but in the circumstances in which the House stood, he thought he had only two alternatives before him, either to accept whatever was given by Government—and it was in that connection that he used the phrase, "Beggars cannot be choosers"—or to go without it altogether.

Mr. M. A. Jinnah: I used the phrase, "Beggars cannot be choosers" in answer to an interruption. "Do you justify that interpretation of the convention?" was the question put to me by my friend Mr. Prakasam. I said, "There is the convention. Beggars cannot be choosers".

Pandit Hirday Nath Kunzru: I am prepared to accept the explanation given by my Honourable friend, but the position remains just as it was. From his own practical point of view he says to us, "We have to accept this Bill because we are in the position of beggars before Government, and beggars cannot be choosers".

Mr. M. A. Jinnah: I didn't say that.

Pandit Hirday Nath Kunzru: It comes practically to the same thing, although my Honourable friend does not expressly say that. I say, Sir, that, in view of the very disappointing announcement made to us by my Honourable friend, Sir Bhupendra Nath Mitra, Pandit Madan Mohan Malaviya's amendment holds the field. But before I discuss that amendment, I should just like to say a word with regard to what has fallen from Sir Bhupendra Nath Mitra.

Sir, in order that the fiscal autonomy convention may be a reality, it is necessary that this House should be given an opportunity of expressing its opinion and that the Government should be prepared to be influenced by it at some stage or other. The greatest difficulty in the

way of the convention becoming a reality is that Honourable Members opposite have to consult the Secretary of State before they place their proposals before the House. Now, Honourable Members opposite have been at great pains to explain to us what the procedure followed by Government on these occasions usually is. They have told us . . .

Mr. President: The Treasury Benches are not usually addressed as the Honourable Members opposite.

Pandit Hirday Nath Kunzru: I am talking, Sir, to the Honourable Members occupying the Front Bench opposite. The Secretary of State has to be consulted previously with regard to any proposals that might be placed before this House. Now, our friends the Members on the Treasury Benches have told us that the Secretary of State desired to place no limitation whatsoever on them with regard to any proposals that might commend themselves to their judgment. But when correspondence was going on between them and the Secretary of State and they expressed the opinion that they could not accept any proposal extending the protective duty to British goods, I take it that they had the approval of the Secretary of State for the attitude they took up. To that extent, then, they are bound by the negotiations that proceeded between them and the Secretary of State. I think my Honourable friend, Sir George Rainy, informed the House that at no stage could there be what we might term a constitutional vacuum. The Government of India would be subject either to the control of this House or to the control of the Secretary of State at every stage. If there was agreement between this House and the Government of India, the Secretary of State would not interfere. In case . . .

The Honourable Sir George Rainy: I want to make a very small correction, Sir. At the stage when the Government of India were first formulating their proposals, I said that at that stage the decision entirely lay with them.

Pandit Hirday Nath Kunzru: I am speaking entirely of that stage, because it was at that stage that the Government of India informed the Secretary of State that they themselves were not prepared to accept any proposal made by the Legislature with the object of imposing a 5 per cent. protective duty on British goods, in common with goods coming from other countries than the United Kingdom. The moment, Sir, they expressed that opinion, and the Secretary of State approved of it, they passed under the control of the Secretary of State. It becomes obvious then that such proposals as have been placed before this House by Government have virtually received the approval of His Majesty's Government, and that the Government of India cannot now depart from them without obtaining their approval. If this version is correct, Sir,—and I do not see how it can be seriously challenged—I do submit that the fiscal convention is far from being a reality. His Majesty's Government, when allowing the Government of India to place their proposals before this House, ought, I think, if they desired the fiscal convention to be regarded as a reality, to have told them that they would await any expression of opinion by the Indian Legislature. But if, without waiting for it, they approved of the attitude of the Government of India, they undertook responsibility for the proposals of the Government, and the scheme, that has been placed before us, is therefore the result of mutual

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consultation between the Government of India and His Majesty's Government. I submit, Sir, once more, in view of these facts, that the convention has ceased to be a reality and that in effect, if not in so many words, the occupants of the Treasury Benches have told us that they cannot depart from the attitude which they took up in the beginning because it has been approved of by the Secretary of State and because it cannot be changed without his approval.

Sir, in these circumstances it is a futile task to place any arguments before Honourable Members opposite, but as a great Englishman once observed, there is a certain vanity in all of us which makes us think that, although we cannot outvote our opponents we can still out-argue them.

Sir, it is a matter within the knowledge of the House—it has been repeatedly stated during the last four or five days—that the proposals actually placed before us by Government are neither those which were asked for by the millowners, nor those which commended themselves to their judgment in the beginning. Now, my friend, Sir George Schuster, in the speech which he delivered on a previous occasion in connection with this Bill, has laid bare before us the workings of the minds of the Government of India. He said that the proposals which the Government made to the Secretary of State, namely, a 15 per cent. revenue duty with a minimum protective duty of a $3\frac{1}{2}$ annas per pound on plain grey goods did not amount to a closing of the subject on their part. He said it was not a final decision arrived at by the Government of India. I think it will be pertinent, Sir, to place before the House the exact words used by the Honourable Member on the 13th of March. He said:

"I do not want to dispute the correctness of what the Honourable Pandit said, for it is true in a sense to say that our original proposal did include a proposal for $3\frac{1}{2}$ annas a pound minimum duty on all plain grey goods, but to say that alone is not to tell the whole of the story. Let me try to make clear what I mean. When we were in the early stages of considering what special protective measures we should introduce,—and I am now trying to inform the House exactly what has passed through our minds—we did very definitely consider something on the lines of the proposal which we are now putting forward, because when we came to examine the position in a practical way and to consider how we could effect the discrimination which we were seeking for, we found that, in actual fact, a distinction between British goods and non-British goods did fit in very nearly with the needs of the situation. Now,—again trying to be perfectly frank with the House—I will say that, in our preliminary discussions on this matter, we, I may say, rather 'shied off' this proposal, not because we did not think it was the right thing, but because we were influenced just then by the very considerations which the Honourable Pandit has mentioned in his speech. We felt that, at the present stage, it might be liable to political misunderstanding."

Now, Sir, in view of these statements, the dispute between us and the Honourable Members opposite becomes a purely verbal one. Whether the proposals submitted in the first instance by the Government of India to the Secretary of State were those that they approved of wholly or partially does not matter in the least degree. All that I ask the House to consider is that, at some stage or other, and for some reasons or other, the Government of India came to the conclusion that a revenue duty of 15 per cent. and an additional protective duty of $3\frac{1}{2}$ annas per pound on plain grey goods would meet the needs of the situation. And what does the proposal of my Honourable friend, Pandit Madan Mohan Malaviya, come to. Both Pandit Madan Mohan Malaviya and Mr. Birla have told the House that, although the language of Pandit Madan Mohan Malaviya's

amendment might be different from that of the first part of Mr. Chetty's amendment, yet the two mean the same thing inasmuch as a duty of $3\frac{1}{2}$ annas per pound on goods not made of coarse counts would not amount to more than a 15 per cent. *ad valorem* duty. In fact Pandit Malaviya's amendment will give more to millowners than Government's first proposal as it protects dhotis and coloured goods made from coarse counts, in addition to plain grey goods. Why is it then, Sir, that the Government of India are adopting this attitude of obstinacy? This is something which requires explanation.

I might leave the matter here, but I should like the House to consider some figures to understand why, as I conceive, the Government of India came to the conclusion that the proposal originally submitted by them to the Secretary of State would meet the needs of the situation, whether permanently or temporarily. I shall, Sir, refer to the note which has been circulated to Honourable Members by the Honourable Sir George Rainy. There are three categories of goods which we are concerned with.

Now, the first is long-cloth and shirtings. The figures contained in Sir George Rainy's note show that the Japanese imports are increasing fast. In 1928-29 the imports from the United Kingdom amounted to 48 million yards, and those from Japan to 191 million yards, and the Indian production was 564 million yards. Now, let us compare with these figures those relating to the first six months of the year 1929, that is, April to September. The imports in the first six months from England amounted to 12 million yards, those from Japan to 149 million yards and the Indian production to 314 million yards. If the latter part of the year 1929 fulfilled the promise of the first half, the Japanese imports must have amounted to about 300 million yards in 1929, as compared with 191 million yards in 1928-29. There is therefore here a clear case for imposing a duty on this kind of goods.

Let us now proceed to another class of goods classified as dhotis. Now, here the imports from the United Kingdom in 1928-29 amounted to 454 million yards, and those from Japan to 35 million yards, while the Indian production amounted to about 564 million yards. In the first six months of 1929, the imports from the United Kingdom were 205 million yards, those from Japan were 24 million yards and those from India 342 million yards. Now, the imports from the United Kingdom showed a fall and those from Japan some increase, but at the same time there was no drop in the production of goods in India. I should like the House in this connection also to note a remark made by Mr. Hardy in his Report on this subject. Referring to the figures which I have placed before the House, he said: "It is clear that the import trade is making no headway against local production, and that only the strikes of 1928, which caused a drop of 82 million yards in the figures for Bombay Island, have checked this steady advance. The restriction on forward purchases for the Calcutta market in 1928-29 seriously affected the Lancashire trade, and the figures for the first half of the current year suggest that Japan is going ahead at the expense of Lancashire". It is clear then that, so far as the trade in dhotis is concerned, it was more the Lancashire trade that was affected by Japanese competition than the Indian production.

[Pandit Hirday Nath Kunzru.]

Now, I turn to the third class of goods, known as coloured goods. Here again I will first give to the House the figures for 1928-29. The imports from the United Kingdom amounted to 335 million yards and those from Japan to 110 million yards, and the Indian production amounted to 487 million yards. Now, let us compare these with the figures for the first six months of 1929. The imports from the United Kingdom have fallen to 48 million yards. The imports from Japan which were 110 million yards in 1928-29 were 78 million yards in the first six months of 1929. If the progress continued at the same rate, throughout the year then in the year 1929, the Japanese imports must have amounted to 156 million yards, and the Indian production which was 487 million yards in 1928-29, came to 257 million yards in the first six months of 1929. Here again it is obvious that the competition is more with the United Kingdom goods than with Indian goods, but fairness requires that I should, on this subject, also quote the remarks of Mr. Hardy in his Report. He tells us that both India and England are affected by Japanese imports of coloured goods. He thinks that the competition is keenest in regard to two descriptions of goods which he specifies as drills and jeans and stripped *saris* and *susis*. This is what he says with regard to the first description of goods, namely, drills and jeans, after pointing out that the Japanese goods come into competition with Indian goods:

"Their first appearance in the printed drill trade was in 1926-27, and such has been their success that imports of printed drills from the United Kingdom fell from 20 million yards in 1927-28 to 11 in 1928-29 and 3 in the first half of 1929-30."

With regard to the second class of goods mentioned by me, he says:

"The coarser printed shirtings are sufficiently new to the Indian."

Mr. President: Whom is the Honourable Member going to convince by these arguments?

Pandit Hirday Nath Kunzru: I wish to place these figures before the House.

Mr. President: What is the good?

Pandit Hirday Nath Kunzru: The good is this, Sir, that I want to make it clear to the House that the Government of India themselves, on the basis of the figures before them, thought that the first proposal made by them to the Secretary of State would satisfy the immediate needs. That is my point. I mention this particularly because my Honourable friend, Mr. Jinnah, said that Pandit Madan Mohan Malaviya's amendment would not give adequate protection to the Indian industry.

Mr. M. A. Jinnah: I still maintain that position.

Pandit Hirday Nath Kunzru: Sir, I cannot change his opinion

Mr. M. A. Jinnah: And I go further and say that, because the Government at one time made that proposal, it does not prevent me from saying that the Government also were perfectly wrong.

Pandit Hirday Nath Kunzru: Sir, the Honourable Members opposite and my Honourable friend, Mr. Jinnah, are working together.

Mr. M. A. Jinnah: I think, Sir, it is very improper on the part of the Honourable Member to make that statement. I do not think he has understood what I have said.

Pandit Hirday Nath Kunzru: I have understood every word of what my Honourable friend, Mr. Jinnah, said.

Mr. M. A. Jinnah: Then what is the insinuation you make?

Pandit Hirday Nath Kunzru: There is no insinuation; it is a plain statement of fact. I have not impugned my Honourable friend's political morality, but he cannot browbeat me into silence and prevent me from expressing my own opinions on this subject.

Mr. T. Prakasam: It is only fair that the Honourable Mr. Jinnah should be given the opportunity to say exactly what he has to say in the matter. He was telling us, Sir, that he would go further.

Mr. President: Is that a point of order?

Mr. M. A. Jinnah: I think the Honourable Member has not quite understood me. I say I am not satisfied with the Government proposal nor am I satisfied with the proposal of Pandit Madan Mohan Malaviya. I want to go further.

Pandit Hirday Nath Kunzru: Sir, in spite of the temper shown by my Honourable friend, I will not be led into making any statement against his general political conduct. I did not mean to suggest that he had previously entered into a pact with the Government to support this proposal. All that I am concerned with is that, on the present occasion, he is supporting the Government proposals. And if I can show to him what was the basis on which the original proposals of the Government were founded, I hope that my Honourable friend, as a reasonable man, will change his opinion and see his way to supporting Pandit Madan Mohan Malaviya's amendment. In view of this, perhaps you will allow me to complete the sentence that I was quoting from Mr. Hardy's Report.

With regard to the second class of goods that I mentioned earlier, Mr. Hardy said in his Report:

"The coarser printed shirtings are sufficiently new to the Indian market not to have effected the local output seriously yet, but they are evidently being successful and constitute a definite danger."

He dealt, I suppose, more with the future when he wrote this sentence than with the immediate present. The Government were influenced by political considerations, and thought more of the immediate present than of the future, and in those circumstances made that proposal which has been repeatedly discussed in this House. I think I may fairly claim from the figures that I have placed before the House, that the Government thought that the plain grey goods made from coarser counts needed immediate protection. As regards other goods, they thought that the danger was not so great, that the Japanese goods came into competition with the British goods also, and that therefore they should put forward no proposal which would leave them open to the charge that it was made ostensibly in the interests of India, but really to give protection to Lancashire as against Japan. Now, Sir, if this is their position, or if this was their position, as shown by the figures contained in Sir George Rainy's speech, I should like to know what objection they have to accepting the amendment proposed by Pandit Madan Mohan Malaviya. My Honourable friend, Mr. Birla, stated to the House some days ago that, in his opinion, even the protection proposed by Government would not suffice.

Mr. President: I am somewhat surprised that the Honourable Member is still labouring to convince Government.

Pandit Hirday Nath Kunzru: Sir, I am not so great a simpleton as to imagine that any words used by me can change the resolution of Government. But I do still hope that there may be some Honourable Members amongst ourselves who may believe, in view of the facts that are being placed before them, that if we accept the amendment of Pandit Madan Mohan Malaviya, the mill industry would not be placed in any serious danger. The mill industry would require more protection in any case, whether Pandit Madan Mohan Malaviya's amendment is accepted or that of Government. If that is so, why not accept this proposal and leave us free, a year hence, when the constitutional changes that my Honourable friend Sir George Schuster referred to in his budget speech had come about, to deal with the situation as we ourselves thought best. Sir, I will labour this point no more. I will only say, before passing to any other point, that this is a matter which requires a serious reply from Government. The figures that I have placed before them are those taken by them from Mr. Hardy's Report and circulated to Honourable Members.

Sir, my Honourable friends Sir George Schuster and Sir George Rainy laid great stress on the interests of the consumer, when defending the actual proposals embodied in their Bill. That argument has been dealt with by more than one speaker, and I do not propose to repeat a single word of what has been stated already. I should only like to discuss it in relation to two concrete matters. My Honourable friend, Sir George Schuster, has already imposed taxation on us amounting to about 5 crores. If he had put a heavier duty on Lancashire goods than he has done, it cannot be said that he would have injured the interests of the consumer. The consumer would certainly have lost, but his loss would have been the gain of the State. But what is the position now if prices rise? My Honourable friend Sir Darcy Lindsay contended that prices would not rise. I doubt, Sir, whether there is anybody who can say confidently, at this stage, that prices would remain at their present level. Besides, the representatives of Lancashire, so far as Reuter's cablegrams have informed us, themselves look upon the five per cent. Imperial Preference as some compensation for an increase in the revenue duty from 11 per cent. to 15 per cent. Now, how can this Imperial Preference be regarded as a compensation, unless they feel that the exclusion of non-British goods and the absence of any competition in regard to goods made from finer counts, would enable them to raise the prices of these goods? They would have a practical monopoly in these finer goods. Japan might not have been importing into India large quantities of goods of finer classes. But there was the possibility, that, seeing that there was no outlet for coarser goods, it might turn its attention to finer goods and thus come into more serious competition than has been the case hitherto with British goods. What will happen if prices rise? If they rise to the full extent of five per cent., then, as Sir George Rainy has told us, the consumer would suffer to the extent of two crores, and in whose pockets do these two crores go? Will they be utilised by the State for the benefit of the people whom they are taxing? No, they go into the pockets of private capitalists. Take another instance, that of cotton. I have discussed this question with some of my Honourable friends who are conversant with this matter. If the duties imposed by Government prove effective, we may take it that the Japanese imports into this country will cease. That may have an effect on the purchase of raw cotton by Japan. In that case, the price of cotton may fall.

Here again the agriculturist who produces raw cotton suffers. (Hear, hear.) If we can say to him that his sufferings would benefit the State, there would be some justification for the acceptance of the Government's proposals. But how can we accept the proposal made by the Government and impose an additional burden on the agriculturists at the present time in the interests of foreign capitalists? I think, Sir, even the interests of the consumer, adequately considered, should have led Government to impose an all round protective duty of five per cent.

Sir, His Majesty's Government, as is well known, have been trying for some time to induce the countries which are Members of the League of Nations to enter into a tariff pact. Their object is that there should be a tariff truce, and that tariff walls should be pulled down. Recently the President of the Board of Trade announced, in the House of Commons, that a convention had been signed as well as a protocol regarding future negotiations for reducing trade barriers. Sir, if this is the policy of His Majesty's Government, are they morally entitled to enforce or approve of a tariff in India which gives them an advantage against non-Indian goods? If they are seriously desirous of prevailing upon the nations concerned, not to raise tariff barriers, is it not their incumbent duty to make it plain to them, in the most incontrovertible manner, that they at any rate, do not propose to raise tariff barriers directly or indirectly to their own advantage and to hit the trade of a friendly country. If, however, they do not take up this moral stand, their efforts at the cessation of tariff wars are doomed to failure. It is, Sir, taking the question in a large sense, a moral question. His Majesty's Government cannot profess one thing and take their stand in practice on another thing. I hope that, if the Government of India themselves attach any importance to the moral aspect of this question, they will still consider the advisability of accepting Pandit Malaviya's amendment and press it on the attention of the Secretary of State.

Mr. President: I congratulate the Honourable Member.

Pandit Hirday Nath Kunzru: I do not see what you and we together can do at this stage. Both you and we are working the constitution as it is.

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, in this connection, will you permit me to rise to a point of order, partly 3 P.M. a point of order and partly a point of procedure, and partly to request the Chair to help the House against the coercive tactics of Government. May I point out to the Chair that there is a third amendment which has not yet been moved, and which seeks to impose a duty of 20 per cent., without discrimination and which has the support of the Nationalist Party, the support of my Honourable friend Mr. Jinnah and the Independent Party, the support of Sir Darcy Lindsay and Members of the European Group, and also the support of a large number of unattached Members of this House. May I, Sir, appeal to you, that instead of confining this debate to these two amendments, you may allow this other amendment also to be moved and discussed and that it should be voted upon first. If that amendment is carried, as it is bound to be carried because everybody wants it—the millowners also want it—and if the Government still want to pursue their coercive tactics, they can then take the Bill to the Council of State and bring it back to this House in

[Mr. Jehangir K. Munshi.]

the form they insist on; and then the difficulty with which my Honourable friend Mr. Jinnah and his party and I myself and other Members are faced will disappear. We shall record our opinion that the mill industry should be afforded adequate protection by the imposition of an uniform duty of 20 per cent. If, in spite of this, Government insist on the proposals embodied in Mr. Chetty's amendment, they can take the help of the Council of State. But for our part we shall be recording our preference for a uniform duty of 20 per cent.

Mr. President: But what is the Honourable Member's suggestion?

Mr. Jehangir K. Munshi: My suggestion is that this particular amendment may be discussed and put to the vote first.

Mr. President: Which amendment?

Mr. Jehangir K. Munshi: I refer to the amendment of Munshi Iswar Saran* which has also been welcomed by Sir Darcy Lindsay.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): A similar amendment stands in my name as well as in the names of others.

Mr. President: If the Honourable Member is so sure that other parties are going to support that amendment, in spite of the attitude taken by Government, I would certainly accept his suggestion.

Mr. Jehangir K. Munshi: We have heard it said on the floor of this House by the spokesmen of the different parties.

Mr. President: Then, the Honourable Member has not heard properly.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): I propose to address the House after my Honourable friend Pandit Hirday Nath Kunzru has finished, as to what my party thinks about this amendment.

Mr. President: I hope the Honourable Member, Pandit Hirday Nath Kunzru, will now conclude his observations.

Pandit Hirday Nath Kunzru: It only remains for me, Sir, to say a few words.

Mr. President: Is the Honourable Member still going to continue this farce of a debate?

Pandit Hirday Nath Kunzru: If we choose to come here, I cannot see, Sir, how we can set at naught the ordinary procedure of the House and try to convince the Members of this House who differ from us in any other way. Sir, my Honourable friend, Sir George Schuster, in his budget speech, asked us to bear in mind the value of a friendly attitude that we might assume towards His Majesty's Government. I appreciate the significance of those words, but I do not congratulate him on having used them at this stage. It is well known that we are in a dependent condition and that speaking

* "In sub-clause (1) of clause 2, in the proposed Item No. 156A, the words 'not of British manufacture' occurring in the second column be omitted."

Mr. President: I do not want to give any more hints to the Honourable Member.

Pandit Hirday Nath Kunzru: Speaking in a constitutional sense, our rights can be achieved only through His Majesty's Government and Parliament. Does the Honourable Sir George Schuster mean to tell us that, unless we are prepared to make concessions of a far-reaching character and to agree to things which, in our clear judgment, we should not accept, then we should not expect these great changes that India desires. If that is his meaning, then that would be an additional argument for strongly supporting Pandit Malaviya's amendment. His proposal postulates political equality between the various parts of the Empire. When that equality has been achieved, it might be considered by India in the way it likes and as suits her best interests; but so long as India remains in her present position, so long as she is in her present dependent condition, she cannot even think of the proposal that has been placed before the House by the Honourable Members opposite.

Sir Purshotamdas Thakurdas: Sir, I will be very brief, and perhaps I would not have spoken at all but for the fact that my party desire that, before these amendments are voted upon, the position of this party should be again made clear before this House. I feel that we, on this side of the House, regret as much as anybody else on this side of the House, the decision of Government, as put before the House by the Honourable the Leader of the House immediately after we met. And if I may say one word in passing before I proceed further, I hope my Honourable friend, Pandit Kunzru, will understand it in the correct spirit if I say that the Members on these Benches regret the remark which he made regarding my Honourable friend Mr. Jinnah, the Leader of this party.

Mr. President: He meant nothing. If there was any feeling that the Honourable Member meant anything, I would certainly ask him to withdraw it.

Pandit Hirday Nath Kunzru: I made it perfectly plain that I did not wish to bring any political charge against Mr. Jinnah and Mr. Jinnah himself fully accepted that.

Sir Purshotamdas Thakurdas: I was going to say that myself. The Honourable Pandit did make it clear that he meant no insinuation. But bearing in mind that my Honourable friend himself many times agrees with Government in less compelling circumstances, in this case in which my Honourable friend Mr. Jinnah and most of those who are sitting behind us do, I think that he might have spared us even those remarks which necessitated my Honourable friend Mr. Jinnah getting up and saying what he did. I am quite sure that Pandit Kunzru did not mean anything more than simply saying that we support Government, but Pandit Kunzru himself very often agrees with Government more than we do.

Pandit Hirday Nath Kunzru: Can you give any instance of that?

Sir Purshotamdas Thakurdas: Surely my Honourable friend does not always and invariably differ from Government? He may agree with Government in the best of cases.

Pandit Hirday Nath Kunzru: Only when they are right, and not more than you do.

Sir Purshotamdas Thakurdas: We ourselves have made our position clear, and I say that, when the atmosphere is tense, as it happens to be in this case, my party wishes that even what little he did say were not mentioned.

Now regarding the merits of my friend Pandit Malaviya's amendment, and the reason why this party cannot support his amendment. Sir, the Leader of my party, Mr. Jinnah, has made our position clear, but he made that clear before the Government statement, or rather the announcement of their final decision, was made on the floor of the House. I feel, Sir, that I ought, at the request of my party, to make the position of my party further clear if I can make it clearer than Mr. Jinnah has made it. Everybody in this House is agreed that the cotton textile industry of India should have the maximum protection that can be available to that industry by the Legislature and Government. There is no difference of opinion as regards that, and the question then is, what are the alternatives before the House. There are two alternatives. I will not go into the 4 per cent. revenue duty, which is in force today. The first alternative is that Government propose to give $3\frac{1}{2}$ annas minimum on grey goods *plus* 5 per cent. on non-British goods. I will call that A. The second one is my Honourable friend Pandit Malaviya's amendment, which I will call B, which is, $3\frac{1}{2}$ annas minimum on *all* goods *not* confined merely to grey goods and on all goods *not* confined merely to non-British. Now, Sir, the whole question to be considered is, having agreed on the main thing, subject to any preference which I will tackle in a second, the main thing that weighs with my party is, which of the two propositions gives the industry at this juncture—which is admitted by all to be a very critical juncture—the utmost protection. Undoubtedly, on mere figures, if there was no Imperial Preference or protection simultaneously to British industries involved in this, I have not the least doubt that the Honourable Pandit will agree that what Government suggest gives the greater protection.

Mr. T. Prakasam: Sir, may I interrupt my Honourable friend and ask him to tell this House whether his party would be agreeable to have a 20 per cent. duty all round, as suggested in the amendment of Munshi Iswar Saran?

Sir Purshotamdas Thakurdas: If my Honourable friend had waited a little, he would have heard that from myself. The whole question is whether the $3\frac{1}{2}$ annas minimum on all goods ensures more protection than $3\frac{1}{2}$ annas on grey goods *plus* 5 per cent. on non-British goods.

Mr. T. Prakasam: Unnecessary if you agree to that.

Sir Purshotamdas Thakurdas: The question then arises, is the 5 per cent. duty on non-British goods, *plus* $3\frac{1}{2}$ annas minimum on grey goods; free from any faults?

Pandit Madan Mohan Malaviya: On all grey goods.

Sir Purshotamdas Thakurdas: Yes, on all grey goods. And we have from these Benches clearly said, in the course of the debate, that we say that the main fault with it is that it makes protection available to

the British industry simultaneously with the Indian industry. None of us has tried to conceal it, nor have we overlooked it. What we feel is, is there any option? And the statement of the Honourable the Leader of the House, on behalf of Government, has made it abundantly clear that there is no option to this House, unless it wishes to wreck this Bill, but to agree with Government.

My Honourable friend Mr. Prakasam says, would we agree to a total of 20 per cent. on all piece-goods, *plus* a $3\frac{1}{2}$ annas minimum? Sir, I do not know what amendment my Honourable friend, Mr. Jinnah, would have moved if the Government statement had been otherwise than it has been. But I have not the least doubt that, even Mr. Jinnah could not have disagreed from it, and I think I can say, on behalf of the other Members of my party, that we would have voted for it if Government had said that they were prepared to accept whatever amendment was passed by this side of the House; for this reason, that the millowners of India—not restricted to Bombay, for it has been brought out rather too much, but the millowners of Madras, Calcutta, Cawnpore, Ahmedabad and all other places—when they were brought together at Delhi less than three months back, all recommended that the minimum protection with which they could stand at this particular juncture was 20 per cent., *plus* $3\frac{1}{2}$ annas per pound minimum. Therefore, if the best interests of the industry are to be consulted, this is what should be made available to us, and it is very likely that, if the statement of the Leader of the House had been otherwise than what it was, perhaps Mr. Jinnah might have moved an amendment in that direction. But in view of what the statement has been, and in the peculiar circumstances in which this House has been placed, and in the peculiar circumstances of the constitution of India—which we may not like and in fact I like it least of all—what is it that we can do in order to save the industry? And my party has come to the conclusion that, in all these circumstances, and with our protest regarding the protection to the British industry part, which we dislike equally, discretion is the better part of valour, and we propose therefore not to wreck the Bill. We have no option but to oppose Pandit Malaviya's amendment.

Pandit Madan Mohan Malaviya: May I ask whether my Honourable friend will tell the House whether the amount of protection which my amendment will secure to the Bombay industry will not be a great help to the industry, whether it should not be regarded as sufficient under the circumstances, and whether, if my amendment is accepted, the amount of protection it gives is not on the whole better in the interests of Bombay itself than accepting it with the preference to the United Kingdom goods which the Government propose?

Sir Purshotamdas Thakurdas: I think that question can more adequately be replied by my Honourable friend, Mr. Mody, who speaks officially for the mills of Bombay, and I do not think that I am in a position to give him a categorical answer.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): I did not intend

Pandit Madan Mohan Malaviya: We should like to have the opinion of Sir Purshotamdas Thakurdas, because the country is entitled to know whether, in his considered judgment, with his knowledge of the industry, he disputes the correctness of my proposition, that my amendment secures;

[Pandit Madan Mohan Malaviya.]

on the whole, greater advantage and greater protection to the industry in Bombay than the proposals of the Government, with preference to the United Kingdom goods, which will work to the destruction of the Bombay industry in the long run.

Mr. H. P. Mody: Sir,

Pandit Madan Mohan Malaviya: I need not trouble my Honourable friend. I wanted the Honourable Member, Sir Purshotamdas Thakurdas, to reply.

Mr. H. P. Mody: I fully intended to accept the advice which you tendered to the House this morning that, in view of the very acrimonious and lengthy debate which had taken place on every single issue arising out of the proposals which are now before the House, Members would be well advised if they did not further prolong the debate. But, Sir, the Honourable the Leader of the Opposition wishes to know categorically from me as well as

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): On a point of order, Sir. The question has been asked by the Leader of the Opposition to Sir Purshotamdas Thakurdas, apparently on the ground that he is not a millowner, and he is in a position to advise the House dispassionately. That question should therefore be answered by him and not by Mr. Mody, who is identified with the issue.

Sir Purshotamdas Thakurdas: I very much appreciate the compliment. But I am afraid I must disappoint my friend, for this reason, that I can act only on the information which I have received here, and the information which I have received from my Chamber till now—and which has not been of a meagre character, I may tell the house—justifies my giving a reply in the negative to what the Honourable the Leader of the Opposition has put to me. But I thought that Mr. Mody, with his expert knowledge of the subject, would be able to give a more detailed reply.

The Honourable Sir George Rainy: It will not be necessary, Mr. President, I think, that I should speak at any great length as regards the amendments. But I should like to begin with what was said by the Honourable the Leader of the Opposition when he complained that I did not, in winding up the debate on the consideration stage, reply fully to the arguments of my Honourable friend, Mr. Birla. Well, Mr. President, I spoke for 50 minutes on that occasion, and at that stage it seemed to me that, since an opportunity would naturally arise of replying to Mr. Birla in connection with the amendment, it seemed to me right that I should reserve most of what I had to say on the subject till then. My Honourable friend's view is that, if the proposals of the Bill become law, British manufacturers will be able to take full advantage of the difference between the 15 per cent. duty and the 20 per cent. duty, at any rate in the class of non-competitive goods, and that the result will be to put a sum, which he estimates to be about 2½ crores annually, in the pockets of the British manufacturers. Now, the whole question is this. Is it likely, is it indeed possible, that the British manufacturer could actually do that? I have given full weight to the quotation which the Honourable Mr. Birla made from the Report of the Fiscal Commission on that subject, but my own belief is quite clear that the conditions are such that that result, or any result at all resembling it, is extremely improbable. Take the case of bleached goods. Ninety-five per cent. of the total imports into India come from the United Kingdom,

and the imports from Japan are only about 1 per cent. Under those conditions, I think it is reasonable to suppose that the price of bleached goods must be fixed at present by the competition between the British manufacturers themselves—it is not the case that the Lancashire manufacturers constitute a combine or trust at present; on the contrary there is a great deal of competition between them—and I could hardly believe it possible that the imposition of an additional 5 per cent. against non-British goods could operate—seeing that the imports from other countries amount to only 5 per cent. of the total—could operate to increase the price by anything like the full extent of the difference on the duty, or indeed in this case to increase it at all.

Now, take the case of the dhotis. On the figures of 1928-29, the British percentage of the imports is 93 per cent. It is true that here the imports from Japan, although still comparatively small, are increasing rapidly. But I think it must still be true that, in the main, the price of dhotis, where they are of a quality, which does not enter into competition with dhotis made in India, must be fixed by internal competition between the British manufacturers.

Take the coloured goods. The percentage there is quite different. Not only from Japan but from other countries, proportionately there is a much larger import of coloured goods than in the other classes. But British goods still constitute 66 per cent. of the total, and if the prices are examined—I had some figures worked out, and I find that, whereas something like 86 million yards of the Japanese coloured goods would probably be subject to the specific minimum duty owing to their low price—and that is something like four-fifths of the total imports of coloured goods from Japan—in the case of the British goods, it is only about 17 million yards—which is about 5 per cent. of the imports—and the inference I wish to draw is that the British goods are of much finer quality than the great bulk of the coloured goods imported from Japan. Therefore, in the case of these finer goods, there is a very great preponderance of British imports, and the prices again will be determined by competition amongst the British manufacturers.

Several speakers have referred to the figures which I gave in the note which was circulated to Members of this House. The most significant thing about these figures, to my mind, was the very clear evidence they supplied of how the cotton industry had been able to grow steadily and, as compared with any other industry in India, rapidly, against the British industry, notwithstanding the fact that, at no time has it had the advantage of more than 11 per cent. duty by way of actual protection. I think Honourable Members on the other side altogether underrate the extent to which the increase of the duty to 15 per cent. is likely to restrict the market in India for British goods, and by restricting the market, to intensify the competition. That, I think, is an aspect of the case which deserves the very full consideration of this House. But I will say a little more than that. If the scheme in the Bill had actually the effect suggested, namely, that it did not keep down the burden on the consumer, but did place, at the expense of the consumer, a large sum of money in the possession of manufacturers in the United Kingdom, that would be entirely and absolutely contrary to the intentions of Government, and we recognise, Mr. President, that this is a matter which, in the interests of India, ought to be kept under observation. What we are prepared to do, is to maintain, to the best of our ability, a continuous record of the prices of piece-goods

[Sir George Rainy.]

during the next year, and if the Bill becomes law, then at the end of the year when the new duties have been in operation for that period, to put an officer on special duty to inquire into this particular question as to what has been the effect of the duties upon the prices of cotton piece-goods.

Diwan Chaman Lall: Do I take it, Sir, if I may be permitted to interrupt the Honourable Member, that he means that, after a year's operation of this particular measure, Government will take steps to find out to what extent the burden on the consumer has increased?

The Honourable Sir George Rainy: No, Sir, not necessarily to revise the measure, but at any rate to investigate, not the question of what is happening in Bombay as regard manufacturing costs, but as to how the prices of imported piece-goods have been affected.

Diwan Chaman Lall: With what object?

The Honourable Sir George Rainy: We would be prepared to lay the Report of the special officer on the table of the House so as to give the House an opportunity for discussion.

Diwan Chaman Lall: I want to be particularly clear about the Honourable Member's suggestion. Would Government be prepared to bring in a measure amending this particular Bill?

The Honourable Sir George Rainy: If it were found that the effect of the measure was such as has been apprehended by Mr. Birla, that is, if it could be shown clearly that very large sums of money at the expense of the consumer were passing into the hands of manufacturers abroad, then Government would have to reconsider the matter. Now, Sir, I should like to refer briefly to another aspect of the case which has been rather casually touched upon by one or two speakers and was referred to at greater length by my Honourable friend, Sir Zulfikar Ali Khan, namely, the effect of the proposals in the Bill, or indeed of the proposals in my Honourable friend the Pandit's amendment, on the interests of the cotton grower. Undoubtedly this is one of the interests which the Government of India have to keep in mind and to safeguard as far as they can. Apprehension has been expressed lest the effect of the proposals in the Bill might be to restrict the purchases of Indian cotton, and by a reduction of competition, to lead to the Indian cotton grower getting a lower price. Well, Sir, we have made an attempt to calculate so far as Japan is concerned, how much of the Indian cotton that goes into Japan comes back into India in the form of piece-goods; and the best calculation we can make suggests that the percentage of the Indian cotton that comes back as piece-goods from Japan could not possibly be put higher than 15 per cent., and may be a good deal lower.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): What is the percentage of Indian cotton consumed in England and coming back to India as manufactured goods?

The Honourable Sir George Rainy: What I was saying was that the percentage of Indian cotton exported to Japan which returns to India in the form of piece-goods was about 15 per cent. of the exports to Japan. My point is, Sir, that it is not only for the supply of the Indian market that Japan requires to import Indian cotton; the great bulk of the Indian

cotton that Japan uses is used for other markets. She has her own domestic market, there is the China market and there is the market in the Levant and East Africa, and these markets of course are not affected by the duty. Therefore I think that the apprehensions expressed as to the danger to the Indian cotton grower are perhaps a little inclined to be exaggerated. Nevertheless it is a matter which, as I have said, Government have a duty to safeguard, and when we place an officer on special duty at the end of the year, I think he might very well be deputed also to consider the effect upon the demand for raw cotton and the price received by the cultivator of raw cotton. Now this brings us back to the amendment of the Honourable the Pandit. This proposal that Government has put forward for a $3\frac{1}{2}$ annas specific minimum duty on plain grey goods is put forward as a temporary expedient to provide a temporary shelter for the industry, especially in Bombay, so as to give it time to reorganise itself. But I am by no means sure that it is likely to form a permanent part of such tariff arrangements as the Tariff Board may recommend some $2\frac{1}{2}$ or $2\frac{3}{4}$ years from now. For there is always a danger that, if in a case like this you make the coarse goods relatively dear by a heavy duty, you might affect the Indian cotton grower unfavourably in so far as the demand was transferred to the finer goods rather than the coarser goods, and for that reason I am averse to any extension of the $3\frac{1}{2}$ annas minimum duty to any class of goods except the plain greys, where it has got a definite temporary purpose to serve. I would ask the House to take that also into consideration. My Honourable friend Mr. Hardy this morning explained very clearly and lucidly to the House the administrative difficulties which in the view of Government make the plan of a $3\frac{1}{2}$ annas minimum duty applicable to all classes of piece-goods practically unworkable. It would, we fear, lead to a congestion of trade, which would be found intolerable by the business community generally, and would operate in a very harsh way against those engaged in the trade. I am not going over the same ground again, but in addition I would say that the best consideration I have been able to give to the Honourable the Pandit's amendment has convinced me that his proposal is open to serious objections as compared with the plan in the Bill. So far as I have been able to anticipate the probable effect of his amendment, if it were to be incorporated in the law, I am afraid, it would be to a large extent to impose a high rate of duty where protection was not required, and to admit at a lower rate of duty a considerable amount of competitive goods which, under the Bill as it stands, would be subject to a duty of 20 per cent. That would be so at the present level of prices. But of course if prices were to rise—and we cannot anticipate that the present very low price of raw cotton and the consequent very low price of cotton piece-goods will continue throughout the three-year period—if there were an appreciable rise in the price, the difference to the industry between the proposals in the Bill and the proposals in the Honourable Pandit's amendment might become very large indeed, because as prices rose, a larger and larger quantity of goods would cease to be subject to the $3\frac{1}{2}$ per cent. specific duty and would be subject only to the 15 per cent. duty, whereas under the Bill they would continue to be subject—I am speaking of non-British goods—to the 20 per cent. duty.

Now, Sir, my friend Diwan Chaman Lall cross-questioned me this morning to some extent about the Anglo-Japanese Convention. I can only

[Sir George Rainy.]

say that I am afraid he has discovered a mare's nest. As I said this morning, when a treaty is made in the name of His Majesty the King Emperor, goods produced in any part of His Dominions are not described as goods of foreign origin. There is no question at all about that. We have kept our hands entirely free in this respect, and as I said this morning, there is not in existence any commercial agreement or treaty which limits India's freedom to grant preferential rates of duty to other parts of the British Empire if she sees fit.

Now, Sir, I promised that I would not be long, and I trust I shall be able to keep that promise. I am not going over the ground I have already covered at any length in earlier speeches, but I will again say to this House that, after giving my unbiassed judgment to all the various schemes and expedients that have been put forward, and after listening carefully to all that Honourable Members have said, I remain of the opinion with which I started, that the proposals in the Bill come nearer to providing for the needs of the situation than any other that can be devised. I recognise the heavy responsibility that rests upon us who sit on the Treasury Benches when we have to come to a decision as to what proposals we shall put forward as being the best in our judgment in the interests of India. I recognise that our proposals should be subject to scrutiny, should be closely examined, and that Members of this House who disagree with us may naturally view with suspicion all our proceedings. I am not going to argue about all that. But whether I am believed or whether I am not, I am going to repeat what has already been said, that the proposals in the form in which they appear in the Bill originated in the Government of India and originated nowhere else and are supported by the Government of India because they believe that they are the best proposals they can make in the interests of India and for no other reason.

Mr. President: Having regard to the attitude of the Government I have decided, in the circumstances of this Bill which are so obvious to Honourable Members, to put the questions, but I should like to make one observation. I made a certain suggestion to the Government, and they did not accept it. The threat held out by the Honourable the Commerce Member to the House, therefore, remains unwithdrawn, and I desire, in that view, to place on record that any decision that the Assembly might finally reach on this important question will not be by the free vote of this House on merits.

Now, I shall put Pandit Malaviya's amendment first.

Maulvi Mohammad Shafee Daoodi (Tirhoot Division: Muhanmadan): Sir, before you put this amendment to the vote, I would like to raise a point of order, and it is this. Now that the stage of voting has been reached, I want that no Honourable Member who has got any personal interest in the subject matter of the Bill should be allowed to vote. This is a Bill for protecting the cotton industries of India, and there are several Honourable Members in this House who own an interest in the industry, either as Directors or as Agents. . . .

Mr. President: I have already placed on record that any decision which the Assembly might reach on this Bill will not be by the free vote of this House. It is therefore not necessary to go into the question raised by the Honourable Member.

Mr. President: The question is that—

"In sub-clause (1) of clause 2, for the proposed Item No. 156A the following be substituted:

156A Cotton piece-goods A 1 volorem . 15 per cent. or 3½ annas per pound, whichever is higher."

The Assembly divided:

AYES—44.

Acharya, Mr. M. K.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chaman Lall, Diwan.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Farookhi, Mr. Abdul Latif Sahob.
Ghuznavi, Mr. A. H.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Jayakar, Mr. M. R.
Kartar Singh, Sardar.
Kidwai, Sheikh Mushir Husain.
Kunzru, Pandit Hirday Nath.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.
Malaviya, Pandit Madan Mohan.

Mitra, Mr. S. C.
Mohammad Ismail Khan, Haji Chaudhury.
Moonje, Dr. B. S.
Mukerjee, Mr. Saradindu.
Mukhtar Singh, Mr.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Phookun, Mr. T. R.
Prakasam, Mr. T.
Rang Behari Lal, Lala.
Ranga Iyer, Mr. C. S.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Shafee Daoodi, Maulvi Mohammad.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Suhrawardy, Dr. A.
Talatuley, Mr. S. D.
Venkatakrishnayya, Choudhri, Mr. P.

NOES—60.

Abdul Aziz, Khan Bahadur Mian.
Abdul Matin Chaudhury, Maulvi.
Abdul Qayum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Ayyar, Sir C. P. Ramaswami.
Bajpai, Mr. B. S.
Banarji, Mr. Rajnarayan.
Bann, Mr. E. F.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Dalal, Dr. R. D.
Drake, Mr. J. C. B.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut. Colonel H. A. J.
Gwynne, Mr. C. W.
Haig, The Honourable Mr. H. G.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur, Honorary Captain.
Howell, Mr. E. B.
Hyder, Dr. L. K.
Ismail Khan, Mr. Muhammad.
Jawahar Singh, Sardar Bahadur, Sardar.
Jehangir, Sir Cowasji.
Jinnah, Mr. M. A.
Lamb, Mr. W. S.

Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra Nath.
Mitter, The Honourable Sir Brojendra.
Mody, Mr. H. P.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rajan Bakhsh Shah, Khan Bahadur, Makhdum Syed.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Ryan, Mr. T.
Sahi, Mr. Ram Prashad Narayan.
Sarfaraz Hussain Khan, Khan Bahadur.
Sarma, Mr. R. S.
Schuster, the Honourable Sir George.
Scott, Mr. J. Ramsay.
Shah Nawaz, Mian Mohammad.
Siddiqi, Mr. Abdul Qadir.
Slater, Mr. S. H.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Ziauddin Ahmad, Dr.
Zulfiqar Ali Khan, Sir.

The motion was negatived.

Mr. President: Order, order.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadian Rural): Sir, can an absent Member's amendment be put to the vote?

Mr. President: The question is:

"That the amendment of Mr. Shanmukham Chetty be adopted, viz.:

'In sub-clause (1) of clause 2, for the proposed Item No. 156A the following be substituted:

"156A. Cotton piece-goods (other than fents of not more than nine yards in length)—

(a) plain grey, that is, not bleached or dyed in the piece, if imported in pieces which either are without woven headings or contain any length of more than nine yards which is not divided by transverse woven headings;

(i) of British manufacture . . . *Ad valorem* . . . 15 per cent. or 3½ annas per pound, whichever is higher.

(ii) not of British manufacture . . . *Ad valorem* . . . 20 per cent. or 3½ annas per pound, whichever is higher.

(b) others—

(i) of British manufacture . . . *Ad valorem* . . . 15 per cent.

(ii) not of British manufacture . . . *Ad valorem* . . . 20 per cent."

The Assembly divided:

AYES—62.

Abdul Aziz, Khan Bahadur Mian.
Abdul Matin Chaudhury, Maulvi.
Abdul Qaiyum, Nawab Sir Sahibzada.
Ahmed, Mr. K.
Alexander, Mr. W.
Ayyar, Sir C. P. Ramaswami.
Bajpai, Mr. R. S.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Bhuto, Mr. W. W. Illahibakhsh.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugh.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Dalal, Dr. R. D.
Drake, Mr. J. C. B.
Ferrers, Mr. V. M.
French, Mr. J. C.
Ghazanfar Ali Khan, Raja.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Haig, The Honourable Mr. H. G.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Hyder, Dr. L. K.
Ismail Khan, Mr. Muhammad.
Jawahar Singh, Sardar Bahadur
Sardar.
Jehangir, Sir Cowasji.

Jinnah, Mr. M. A.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir
Bhupendra Nath.
Mitter, The Honourable Sir
Brojendra.
Mody, Mr. H. P.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Munshi, Mr. Jehangir K.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas, Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rau, Mr. H. Shankar.
Roy, Mr. K. C.
Ryan, Mr. T.
Sahi, Mr. Ram Prashad Narayan.
Sarfaraz Hussain Khan, Khan
Bahadur.
Sarma, Mr. R. S.
Schuster, the Honourable Sir George.
Scott, Mr. J. Ramsay.
Shah Nawaz, Mian Mohammad.
Siddiqi, Mr. Abdul Qadir.
Slater, Mr. S. H.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Ziauddin Ahmad Dr.
Zulfiqar Ali Khan, Sir.

NOES—42.

Acharya, Mr. M. K.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chaman Lall, Diwan.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Farookhi, Mr. Abdul Latif Saheb.
Ghuznavi, Mr. A. H.
Jayakar, Mr. M. R.
Kartar Singh, Sardar.
Kidwai, Sheikh Mushir Husain.
Kunzru, Pandit Hirday Nath.
Lahiri Chaudhury, Mr. D. K.
Lalchand Navalrai, Mr.
Malaviya, Pandit Krishna Kant.
Malaviya, Pandit Madan Mohan.
Mitra, Mr. S. C.

Mohammad Ismail Khan, Haji
Chaudhury.
Moonje, Dr. B. S.
Mukerjee, Mr. Saradindu.
Mukhtar Singh, Mr.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Phookun, Mr. T. R.
Prakasam, Mr. T.
Rang Behari Lal, Lala.
Ranga Iyer, Mr. C. S.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Rai Sahib Harbilas.
Shafee Daoodi, Maulvi Mohammad.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Suhrawardy, Dr. A.
Talatuley, Mr. S. D.
Venkatakrishnayya, Choudhri, Mr. P.

The motion was adopted.

Mr. President: If no Honourable Member wishes to move any amendment to clause 2, I shall put the clause.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadian Rural): Sir, I have an amendment* on clause 2.

Mr. President: That amendment is now out of the way in view of the decision reached by the House.

Mr. B. Das: Sir, I wish to move my amendment which runs as follows:

"In sub-clause (1) of clause 2, in the proposed Item No. 156A the words 'not of British manufacture' occurring in the second column be omitted."

Mr. President: Does this amendment still hold the field in view of the decision just reached?

The Honourable Sir George Rainy: I submit that, after the decision just reached by the House on Mr. Chetty's amendment, this amendment would be inconsistent with that decision. In fact, the amendment would have to be redrafted before it could have any effect. The omission of the words 'not of British manufacture' in the clause as it originally stood would have the effect desired by the Honourable Member, but if it is omitted from the clause as it stands after the adoption of Mr. Chetty's amendment, it would become meaningless altogether.

*In sub-clause (1) of clause 2, for the proposed Item No. 156A the following be substituted:

"156A Cotton piece-goods—
(a) plain grey, that is not bleached or dyed in the piece, including bordered grey dhotis, if imported in pieces headings (British or non-British). *Ad valorem* . . . 15 per cent. or 3½ annas per pound, whichever is higher.
(b) others—
(i) of British manufacture . . . *Ad valorem* . . . 15 per cent. or 3½ annas per pound, whichever is higher.
(ii) not of British manufacture . . . *Ad valorem* . . . 20 per cent."

Mr. President: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Mr. President: The question is:

"That clause 3 stand part of the Bill."

Mr. Das.

Mr. B. Das: Sir, I beg to move:

"That clause 3 be omitted."

Sir, I have very few words to say. I only want to define my position in one sentence and place it before the House. I only want that the handloom weavers should be protected. Now that the millowners have sold the country and have got what they want, let the millowners stand by and afford some protection to the six lakhs of handloom weavers in the country. If the clause is allowed to stand as it is, it will work great hardship for three years more to the handloom weavers. May I remind the Honourable Muslim Members, who are so much supporting the Government in this scheme of Imperial Preference, that the majority of the handloom weavers are Mussalmans? The Cotton Yarn Protection Act of 1927 reduced the daily wages of the handloom weavers and you are placing them again at that disadvantage. If you want to reduce their bread, do it by all means with your conscience in your soul!

Mr. President: The question is:

"That clause 3 be omitted."

(Mr. B. Das demanded a division.)

Mr. President: I do not think your party wants a division.

Mr. B. Das: I do not think there is any decision of the party not to vote.

Mr. President: The question is:

"That clause 3 be omitted."

The Assembly divided:

AYES—35.

Abdul Matin Chaudhury, Maulvi.
Acharya, Mr. M. K.
Agnihotri, Mr. K. B. L.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Bhargava, Pandit Thakur Das.
Chaman Lall, Diwan.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Rai Bahadur S. C.
Farookhi, Mr. Abdul Latif Sahab.
Ghuznavi, Mr. A. H.
Gulab Singh, Sardar.
Kartar Singh, Sardar.
Kidwai, Sheikh Mushir Husain.
Lahiri Chaudhury, Mr. D. K.
Malaviya, Pandit Krishna Kant

Mitra, Mr. S. C.
Mohammad Ismail Khan, Haji
Chaudhury.
Mukerjee, Mr. Saradindu.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Phookun, Mr. T. R.
Prakasam, Mr. T.
Rang Behari Lal, Lala.
Reddi, Mr. T. N. Ramakrishna.
Shafee Daoodi, Maulvi Mohammad.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Rajivaranjan Prasad.
Suhrawardy, Dr. A.
Talatuley, Mr. S. D.
Venkatakrishnayya, Choudhri, Mr. P.

NOES—49.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Alexander, Mr. W.
Ayyar, Sir C. P. Ramaswami.
Bajpai, Mr. R. S.
Banarji, Mr. Rajnarayan.
Baum, Mr. E. F.
Chatterjee, The Revd. J. C.
Cocke, Sir Hugn.
Cosgrave, Mr. W. A.
Crawford, Colonel J. D.
Dalal, Dr. R. D.
Drake, Mr. J. C. B.
Ferrers, Mr. V. M.
French, Mr. J. C.
Gidney, Lieut.-Colonel H. A. J.
Gwynne, Mr. C. W.
Haig, The Honourable Mr. H. G.
Hamilton, Mr. K. L. B.
Hardy, Mr. G. S.
Heathcote, Mr. L. V.
Hira Singh Brar, Sardar Bahadur,
Honorary Captain.
Howell, Mr. E. B.
Jawahar Singh, Sardar Bahadur
Sardar.
Jehangir, Sir Cowasji.

Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra
Nath.
Mitter, The Honourable Sir Brojendra.
Mody, Mr. H. P.
Moore, Mr. Arthur.
Mukherjee, Rai Bahadur S. C.
Munshi, Mr. Jehangir K.
Pai, Mr. A. Upendra.
Parsons, Mr. A. A. L.
Purshotamdas Thakurdas Sir.
Rahimtulla, Mr. Fazal Ibrahim.
Rainy, The Honourable Sir George.
Rau, Mr. H. Shankar.
Ryan, Mr. T.
Sahi, Mr. Ram Prashad Narayan.
Sarfaraz Hussain Khan, Khan
Bahadur.
Sarma, Mr. R. S.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Slater, Mr. S. H.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move:

"That for clause 3 the following be substituted, namely:

"3. (1) In Item No. 44 of the Second Schedule to the Indian Tariff Act, 1894, after the figure and words "5 per cent." the figure and words "or 1½ annas per pound, whichever is higher" shall be added.

(2) The amendment made by this section shall have effect only up to the 31st day of March, 1933."

Sir, this amendment is a formal one, and is necessary by reason of the fact that the Cotton Yarn Amendment Act of 1927 expires today, and if the clause stood as it is in the Bill, it would be referring to a dead Act. Sir, I move.

Mr. President (to Mr. M. K. Acharya): Does the Honourable Member wish to move an amendment to this amendment?

Mr. M. K. Acharya: It is a very small amendment, Sir.

Rai Bahadur S. C. Dutta (Surma Valley *cum* Shillong: Non-Muham-
madan): Sir, I have an amendment to the same effect.

Mr. President: Mr. Dutta's amendment is the same as Mr. Acharya's.

Rai Bahadur S. C. Dutta: Sir, I move that:

"In sub-clause (2) of the proposed amendment by the Honourable Sir Brojendra Mitter to clause 3 of the Bill, for the figures '1933' the figures '1931' be substituted."

[Rai Bahadur S. C. Dutta.]

I only want to draw attention to this fact that in the Statement of Objects and Reasons, it is stated that the object of the original amendment to the Tariff Bill that was made in 1927 was protection as against Japan. It is now admitted in the Statement of Objects and Reasons that that unfair competition with Japan has ceased to exist, but it is added that the import of yarn from China has increased, and that, until lately, labour conditions in China were also unfair, but that:

"Information has very recently been received that on the 16th January, 1930, a law was promulgated in China which prohibits child labour and the night work of women, and limits the hours of work generally, but no evidence is forthcoming to show that any steps have been taken to make this law effective."

If this be the condition, then I submit that an extension of this duty for a further one year is all that is necessary, because we do not know what will happen, and it cannot be said that the conditions in China would not improve, and that the law will not be enforced. If that law in China, which was recently made, be enforced, then there would be admittedly no reason for this specific duty. I therefore think it should be confined to one year.

Mr. President: The original question was:

"That for clause 3 the following be substituted, namely:

3. (1) In Item No. 44 of the Second Schedule to the Indian Tariff Act, 1894, Amendment of the Second after the figure and words "5 per cent." the figure and words "or 1½ annas per pound, whichever is higher" shall be added.

(2) The amendment made by this section shall have effect only up to the 31st day of March, 1933."

Since which the following amendment has been moved:

"That in sub-clause (2) of the proposed amendment by the Honourable Sir Brojendra Mitter to clause 3 of the Bill for the figures '1933' the figures '1931' be substituted."

The question is that that amendment be made.

The motion was negatived.

Mr. President: The question is:

"That for clause 3 the following be substituted, namely:

3. (1) In Item No. 44 of the Second Schedule to the Indian Tariff Act, 1894, Amendment of the Second after the figure and words "5 per cent." the figure and words "or 1½ annas per pound, whichever is higher" shall be added.

(2) The amendment made by this section shall have effect only up to the 31st day of March, 1933."

The motion was adopted.

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

Clause 1 was added to the Bill.

Mr. President: The question is:

"That this be the Title and Preamble of the Bill."

The Honourable Sir Brojendra Mitter: Sir I beg to move:

"That in the long title the words and figures 'and to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927', be omitted."

The motion was adopted.

The Honourable Sir Brojendra Mitter: Sir, I beg to move:

"That in the Preamble, the words and figures 'to amend the Indian Tariff (Cotton Yarn Amendment) Act, 1927', be omitted."

The motion was adopted.

The Title and Preamble, as amended, were added to the Bill.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir I move that the Bill, as amended, be passed.

Pandit Madan Mohan Malaviya: Sir, I rise to offer once more, and for the last time, my opposition to the Bill which is before the House. It is not necessary, Sir, to take up the time of the House in expressing that opposition. Arguments have been exhausted, but they have been lost upon the Government. I have been a Member of the Imperial Legislative Council and of the Legislative Assembly for twenty years, excepting the period of the first Assembly, and I have never known the Government adopt a more unreasonable attitude than they have adopted on this occasion. I feel, Sir, that while we have tried to work the constitution, even though it is defective and unsatisfactory, the performance of the Government today in connection with this Bill has carried us to the utmost limit. The action of the Government in disregarding the fiscal autonomy convention, and in not thankfully acting on the opinion with which you helped them today, has shown, Sir, that it is not only no use staying here to discuss the third reading of the Bill, but that we shall be guilty of not emphasising our protest to the utmost extent we can by continuing to take part in any further discussion. The voting has shown that those who think that they have won have lost. Sixty votes were recorded for the Government on the first motion. Twenty six among them were officials, paid servants of the Government. If you eliminate 26, only 34 Members voted against my amendment. On the other hand forty-four non-official Members have recorded their votes for it. On the second voting too, of the 62 votes recorded for Mr. Chetty's amendment, eliminating 26 officials, there were only 36 in favour of it while there were still 42 votes of non-official Members recorded against that amendment. Those who think that the Government have won, may flatter themselves with that belief, but they have actually lost. Those on this side, who have lost by the counting here, have gained; of those who have voted for the Government proposal, many have done so under a sense of coercion and the country will know that this Bill has not been passed by the free vote of the Assembly. (Hear, hear, and applause.) I consider, Sir, that, at this time when the country is passing through a very serious crisis, when there is a good deal of suffering throughout the country, when from all directions we hear stories, sad tales of the sufferings which the people are undergoing, the action of the Government in imposing this heavy burden upon the consumer is utterly unjustified. I still hope that there is some authority which might help the Government to avoid walking in the path of evil. But I do not know whether that hope will be realised

[Pandit Madan Mohan Malaviya.]

or not. And we feel, Sir, that having made our strongest protest, having done all that we could by way of argument to convince the Government of the injustice of their proposal after having done all that we could to record our strong conviction that the Government are acting wrongly, I feel, Sir, that it would be a sin on my part to continue to take any further part in the discussions over this Bill. We therefore retire and leave it to the Government and its supporters to pass the Bill.

(The Members of the Nationalist Party accordingly left the Chamber.)

Mr. President: The question is:

"That the Bill be passed."

Diwan Chaman Lall: I wish to say just one word. I want to clear the position that I have taken up in this matter.

Mr. President: If every Honourable Member wishes to clear his position

Diwan Chaman Lall: I am only exercising my right to speak.

Mr. President: If the Honourable Member wants to exercise his right, I cannot prevent him.

Diwan Chaman Lall: All that I wish to submit is this. I have from the beginning held that the House, constituted as it is to-day, has no right to impose this additional burden upon the consumer in the manner in which this House has arrogated to itself the right to do so. I wish to state categorically that the votes some of us, who do not believe in protection, have given on Pandit Madan Mohan Malaviya's amendment, were for the definite purpose of making an attempt to wreck this Bill. We have not succeeded in doing that and I and my party endorse every word that Pandit Madan Mohan Malaviya has uttered. We will follow the lead that he has given and we have therefore decided to take no further part in the proceedings as far as this Bill is concerned.

(The Honourable Member with Members of the New Swaraj Party then left the Chamber.)

Mr. President: The question is:

"That the Bill be passed."

The motion was adopted.

THE SILVER (EXCISE DUTY) BILL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the Bill to provide for the imposition and collection of an excise duty on silver be taken into consideration."

This House is already aware of the purpose and genesis of this Bill, which is clearly explained in the Statement of Objects and Reasons. I therefore feel that no explanation from me is required.

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Schuster: I move that the Bill be passed.

Mr. President: The question is:

"That the Bill be passed."

Mr. W. S. Lamb (Burma: European): Sir, you seem very anxious, and Honourable Members too are anxious, to adjourn now. But I think it is right that I should occupy some few minutes at least to speak up for the producers of silver in Burma, who produce 99 per cent. of the silver made in India. Sir, this Bill gives evidence of what might be described as premature birth, and that is hardly surprising, considering that it was conceived and evolved during the period when my Honourable friend, the Finance Member, was in this House doing all he could to apprehend what Honourable Members had to say about his Budget. As for the Bill itself as I am not a drafter or a lawyer, I cannot say whether it is any better than the Marriage Amendment Bill, to which our Honourable friend, Sir Hari Singh Gour, took considerable exception. But where I think you find evidence that the Bill has not been sufficiently considered, as it should have been, is in the Statement of Objects and Reasons. Sir, in the Statement of Objects and Reasons, you will find it is said:

"If this proposal is accepted, the effect will be to raise the internal price of silver, which will give a corresponding bounty to local producers of silver on so much of their output as is sold in India."

Now, Sir, I suggest to the House that there is, in that remark, evidence that the proposition has not been so carefully considered as it should have been, for, if the Honourable the Finance Member, or his Department, had only taken cognisance of the fact that a good deal of silver was produced in India, they would have discovered that this Company, to which they refer, has sold every single ounce of its production of silver in India, no doubt to the very considerable benefit of trade and commerce in India. Now I venture to suggest that, if the Honourable the Finance Member had been aware of this fact, he would have considered whether this Company, from whom he proposes to take Rs. 18 lakhs, was entitled to special consideration. I do not ask for what Honourable Members might call protection; all I want for this Company is a square deal.

Now, Sir, the situation is such as India has never seen before. We have the spectacle of the Government of India, with large stocks of silver which they are desirous of selling, and selling it in a market which they control, possibly to the loss of the indigenous producer. If Honourable Members remember the history of the silver duty, on a previous occasion when there was a duty, the production of silver in India was negligible; now it is no longer negligible. At the same time, it is not of such a large quantity that, being sold in India, it can have any real effect upon the price in India. We are aware, I think, that during last year the Government of India sold some 30 million ounces of silver. Now we have the declaration of the Honourable the Finance Member that their policy will be to make future sales in India—it may be 30 million ounces, it may

[Mr. W. S. Lamb.]

be 40 million ounces, I am not very well acquainted with these matters, but as they had a big sale last year of 30 million ounces, one may assume that they are going to sell very considerable quantities in years to come. Well, I suggest, Sir, that there is no certainty that this Company which will be called upon to pay this 4 annas per ounce, which comes to Rs. 18 lakhs, to the Government of India—there does not appear to be any certainty that the Company will, in the selling price, secure the full amount. Here we have the Government of India with stocks which they are selling, stocks of course upon which they have not got to pay this 4 annas, and there seems at least to be a possibility—I do not know to what extent with the limited knowledge I have, I cannot put it more strongly than that—but I believe there certainly is the possibility that the price the Company secure will fall short of the London price *plus* 4 annas. It may occur to the Honourable the Finance Member and to the Finance Department to say that, if the Company is meeting a loss in India, they can of course go and sell elsewhere; but as I have pointed out, here is a Company which has up to the present sold every ounce of its production of silver in India; it is a Company established in India, registered in India with rupee capital, a Company which pays many lakhs yearly in the shape of royalty to the Provincial Government, which makes great purchases locally, and pays large sums in wages, income-tax, royalty and other things such as police. During the last completed year the Company paid thus well over Rs. 2 crores. Therefore I suggest to this House and to the Honourable the Finance Member that this is truly an Indian Company and that it will be quite unfair and improper to suggest that, “If you are not satisfied with things as they are in India, you ought to go elsewhere”. It seems to me that they are entitled to that much consideration that they should be held to be entitled to continue to sell their production of silver in India. As I have said, Sir, I am not suggesting, at this minute, that they require protection; possibly in the years to come that is a question which may have to be considered, for they have lost money, I may say, in the three months to the end of December 1929, they had sold silver at an average of 22*d.*; the price now is 19*d.*; each penny of fall in the price of silver means a difference in the Company’s revenues of £30,000. If you put it in annas, a fall of one anna in revenue means Rs. 6 lakhs. It is not only silver that is depressed; all other metals are depressed, and naturally the silver market and other markets, being in the condition they are now, naturally the Company view with very considerable, if not grave, concern, this imposition of an additional Rs. 18 lakhs to add to the royalties, income-tax and super-tax.

Sir, I trust that I have the sympathy of the House, and I desire to have from the Honourable the Finance Member a clear statement of his appreciation of the situation of this Company. That is, I should like from him a promise that, after reviewing the situation and the course of the market for silver in India during the first year he will consider with sympathy, real sympathy, any representations which the Burma Corporation may feel it proper to submit to him.

The Honourable Sir George Schuster: Sir, I think my Honourable friend is under some confusion on this matter, in regarding this duty as representing a burden of Rs. 18 lakhs on the company; rather I should say

THE SILVER (EXCISE DUTY) BILL.

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the Rs. 18 lakhs, if a sufficient quantity of silver is produced by the Company and sold in India, will be paid by the consumer, just in the same way as the import duty falls on the consumer. The main point is brought out if one looks at the other alternative, that is to say, if we did not impose this silver excise duty, we should be conferring upon that Company a very substantial bonus. Whether the amount of that bonus would be exactly equivalent to the amount of the duty is a matter for experience to show, but at present the evidence before us is that the internal price of silver has improved practically to the extent of the duty. I am afraid, Sir, I can offer my Honourable friend no more than sympathy. I do not feel that at present he has established any case for special treatment, but if real hardship could be demonstrated or a case made out for an inquiry by the Tariff Board, then of course it would always be open to him to put up a proposal to the Government. But at present, Sir, I have no option but to proceed with the Bill and to ask this House to pass the Bill.

Mr. President: The question is:

“That the Bill be passed.”

The motion was adopted.

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that the Bill further to amend the Indian Companies Act, 1913, for certain purposes, as reported by the Select Committee, be taken into consideration. Sir, I explained the object of this Bill pretty fully at the time when I moved its reference to Select Committee. The Bill has come back from the Committee with certain minor amendments in drafting, but with no changes of substantial importance. In these circumstances, Sir, I do not think I need take up the time of the House by making a long speech in making this motion.

Mr. President: The question I have to put is:

“That the Bill further to amend the Indian Companies Act . . .”

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): Sir, I want to make a few observations on the Bill

Mr. President: Has he any amendment to move?

Mr. Vidya Sagar Pandya: I have an amendment, but I now want to speak on the Bill itself. I will take half an hour.

Mr. President: Take one hour if you please.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): When the Honourable the Leader of the Opposition and his Party walked out, they said that they did not want to take any further part in the Tariff Bill, but they did not say that they did not want to take any part in the other Bills

Mr. President: They can come in; I have no objection.

Mr. Muhammad Yamin Khan: I find there are certain amendments . .

Mr. President: Any matter that is controversial will be postponed.

Mr. Muhammad Yamin Khan: There is Mr. Aney's amendment* on this Bill.

Mr. President: I understand Sir Hugh Cocke is going to move a similar amendment. Am I right?

Mr. Muhammad Yamin Khan: But the House will be deprived of the views of the Members who have withdrawn from the House.

Mr. President: Order, order; I can't help it.

Mr. Vidya Sagar Pandya: Sir, first of all, let me express my thanks . .

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, I espy two strangers in the House—I mean on the Nationalist Benches. I do not know whether it is in order for my Honourable friend, Sir Cowasji Jehangir and Sir C. P. Ramaswami Ayyar to continue to sit on the Nationalist Benches after the Nationalist Party has walked out of the Chamber. (Laughter.)

Mr. President: They are the seats allotted to the Honourable gentlemen by the Chair.

Mr. Vidya Sagar Pandya: Sir, let me express my thanks to the Honourable the Commerce Member for having brought in this Bill at this Session. His original idea was to circulate the Bill for public opinion, and if he had done so, it would have taken a much longer time, and much valuable time would have been lost for bringing this very useful reform into practice. As such, the thanks of the accountancy profession and the auditors in India are due to the Honourable Sir George Rainy for having brought up this Bill at this Session. My only regret is that, instead of bringing the Bill at the beginning of the Session, when it would have received better attention, it has been brought at the fag end of the Session, and especially at a time when almost all Members on one side of the House are absent. Now, to proceed further, I may say the Indian Companies Act was passed in 1913, but the subject of forming an autonomous body of Chartered Accountants in India has been delayed so long. Originally it was intended that this matter should be brought up much earlier, but now it is hoped that, when the Bill becomes an Act, action will be taken early enough after it is passed, and that no undue delay will take place in drafting the rules and setting up the machinery to work out the details, and that when the draft rules are framed, the Government will not depart from the original good intentions to make the scheme a success and bear in the mind the views of the Indian Societies of Accountants and Auditors in India and of other public commercial bodies who have been consulted in the matter.

Then, Sir, the measure is said to be to prepare way for advance towards the ideal system of an autonomous Association of Accountants as stated

*“That for the second proviso to sub-clause (1) of clause 3 the following be substituted:

“Provided further that any person residing in India on the date of the commencement of this Act who immediately before such date was entitled to be appointed and to act as an auditor of companies throughout British India shall, subject to the provisions of this Act and the rules made thereunder, be eligible for enrolment on the Register of Accountants referred to in sub-section (2A) of section 144 of the Indian Companies Act, 1913’.”

in the Statement of Objects and Reasons. I hope the Government of India will not lose sight of it. In the case of similar other professional Associations, such as Medicine, Law, Engineering, etc., they do not admit any persons other than those who belong to the profession in forming a Board. In this instance also, though I realise the difficulties of the Honourable Sir George Rainy in the matter, I hope Government will not lose sight of this point, but progressively introduce more and more Members on All-India and Local Accountancy Boards elected out of the registered accountants and auditors within the near future, to convert it entirely into an Indian institution of Chartered Accountants and Auditors.

Now, Sir, regarding the clauses of the Bill, I have received certain telegrams and representations from several Societies of Accountants in Bombay, Lahore, Madras, and the Southern India Chamber of Commerce. I shall not weary the House with any long quotations, but I will read out only a few of them. At an informal meeting of Accountants practising in Lahore, held on Wednesday the 5th March, the Bill was considered with the following results:

- (1) The Bill was approved in general terms, and it was noted specially that the ultimate aim was an autonomous Association of Accountants in India.
- (2) Exception was taken to the provisions of section 2A (e). Primarily it was considered that the Indian Accountancy Board should include no persons other than those who would be eligible for registration under the Bill, but if this suggestion be not acceptable, as an alternative, it was considered that the period for which any persons not eligible for registration under the Bill should be appointed to, and remain members of, the Board, should be limited to the first term of the Board's existence.

Then I come, Sir, to the Resolution passed at the meeting, held on the 15th instant, of the Society of Auditors in Madras, who considered the Report of the Select Committee, and they state thus:

“(1) That this society is of opinion that the proposed proviso to section 2 (2) (b) of the amending Bill, ‘Provided that nothing contained in such rules shall preclude any person from being granted a certificate merely by reason that he does not practise as a public accountant’ be dropped as the Indian Accountancy Board alone when constituted will be in a better position to consider this question if there should be any distinction between practising and non-practising accountants and the proviso if enacted would preclude the consideration of this question by that Board.”

“(2) That this Society is of opinion that, in the interests of the profession generally, there should not be two classes of auditors and therefore persons holding restricted certificates should also be brought on the said register and under the same control.”

Then comes a telegram from the Restricted Certificate Holders from Madras, who wire as follows:

“Auditors holding restricted certificates are now leading practitioners in several provinces. Please press their claims in Assembly for equal privileges with Government Diploma Holders.”

Then comes a telegram from the Southern India Chamber of Commerce, Madras:

“Companies Bill considered. Non-practising Accountants to be covered by rules and omitted in statute. Discrimination against registered Auditors to be omitted.”

This is the reason, Sir, why I have tabled an amendment, and on that I shall speak later on.

[Mr. Vidya Sagar Pandya.]

For the present, I may say that I am glad that some of the suggestions made by the Indian Society of Accountants and Auditors, Bombay, have been adopted by the Select Committee, but the restricted Accountants have not been allowed to be enrolled on the Register of Accountants as urged by them as well as by other bodies.

The Society of Indian Accountants and Auditors urge the following points for the consideration of Government: (1) Under the Bill the Governor General in Council will grant recognition as heretofore to the members of such non-Indian bodies of accountants and auditors as he chooses, and thus enable them to act as auditors of companies throughout British India. This recognition has been given for the last more than fifteen years to six British bodies of professional accountants, and it may safely be presumed that it will be given once again to these bodies under the new Act. Thus, the members of those bodies enjoy certain rights and privileges in India under Indian laws which they do not seem to enjoy at present in the same way in the other parts of the British Empire or elsewhere and do not enjoy even in the United Kingdom by reason of their membership of such recognised Societies. It is not at all objected that members of any reputable non-Indian body of professional accountants and auditors may enjoy in India the privileges enjoyed by the other members of the accountancy profession in the country. If, however, recognition is to be granted to these bodies, or any other body of accountants under the new Act, then it is incontrovertible, that Government should first insist, that these non-Indian bodies of accountants, who seek recognition in India, shall not once again pass over, under some excuses, the just and reasonable claims of Indian students and Indian accountants and auditors, trained and qualified in India, for getting due reciprocity of treatment and recognition and proper educational facilities as are being given by these bodies to the nationals of the other parts of the British Empire. With this end in view it is suggested that an unequivocal assurance be given by the Government on the floor of the House now, when the Bill has come up for discussion before it, that the Governor General in Council shall grant recognition only to the members of such reputable bodies of accountants and auditors as would give due reciprocity of treatment and recognition, and proper educational facilities to Indian students and Indian accountants and auditors trained and qualified in India as far as the same can possibly be given under their Acts, charters, articles, rules, bye-laws, etc. It will be admitted that such a demand for reciprocity of treatment is quite fair and reasonable.

The second point is this. Under the Bill in question, the names of those persons who at present are eligible to act as auditors of companies throughout or any part of British India, will be enrolled on the proposed register of Accountants when it is first opened, and auditors' certificates will be issued to them as laid down in the Bill. As to the future, however, it is quite necessary that entrance to the accountancy profession in India should be given only to those who pass the test prescribed by the Governor General in Council, or who have obtained a qualification which has been formally recognised by the Governor General in Council, or who have obtained a qualification which has been formally recognised by the Governor General in Council under the rules to be framed by him as equivalent to the prescribed test. Government have, however, been given a hint in the draft scheme which they have prepared and on which they invited public opinion some time ago that the proposed Indian Accountancy Board shall be free to admit any person they like to the profession in future, even though he

may not have passed the prescribed test, or may not have obtained a qualification which is recognised by the Governor General in Council as equivalent to the prescribed test. It can be easily understood that such a procedure may lend itself to many undesirable results which may have an adverse effect on the efficiency, status and morale of the accountancy profession in India. Moreover, in the interests of the public, it is quite desirable that those whose names will be enrolled on the proposed Register of Accountants should be persons who have passed some recognised professional tests of a high standard which would enable them to discharge their onerous duties as auditors with confidence and in the best interests of the public and their clients. Nobody can have a reasonable objection if an aspirant to the profession has passed a test which is publicly recognised in India by the Governor General in Council under the rules to be framed by him. What is strongly opposed by the Accountancy profession is that the proposed Indian Accountancy Board should have any unrestricted power in its hands which would leave it free under the patronage of the Governor General in Council to discriminate individually between persons and persons who may desire to enter the profession. It is for these reasons that an assurance should be given by the Government on the floor of the House now that under the proposed scheme nothing shall be done which would enable an unqualified person or persons with dubious qualifications to enter the accountancy profession in India by the back door.

The third point which is more important is this. The proposed scheme under the Bill in question for the regulation of the profession of accountants and auditors in India is only a transitional one, the goal being the establishment in India of a strong autonomous body of accountants and auditors as they have in the United Kingdom, in the British Dominions, in the United States of America and in other European countries. The arrangements that are in vogue at present for the training of auditors in India came into existence after the commencement of the Indian Companies Act, 1913, and they were meant to be revised after five years' trial. Yet it took approximately fifteen years for the Government of India to do the needful in the matter, and that too in spite of the unanimous report of the External Capital Committee and the persistent demands of the commercial community and the accountancy profession in this direction. If the proposed arrangements under the Bill are to be transitional, and if India is to have its own autonomous body of Chartered Accountants and Auditors at an early date, then it is very necessary that after a period of five years' trial, the whole question of regulating the professional of accountants and auditors in India should be re-examined by a representative committee mainly consisting of persons having special knowledge of the profession of public accountants and auditors in India. Hence an assurance should be given by the Government on the floor of the House that after a lapse of five years they would appoint a representative committee to review the whole question.

So much as regards the representations which I have been asked to press in this House in connection with this matter. Now, I would not like to take much time of the House. I have I am afraid already wearied the House by reading long extracts. All I need say is that nothing should be done to give preference to any non-Indian society, or to slacken the control of the Indian Accountancy Board on the members of any non-Indian body of professional accountants, for such laxity will prove fatal to the public interest and undermine the authority of the Indian Accountancy Board to enforce discipline on all auditors without discrimination.

5 P.M.

[Mr. Vidya Sagar Pandya.]

Then, Sir, under the scheme proposed by Government there is the question of representation of the various provinces on the Indian Accountancy Board. I am not quite satisfied with that. I hope Government will give due representation to the various provinces. Under the scheme Bombay and Bengal get too much representation on the Board. Of course we have to realise their importance and take into consideration the number of joint stock companies and other commercial or business concerns that are working in these places. But the representation for Madras and especially for Northern India on the Indian Accountancy Board is very scanty.

Finally, I will say that the majority of members of the All India Accountancy Board and the Local Boards should be Indians who are not under the thumb of any foreign body of accountants. Under the old system of general permission to the members of certain recognised foreign societies, as I had occasion to point out to the Government of Madras, certain undesirable persons, who represented themselves as members of those bodies, were allowed to practise in India. Take for instance the legal profession. Even if a man has qualified himself as a barrister, he has to enrol himself in the High Court, but there is no such thing in the case of the members of these recognised non-Indian societies, with the result that, in Madras, we came across one or two instances in which certain Europeans passed off as members of the societies and there was no power reserved in the Indian Companies Act to prevent them from practising in India. When they were asked to produce the certificates of membership they said they had lost the original certificates, and in spite of their failure to produce credentials, they were allowed to practise, with the result that the bodies in England could not, owing to distance, take any disciplinary action against such persons practising as auditors in India. At the same time, Government had not retained any powers in their hands to disqualify them from practising. The Government could not take any disciplinary action against these persons simply because they were members of those bodies and they were thus free to practise though it was possible for the Government to take action against the other persons and they did take action against those who were given certificates by the Local Governments. In the case of the Members who belong to these non-Indian recognised societies the Government had absolutely no control. I hope, in framing the rules, the Government will at least now bear in mind that nothing is done which will give any undue prominence to any members of non-Indian societies who are practising in India. With these remarks I once more thank the Honourable Sir George Rainy for his having brought up the Bill for the consideration of the House in the present Session and not sending it for circulation for public opinion.

The Honourable Sir George Rainy (Member for Commerce and Railways): I wish to say only two sentences. I thank the Honourable Member for what he has said about myself, but the real thanks are due to Sir Charles Innes rather than to me, because it was in his time that most of the spade-work was done. The Honourable Member has asked me to give him, on the floor of the House, a number of assurances. I am afraid the only assurance I can give him is that everything that he has said will be fully considered at the time when we are framing the rules. I cannot do more than that, because I am bound, if the scheme of the Bill is accepted by the House, to act mainly on the advice of the Accountancy Board, and I cannot now give pledges that would tie my hands as regards

the future. I have, however, no reason to apprehend that the Accountancy Board will give the Government of India advice which the Honourable Member would not consider to be a good advice.

Mr. President: The question is:

"That the Bill further to amend the Indian Companies Act, 1913, for certain purposes, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. President: The question is:

"That clause 3 stand part of the Bill."

Sir Hugh Cocke (Bombay: European): Sir, there are two amendments on the paper in connection with this clause, Mr. Aney being called away and Mr. Vidya Sagar Pandya does not desire to move his amendment.

Mr. Vidya Sagar Pandya: May I just interrupt my Honourable friend. I had a talk with the Honourable Mr. Aney, and he said he would withdraw his amendment, and he would be very glad to allow me to move my amendment, which is more comprehensive. I hope my friend, Sir Hugh Cocke, will permit me to move my amendment.

***Sir Hugh Cocke:** It is not for me to prevent the Honourable Member, but my amendment is an amendment which has been drawn up in consultation with Government and is supposed to include his. I therefore propose, with your permission, Sir, to move it. It runs as follows:

"For the second proviso to sub-clause (1) of clause 3, the following be substituted:

"Provided further that any person who—

(a) was entitled immediately before the commencement of this Act by reason of any such certificate or declaration to be appointed and to act as an auditor of companies throughout British India, and (b) has at any time, after he became so entitled and before the commencement of this Act, resided in India,

shall, if he possesses such qualifications as to good character and on payment of such fee as may be prescribed under clause (b) of sub-section (24) of section 144 of the Indian Companies Act, 1913, be entitled to be enrolled on the Register of Accountants referred to in that sub-section."

The alteration between the proviso in the Bill, as inserted by the Select Committee, and this proviso is mainly verbal and I do not wish to say any more.

Mr. Vidya Sagar Pandya: Sir, we have not got a copy of the amendment moved by Sir Hugh Cocke.

(The Honourable Member was supplied with a copy.)

Mr. President: Does any Honourable Member wish to speak on this amendment?

(No Honourable Member rose to speak.)

The Honourable Sir George Rainy: I would suggest, Mr. President, that if Mr. Vidya Sagar Pandya is going to move his amendment, it might be perhaps convenient to have it moved so that we may have one discussion on both the amendments.

Mr. President: I was waiting to see if he would like to move his amendment.

*Speech not revised by the Honourable Member.

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LEGISLATIVE ASSEMBLY.

[31ST MAR. 1930.]

Mr. Vidya Sagar Pandya: Sir, I beg to move my amendment which runs as follows:

"For the second proviso to sub-clause (1) of clause 3 the following be substituted :
 'Provided further that any person residing or practising in India on the date of the commencement of this Act who immediately before such date was entitled to be appointed and to act as an auditor of companies throughout British India or within a province in British India shall, on payment of any fee prescribed under clause (b) of sub-section (2A) of section 144 of the Indian Companies Act, 1913, be eligible for enrolment on the Register of Accountants referred to in that sub-section."

Now, Sir, in pressing my amendment, I have to bring to your notice that a representation has been made on this matter to the Government by the Society of Accountants and Auditors of Bombay. I will only read a small portion of it, which pertains to my amendment. It runs thus:

"It is however felt that the newly inserted proviso is so worded that not only that all those auditors who are already qualified for the profession in India shall be enrolled on the proposed Register of Accountants when it is first opened, but even such persons who at the date of the commencement of the proposed Act cannot be auditors of public limited companies in India but who on some future date may become members of some non-Indian bodies of accountants (over which the Indian Legislatures or Government have no control whatever) shall *ipso facto* be entitled to enrolment on the proposed Register of Accountants on the ground that persons of their class were entitled in the past under a declaration made by the Governor General in Council in 1914 to act as auditors of companies throughout British India. It is also doubtful whether owing to the present wording of the proposed proviso the name of any miscreant who happens to be a member of a recognised non-Indian body of professional accountants can be refused by the proposed Indian Accountancy Board for enrolment on the proposed Register of Accountants in spite of his professional misdemeanour, or owing to any substantial reason in the interests of the public. In short, the proviso in question as at present worded is likely to put the members of some non-Indian (British and other) bodies of accountants out of the effective control of the Government of India or the proposed Indian Accountancy Board. Surely that would amount to the negation of the fundamental principle of the Bill which seeks to bring all auditors under the direct and effective disciplinary control of the Governor General in Council and the proposed Indian Accountancy Board. Under the existing provisions of section 144 (1) of the Indian Companies Act, 1913, the Governor General in Council is authorised to give, withdraw or withhold recognition, at his discretion to any non-Indian institution or association, whereas under the proposed proviso it is sought to establish by the Act itself that all the present and would-be members, including even those yet unborn, of the six non-Indian bodies of accountants that have hitherto been recognised by the Governor General in Council shall have a perpetual statutory right to be enrolled on the Register of Accountants. Such an extraordinary step is without any parallel among the legislative measures so far enacted to regulate the accountancy profession in various countries of the world where foreign bodies of accountants are recognised, if at all, only under the rules or bye-laws framed under the provisions of the relative Acts or charters. In this country too members of institutions or associations of accountants have been recognised so far under the rules framed under the Indian Companies Act, 1913, and it is very desirable in the interests of the public and the profession alike that the same procedure be followed in future whenever necessary. It is not at all objected that the members of a reputable non-Indian body of accountants and auditors may have the same privileges in India as the other members of the accountancy profession who are educated and trained in the country itself. It however appears from the wording of the proviso as if it is sought to create perpetually a vested interest in the accountancy profession in India for all those who are at present, or who may become even in remote future, members of any of the six recognised British and other bodies of professional accountants. The proviso as at present inserted in the Bill is likely to deprive Government and the public in this country of their legitimate right to enforce without any hindrance a high standard of qualification, discipline and conduct on all professional accountants and auditors in India because it purports to enact that members of certain non-Indian bodies of professional accountants and auditors over which Government or the legislatures in this country have no direct control whatever, shall always be enrolled *ipso facto* on the proposed Register of Accountants. Such an extraordinary provision in the Act is against the ideal of the whole

measure, namely, the creation in India at an early date of an autonomous association of accountants able to assume complete responsibility for the maintenance of the requisite standard of professional qualification, discipline and conduct of its Members."

Thus, Sir, those persons who at present hold only restricted certificates will go out of it as such, but they should be allowed to enrol on the Register of Accountants just like any other persons at present entitled to act as auditors of companies throughout British India.

The Honourable Sir George Rainy: Sir, I should like to explain as regards the amendment moved by my Honourable friend Sir Hugh Cocke, that, after the submission of the Report of the Select Committee, Mr. Aney, Sir Hugh Cocke and the Society of Accountants which has been mentioned, drew the attention of the Government to the fact that this new proviso to sub-clause (1) of clause 3 of the Bill did not fully carry out its object and that there were certain defects in it. In particular it was pointed out that there was a possible interpretation of the proviso by which any one who might in future become a member of one of the institutions and associations now notified would be entitled to enrolment in the Register of Accountants. That was not at all our intention, and as soon as we realised that that was so, we agreed that steps must be taken to put it right.

The second point is the one mentioned by my Honourable friend, Mr. Vidya Sagar Pandya, namely, that, under the proviso as it stands in the Bill, and as submitted by the Select Committee, a person who held an unrestricted certificate, or who was a member of one of the notified institutions, would be entitled to enrolment on the register, even though he might be considered undesirable on account of his past record, for definite reasons. In that respect also it was thought that steps should be taken to put the matter right.

In the third place, a member of a notified institution would be entitled, under the proviso as it stands, to enrolment, even though he had never been in India at all and that obviously is not the intention of Government. We believe that the proviso, as it has been drafted in the amendment of Sir Hugh Cocke, puts these three matters right, and in so far as it does so, I have no doubt that it will have the support of my Honourable friend Mr. Vidya Sagar Pandya. But in two respects he goes further. I am not quite clear that I understand fully his reasons for one of the changes. Whereas the Select Committee said, "shall be entitled to be enrolled" the words used in his amendment are "shall be eligible for enrolment". I do not know whether anything particular depends upon them, but I have no doubt in my own mind myself that, after a great deal of discussion in the Select Committee, the phrase "entitled to be enrolled" was adopted for definite reasons. Finally the difference between Mr. Pandya's amendment and the amendment of Sir Hugh Cocke is this, that Mr. Pandya wishes that there should be included a provision in the Bill by which those auditors who hold only restricted certificates, that is who can only practise in a particular province and not throughout India, should be eligible for enrolment on the register and for the grant of certificates which would be in force throughout India. I am afraid the Government of India cannot accept that amendment, because the reason why these men hold only restricted certificates at present is that they are not considered to possess the qualifications which, if they are to practise throughout India, they should possess. They will not be debarred from practising altogether.

Mr. Vidya Sagar Pandya: In the scheme which the Government circulated for opinion, it was suggested that all those persons who hold restricted auditors' certificates have their certificates made permanent instead of being renewed periodically.

The Honourable Sir George Rainy: The matter was very fully considered and the decision we arrived at was that, under the Bill, it will be possible to make arrangements for each of the men who hold restricted certificates to continue the work as auditor in the province for which he holds the certificate. We came definitely to the conclusion that it was not right that he should be enrolled in the Register and then granted a certificate which would enable him to practise throughout British India. I am afraid that, on that point, I cannot agree with my Honourable friend. It is for that reason mainly that, while I am quite ready to accept the amendment of my Honourable friend Sir Hugh Cocke, I am afraid I cannot accept the amendment moved by Mr. Vidya Sagar Pandya.

Mr. Vidya Sagar Pandya: May I read that portion of the Government statement in the matter which is relevant to the discussion?

Mr. President: Order, order. The Honourable Member has no right of reply.

Mr. Vidya Sagar Pandya: Only to correct the Honourable Member in what he has said.

Mr. President: The Honourable Member does not need any correction.

The question is:

"That for the second proviso to sub-clause (1) of clause 3 the following be substituted:

"Provided further that any person residing or practising in India on the date of the commencement of this Act who immediately before such date was entitled to be appointed and to act as an auditor of companies throughout British India or within a province in British India shall, on payment of any fee prescribed under clause (b) of sub-section (24) of section 144 of the Indian Companies Act, 1913, be eligible for enrolment on the Register of Accountants referred to in that sub-section."

The motion was negatived.

Mr. President: The question is:

"That for the second proviso to sub-clause (1) of clause 3 the following be substituted:

"Provided further that any person who—
(a) was entitled immediately before the commencement of this Act by reason of any such certificate or declaration to be appointed and to act as an auditor of companies throughout British India, and (b) has at any time, after he became so entitled and before the commencement of this Act, resided in India, shall, if he possesses such qualifications as to good character and on payment of such fee as may be prescribed under clause (b) of sub-section (24) of section 144 of the Indian Companies Act, 1913, be entitled to be enrolled on the Register of Accountants referred to in that sub-section."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir George Rainy: Sir, I beg to move that the Bill, as amended, be passed.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, I would like to say a few words even at this late hour. I might inform the Honourable the Commerce Member

Mr. President: Do.

Mr. Fazal Ibrahim Rahimtulla: that when he considers the question of the reconstitution of the Board after nomination, he will consider the question of giving representation to the Bombay Shareholders Association. I had drawn the attention of the Honourable the Commerce Member to this point at the meeting of the Select Committee and now that the Bill is about to be passed, I wish to put it on record that, when Government, after the fixed period to which the Select Committee has agreed, constitute on an elective basis, a certain Central Local Advisory Board, he will consider the question of giving representation to the Bombay Shareholders Association. That is a body which has taken a very keen interest in this question, and I think, Sir, representation to that body would prove useful even from the point of view of Government. We want independent critics, and those who have made a special study. Both these tests will be adequately filled if my suggestion is accepted.

The Honourable Sir George Rainy: I will certainly consider that fully. The facts are not present to my mind at the moment and therefore I cannot say more than that.

Mr. President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

(AMENDMENT OF SECTIONS 2, 23, ETC.)

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the amendment made by the Council of State in the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes (Amendment of sections 2, 23, etc.) be taken into consideration."

Sir, the amendment made by the Council of State is on a purely technical matter. A certain confusion arose because we had two Bills dealing with the subject of income-tax, both of which set out to amend section 66 of the Indian Income-tax Act, and as the two Bills were originally drafted, the amendments were not mutually conflicting. But in the course of the passage of one of the Bills in this Assembly a slight amendment was made in the amending section, and that made one of the sections inconsistent with the other. That error has now been put right in the Council of State and that is the amendment to which reference is made in my motion. Sir, I move.

Mr. President: I shall read the amendment made in the Council of State:

"For clause 11 of the Bill the following clause was substituted, namely:

"11. In sub-section (2) of section 66 of the said Act,—

(a) after the word and figures "section 32", the words and figures "or of a decision by a Board of Referees under section 33A" shall be inserted; and

(b) after the words "order" in the second and third places where it occurs, the words "or decision" shall be inserted."

The question is that that amendment be adopted.

The motion was adopted.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

(AMENDMENT OF SECTIONS 14, 25A, ETC.)

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the amendment made by the Council of State in the Bill further to amend the Indian Income Tax Act, 1922, for certain purposes (Amendment of sections 14, 25A, etc.) be taken into consideration."

The amendment in this case consisted simply in inserting the word "Second" in the title before the word "Amendment" so as to distinguish this Bill from the Bill dealt with in the preceding motion.

Mr. President: I will read the amendment made by the Council of State:

"In clause 1 of the Bill, for the brackets and word '(Amendment)' the brackets and words '(Second Amendment)' were substituted."

The question is that that amendment be adopted.

The motion was adopted.

THE TRANSFER OF PROPERTY (AMENDMENT) SUPPLEMENTARY BILL.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move that the Bill to amend the Transfer of Property (Amendment) Supplementary Act, 1929, for a certain purpose, as passed by the Council of State, be taken into consideration.

The Bill is designed to rectify an inadvertent error and an inadvertent omission in the Transfer of Property Supplementary Act of 1929, which were not discovered when that measure was before the Legislature in 1929. The Statement of Objects and Reasons explains the error and the omission.

Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Brojendra Mitter: Sir, I move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

THE DESTRUCTIVE INSECTS AND PESTS BILL.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): Sir, I beg to move that the Bill to amend the Destructive Insects and Pests Act, 1914, for a certain purpose, as passed by the Council of State, be taken into consideration.

The necessity for this measure is very fully explained in the Statement of Objects and Reasons and it is unnecessary for me to say more than a very few words. At the time the Destructive Insects and Pests Act, 1914, was passed, the possibility that pests might be introduced into this country by air was naturally not foreseen. The introduction of a regular Air Mail Service has however made this possibility a very real one and in these circumstances it is necessary to close this gap in our defences. The pest that we have particularly in mind is the Mediterranean fruit-fly, which exists not only along the coasts of the Mediterranean, but also in Australia. So India is exposed to attack from two quarters. What it would mean if this pest were once introduced into this country can be illustrated by the experience of the United States of America. The pest has recently been found in Florida, and Congress has had to authorise the expenditure of a sum of no less than 2½ crores of rupees in efforts to eradicate it. Prevention is obviously better than cure, and it is for that reason that this measure has been brought forward.

Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Sir Frank Noyce: Sir, I beg to move that the Bill, as passed by the Council of State, be passed.

The motion was adopted.

RESOLUTION RE PREVENTION OF INDUSTRIAL ACCIDENTS.

Mr. President: I understand the next Resolution standing in the name of the Honourable the Leader of the House will be moved and then he will agree to postpone its further discussion till the next Session.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): If there is any desire to that effect, I am quite willing to do so.

Mr. President: The Honourable Member knows that such a desire cannot be expressed by any one under the conditions in which we are placed. For instance Members like Diwan Chaman Lall and others, who take an interest in it, are not present; and I would suggest to the Honourable Member whether he should merely move his Resolution and then postpone it, so that other Honourable Members may have a chance of giving their views at the next Session.

The Honourable Sir Bhupendra Nath Mitra: I am quite willing to accept that suggestion. But this Resolution was drawn up in consultation with the Standing Advisory Committee on which there is at least one representative of labour. If you will kindly read the Resolution, you will find that it contains a provision that certain things should be done and the matter again brought before the House within 18 months. The more we postpone the passing of the Resolution, the greater will be the delay in taking that action. That is my only point. If anybody had stood up and said that he wanted this discussion to be postponed, I would immediately agree to that. Otherwise Government may be accused of simply postponing the taking of any action.

Mr. President: But Government are postponing it at the suggestion of the Chair.

The Honourable Sir Bhupendra Nath Mitra: If the specific suggestion comes from you, I would not oppose it, because in that case no responsibility would rest with Government. Shall I move it now?

Mr. President: Yes, formally.

The Honourable Sir Bhupendra Nath Mitra: Sir, I beg to move the following Resolution:

"This Assembly, having considered the Recommendation concerning the prevention of industrial accidents and the Recommendation concerning responsibility for the protection of power-driven machinery adopted at the Twelfth Session of the International Labour Conference, recommends to the Governor General in Council that he should examine the possibility of giving effect to the Recommendation concerning the prevention of industrial accidents and that the results of this examination should be placed before this Assembly within eighteen months from this date."

Sir, the Twelfth Session of the International Labour Conference which was held at Geneva in May-June, 1929, adopted *inter alia* the following recommendations:

"(1) Recommendation concerning the prevention of industrial accidents.

(2) Recommendation concerning responsibility for the protection of power driven machinery."

The full text of these recommendations is contained in a White Paper which was circulated among Members of the Legislative Assembly a few days ago. The Recommendation concerning the prevention of industrial accidents covers a very wide field. It is intended to be applicable, not only to mines and industries involving manufacture, but also to agriculture and to all forms of transport. Certain parts of the Recommendation are not entirely suitable to Indian conditions, and they postulate a degree of organisation and education which Indian workers do not at present possess. Some parts of the Recommendation are in accordance with existing legislation, and certain other parts can be given effect to in India without further legislation, but fresh legislation will be necessary if the Recommendation as a whole is to be adopted. The Government of India intend to consult the Provincial Governments in regard to the possibility of giving effect to the Recommendation as a whole, and to place the result of this examination before this Assembly within 18 months from the date on which this Resolution is adopted by the House.

The second Recommendation, namely, that concerning responsibility for the protection of power-driven machinery, requires that it should be prohibited by law to supply or instal any machine intended to be driven by mechanical power, unless it is furnished with the safety appliances required by law for the protection of machines of that type. There are two main difficulties in India in the way of giving effect in full to the principle embodied in this Recommendation. Firstly, because the bulk of the machinery in use in India is imported machinery and it would be impracticable to enact Indian legislation imposing a penalty on a foreign supplier resident abroad. Secondly, many of the safety regulations relating to machinery are framed by Local Governments under the Indian Factories Act and vary to some extent from province to province. Thus, imported machinery, which would comply with the regulations of one province, may be contrary to the regulations of another province. As far as the employer himself is concerned, the occupier or manager of a factory who does not satisfy regulations imposed in respect of machinery installed in his factory is already liable to a penalty under the existing law. It does not therefore appear that any useful purpose would be served in India by the adoption of this Recommendation. Sir, I move:

Mr. President: The Resolution moved is:

"This Assembly, having considered the Recommendation concerning the prevention of industrial accidents and the Recommendation concerning responsibility for the protection of power-driven machinery adopted at the Twelfth Session of the International Labour Conference, recommends to the Governor General in Council that he should examine the possibility of giving effect to the Recommendation concerning the prevention of industrial accidents and that the results of this examination should be placed before this Assembly within eighteen months from this date."

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): I understand that the further discussion of this is to be adjourned. I move formally that the further discussion on this Resolution be postponed till the next Session.

The motion was adopted.

AMENDMENT OF STANDING ORDERS.

The Honourable Sir Brojendra Mitter (Law Member): Sir, I beg to move:

Mr. Jehangir K. Munshi: Sir, may I draw your attention to the fact that there is no quorum?

Mr. President: More than a quorum, I am afraid. Perhaps the mathematics of the Honourable Member are very very defective. There is a quorum for two Houses.

The Honourable Sir Brojendra Mitter: Sir, I beg to move:

"That the amendment to the Standing Orders, as reported by the Select Committee, be taken into consideration."

[Sir Brojendra Mitter.]

Sir, the object of the amendment is to make it possible for more than one Select Committee to sit at the same time and is fully explained in the Report. Sir, I move.

The motion was adopted.

The Honourable Sir Brojendra Mitter: Sir, I beg to move:

"That the amendment to the Standing Orders, as reported by the Select Committee, be passed."

The motion was adopted.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That the Report of the Public Accounts Committee on the accounts of 1927-28 be taken into consideration."

Sir, this is a subject in which this Assembly has taken a good deal of interest in the past and I think it is regrettable that there should be such a small attendance now when it is put down for discussion.

Mr. President: There is Sir Cowasji Jehangir, who will move an adjournment.

The Honourable Sir George Schuster: I shall be very pleased to accept that motion.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan-Urban): I beg to move that the consideration of this subject be postponed to the next Session.

The motion was adopted.

DEMANDS FOR EXCESS GRANTS FOR 1927-28.

GENERAL ADMINISTRATION—MISCELLANEOUS.

The Honourable Sir George Schuster (Finance Member): I beg to move:

"That an excess grant of Rs. 231 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'General Administration—Miscellaneous'."

The motion was adopted.

ADMINISTRATION OF JUSTICE.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 9 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Administration of Justice'."

The motion was adopted.

MISCELLANEOUS ADJUSTMENTS BETWEEN CENTRAL AND PROVINCIAL GOVERNMENTS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 3,431 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Miscellaneous Adjustments between Central and Provincial Governments'."

The motion was adopted.

REFUNDS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 1,57,481 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Refunds'."

The motion was adopted.

COMMUTED VALUE OF PENSIONS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 1,06,529 be voted by the Assembly to regularise the expenditure chargeable to Capital actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Commuted Value of Pensions'."

The motion was adopted.

LOANS AND ADVANCES BEARING INTEREST.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 6,12,971 be voted by the Assembly to regularise the expenditure actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Loans and Advances bearing interest'."

The motion was adopted.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 8,08,768 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Indian Posts and Telegraphs Department'."

The motion was adopted.

RAILWAYS.

WORKING EXPENSES—ADMINISTRATION.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 20,93,000 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Working Expenses—Administration'."

The motion was adopted.

APPROPRIATION FROM DEPRECIATION FUND.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 75,11,000 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Appropriation from Depreciation Fund'."

The motion was adopted.

REVENUE—STRATEGIC LINES.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 1,38,000 be voted by the Assembly to regularise the expenditure chargeable to Revenue actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Strategic Lines'."

The motion was adopted.

NEW CONSTRUCTIONS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 1,44,80,000 be voted by the Assembly to regularise the railway expenditure chargeable to Capital actually incurred in excess of the voted grant in the year 1927-28 in respect of 'New Constructions'."

The motion was adopted.

OPEN LINE WORKS.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 53,45,000 be voted by the Assembly to regularise the railway expenditure chargeable to Capital actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Open Line Works'."

The motion was adopted.

CAPITAL—STRATEGIC LINES.

The Honourable Sir George Schuster: I beg to move:

"That an excess grant of Rs. 50,000 be voted by the Assembly to regularise the railway expenditure chargeable to Capital actually incurred in excess of the voted grant in the year 1927-28 in respect of 'Strategic Lines'."

The motion was adopted.

Mr. President: Does the Honourable the Finance Member want any more grants?

The Honourable Sir George Schuster: No, Sir.

Mr. President: Has the Honourable the Leader of the House any more Government business to carry out?

The Honourable Sir Bhupendra Nath Mitra: No, Sir.

Mr. President: The time has come when I should adjourn the House *sine die*. Before I do so, I should like to shake hands with each Honourable Member of this House. We do not know whether the next Session will be held or not, and even if it is held, we do not know how many of us will be here. Therefore I should like Honourable Members, one by one, to come and shake hands with me.

(Mr. President shook hands with all the Members present.)

The Assembly then adjourned *sine die*.

